

## New Tennessee Law

Effective January 1, 2011, the Mercury Product Disposal Control Act (the Act) prohibits “covered generators” from disposing “mercury-added consumer products” as non-hazardous solid waste.

TDEC inspectors are required by the Act to make the following statement to the owner or similar authority at a facility undergoing an inspection:

**“Are you aware that, if any of the following criteria apply to your business and your business utilizes mercury-added consumer products, such as fluorescent light bulbs, the Mercury Product Control Act applies to your business:**

- (1) Employs ten (10) or more employees;**
- (2) Owns or maintains a building of at least three thousand (3,000) square feet, excluding private residences;**
- (3) Owns or maintains one (1) or more electrical distribution systems;**
- (4) Engages in the demolition of buildings, excluding private residences; or**
- (5) Owns or operates a tanning bed salon?**

**The Mercury Product Control Act requires proper recycling of mercury-added consumer products rather than disposing of such products in the solid waste stream. Do you have a plan for recycling mercury-added consumer products?”**

The Act prohibits covered generators from disposing of mercury-added consumer products in any Subtitle D facility (non-hazardous waste landfill) on or after January 1, 2011.

The intent of the Act is to encourage recycling of mercury-added consumer products otherwise destined for disposal. However, the Act provides covered generators the option to dispose of mercury-added consumer products as a hazardous waste. Therefore, effective January 1, 2011, covered generators must ensure that their discarded mercury-added consumer products are shipped for recycling, treatment, or disposal to either a universal waste destination facility or a hazardous waste management facility that has been permitted to manage such materials by the federal Environmental Protection Agency (“EPA”) pursuant to the federal Resource Conservation and Recovery Act (“RCRA”), by a state program that has been authorized by the EPA to implement the pertinent portions of RCRA in the state, or by a foreign government.

### **Need help to stay compliant with this state regulation?**

Contact: Jason Stadheim with Waste Management – LampTracker recycle program.

Phone number: 800-670-6956 Ext #2

Email: [jstadhei@wm.com](mailto:jstadhei@wm.com)