



Rhode Island Department of Environmental Management
Office of Customer and Technical Assistance
235 Promenade Street, Providence, Rhode Island 02908-5767
www.dem.ri.gov

DATE: April 26, 2021

TO: Mercury Thermostat Interested Parties

FROM: Ann Battersby, Office of Customer and Technical Assistance, RIDEM

SUBJECT: Proposed Collection Targets for 2021 & 2022 for Collection of Out-Of-Service Mercury Containing Thermostats

Introduction

In accordance with Section 23-24.9-10.2(a) of the RI General Laws (RI Mercury Reduction and Education Act), the RI Department of Environmental Management (RIDEM) is required to establish collection rates for out-of-service mercury containing thermostats for calendar years 2021 through 2022. Enclosed herein are proposed collection goals for said calendar years. At this time, the Department is seeking formal, written comment from interested stakeholders including, but not limited to, thermostat manufacturers, environmental groups, thermostat wholesalers, contractors and thermostat retailers.

RIDEM is accepting written comments on the proposed goals through May 26, 2021. If you wish to submit comments on the proposed goals, please submit them in writing to the following:

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Following the receipt of responses, RIDEM will prepare a written response to all comments received as well as publishing those comments received for placement on the RIDEM website (<http://www.dem.ri.gov/programs/wastemanagement/facilities/mercury.php>)

**Rhode Island Department of Environmental Management
Proposed Collection Targets for 2021 – 2022 for Collection of Out-Of-Service Mercury
Containing Thermostats**

Rhode Island Thermostat Collection History

Rhode Island’s Mercury Reduction and Education Act (RIGL 23-24.9) was amended in 2010 by the General Assembly to include new, specific provisions which impact mercury-added thermostats. The Mercury Reduction and Education Act made it illegal to sell mercury-added thermostats in Rhode Island since 2006. However, hundreds of thousands of mercury-added thermostats are still in use in Rhode Island homes and businesses, and the law is aimed at collecting as many of those old thermostats as possible.

The law requires manufacturers of mercury-added thermostats that have been sold in the state to establish and maintain a collection and recycling program for out-of-service mercury-added thermostats from wholesalers, contractors, retailers, service technicians and homeowners. Manufacturers not in compliance with this law are prohibited from selling thermostats in RI.

Most thermostat manufacturers have banded together and formed a group called the Thermostat Recycling Corporation, commonly called TRC. TRC is implementing the law on behalf of the manufacturers in RI and in numerous other states that have similar laws for thermostats. TRC continues to implement its collection program in RI pursuant to a plan it submitted to RIDEM in 2010. In addition, each year since 2010 TRC has identified program improvements as part of its required annual report to the Department.

In accordance with RIGL 23-24.9-10.2(b)(3), the Department was required to set collection goals for 2015-2020. In September of 2015, the collection goals in the following table were set:

Table 1: 2015-2020 Collection Goals

| Collection Year | Collection Goal |
|------------------------|------------------------|
| 2015 | 2,500 |
| 2016 | 3,250 |
| 2017 | 4,000 |
| 2018 | 4,000 |
| 2019 | 4,750 |
| 2020 | 4,750 |

TRC is required to report annually by March 1st on the previous calendar year collections. Review of the 2011 - 2020 annual reports shows the following collection numbers displayed in the following table.

Table 2: Collection Rates 2011-2020

| | |
|--------------------------------|--|
| Program year 2011 Collection # | 10.32 pounds of mercury 1,068 whole thermostats 348 loose switches |
| Program year 2012 Collection # | 12.16 pounds of mercury 1,543 whole thermostats 142 loose switches |
| Program year 2013 Collection # | 18.18 pounds of mercury 2,477 whole thermostats 158 loose switches |
| Program year 2014 Collection # | 23.43 pounds of mercury 2,720 whole thermostats 3,779 loose switches |
| Program Year 2015 Collection # | 16.7 pounds of mercury 2,212 whole thermostats 2,697 loose switches |
| Program Year 2016 Collection # | 24.9 pounds of mercury 2,275 whole thermostats 1,632 loose switches |
| Program Year 2017 Collection # | 20.4 pounds of mercury 3,028 whole thermostats 86 loose switches |
| Program Year 2018 Collection # | 29.0 pounds of mercury 4,384 whole thermostats 22 loose switches |
| Program Year 2019 Collection # | 28.8 pounds of mercury 4,017 whole thermostats 491 loose switches |
| Program Year 2020 Collection # | 16.1 pounds of mercury 2,437 whole thermostats 6 loose switches |

Each year, RIDEM meets with representatives from TRC to review annual performance and discuss ways to improve collection rates in the upcoming year. Collection goals are reached by the number of whole thermostats that are collected.

Proposed Annual Collection Goals for 2021-2022

In accordance with RIGL 23-24.9-10.2(b)(3), for calendar year 2021 through 2022, mercury thermostat collection goals shall be established by the Department. In developing the proposed collection goals for 2021 through 2022, the Department took into account the effectiveness of collection programs for out-of-service mercury thermostats in Rhode Island from years 2015-2020 as well as other state's collection programs. The Department's process

also included a review of collection requirements in other states, relevant reports and studies in other states/nationally, and other relevant reports and studies.

At this time, RIDEM is proposing the following annual collection goals as set forth below.

| YEAR | PROPOSED COLLECTION GOAL |
|-------------|---------------------------------|
| 2021 | 5,000 |
| 2022 | 4,750 |

RIDEM is accepting written comments on the proposed goals through May 26, 2021. Please refer to the 'Introduction' above for specific instructions on how to submit written comments.