



Rhode Island Department of Environmental Management
235 Promenade Street, Providence, Rhode Island 02908-5767
Rhode Island Relay 711
www.dem.ri.gov

Office of Customer and Technical Assistance

DATE: August 31, 2015

TO: Mercury Thermostat Interested Parties

FROM: Beverly Migliore, Office of Customer and Technical Assistance, RIDEM

SUBJECT: Proposed Collection Targets for 2015 – 2020 for Collection of Out-Of-Service Mercury Containing Thermostats

Introduction

In accordance with Section 23-24.9-10.2(b)(3) 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 2015 through 2020. 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 Wed, Sept 30, 2015. If you wish to submit comments on the proposed goals, please submit them in writing to the following:

Beverly M. Migliore
Supervising Environmental Scientist
RIDEM Office of Customer and Technical Assistance
235 Promenade St.
Providence, RI 02908
beverly.migliore@dem.ri.gov
401-222-4700 (Ext. 7503)

Following the receipt of responses, RIDEM will prepare a written response to comments document and will also publish all comments received on the RIDEM website (www.dem.ri.gov).

**Rhode Island Department of Environmental Management
Proposed Collection Targets for 2015 – 2020 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 is implementing 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.

The backbone of TRC’s program here in RI is provided by wholesalers/contractors who act as collection sites for thermostats the contain mercury.

Manufacturers are required to collect a certain number of mercury-added thermostats per year in accordance with RIGL 23-24.9-10.2(a)(6). The collection goals as set forth in the law are as follows:

Program Year 2011 Goals	2,000 mercury-added thermostats
Program Year 2012 Goals	2,250 mercury-added thermostats
Program Year 2013 Goals	2,500 mercury-added thermostats
Program Year 2014 Goals	2,500 mercury-added thermostats

TRC is required to report annually by March 1st on the previous calendar year collections. A review of the 2011, 2012, 2013 and 2014 annual reports shows the following collection numbers for Rhode Island:

Program Year 2011 Collection #	1,416 mercury-added thermostats* (10.3 pounds of mercury)
--------------------------------	--

Program Year 2012 Collection #	1,543 mercury-added thermostats* (12.16 pounds of mercury)
Program Year 2013 Collection #	2,618 mercury-added thermostats* (18.27 pounds of mercury)
Program Year 2014 Collection #	2,720 mercury-added thermostats* (23.43 pounds of mercury)

** This number includes whole thermostats and loose thermostat bulbs*

Each year, RIDEM meets with representatives from TRC to review annual performance and discuss ways to improve collection rates in the upcoming year. As set forth above, TRC did not meet its mandated collection goals in 2011 and 2012. Based upon programmatic modifications enacted by TRC in response to feedback provided by the Department, in 2013 TRC reported that it significantly increased collections in RI by exceeding the established goal by 5%. Collections of whole thermostats increased in Rhode Island by 7% in 2014.

Proposed Annual Collection Goals for 2015 -2020

In accordance with RIGL 23-24.9-10.2(b)(3), for calendar year 2015 through 2020, mercury thermostat collection goals shall be established by the Department. In developing the proposed collection goals for 2015 through 2020, the Department took into account the effectiveness of collection programs for out-of-service mercury thermostats in Rhode Island and other states. The Department's process also included a review of collection requirements in other states, relevant reports and studies on the number of out-of-service mercury thermostats that are available for collection in Rhode Island, other states/nationally, and other factors.

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

YEAR	PROPOSED COLLECTION GOAL
2015	2,500**
2016	3,250
2017	4,000
2018	4,000
2019	4,750
2020	4,750

**For calendar year 2015, the Department has determined to carry over the 2014 collection goal value

RIDEM is accepting written comments on the proposed goals through Wed. September 30, 2015. Please refer to the 'Introduction' above for specific instructions on how to submit written comments.