



RHODE ISLAND DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

235 Promenade Street, Providence, RI 02908-5767

RI Relay Dial 711

NOTICE TO RHODE ISLAND THERMOSTAT WHOLESALERS/DISTRIBUTORS

This notice is intended to notify you of a recent change to the RI Mercury Reduction and Education Act (RIGL Chapter 23-24.9) that affects the sale, collection and disposal of mercury-added thermostats. On June 25, 2010 amendments to this law which specifically impact thermostat wholesalers/distributors went into effect.

The new provisions of the law that significantly affect wholesalers/distributors are as follows:

- Requires old mercury-added thermostats to be recycled at the expense of thermostat manufacturers (or their designee). Wholesalers and contractors play an important role in collecting/recycling old mercury thermostats and **shall not offer for sale or distribute any thermostat unless the wholesaler/contractor acts as a collection site for thermostats that contain mercury. This sales prohibition takes effect February 1, 2011.**
- The manufacturers must submit a detailed description of a collection program for mercury thermostats that meets the requirements of section 23-24.9-10.2 to the Department. **On or after January 1, 2011, manufacturers must make collection containers available to all qualified contractors, thermostat wholesalers, thermostat retailers, and local government collections that request a container for thermostats that contain mercury. Information regarding the proper management of thermostats as universal waste must be included.**
- **A one-time fee, not to exceed \$75.00 per collection container, may be assessed to participants.**
- **Wholesalers/distributors shall support and participate with manufacturers to educate consumers on the proper management of out-of-service mercury-added thermostats. This includes the posting of signs at sites serving as collection points for mercury-added thermostats.**
- **Wholesalers/distributors shall receive from manufacturers educational and other outreach materials. These materials shall include, but are not limited to, one or more of the following:**
 - (1) **Signage that is prominently displayed and easily visible to the consumer and contractors.**
 - (2) **Written materials and templates of materials for reproduction by retailers and wholesalers to be provided to the consumer at the time of purchase, delivery, or both purchase and delivery of a thermostat. The materials shall include information on the prohibition of improper disposal of mercury-added thermostats, the proper management of out-of-service mercury-added thermostats, and the locations of collection opportunities.**
 - (3) **Advertising and/or other promotional materials that include references to collection opportunities.**
 - (4) **Materials to be used in direct communications with the consumer and contractor at the time of purchase.**
- Mercury-added thermostats collected as part of a state weatherization or energy efficiency program are required to be properly recycled.
- Manufacturers are required to collect a certain number of mercury thermostats per year in accordance with a collection plan as approved by the Rhode Island Department of Environmental Management (RIDEM).
- RIDEM will maintain and post a list of collection points in RI on its website at www.dem.ri.gov
- Manufacturers not in compliance with this law are prohibited from selling thermostats in RI.
- **Wholesalers and retailers shall not distribute or offer for sale any brand of thermostat by a manufacturer that is not in compliance with this new law.**

For further information on the requirements for mercury-added thermostat collection in RI, please contact Beverly Migliore, RIDEM at beverly.migliore@dem.ri.gov