

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2009

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HOUSE BILL 1287  
Committee Substitute Favorable 5/4/09

Short Title: Recycle Products Containing Mercury.

(Public)

Sponsors:

Referred to:

April 9, 2009

1 A BILL TO BE ENTITLED  
2 AN ACT TO REQUIRE ALL STATE AGENCIES TO RECYCLE ALL SPENT  
3 FLUORESCENT LIGHTS AND MERCURY THERMOSTATS; REQUIRE THE  
4 REMOVAL OF ALL FLUORESCENT LIGHTS AND MERCURY THERMOSTATS  
5 FROM BUILDINGS PRIOR TO DEMOLITION; AND BAN MERCURY-CONTAINING  
6 PRODUCTS FROM UNLINED LANDFILLS.

7 The General Assembly of North Carolina enacts:

8 **SECTION 1.** Article 9 of Chapter 130A of the General Statutes is amended by  
9 adding a new Part to read:

10 "Part 7. Management of Certain Products That Contain Mercury.

11 **"§ 130A-310.60. Recycling required by State agencies.**

12 (a) Each State agency, including the General Assembly, the General Court of Justice,  
13 universities, community colleges, and political subdivisions using State funds shall establish a  
14 program in cooperation with the Department of Environment and Natural Resources and the  
15 Department of Administration for the collection and recycling of all spent fluorescent lights  
16 and thermostats that contain mercury generated in State offices. The program shall include  
17 procedures for convenient collection, safe storage, and proper recycling of spent fluorescent  
18 lights and thermostats that contain mercury and contractual or other arrangements with buyers  
19 of the recyclable materials.

20 (b) Each State agency, including the General Assembly, the General Court of Justice,  
21 universities, community colleges, and political subdivisions shall submit a report on or before  
22 February 1, 2010, that documents the agency's compliance with the requirements of subsection  
23 (a) of this section to the Department of Environment and Natural Resources and the  
24 Department of Administration. The Departments shall compile the information submitted and  
25 jointly shall submit a report to the Environmental Review Commission on or before May 1,  
26 2010, concerning the activities required by subsection (a) of this section. The information  
27 provided shall also be included in the report required by G.S. 130A-309.06(c).

28 **"§ 130A-310.61. Removal and recycling of mercury-containing products from structures**  
29 **to be demolished.**

30 Prior to demolition of any building or structure in the State, the contractor responsible for  
31 the demolition activity or the owner of the building or structure to be demolished shall remove  
32 all fluorescent lights and thermostats that contain mercury from the building or structure to be  
33 demolished."

34 **SECTION 2.** G.S. 130A-309.10 is amended by adding a new subsection to read:

35 "(m) No person shall knowingly dispose of fluorescent lights and thermostats that contain  
36 mercury in a sanitary landfill for the disposal of construction and demolition debris waste that  
37 is unlined or in any other landfill that is unlined."



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1           **SECTION 3.** This act is effective when it becomes law, except that: (i) the  
2 recycling program required by G.S. 130A-310.60, as enacted by Section 1 of this act, shall be  
3 established and implemented by each State agency by December 1, 2009; and (ii) Section 2 of  
4 this act becomes effective December 1, 2009, and applies to offenses committed on or after that  
5 date.