

Report to North Carolina General Assembly – Environmental Review Commission
Compliance Status of State and Local Agencies on the Management of Spent Fluorescent Lights and
Mercury-containing Thermostats

NC DENR
12/15/2011

Session Law 2010-180 Background

NC G.S. 130A.06(c) Session Law 2010-180, each State agency, including the General Assembly, the General Court of Justice, universities, community colleges, and public schools is required to establish a program in cooperation with the Department of Environment and Natural Resources and the Department of Administration for the collection and recycling of all spent fluorescent lights and thermostats that contain mercury generated in public buildings owned by each respective entity.

Political subdivisions using State funds for the construction or operation of public buildings are also required to establish a program. This requirement was further updated for counties and municipalities when the General Assembly made changes in the 2011 Session that apply the provisions of Session Law 2010-180 only to local governments that receive state grant funds.

Additionally, Session Law 2010-180 states, effective July 1, 2011, that no person is allowed to dispose of mercury-containing fluorescent lights and thermostats into an unlined sanitary landfill for the disposal of construction and demolition debris waste or in any other unlined landfill. Demolition contractors in North Carolina and/or any owner of a building or structure to be demolished must also remove all fluorescent lights and mercury-containing thermostats from the building or structure prior to demolition.

Implementation Steps

Prior to Session Law 2010-180 going into effect on July 1, 2011, the Department of Natural Resources, Division of Environmental Assistance and Outreach (DEAO) began planning steps to implement the law. These steps started with the updates to www.p2pays.org and the development of factsheets for affected entities. DEAO then worked to establish a primary contact with each entity. Once these contacts were established information on the law was passed along.

DEAO then partnered with Waste Reduction Partners (<http://wastereductionpartners.org/>) to hold a series of education workshops across North Carolina during May, 2011. The workshops focused on the law's requirement that programs established by each entity include procedures for convenient collection, safe storage, and proper recycling of spent fluorescent lights and thermostats that contain mercury. Attendees were taught recycling options, and contractual and other arrangements with handlers of the recyclable materials. DEAO staff recommended that each entity utilize the approved vendors in State Term Contract 926B, a statewide convenience contract designed to lower the costs of managing mercury devices. Waste Reduction Partners utilized the workshops to teach building owners options to reduce lighting demand, to adopt fluorescent light alternatives, and to achieve utility cost savings. Four hundred ninety-two representatives of affected entities attended a series of six, two hour workshops that were held from May 2 through May 25, in Raleigh, Greenville, Charlotte, Winston-Salem, Wilmington and Asheville. For entities not able to attend one of the workshops, a webinar was conducted on June 1, 2011 for 50 registered attendees.

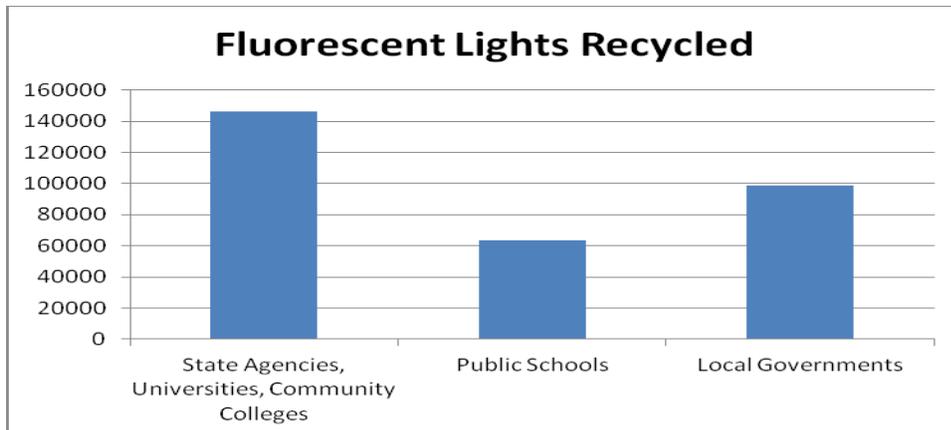
DEAO also worked with the Division of Waste Management to reach landfills affected by the law. A fact sheet was developed outlining the requirements of Session Law 2010-180 for landfills. Facility operators were advised to screen loads from demolition projects and reject loads with fluorescent lights and mercury-containing thermostats not removed prior to demolition. Letters were also sent to all demolition contractors across North Carolina, making them aware of the requirements of Session Law 2010-180 and directing them to www.p2pays.org to learn about recycling options.

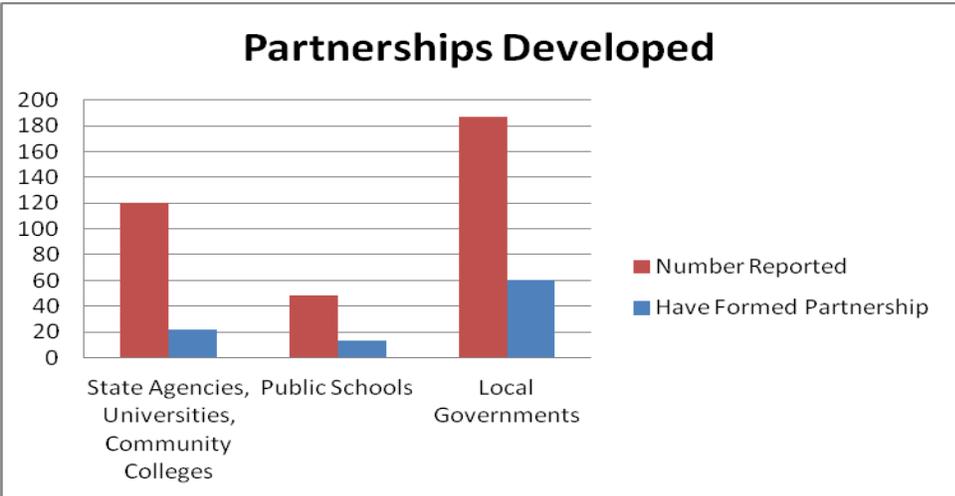
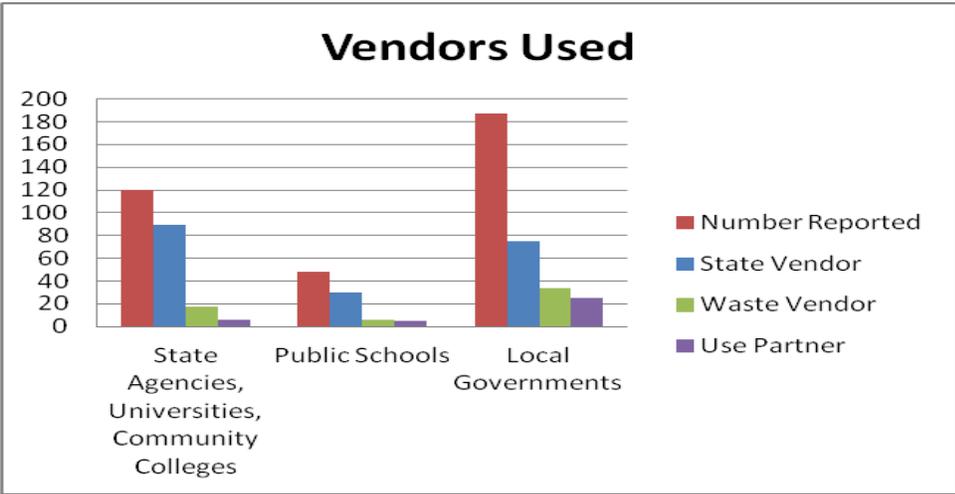
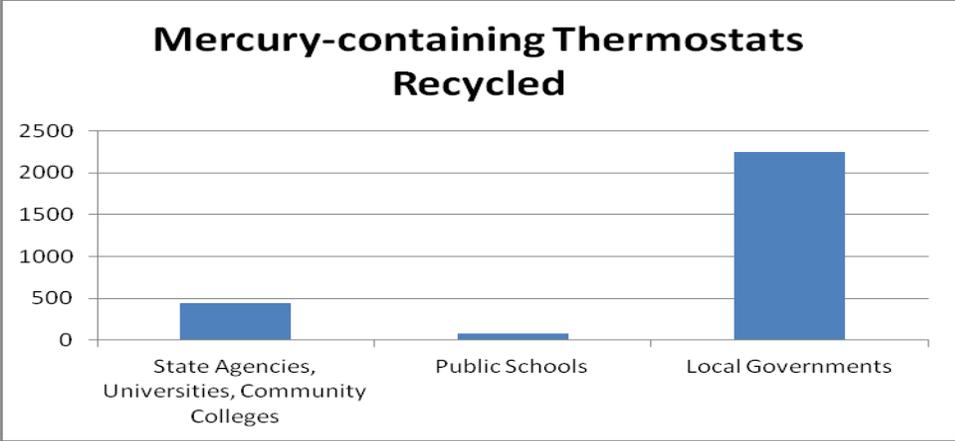
Finally, following the change to Session Law 2010-180 in July 2011, counties and municipalities were advised to review with their finance office or manager whether or not their community had received, is currently receiving, or is expecting to receive state grant funding for the operation and maintenance of buildings. If so, local governments were advised to complete the mandatory report. If not, local governments were still encouraged to fill out the report and to be aware that of provisions of the RCRA Universal Waste regulations that apply to their management of fluorescent bulbs, mercury thermostats and other mercury-containing devices.

Reporting

Each State agency, including the General Assembly, the General Court of Justice, universities, community colleges, the Department of Public Instruction on behalf of the public schools, and political subdivisions was required to submit a report on or before December 1, 2011, that documents the entity's compliance with the requirements of Session Law 2010-180. In October, 2011 DEAO contacted all registered primary contacts to complete the required report information. By the report deadline, all but two State agencies reported. Forty-nine school districts reported to the Department of Public Instruction, which in turn relayed the information to DENR. All universities reported and 49 of the 58 community colleges reported. Although not all were required to report, 188 counties and municipalities also reported. All reporting entities appear to be in compliance with the requirement that they establish a program. A list of the non-responding agencies is provided at the end of this report.

The following figures present data on the amount of fluorescent lights and mercury-containing thermostats recycled since July 1, 2011 by entities subject to Session Law 2010-180. The data collected demonstrates that over 300,000 fluorescent lights were recovered for recycling. Over 2,700 mercury-containing thermostats were also recovered, with the majority collected by local governments. The majority of affected entities have selected, as recommended by DEAO, to use one of the State Term Contract 926B as their vendor. Finally the data shows that additional partnerships to help reduce recycling costs to affected entities are needed.





Impact

Session Law 2010-180 has reached its intended effect by increasing the proper management of mercury-containing materials by state agencies, universities, community colleges, local governments and public schools since July 1, 2011. Through outreach and education, entities that were not previously recycling these materials have learned to not only properly comply with Session Law 2010-180, but also comply

with Federal law that preceeded it. Partnerships have been developed between State agencies, counties, public schools and municipalities. These partnerships have helped each entity save on their recycling costs. In addition, the law has had an economic effect on the State of North Carolina. One example is the growth in business of just one of the State Term Contract 926B, Southeast Recycling Technologies (SRT). Between July 1 and December 1, 2011, SRT has added 71 new clients and continues to add new clients everyday. SRT has also partnered with hazardous waste vendors in North Carolina to help grow their businesses as well. Starting in January, 2012 SRT looks to expand their business by opeing an office in Raleigh to help better services entities in eastern North Carolina. This expansion will create new jobs in North Carolina. The other State contract vendor, Cleanlites, feels 2012 will be an even better year.

Entities Not Reporting

State Departments

NC Department of Administration
 NC Department of Crime Control & Public Safety

Community Colleges

Asheville-Buncombe Technical Community College	Bladen Community College
Cape Fear Community College	Carteret Community College
Cleveland Community College	Coastal Carolina Community College
Edgecombe Community College	Gaston College
Mayland Community College	

Public Schools

Alleghany Co.	Cumberland Co.	Jones Co.	Pasquotank Co.
Asheville City	Currituck Co.	Lenoir Co.	Pender Co.
Beaufort Co.	Dare Co.	Lexington City	Person Co.
Bertie Co.	Davie Co.	Lincoln Co.	Roanoke Rapids City
Brunswick	Forsyth Co.	Macon Co.	Rockingham Co.
Burke Co.	Franklin Co.	McDowell Co.	Sampson Co.
Cabarrus Co.	Gaston Co.	Mecklenburg Co.	Scotland Co.
Caldwell Co.	Gates Co.	Mitchell Co.	Stokes Co.
Camden Co.	Graham Co.	Montgomery Co.	Thomasville City
Caswell Co.	Greene Co.	Mooresville City	Transylvania Co.
Catawba Co.	Guilford Co.	Nash/Rocky Mt.	Tyrrell Co.
Chowan Co.	Haywood Co.	New Hanover Co.	Warren Co.
Clay Co.	Hertford Co.	Newton/Conover	Wayne Co.
Cleveland Co.	Hoke Co.	Northampton Co.	Weldon City
Clinton City	Hyde Co.	Onslow Co.	Whiteville City
Craven Co.	Jackson Co.	Orange Co.	Yancey Co.