

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2009

H

4

HOUSE BILL 1287  
Committee Substitute Favorable 5/4/09  
Committee Substitute #2 Favorable 5/11/09  
Fourth Edition Engrossed 5/12/09

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 PUBLIC 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 public agencies.**

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

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

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

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



1           **SECTION 2.** G.S. 130A-309.10 is amended by adding a new subsection to read:  
2           "(m) No person shall knowingly dispose of fluorescent lights and thermostats that contain  
3 mercury in a sanitary landfill for the disposal of construction and demolition debris waste that  
4 is unlined or in any other landfill that is unlined."

5           **SECTION 3.** This act is effective when it becomes law, except that: (i) the  
6 recycling program required by G.S. 130A-310.60, as enacted by Section 1 of this act, shall be  
7 established and implemented by each State agency by December 1, 2009; (ii) G.S. 130A-  
8 310.61 as enacted by Section 1 of this act; and (iii) Section 2 of this act becomes effective  
9 December 1, 2009, and applies to offenses committed on or after that date.