

SENATE ENVIRONMENT AND ENERGY COMMITTEE

STATEMENT TO

SENATE, No. 1496

STATE OF NEW JERSEY

DATED: MARCH 5, 2018

The Senate Environment and Energy Committee favorably reports Senate Bill No. 1496.

This bill would prohibit the sale and distribution of mercury relays and mercury switches under certain circumstances. The bill also establishes a process by which manufacturers and product users may apply for a waiver from the prohibition.

The bill would not apply to a mercury relay or mercury switch used to replace a mercury relay or mercury switch that is a component of a product which was in use prior to the effective date of this bill, if one of the following applies: the product is used in manufacturing or in a generation, transmission, or distribution facility for electric energy, gas, or water; or the relay or switch is integrated with, and not physically separate from, other components of the product. In addition, the prohibition on the sale and distribution of mercury relays and mercury switches would not apply when use of a mercury relay or mercury switch is necessary to comply with a federal requirement.

Under this bill, the Department of Environmental Protection would establish an application process through which waivers may be provided for the use of mercury relays and mercury switches for up to five years. When the initial waiver period expires, an applicant would be eligible to apply for an extension if the department finds that the mercury relay or mercury switch used by the applicant continues to meet the required criteria and the applicant has complied with the conditions of the original approval. Successful applicants would be required to demonstrate that a system exists for the proper collection, transportation, and processing of the mercury relay or mercury switch at the end of its life, and that one of the following applies: use of the mercury relay or mercury switch provides a net benefit to the environment, public health, or public safety when compared to available nonmercury alternatives; or a technically feasible nonmercury alternative is not available at comparable cost.

Finally, the bill would authorize the department to participate in a regional, multistate clearinghouse to assist in carrying out the provisions of this bill.