

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 44

Session of 2007

INTRODUCED BY RUBLEY, GEORGE, D. O'BRIEN, ADOLPH, CALTAGIRONE, DePASQUALE, FRANKEL, GOODMAN, GRELL, HENNESSEY, HERSHEY, KENNEY, LEACH, MOUL, MUNDY, ROSS, SCAVELLO, SCHRODER, SHAPIRO, SIPTROTH, STERN, SURRA, TANGRETTI, VEREB, VITALI, WALKO, WATSON, YOUNGBLOOD, MELIO, GALLOWAY, FABRIZIO, MURT, KILLION, STEIL, MOYER, BENNINGTON, McGEEHAN, GERBER AND HARHART, JANUARY 30, 2007

AS REPORTED FROM COMMITTEE ON ENVIRONMENTAL RESOURCES AND ENERGY, HOUSE OF REPRESENTATIVES, AS AMENDED, JUNE 17, 2008

AN ACT

1 Prohibiting the sale ~~and restricting the~~, INSTALLATION AND <—
2 disposal of mercury thermostats; and prescribing penalties.

3 The General Assembly of the Commonwealth of Pennsylvania
4 hereby enacts as follows:

5 Section 1. Short title.

6 This act shall be known and may be cited as the Mercury-Free
7 Thermostat Act.

8 Section 2. Legislative findings.

9 The General Assembly finds and declares as follows:

10 (1) Waterways throughout this Commonwealth have been
11 placed under fish consumption advisory warnings due to high
12 levels of mercury contamination.

13 (2) HUMAN EXPOSURE TO MERCURY FROM THERMOSTATS IS <—
14 PRIMARILY THROUGH IMPROPER DISPOSAL OF ITEMS IN LANDFILLS OR
15 THROUGH INCINERATION.

1 ~~(2)~~ (3) Mercury thermostats represent the largest amount <—
2 of mercury in ordinary household products,~~with a~~. A single <—
3 mercury thermostat ~~often containing~~ CONTAINS between three <—
4 and five grams of mercury. <—

5 ~~(3)~~ A voluntary program to collect mercury thermostats
6 from contractors created by three thermostat manufacturers
7 has been operating in this Commonwealth since 2000.

8 ~~(4)~~ It is in the public interest to significantly
9 increase the scope and effectiveness of existing mercury
10 thermostat collection programs through enactment of a
11 mandatory recycling law.

12 ~~(5)~~ Electronic programmable thermostats that do not
13 contain mercury are readily available and can save consumers
14 considerable money in home energy costs when used correctly.

15 ~~(6)~~ Snap switch thermostats that function like mercury
16 thermostats but contain no mercury are also available.

17 MERCURY. ACCORDING TO THE ENVIRONMENTAL PROTECTION AGENCY'S <—
18 2002 ESTIMATES, EACH YEAR ABOUT SIX TO EIGHT TONS OF MERCURY
19 FROM DISCARDED THERMOSTATS END UP IN SOLID WASTE FACILITIES
20 AND BETWEEN ONE AND TWO TONS ARE RELEASED INTO THE AIR.

21 (4) ELECTRONIC PROGRAMMABLE THERMOSTATS THAT DO NOT
22 CONTAIN MERCURY ARE READILY AVAILABLE AND CAN SAVE CONSUMERS
23 CONSIDERABLE MONEY IN ENERGY COSTS WHEN USED PROPERLY. SNAP
24 SWITCH THERMOSTATS THAT FUNCTION LIKE MERCURY THERMOSTATS,
25 BUT CONTAIN NO MERCURY, ARE ALSO AVAILABLE.

26 (5) THE COMMONWEALTH SUPPORTS SHARED RESPONSIBILITY FOR
27 ALL STAKEHOLDERS INCLUDING MANUFACTURERS, RETAILERS,
28 WHOLESALEERS, LOCAL AND STATE GOVERNMENTS WORKING TO RESOLVE
29 THOSE ISSUES AND EFFORTS TO REDUCE MERCURY ENTERING THE
30 ATMOSPHERE AND WATER SUPPLY FROM ALL SOURCES IN THE MOST

1 COOPERATIVE AND COST-EFFECTIVE MEANS AVAILABLE.

2 (6) THE NONPROFIT THERMOSTAT RECYCLING CORPORATION
3 (TRC), CREATED AND SUPPORTED BY THERMOSTAT MANUFACTURERS, IS
4 A VOLUNTARY PROGRAM DESIGNED TO COLLECT MERCURY THERMOSTATS
5 FROM WHOLESALERS. THE TRC HAS BEEN OPERATING IN THIS
6 COMMONWEALTH SINCE 2000 AND HAS RECYCLED ALMOST 30,000
7 THERMOSTATS, THEREBY DIVERTING MORE THAN 284 POUNDS OF
8 MERCURY IN SEVEN YEARS IN PENNSYLVANIA. THIS COMMONWEALTH HAS
9 BEEN A CONSISTENTLY HIGH-PERFORMING STATE UNDER THE PROGRAM,
10 WITH COLLECTIONS HIGHER THAN ALL BUT FIVE OTHER STATES IN
11 2007. COLLECTIONS IN PENNSYLVANIA PEAKED AT 7,019 THERMOSTATS
12 IN 2006.

13 (7) IT IS IN THE PUBLIC INTEREST TO INCREASE THE SCOPE
14 AND EFFECTIVENESS OF MERCURY THERMOSTAT COLLECTION PROGRAMS
15 THROUGH PROMOTION AND EXPANSION OF RECYCLING EFFORTS AND
16 BANNING THE SALE, INSTALLATION AND DISPOSAL OF MERCURY
17 THERMOSTATS IN THIS COMMONWEALTH.

18 Section 3. Definitions.

19 The following words and phrases when used in this act shall
20 have the meanings given to them in this section unless the
21 context clearly indicates otherwise:

22 "Department." The Department of Environmental Protection of
23 the Commonwealth.

24 "Manufacturer." The owner of a brand name on a thermostat.

25 "Mercury thermostat." A product or device that contains
26 mercury or a mercury compound and is used to sense and control
27 room temperature through communication with heating, ventilating
28 or air-conditioning equipment. The term does not include such
29 product or device used to sense and control temperature as part
30 of a manufacturing process.

1 "Wholesaler." A business that the Department of
2 Environmental Protection determines is primarily engaged in the
3 distribution and wholesale selling of large quantities of
4 heating, ventilation and air conditioning components to
5 contractors who install heating, ventilation and air
6 conditioning components.

7 Section 4. Prohibition on sale AND INSTALLATION of mercury <—
8 thermostats.

9 Beginning ~~January 1, 2008, or~~ one year after the effective <—
10 date of this section, ~~whichever occurs first,~~ no person shall <—
11 sell, offer for sale or ~~distribute~~ INSTALL a mercury thermostat <—
12 in this Commonwealth.

13 Section 5. ~~Restrictions on~~ PROHIBITING disposal of mercury <—
14 thermostats.

15 ~~(a) Improper disposal prohibited.~~ <—

16 ~~(1) Beginning one year after the effective date of this~~

17 (A) GENERAL RULE.--BEGINNING ONE YEAR AFTER THE EFFECTIVE <—
18 DATE OF THIS section, no person, municipality or operator of a
19 solid waste treatment, processing or disposal facility shall
20 dispose, permit the disposal of, or send to a resource recovery <—
21 facility for processing, a mercury thermostat from which the <—
22 mercury has not been removed for reuse, recycling or other
23 methods approved by the department.

24 ~~(2) This subsection shall not be construed to affect~~ <—

25 (B) CONSTRUCTION.--THIS SUBSECTION SHALL NOT BE CONSTRUED TO <—
26 AFFECT prior existing laws, rules or regulations more stringent
27 than the provisions under ~~paragraph (1)~~ SUBSECTION (A) governing <—
28 the disposal of mercury, mercury thermostats and other products
29 containing mercury.

30 ~~(b) Safe disposal education. The department shall develop a~~ <—

1 ~~plan for educating schools, local governments, businesses and~~
2 ~~the public on proper disposal methods for mercury thermostats~~
3 ~~and other products containing mercury.~~

4 Section 6. Collection ~~programs required~~ AND RECYCLING PROGRAMS. <—

5 ~~(a) Duty of manufacturers to establish. Each manufacturer~~ <—

6 (A) MANUFACTURER PROGRAMS.-- <—

7 (1) EACH MANUFACTURER of mercury thermostats that have
8 been sold in this Commonwealth shall, individually or
9 collectively, establish and maintain a department-approved
10 collection and recycling program for out-of-service mercury
11 thermostats from ~~contractors~~ WHOLESALERS, CONTRACTORS AND <—
12 RETAILERS, service technicians and homeowners. ~~The program~~ <—
13 ~~may not involve any direct cost to contractors, service~~
14 ~~technicians or homeowners for participating in the program,~~
15 ~~except wholesalers and contractors may be assessed a one-time~~
16 ~~administrative fee for each authorized collection bin~~
17 ~~provided for their own use. The program shall be developed in~~
18 ~~a manner that ensures to the~~

19 (2) THE PROGRAM SHALL BE DEVELOPED IN A MANNER THAT <—
20 ENSURES TO THE maximum extent that:

21 ~~(1) The capture rate of out-of-service mercury~~ <—

22 (I) THE CAPTURE OF OUT-OF-SERVICE MERCURY <—
23 thermostats is maximized.

24 ~~(2) Adequate incentives and education are provided to~~ <—
25 ~~contractors, service technicians and homeowners to encourage~~
26 ~~return of thermostats to established recycling collection~~
27 ~~points.~~

28 ~~(3) Stakeholders, including representatives from~~
29 ~~thermostat wholesalers, service contractors, environmental~~
30 ~~groups, municipal government and housing agencies, are~~

1 ~~provided opportunity to provide feedback and suggestions~~
2 ~~during the program's development and implementation.~~

3 ~~(4) The purchase of mercury free programmable~~

4 (II) THERE IS NO DIRECT COST TO CONTRACTORS, SERVICE <—
5 TECHNICIANS OR HOMEOWNERS FOR PARTICIPATING IN THE
6 PROGRAM, EXCEPT THAT WHOLESALERS, CONTRACTORS AND
7 RETAILERS MAY BE ASSESSED A NOMINAL ADMINISTRATIVE FEE TO
8 OFFSET THE COST OF EACH COLLECTION BIN FOR EACH
9 COLLECTION LOCATION FOR OUT-OF-SERVICE THERMOSTATS.

10 (III) INFORMATION AND EDUCATION ON PROPER MANAGEMENT
11 AND RECYCLING OF MERCURY THERMOSTATS ARE PROVIDED TO
12 CONTRACTORS, SERVICE TECHNICIANS, WHOLESALERS, RETAILERS,
13 INSTITUTIONS AND HOMEOWNERS TO ENCOURAGE THE RETURN OF
14 OUT-OF-SERVICE THERMOSTATS AT ESTABLISHED RECYCLING
15 COLLECTION POINTS.

16 (IV) THE PURCHASE OF MERCURY-FREE PROGRAMMABLE
17 thermostats qualified by the Environmental Protection
18 Agency's Energy Star program as replacements for mercury
19 thermostats is encouraged.

20 ~~(5) Mechanisms are in place to protect against the~~ <—

21 (V) MECHANISMS ARE IN PLACE TO PROTECT AGAINST THE <—
22 fraudulent return of thermostats.

23 ~~(6) The handling and recycling of mercury thermostats is~~ <—

24 (VI) THE HANDLING AND RECYCLING OF MERCURY <—
25 THERMOSTATS IS accomplished in a manner compliant with
26 section 5 and all other applicable Federal, State and
27 local requirements.

28 ~~(7) Storage bins are provided that comply with~~ <—
29 ~~applicable Federal and State universal waste requirements for~~
30 ~~mercury thermostat collection to all heating, ventilation and~~

1 ~~air conditioning supply, electrical supply and plumbing~~
2 ~~supply distributor locations that sell thermostats in this~~
3 ~~Commonwealth.~~

4 ~~(8) Storage bins are provided that comply with~~
5 ~~applicable Federal and State universal waste requirements for~~
6 ~~mercury thermostat collection to all municipalities and~~
7 ~~others requesting bins for mercury thermostat collection at~~
8 ~~universal waste collection sites or at periodic household~~
9 ~~hazardous waste collection events, as long as the collection~~
10 ~~sites or events are approved by the department for mercury~~
11 ~~thermostat collection.~~

12 ~~(9) A plan is developed for educating local governments,~~
13 ~~contractors, wholesalers, retailers and the public to~~
14 ~~encourage the recycling of mercury thermostats.~~

15 ~~(10) An annual report is submitted to the department~~
16 ~~each year, by a date to be determined by the department, that~~
17 ~~includes at a minimum:~~

18 ~~(i) The number of mercury thermostats collected and~~
19 ~~recycled by that manufacturer pursuant to this section~~
20 ~~during the previous year.~~

21 ~~(ii) The estimated total amount of mercury contained~~
22 ~~in the mercury components collected by that manufacturer~~
23 ~~pursuant to this section.~~

24 ~~(iii) An evaluation of the effectiveness of the~~
25 ~~manufacturer's collection and recycling program and any~~
26 ~~incentives provided.~~

27 ~~(iv) An accounting of the administrative costs~~
28 ~~incurred in the course of administering the collection~~
29 ~~and recycling program developed pursuant to this section.~~

30 ~~(11) The program otherwise implements all aspects of the~~

1 (VII) THE PROGRAM OTHERWISE IMPLEMENTS ALL ASPECTS <—
2 OF THE collection program as instructed by the
3 department.

4 ~~(b) Special sales prohibition.~~ <—

5 ~~(1) A manufacturer that violates this section is~~
6 ~~prohibited from offering any thermostat for sale in this~~
7 ~~Commonwealth.~~

8 ~~(2) A manufacturer that violates this section shall~~
9 ~~provide the necessary support to retailers to ensure the~~
10 ~~manufacturer's thermostats are not offered for sale in this~~
11 ~~Commonwealth.~~

12 ~~(3) A wholesaler or retailer may not offer for sale in~~
13 ~~this Commonwealth any thermostat of a manufacturer that~~
14 ~~violates this section.~~

15 ~~(e) (B) Wholesaler and retailer participation.--~~ <—

16 (1) Beginning one year after the effective date of this
17 section, a wholesaler or retailer may not sell a thermostat
18 in this Commonwealth unless the wholesaler ~~or retailer,~~ <—
19 RETAILER OR CONTRACTOR acts as a collection site for
20 thermostats that contain mercury.

21 (2) A wholesaler ~~or retailer,~~ RETAILER OR CONTRACTOR may <—
22 meet the requirements of this subsection by participating as
23 a collection site in a manufacturer collection program as
24 described under subsection (a) or by collecting thermostats
25 that contain mercury and ~~disposing of~~ MANAGING the collected <—
26 thermostats in accordance with applicable Federal and State
27 universal waste rules.

28 (3) A WHOLESALER OR RETAILER ACTING AS A COLLECTION SITE <—
29 SHALL PROVIDE PUBLIC NOTICE AT THE SITE ABOUT THE COLLECTION
30 AND RECYCLING OF MERCURY THERMOSTATS.

1 ~~(d)~~ (C) Department oversight.-- <—

2 (1) Each manufacturer shall submit to the department for
3 review and approval the collection AND RECYCLING program <—
4 required under subsection (a) no later than ~~90~~ 180 days after <—
5 the effective date ~~of this section, except that the portion~~ <—
6 ~~of the program applicable to homeowner collection shall be~~
7 ~~submitted no later than September 30, 2007. The proposed~~
8 ~~program may~~ OF THIS SECTION. THE PROPOSED COLLECTION AND <—
9 RECYCLING PROGRAM MAY include appropriate enhancements to an
10 existing program or a new program.

11 (2) Within 30 days after receipt of a manufacturer's
12 ~~collection program proposal~~ PROPOSED COLLECTION AND RECYCLING <—
13 PROGRAM, the department shall issue a public notice of the
14 availability of the proposal and solicit public comment ~~on it~~ <—
15 FOR 30 CALENDAR DAYS. Within 90 days after receipt of a <—
16 proposal, the department shall approve, conditionally approve
17 or disapprove the ~~entire proposal~~ PROPOSED COLLECTION AND <—
18 RECYCLING PROGRAM.

19 (3) If the ~~program proposal~~ PROPOSED COLLECTION AND <—
20 RECYCLING PROGRAM is approved, with or without conditions,
21 the manufacturer or manufacturers shall begin implementing
22 the program within ~~30~~ 90 days after receipt of approval. <—

23 (4) If the entire ~~plan is disapproved~~ PROPOSED <—
24 COLLECTION AND RECYCLING PROGRAM IS NOT APPROVED, the
25 department shall inform the manufacturer as to the reasons
26 for the disapproval. The manufacturer shall have 30 days
27 thereafter to submit a ~~new~~ REVISED plan. <—

28 ~~(5) If the new plan is disapproved following public~~ <—
29 ~~notice and an opportunity to comment, the manufacturer shall~~

30 (5) WITHIN 30 DAYS AFTER RECEIPT OF A MANUFACTURER'S <—

1 REVISED COLLECTION AND RECYCLING PROGRAM, THE DEPARTMENT
2 SHALL ISSUE A PUBLIC NOTICE OF THE AVAILABILITY OF THE
3 REVISED PROPOSAL AND SOLICIT PUBLIC COMMENTS FOR 30 CALENDAR
4 DAYS. WITHIN 90 DAYS AFTER RECEIPT OF A PROPOSAL, THE
5 DEPARTMENT SHALL APPROVE, CONDITIONALLY APPROVE OR DISAPPROVE
6 THE PROPOSED COLLECTION AND RECYCLING PROGRAM.

7 (6) IF THE REVISED COLLECTION AND RECYCLING PROGRAM IS
8 NOT APPROVED, THE MANUFACTURER SHALL be considered out of
9 compliance for the purposes of subsection ~~(e)~~ (D) beginning <—
10 on the date the ~~new~~ REVISED plan is disapproved by the <—
11 department.

12 ~~(6)~~ (7) In conducting its duties under this subsection, <—
13 the department shall take into account the experience of
14 ~~relevant~~ thermostat collection programs in other states and <—
15 ~~approve~~ a. THE DEPARTMENT SHALL APPROVE A MANUFACTURER'S <—
16 proposed ~~manufacturer collection~~ COLLECTION AND RECYCLING <—
17 program if it contains terms and conditions sufficient for
18 the department to conclude that the proposed program
19 ~~represents the best available approach to improve~~ <—
20 ~~substantially~~ WILL SUBSTANTIALLY IMPROVE AND SUSTAIN mercury <—
21 thermostat collection AND RECYCLING in this Commonwealth. <—

22 ~~(e) Safe disposal education. The department shall develop a~~ <—
23 ~~plan for educating schools, local governments, businesses and~~

24 (E) SAFE MANAGEMENT AND RECYCLING PROGRAM.--THE DEPARTMENT <—
25 SHALL PROVIDE EDUCATION AND OUTREACH TO BUSINESS, LOCAL
26 GOVERNMENT, SCHOOLS AND the public on proper ~~disposal methods~~ <—
27 ~~for~~ MANAGEMENT OF mercury thermostats and other products <—
28 containing mercury.

29 ~~(f) Goals.~~ <—

30 ~~(1) By June 30, 2007, the department shall, in~~

1 ~~consultation with stakeholders, estimate how many mercury~~
2 ~~thermostats become out of service in this Commonwealth each~~
3 ~~year. The goal of the collection programs outlined in this~~
4 ~~section shall be to collect at least 50% of out of service~~
5 ~~mercury thermostats in calendar year 2009 and at least 80%~~
6 ~~per year in calendar year 2012 and thereafter.~~

7 ~~(2) Should collection efforts fail to meet these goals,~~
8 ~~the department shall, in consultation with stakeholders,~~
9 ~~require alterations to collection programs in an attempt to~~
10 ~~improve collection rates in accordance with these goals.~~

11 ~~(3) The department may alter any and all elements of the~~
12 ~~previously approved manufacturer collection programs,~~
13 ~~including, but not limited to, the size and nature of the~~
14 ~~incentives provided, the number and location of the~~
15 ~~collection points and the roles of thermostat manufacturers,~~
16 ~~wholesalers, retailers, service contractors and municipal~~
17 ~~governments in the collection programs, provided such~~
18 ~~alterations are not inconsistent with the requirements of~~
19 ~~this and other applicable laws.~~

20 ~~(g) Reporting.~~

21 ~~(1) Within 90 days after receipt of the manufacturers'~~
22 ~~annual reports, the department shall publish information on~~
23 ~~its Internet website about the collection and recycling of~~
24 ~~mercury thermostats in this Commonwealth. This information~~
25 ~~shall include:~~

26 ~~(i) An estimate of how many mercury thermostats go~~
27 ~~out of service in this Commonwealth each year.~~

28 ~~(ii) A description of the collection programs~~
29 ~~established under this section.~~

30 ~~(iii) Data on actual collection rates.~~

1 ~~(iv) Any recommendations for changes concerning the~~
2 ~~collection and recycling of mercury thermostats.~~

3 ~~(2)~~ (F) REPORTING.--

←

4 (1) EACH MANUFACTURER WITH AN APPROVED COLLECTION AND
5 RECYCLING PROGRAM SHALL SUBMIT AN ANNUAL REPORT TO THE
6 DEPARTMENT BY JUNE 1 OF EACH YEAR THAT INCLUDES:

7 (I) THE NUMBER OF MERCURY THERMOSTATS COLLECTED AND
8 RECYCLED BY THE MANUFACTURER PURSUANT TO THIS ACT DURING
9 THE PREVIOUS YEAR.

10 (II) THE ESTIMATED TOTAL AMOUNT OF MERCURY CONTAINED
11 IN THE MERCURY COMPONENTS COLLECTED BY THE MANUFACTURER
12 PURSUANT TO THIS ACT DURING THE PREVIOUS YEAR.

13 (III) AN EVALUATION OF THE EFFECTIVENESS OF THE
14 MANUFACTURER'S COLLECTION AND RECYCLING PROGRAM AND ANY
15 RECOMMENDATIONS FOR IMPROVEMENTS, INCLUDING MODIFICATIONS
16 TO THE PROGRAM.

17 (IV) COLLECTION GOALS WHICH SHALL BE ESTABLISHED TO
18 ENSURE AN INCREASE IN THE NUMBER OF MERCURY THERMOSTATS
19 COLLECTED EACH YEAR UNTIL 2015 OR A TIME THAT THE
20 DEPARTMENT DETERMINES THAT THE NUMBER OF IN-SERVICE
21 THERMOSTATS IS STEADILY DECLINING AS A RESULT OF THE BAN
22 ON SALES AND INSTALLATION.

23 (2) WITHIN 90 DAYS AFTER RECEIPT OF THE MANUFACTURER'S
24 ANNUAL REPORTS, THE DEPARTMENT SHALL PUBLISH INFORMATION IN
25 ITS INTERNET WEBSITE ABOUT THE COLLECTION AND RECYCLING OF
26 MERCURY THERMOSTATS IN THIS COMMONWEALTH. THIS INFORMATION
27 SHALL INCLUDE:

28 (I) A DESCRIPTION OF THE COLLECTION AND RECYCLING
29 PROGRAM ESTABLISHED UNDER THIS ACT.

30 (II) COLLECTION GOALS AND DATA ON ACTUAL COLLECTION

1 RATES.

2 (3) IN CONJUNCTION WITH THE MANUFACTURER, THE DEPARTMENT
3 MAY ALTER ANY AND ALL ELEMENTS OF THE PREVIOUSLY APPROVED
4 MANUFACTURER COLLECTION AND RECYCLING PROGRAM, INCLUDING, BUT
5 NOT LIMITED TO, THE NUMBER AND LOCATION OF THE COLLECTION
6 POINTS AND COLLECTION GOALS AND MEANS TO ACHIEVE ESTABLISHED
7 GOALS, PROVIDED ALTERATIONS ARE NOT INCONSISTENT WITH THE
8 REQUIREMENTS OF THIS AND OTHER APPLICABLE LAWS.

9 (4) The Secretary of Environmental Protection may
10 discontinue the requirement for the annual report pursuant to
11 this subsection on finding that mercury thermostats no longer
12 pose a threat to the environment and to public health.

13 Section 7. Penalties.

14 ~~The department may levy an administrative fine on a person~~ <—
15 ~~who violates section 4 or 5. The fine shall not exceed \$2,500~~
16 ~~for each violation.~~

17 THE DEPARTMENT MAY ASSESS CIVIL PENALTIES FOR VIOLATIONS OF <—
18 THIS ACT. THE PENALTY SHALL NOT EXCEED \$10,000 PER DAY FOR EACH
19 VIOLATION. EACH DAY OF CONTINUED VIOLATION, AND EACH VIOLATION
20 OF ANY PROVISION OF THIS ACT, ANY RULE OR REGULATIONS ADOPTED
21 UNDER THIS ACT, ANY ORDER OF THE DEPARTMENT OR ANY CONDITION OR
22 TERM OF A COLLECTION AND RECYCLING PROGRAM APPROVED PURSUANT TO
23 THIS ACT SHALL CONSTITUTE A SEPARATE OFFENSE AND VIOLATION.

24 Section 8. Effective date.

25 This act shall take effect in ~~one year~~ 60 DAYS. <—