



## **Legislature Mandates Removal of Mercury Switches from End-of-Life Vehicles**

### **Who is affected by this initiative?**

The following are affected by the new legislation:

- Manufacturers of vehicles containing mercury switches sold within the State of New Jersey
- Vehicle recyclers who sell, give, or otherwise convey ownership of end-of-life vehicles containing mercury switches to scrap recycling facilities
- Scrap recycling facilities that accept end-of-life vehicles that have not been intentionally flattened, crushed or baled, and contain mercury switches

The legislation defines a “Manufacturer” as a person, firm, association, partnership, corporation governmental entity, organization, combination, or joint venture which is the last person in the production or assembly process of a new vehicle that utilizes mercury switches, or in the case of an imported vehicle, the importer or domestic distributor of the vehicle. A “vehicle recycler” is defined as an individual or entity engaged in the business of acquiring, dismantling or destroying six or more end-of-life vehicles in a calendar year for the primary purpose of resale of their parts. A “scrap recycling facility” is defined as a fixed location where machinery and equipment are utilized for processing and manufacturing scrap metal into prepared grades and whose principal product is scrap iron, scrap steel or nonferrous metallic scrap for sale for remelting purposes. Therefore, if your business fits into one of these categories, you are affected.

### **What has changed?**

Mercury is a persistent and toxic pollutant that can be released into the air, soil and water from an end-of-life vehicle during crushing or subsequent management in electric arc furnaces (EAFs). It has been estimated that as much as 10 tons of mercury may be released into the environment each year from these practices. On March 23, 2005, new legislation (P.L. 2005, c. 54) was enacted which creates a mandatory collection and recovery program for mercury switches from end-of-life vehicles in New Jersey.

Mercury switches use liquid mercury within a capsule commonly known as a “bullet” that flows into position to close the switch and thereby conduct electricity. Automobiles have historically used mercury-containing switches for:

- Convenience lighting for the hood, trunk and doors, (typically 1 switch per light)
- Anti-lock braking systems (ABS) (typically 2 to 3 switches)



Vehicle recyclers and scrap recyclers that accept end-of-life vehicles are required to:

- Remove the mercury switches from the end-of-life vehicle
- Maintain records documenting the number of mercury switches collected, the number of end-of-life vehicles containing mercury switches including vehicle identification numbers (VIN), and the number of end-of-life vehicles processed for recycling
- Handle all removed mercury switches in accordance with the Department’s universal waste regulations.

Vehicle manufacturers are required to:

- Identify the make, model and year of each vehicle produced that contains mercury switches

# COMPLIANCE ADVISORY

- Describe the type and location of the switches
- Provide safe and environmentally sound methods for the removal of the switches
- Provide containers to recyclers to store the removed switches
- Pay for the cost of transportation of the switches to an appropriate waste or recycling facility
- Pay a minimum of \$2.00 per removed switch to regulated recyclers and \$0.25 per removed switch to the Department
- Submit a mercury minimization plan to the Department

## When will removal of mercury switches become mandatory?

Commencing 30 days after the approval (or conditional approval) by the Department of a vehicle manufacturer's mercury minimization plan, vehicle recyclers and scrap recycling facilities must remove all mercury switches identified in the plan, unless the switch is inaccessible due to significant damage to the vehicle in the area surrounding the location of the switch. Vehicle recyclers and scrap recycling facilities not in compliance with an approved mercury minimization plan will be in violation.

Manufacturer	Plan Approval Date	Mandatory Mercury Switch Removal Date
Subaru	October 17, 2005	November 16, 2005
End-of-Life Vehicle Solutions Group: Audi BMW Daimler Chrysler Ford Lincoln Mercury Volvo General Motors Mitsubishi Nissan Volkswagen	April 11, 2006	May 11, 2006
Toyota	These vehicles do not contain regulated mercury switches. Therefore, no mercury minimization plan is required.	

## Whom should I contact with questions?

Solid & Hazardous Waste Management Program

Bureau of Solid & Hazardous Waste Permitting – North

**(609) 292-9880**

Bureau of Solid & Hazardous Waste Permitting – South

**(609) 984-6664**

Hazardous Waste Compliance and Enforcement – Northern Field Office

**(973) 656-4470**

Hazardous Waste Compliance and Enforcement – Central Field Office

**(609) 584-4250**

Hazardous Waste Compliance and Enforcement – Southern Field Office

**(856) 614-3658**

## Where can I get more information?

**Visit the following Web sites for additional information regarding this advisory:**

Recycling regulations: <http://www.nj.gov/dep/dshw/resource/recyreg03.pdf>

Guidance on management of mercury containing devices:

<http://www.state.nj.us/dep/dshw/lrm/uwaste/uwdevices.htm>

**Visit the following Web site for general information:** <http://www.nj.gov/cgi-bin/dep/contactdep.pl>

Please note this advisory is intended to be a summary explanation of a DEP initiative. It does not include all potentially applicable requirements. If you have any questions about complying with this initiative, please contact the Solid & Hazardous Waste Management Program number listed above.