

FINAL	RI Mercury Reduction Commission 3/25/2005 10:00 AM to 12:00 PM RI DEM, Office of Waste Management, Conference Room, Providence RI	
Type of meeting:	Meeting #16	1 of 4 pages
Attendees:	<p>Commission Members Present: Marcella Thompson (Chair), Terry Gray, Elizabeth Stone, Pamela Horner, Jamie Magnani, Eugenia Marks, Andrew Knapp, Robert Vanderslice (arrived at 11:15a), Howard Rosenberg, Sheila Dormody, Nicholas Tsiongas</p> <p>Commission Members Excused: none</p> <p>Commission Members Absent: Claude Cote, Susan Kaplan (RIEDC)</p> <p>Guests: Beverly Migliore (RI DEM), Jack Hogan (Auto Manufacturers Rep), Paul D'Adamo (Auto Recyclers Assoc.)</p>	
----- Agenda Topics -----		

Discussion:

Call to order by Chair Marcella Thompson at 10:05 am. Quorum reached at 10:05a. Reviews meeting agenda. No changes. Commission reviews February 4th and March 4th meeting minutes and approves without any changes.

Finalizes future meeting dates for Friday April 8th and Friday April 15th (both at RI DEM from 10a-12n). Chair Thompson indicates she would like to finalize the report on 4/15 so it can be the commission’s last meeting.

1. Section 4: Terry Gray discusses newly drafted section 4 for draft final report. Commission members given an opportunity to ask questions.
2. Discussion of Howard Rosenberg’s newly drafted recommendation on “Biological Monitoring” (mercury exposure issues as they relate to blood levels). It is noted that Bob Vanderslice from the RI Department of Health had not yet reviewed this short piece yet. Chair Thompson indicates she would forward it to Bob Vanderslice for his review and final approval. (N.B.: Bob Vanderslice arrives later in the meeting and he approves of amended language.) All commission members present vote to approve the language, as amended, and insert it into the draft final report.
3. Discussion of Terry Gray’s suggestion to lengthen the time period for which a manufacturer of a mercury-added product can apply for an exemption. Current law states that an exemption is good for a two year period and can be renewed one or more times. His proposal is to have the exemption time frame be lengthened to “up to five years.” The Department would then be able to offer longer exemptions when and if it’s obvious no mercury alternative is available for a particular product. This change recognizes the burden on both sides of the equation: applying for (the manufacturer) and reviewing/approving (RI DEM) exemption requests. A motion is made to approve this change: Jamie Magnani, Howard Rosenberg, Andrew Knapp, Pam Horner, Terry Gray and Marcella Thompson all vote in favor. Sheila Dormody and Nick Tsiongas both abstain from the vote. Eugenia Marks votes against the motion. By the vote of 6 to 3 the motion passes.
4. Discussion of a few minor technical changes (spelling, etc.) incorporated by Sheila Dormody into the final auto mercury sub-group report. The only substantive change is the addition of an estimate of total annual program cost of approximately \$200,000. (The committee still accepts the report per a previous commission vote.)
5. Terry Gray provides some feedback on the E-Waste meeting that he, Sheila Dormody and Claude Cote held earlier in the week. Chair Thompson asks for written recommendations for the next meeting. She indicates that she’s not necessarily looking for something highly specific – simply outline the group’s thoughts on the issue of e-waste with some general suggestions/recommendations. She asks that the group consider “technological changes” (e.g. new television technologies) that hold the potential to greatly increase the amount of e-waste coming into the waste stream. Discussion of the need for an appropriate definition of “e-waste”. How far reaching should the definition of e-waste be?
6. Terry Gray provides an update on the recent actions by the Senate on the President’s Clear Skies proposal. The U.S. Senate Committee on Environment and Public Works defeated the proposal by a slim margin (largely in part due to the support of RI Senator Lincoln Chafee). In light of this defeat, the EPA has issued its CAIR rule – a cap & trade program for mercury emissions. Howard Rosenberg alerts the committee members to the CLF lawsuit filed on this very topic. Howard Rosenberg indicates he would look at possible language changes in the recommendation section to reflect this on-going situation.

Action items:	Person responsible:	Deadline:
Compose March 25 th meeting minutes, distribute electronically and address feedback comments with the commission members.	E. Stone and M. Thompson	04Apr05
Post final meeting minutes on website	E. Stone	15Apr05
Add to section 4 of commission report Summary Points for left-hand column.	T. Gray	08Apr05
Submit E-Waste Subcommittee’s final report and recommendations to Commission for review and vote.	C. Cote, J. Magnani	08Apr05
Submit language for recommendation regarding mercury emissions control.	H. Rosenberg	08Apr05
Incorporate above changes into report	P. Horner	08Apr05

Presentation from Auto Manufacturers		3 of 4 pages
<p>Discussion: Presentation from Auto Mercury Report and Presentation by Jack Hogan Representing AAM</p> <p>Presents AAM’s desire to institute a <i>voluntary</i> mercury switch collection program in Rhode Island. He highlights the fact that mercury switches haven’t been used by most major American car manufacturers since 2002. Provides some information about ongoing voluntary switch collection programs in WI and MN, which are funded by industry and overseen by a partnership between the state and the auto industry. Issues of discussion: the use of 43 lbs. mercury as an outcome bounty vs. total weight or number of switches collected.</p> <p>Discussion of the legislation pending before the General Assembly on this very subject: H-5911, H-6116, S-0611 and S-0821. Two bills represent the older approach to mercury switches in RI (introduced in 2004 and prior as the only auto mercury legislation in the Assembly) and the other two bills represent the auto mercury subgroups draft legislation (which establishes a performance criteria for the auto manufacturers).</p> <p>Highlights of Presentation:</p> <ol style="list-style-type: none"> 1. Legislation to address this issue should not be addressed in RI. Wants to show that the producer stewardship model can and will work without a legislative mandate. 2. AAM’s program would focus on End-Of-Life vehicles. 3. RI’s program should focus on the number or total weight of collected switches, not the pounds of mercury collected as the sub-group report proposes. 3. Argues against having to track VIN numbers for vehicles. Program should be virtually paperwork free; use existing manifest system. 4. Wants to separate bounty program from voluntary program which is contrary to the proposal of the auto mercury sub-group. <p>At the conclusion of AAM’s presentation, commission members were given the opportunity for a Q&A session:</p> <ol style="list-style-type: none"> 1. Discussion about the “motivation” for dismantlers to remove mercury switches from ELV vehicles (ideally at \$6.00 per switch). 2. Discussion of the possible need to re-adjust the 43 lb. mercury goal – is it attainable? Is this truly the appropriate number or should it be adjusted? There will be an extended ramp-up period for the program, after which the number of collected switches will likely drop off. Should there be an adjustment? 3. Discussion of the roles the various parties (AAM, DEM, dismantlers, Metals Recycling, etc) will play as this program progresses. 		
<p>Conclusions:</p> <p>Summary of those points of disagreement:</p> <ol style="list-style-type: none"> 1. Need for a longer ramp-up period before program begins to see a significant quantity of switches collected (meets the bounty numbers). 2. The defined program goal: quantity of mercury collected vs. the number or weight of total switches (small percentage is actually mercury)? 3. The success of the program will depend upon financing and motivation (incentive or penalty or both) 4. The General Assembly needs to decide policy: who will pay to get the switches removed from the cars before they are dismantled (crushed and disposed). 5. Identity of responsible party/parties for non-performance. 		
Action items:	Person responsible:	Deadline:
NA		

REMINDER

Action items:

Person responsible:

Deadline:

1. Complete and post Agenda for April 08 2005 meeting.

M. Thompson and E. Stone

04Apr05

	2..E-Waste Subcommittee: complete report and recommendations	T. Gray	08Apr05
	3. Review wording of recommendations regarding .	H. Rosenberg	08Apr05

Adjournment

Chair Thompson adjourned the meeting at approximately 11:50 am.

Recorded by Elizabeth S. Stone of RI DEM

Reviewed and Edited by Marcella R. Thompson, Chair

END