

Town of Millville

Board of Health

Mercury Disposal Regulations

Section 1: Authority and Purpose

Authority. These regulations shall be effective on April 18, 2007 and shall remain in effect until modified or amended by the Millville Board of Health. These regulations are enacted under the authority of the Massachusetts General Laws, Chapter 111, Section 31.

Purpose. Whereas mercury is an element that can be toxic to humans and wildlife; and whereas exposure to mercury can damage the nervous system, brain, kidneys, liver, and immune system; and whereas mercury can enter the body either through skin absorption or through inhalation of mercury vapors; now therefore, The Board of Health of the Town of Millville passes these rules and regulations for the disposal of mercury containing products as part of our mission to protect the health, safety and welfare of the public.

Section 2: Definitions

Individuals: Any person or persons that may be responsible for the removal or replacement of mercury containing products. The individual may be the property owner, contractor, plumber, electrician, or any other person responsible for the ultimate disposal of mercury containing products, including employees and owners of retail, hardware, and electronic stores as well as administrators and employees of health care facilities or any other establishment where mercury containing products may be found.

Building: This definition includes residential, commercial, industrial, or recreational buildings or facilities.

Mercury Containing Products: Any product that contains the element mercury. These common products include but are not limited to thermometers (i.e., fever, candy, oven, indoor and outdoor), thermostats, fluorescent bulbs and switches, barometers, sphygmomanometers (blood pressure cuffs), and button cell batteries.

Section 3: Regulations

1. Mercury containing products shall not be disposed of through any waste stream that results in their incineration, landfilling, discharge into the

- environment or any other method of disposal not approved by the Department of Environmental Protection and the Millville Board of Health.
2. It shall be the responsibility of the individual(s) removing or replacing such mercury containing products to properly dispose of these products in accordance with these regulations and any state regulation regarding proper mercury disposal.
 3. Mercury containing products must be disposed of through an approved Board of Health recycling program. Approved programs shall at a minimum document how they will accept, store, recycle, and transfer each product. In addition, the programs yearly approval will be contingent on providing evidence to the Board, through properly documented manifests, that all products have had their mercury successfully recycled.

Section 4: Enforcement

1. Any member of the Board of Health or its agents, the Millville Building Department, including the Building Inspector, Electrical Inspector, and Plumbing Inspector, or any other person designated by The Board of Health of the Town of Millville that may oversee the removal, replacement, or disposal of mercury containing products shall enforce the provisions of this regulation.
2. Any individual that removes, replaces, or engages in any activity that would result in the removal or replacement of a mercury containing product shall comply with the provisions of this regulation.

Section 5: Penalties

Failure to comply with the provisions of these regulations will result in a levy of fines no less than \$100.00, but no more than \$300.00 per incident.

Section 6: Severability

Each provision of this regulation shall be construed as separate to the end that if any provision, sentence, clause, or phrase thereof, shall be held invalid for any reason, the remainder of that section and all other sections shall continue in full force and effect.

Adopted October 1, 2008

Millville Board of Health

Thomas Houle, Chairman_____

David Stanley, Vice-Chairman_____

Dustin Ciccarelli, Member_____

