

ARTICLE IX
Mercury Thermostat Disposal Regulations
[Adopted 8-18-2004, effective 9-2-2004]

§ 305-9.1. Purpose and authority; effective date.

Whereas mercury is an element that can be toxic to humans and wildlife and could become a known hazard to the public health, the Board of Health of the Town of Sherborn, Massachusetts, adopted the following regulations under the authority of MGL c. 111, § 31, for the safe disposal of mercury thermostats at their meeting held on August 18, 2004, and are effective upon publication (September 2, 2004).

§ 305-9.2. Definitions.

BOARD OF HEALTH — The Sherborn Board of Health or its agent.

INDIVIDUAL — Any person(s) who removes or replaces any mercury-containing thermostat from a property. The individual may be the property owner or hired contractor, including but not limited to a carpenter, plumber, or electrician.

§ 305-9.3. Requirements.

- A. Used thermostats containing mercury must be disposed of through a recycling program approved by the Board of Health. Any such program shall document how, when and where all used mercury thermostats will be accepted, stored, recycled, and/or transferred. Required annual renewal of any such program will be contingent on properly documented manifests providing evidence that all such thermostats had their mercury successfully recycled.
- B. Mercury thermostats shall not be disposed of through any waste stream that results in their incineration, landfilling, discharge into the general environment, or any other method of disposal not approved by the Massachusetts Department of Environmental Protection and the Sherborn Board of Health.
- C. It shall be the responsibility of the individual(s) removing or replacing such mercury thermostat to properly dispose of the device in accordance with these regulations and any state regulation regarding proper mercury disposal.

§ 305-9.4. Violations and penalties.

Any violation of this regulation shall be punishable by a fine of \$100. Each improper disposal of a mercury-containing thermostat shall constitute a separate violation. A fine may be assessed to more than one individual for each violation.