

## **Mercury Switch Fact Sheet**

### **Vehicle Recyclers and Salvage Yards**

A new law created by the North Carolina General Assembly was signed into law on September 13, 2005 and was amended on June 29, 2007. This law requires mercury-containing convenience lighting switches to be removed from all end-of-life vehicles prior to crushing, shredding, or smelting of these vehicles. An “end of life vehicle” as defined in the statute, “means a vehicle that is sold, given, or otherwise conveyed to a vehicle crusher, vehicle dismantler, vehicle recycler, or scrap vehicle processing facility for the purpose of recycling.”

### **Who is required to remove these switches from the end-of-life vehicles?**

By July 1, 2007, all vehicle crushers, vehicle dismantlers, vehicle recyclers, or scrap vehicle processing facilities, who are engaged in the business of acquiring, dismantling, or destroying six or more end-of-life vehicles in a calendar year.

### **What must a vehicle recycler do to comply with this law?**

A vehicle crusher, vehicle dismantler, vehicle recycler, or scrap vehicle processing facility must remove the mercury-containing convenience switch assembly, utilized for hood and/or trunk lighting, or the mercury-containing capsule contained in the assembly, commonly referred to as a “bullet” from the of the end-of-life vehicle before the vehicle is crushed on or off-site. The switch assembly, or the bullet, must be stored safely and recycled under the Universal Waste regulations.

### **What if the vehicle is damaged so that the mercury switch can not be removed safely (without risk of releasing the mercury)?**

If the vehicle is damaged so much that the mercury switch cannot be removed safely (where there is a risk of releasing by breaking the capsule), then no attempt should be made to remove the switch containing the mercury.

### **What are the other requirements of this law?**

After the mercury switches have been removed, the vehicle must be marked showing that mercury switches have been removed.

- A log of the number of mercury switches removed must be kept and made available to the Mercury Switch Removal Program personnel. It is also requested that the log note the number of vehicles in which the mercury switches could not be removed.
- The mercury switches that have been removed must be safely stored in a sealed (re-sealable) container, marked with the words “Universal Waste” and the date the first switch was placed in the container. [End of Life Vehicles Solutions (ELVS)\* will supply: containers, labels, removal instructions, transportation and disposal upon request]
- The switches must be recycled as Universal Waste.

\*ELVS is a corporation created and funded by the automobile manufacturers to assist in the collection and recycling/disposal of mercury switches used in their automobiles.

### **Why must you comply with this law?**

- Mercury is toxic to humans and wildlife. When mercury is removed from vehicles before they are smelted it greatly reduces the amount of mercury being released to the air, and subsequently our lakes and rivers. This is a major source of mercury contamination.

- The Mercury Switch Removal Program will reimburse the vehicle recycler \$5.00 for each mercury switch removed and recycled under this law.

**Are there penalties for failure to comply with this law?**

Any person who violates subdivision (1) or (2) below shall be punished as provided in G.S. 14-3. (non-specific Class 1 misdemeanor).

Any person who violates subdivision (3) or (4) below shall be guilty of a Class 2 misdemeanor and, upon conviction, shall be punished as provided in G.S. 130A-26.2.

It is unlawful for a person to do any of the following:

1. Knowingly flatten, crush, bale, shred, or otherwise alter the condition of a vehicle from which accessible mercury switches have not been removed, in any manner that would prevent or significantly hinder the removal of a mercury switch.
2. Willfully fail to remove a mercury switch when the person is required to do so.
3. Knowingly make a false report that a mercury switch has been removed from an end-of-life vehicle.
4. Obtain a mercury switch from another source and falsely report that it was removed from a vehicle processed for recycling.

**Offenses are punishable by imprisonment and/or fines**

Additionally, a violation of any provision of this Part, any rule adopted pursuant to this Part, or any rule governing universal waste may be enforced by an administrative or civil action as provided in Part 2 of Article 1 of Chapter § 130A-22(a). Administrative penalties.

The Secretary of Environment and Natural Resources may impose an administrative penalty on a person who violates Article 9 of this Chapter, rules adopted by the Commission pursuant to Article 9, or any order issued under Article 9. Each day of a continuing violation shall constitute a separate violation. The penalty shall not exceed five thousand dollars (\$5,000) per day in the case of a violation involving non-hazardous waste. The penalty shall not exceed twenty-five thousand dollars (\$25,000) per day in the case of a first violation involving hazardous waste as defined in G.S. 130A-290.

**How do you find full details of the Mercury Switch Removal Program?**

For the Mercury Switch Removal Guidance Manual and other details contact:

**NCDENR  
Hazardous Waste Section  
Mercury Switch Removal Program  
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