



GOVERNOR'S OFFICE OF
BUDGET AND PROGRAM PLANNING

Fiscal Note 2009 Biennium

Bill #	HB0261	Title:	Mercury disposal standards
Primary Sponsor:	Jopek, Mike	Status:	As Introduced

- | | | |
|---|--|--|
| <input type="checkbox"/> Significant Local Gov Impact | <input checked="" type="checkbox"/> Needs to be included in HB 2 | <input checked="" type="checkbox"/> Technical Concerns |
| <input type="checkbox"/> Included in the Executive Budget | <input type="checkbox"/> Significant Long-Term Impacts | <input type="checkbox"/> Dedicated Revenue Form Attached |

FISCAL SUMMARY

	<u>FY 2008 Difference</u>	<u>FY 2009 Difference</u>	<u>FY 2010 Difference</u>	<u>FY 2011 Difference</u>
Expenditures:				
General Fund	\$25,000	\$25,000	\$25,625	\$26,266
Revenue:				
General Fund	\$0	\$0	\$0	\$0
Net Impact-General Fund Balance	<u>(\$25,000)</u>	<u>(\$25,000)</u>	<u>(\$25,625)</u>	<u>(\$26,266)</u>

Description of fiscal Impact:

This bill would require the Department of Environmental Quality to educate the public about a ban on disposal of mercury containing products, the options for reuse, recycling, or proper disposal; to provide technical assistance to dentists, recyclers, and solid waste disposal facilities; and to participate in regional mercury reduction and education efforts. While the department can provide some of the new services through existing resources, the department would request additional general fund appropriations of \$25,000.

FISCAL ANALYSIS

Assumptions:

Department of Environmental Quality (DEQ)

1. This bill places a ban on placing any product containing mercury into a solid waste disposal facility immediately upon passage of the bill.
2. This bill requires mercury-added products to be reused or recycled at the end of their useful life. There is limited mercury recycling available in most counties in Montana, currently focusing on thermometers and thermostats. It is assumed that an education program will increase awareness and use and programs will expand to meet needs. Costs to implement are educational and covered in assumption 7.

3. This bill requires manufacturers of thermostats to educate consumers about the need to reuse, recycle, or properly dispose of thermostats, and makes manufacturers who educate consumers about recycling and disposal not liable for improper disposal. There is no cost estimated for this action.
4. This bill requires the DEQ to work with dentists to develop a pollution prevention plan to keep mercury from dental operations from reaching the environment. DEQ estimates there are 349 general dentistry businesses (infousa.com) in the state that would need to be contacted by the department at least twice. This can be done through the small business environmental assistance program using existing staff and resources at no additional cost.
5. This bill requires all dental offices to install an amalgam separator system in the wastewater line, and to notify the department when the system has been installed. The department must then review the notification and issue a written confirmation of compliance.
6. The Board of Environmental Review must adopt minimal efficiency standards for removal of the mercury. This can be absorbed into normal departmental and board work.
7. The department must implement an education program relating to mercury added products including requirements for source separation and collection. To be effective, education would need to be statewide and include website development, one public service announcement annually, and printed materials. Costs will be \$8,000 annually for public service announcements and \$5,500 for printing and distribution of materials, for a total of \$13,500 annually.
8. The department shall provide assistance to interested parties in developing collection programs for mercury added products. This can be done with existing resources at no additional cost. The department currently assists in developing collection programs for thermostats and thermometers.
9. The department may participate in a regional multi-state clearinghouse to carry out the requirements of the bill. The department would join a regional Interstate Mercury Education and Reduction Clearinghouse at a cost of \$10,000 per year for membership and \$1,500 for one out-of-state trip to attend the regional meeting.
10. The board needs to adopt rules to implement the provisions of this bill. The cost of rule writing and adoption would be absorbed by the DEQ.

	<u>FY 2008</u> <u>Difference</u>	<u>FY 2009</u> <u>Difference</u>	<u>FY 2010</u> <u>Difference</u>	<u>FY 2011</u> <u>Difference</u>
<u>Fiscal Impact:</u>				
<u>Expenditures:</u>				
Operating Expenses	\$25,000	\$25,000	\$25,625	\$26,266
<u>Funding of Expenditures:</u>				
General Fund (01)	\$25,000	\$25,000	\$25,625	\$26,266
<u>Net Impact to Fund Balance (Revenue minus Funding of Expenditures):</u>				
General Fund (01)	(\$25,000)	(\$25,000)	(\$25,625)	(\$26,266)

Effect on County or Other Local Revenues or Expenditures:

Section 5 (6) states that amalgam discharge must meet minimum removal efficiency standards. Private septic systems are permitted by county government, so this would require review by the county government where applicable. The associated cost is unknown.

Technical Notes:

1. Section 3 prohibits placement of mercury-added products in a solid waste disposal facility regulated by "Title 75, Chapter 10, part 1, MCA." Solid waste disposal systems are regulated under Title 75, Chapter 10, part 2, MCA.
2. This bill contains no mechanism to conduct inspections or to enforce the requirements of the bill or rules implementing the bill. To the extent that the requirements of this bill are the same as requirements in the hazardous or solid waste laws, those requirements would be enforceable under those laws

Sponsor's Initials

Date

Budget Director's Initials

Date