

# Attachment E

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Environment

# MEMO

**To: All House Members**

**From: Rep. Steve Reinhard**

**Re: Co-Sponsor Request**

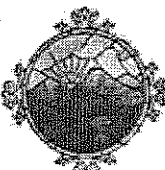
**Date: December 8, 2005**

I will soon be introducing legislation which would prevent Ohio's environmental standards from exceeding comparable federal regulations. Similar legislation is under consideration in Kentucky and Indiana. The Indiana proposal would "prohibit the air pollution control board and solid waste management board from adopting a rule or standard that is more stringent than a corresponding federal provision established under federal law." Ohio agribusiness competes in a world marketplace and it is important that Ohio's rules be the same as competitors in Indiana, Kentucky and other farming states.

If you would like to co-sponsor this piece of legislation please contact Mindy in my office at 644-1798 or by email at [melinda.bowen@ohr.state.oh.us](mailto:melinda.bowen@ohr.state.oh.us) by no later than December 14, 2005.

# 126<sup>th</sup> OHIO GENERAL ASSEMBLY

2005-2006



Legislative Schedules	About Ohio's State Government	Laws, Acts, and Legislation
The Ohio House of Representatives	Search for Legislative Information	The Ohio Senate
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	Education Topics	

[Return to Laws Page](#)

## HB 505

[As Introduced](#)

[View Full Text with Line Numbers](#)

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[\(.html format\)](#)

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[Synopsis of Committee Amendments](#)

[Conference Committee Synopsis](#)

[Fiscal Notes](#)

[Status Report of Legislation](#)

[Bill Sponsors](#)

*REPRESENTATIVES:*  
Reinhard Aslanides Bupp  
Faber Gilb Hagan Hoops  
Martin Seitz Setzer Wagner

[Other Versions of Bill and Associated Reports](#)

[HELP - Field Definitions for this Page](#)

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Borden Building, 180 East Broad St., Columbus.

## As Introduced

**126th General Assembly**  
**Regular Session**  
**2005-2006**

**H. B. No. 505**

**Representatives Reinhard, Aslanides, Bupp, Faber, Gilb, Hagan, Hoops, Martin, Seitz, Setzer, Wagner**

## A BILL

**To enact section 3745.50 of the Revised Code to require that state environmental laws be construed to be no more stringent than the laws' federal counterparts.**

**BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:**

**Section 1. That section 3745.50 of the Revised**

## MEMORANDUM

TO: Interested Parties

FROM: Laura Powell, Assistant Director, Ohio EPA

DATE: September 15, 2005

RE: Legislative Proposal on Mercury Reduction

Ohio EPA is interested in pursuing legislation aimed at reducing the release of mercury to the environment from consumer products and some industrial sources, as well as addressing the use of mercury-containing devices in schools. As mercury is a significant threat to human health, fish and wildlife, many states have passed similar legislation; in fact, all of the Great Lakes states except Ohio have some form of state law dealing with mercury. We have spent considerable time evaluating legislation adopted or considered in other states in order to formulate some ideas for Ohio. Before we move to legislation, we would like the opportunity to meet with you to discuss these ideas in more detail and try to answer any questions you may have.

Below are the general proposals we have formulated which we are forwarding to you for your review and input. Included in each proposal is a brief description of the proposed ban, phase-in time frames where appropriate, and general information as to why we are seeking the ban.

**School Ban:** Our proposal would prohibit schools, K-12, from purchasing elemental mercury, chemical mercury compounds and mercury-added measuring devices for classroom use. The proposal would not ban fluorescent lights from schools because there are no alternatives available.

**General Information:** There is no longer any reason to have mercury in schools, because effective alternatives exist for all mercury-bearing laboratory.

Every year Ohio EPA is called in to help in mercury cleanups at schools and homes. Typically, local fire departments, local health departments, spill contractors, and sometimes hazardous materials teams are involved as well. A typical example is New Knoxville, where a chemistry lab thermometer was broken and the students evacuated. The science teacher attempted to clean up the spilled mercury using a shop vacuum cleaner, which dispersed mercury vapor into the air in the classroom. The cost of the clean-up was \$8,000. In Sheffield Lake, mercury from the school science laboratory

mercury-added product is produced outside the United States, in which case "manufacturer" means the importer or domestic distributor.

Phase-In/Phase-Out: For fever thermometers we would not suggest a phase-in time frame. For other types of thermometers we would suggest a six month delay before enforcing the ban.

General Information: Common household uses of mercury thermometers (other than fever thermometers) are oven, candy and meat thermometers. In educational and medical institutions, mercury thermometers may be used in many applications, including chemical experiments, water and acid baths, blood banks, ovens and incubators. A variety of mercury-free thermometers are available, most competitively priced with their mercury equivalents.

Thermostat Ban: Our proposal prohibits the sale, installation, or re-installation of commercial or residential thermostats, except for those used by the blind or visually impaired and those used to sense and control temperatures as part of a manufacturing process.

Phase-In/Phase-Out: We would suggest a one year phase-out from the date of passage be built into the bill.

General Information: Wall mounted mercury thermostats are a major source of mercury in the solid waste stream. The thermostats are burned or broken when disposed of by traditional methods, allowing mercury to be released into the environment. In addition, programmable electronic thermostats have been found to be more energy efficient.

Of the 50 million thermostats in residential use today in the United States, it is estimated that 90 percent use mercury. Thermostat manufacturers estimate that two to three million thermostats are brought out of service each year. That is about 14,000 pounds of mercury being retired annually from thermostats, the majority of which will be taken to a landfill. (U.S. Environmental Protection Agency, "Mercury Study Report to Congress, Volume II," December 1997.)

As I said, other states have adopted similar measures, and we are hopeful that we will be successful in developing a legislative proposal that will have the support of a variety of interested parties and move us towards removing opportunities for mercury exposure that are present today. In order to gather any feedback you may have, Jennifer Klein, Legislative Liaison at Ohio EPA, will be contacting you to schedule a time to meet and discuss these proposals with you. If you have questions in the meantime, please do not hesitate to contact Jennifer or me at 644-2782.