

Sec. 22a-209-17. Mercury-containing lamps

(a) Applicability

Notwithstanding any other provision of sections 22a-209-1 to 22a-209-16, inclusive, of the regulations of Connecticut State Agencies, mercury-containing lamps, as defined in section 22a-209-17(b) of the regulations of Connecticut State Agencies, shall be subject to regulation under this section. Mercury-containing lamps that are subject to regulation under section 22a-449(c)-113 of the Regulations of Connecticut State Agencies are not subject to regulation under this section, but remain subject to regulation under section 22a-449(c)-113 of the Regulations of Connecticut State Agencies.

(b) Definitions. When used in section 22a-209-17 of the Regulations of Connecticut State Agencies, including the provisions of the Code of Federal Regulations which are incorporated by reference in this section:

(1) “Administrator” and “Regional Administrator” means the Commissioner of Environmental Protection, or the commissioner’s designee.

(2) “CFR” or “Code of Federal Regulations” in reference to all or any portion of 40 CFR 273, Standards for Managing Universal Waste, means the Code of Federal Regulations revised as of July 1, 2000.

(3) “EPA”, “U.S. Environmental Protection Agency”, “EPA region”, “EPA regional office”, and “Regional EPA office” means the Connecticut Department of Environmental Protection, except that “EPA” when used in the terms “EPA identification numbers,” “EPA test methods,” “EPA publications,” and “EPA forms,” means the U.S. Environmental Protection Agency.

(4) “Lamp”, “lamps”, “lamp as described in section 273.9” or “universal waste lamp” as used in 40 CFR 273, means “mercury-containing lamp” as defined in section 22a-209-17(b) of the Regulations of Connecticut State Agencies, except when section 22a-209-17 of the Regulations of Connecticut State Agencies specifies otherwise.

(5) “Mercury-Containing Lamp” means the bulb or tube portion of an electric lighting device that contains mercury in any amount. A lamp is specifically designed to produce radiant energy, most often in the ultraviolet, visible, and infra-red regions of the electromagnetic spectrum. Examples of mercury containing lamps include, but are not limited to, fluorescent, high intensity discharge, neon, high pressure sodium, mercury vapor and metal halide lamps. The term “mercury-containing lamp” does not include lamps that are subject to regulation under section 22a-449(c)-113 of the Regulations of Connecticut State Agencies.

(c) Management Standards

(1) The provisions of 40 CFR 273, applicable to lamps, are hereby incorporated by reference in their entirety, except as provided in subdivision (2) of this subsection and except for the provisions of this subdivision which are not incorporated.

(A) 40 CFR 273.5 (b)(2) (which relates to an exemption for lamps that are not hazardous); and

(B) 40 CFR 273, Subpart G (which relates to petitions for universal wastes).

(2) The following provisions of this subdivision applicable to lamps are incorporated by reference with the specified changes:

(A) 40 CFR 273.5(b)(1)

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- delete “under part 261 of this chapter”
- (B) 40 CFR 273.9
 - in the definition of generator, delete “hazardous waste identified or listed in part 261 of this chapter or whose act first causes a hazardous waste” and replace with “or whose act first causes a mercury-containing lamp”
 - in the definition of “Large Quantity Handler” and “Small Quantity Handler” the term “lamp” shall include lamps subject to regulation under section 22a-449(c)-113 of the Regulations of Connecticut State Agencies and “mercury-containing lamps” subject to regulation under section 22a-209-17(b) of the Regulations of Connecticut State Agencies
- (C) 40 CFR 273.13(d)(1)
 - delete “lack of evidence” and replace with “be capable of preventing”
 - delete “under reasonably foreseeable conditions”
- (D) 40 CFR 273.13(d)(2)
 - delete “that could cause the release of mercury or other hazardous constituents to the environment”
 - delete “lack of evidence” and replace with “be capable of preventing”
 - delete “under reasonably foreseeable conditions”
- (E) 40 CFR 273.18(h)
 - delete “may” and replace with “shall”
 - delete “any way that is in”
- (F) 40 CFR 273.32 (b) (4) and (5)
 - the term “lamp” shall include lamps subject to regulation under section 22a-449(c)-113 of the Regulations of Connecticut State Agencies and “mercury-containing lamps” subject to regulation under section 22a-209-17(b) of the Regulations of Connecticut State Agencies
- (G) 40 CFR 273.33(d)(1)
 - delete “lack evidence of” and replace with “be capable of preventing”
 - delete “under reasonably foreseeable conditions”
- (H) 40 CFR 273.33(d)(2)
 - delete “that could cause the release of mercury or other hazardous constituents to the environment”
 - delete “lack evidence of” and replace with “be capable of preventing”
 - delete “under reasonably foreseeable conditions”
- (I) 40 CFR 273.38(h)
 - delete “may” and replace with “shall”
 - delete “any way that it is in”
- (J) 40 CFR 273.60(a)
 - at the beginning of the paragraph insert “In addition to all applicable provisions of the Connecticut General Statutes, including but not limited to, section 22a-209e of the Connecticut General Statutes,”
 - when any part of the Code of Federal Regulations cited in 40 CFR 273.60(a) (e.g., 40 CFR 264, 265, 266, 268, 270 and 124) makes reference to the term “hazardous waste,” such reference shall mean “mercury-containing lamp” as that term is defined in section 22a-209-17(b) of the Regulations of Connecticut State Agencies. In addition, notwithstanding any

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reference in 40 CFR 273.60(a), any permit issued to a destination facility under this section, (e.g., a permit for the treatment, disposal or recycling of a mercury-containing lamp as that term is defined in section 22a-209-17(b) of the Regulations of Connecticut State Agencies) shall be issued using the procedures applicable to solid waste facilities, not hazardous waste facilities.

— at the end of this paragraph, delete “:” and replace with “.”

(K) 40 CFR 273.61(d)

— delete “may” and replace with “shall”

— delete “any way that it is in”

(Adopted effective October 31, 2001; Amended June 27, 2002)