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SFR-086/07  
December 2007

# Mercury Convenience Switch Collection Program Implementation Report

A Report to the 80<sup>th</sup> Texas Legislature

printed on  
recycled paper

Small Business and Environmental Assistance Division

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TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



Mercury Convenience Switch Collection  
Program Implementation Report  
A Report to the 80<sup>th</sup> Texas Legislature

Prepared by  
Small Business and Environmental Assistance Division

SFR-086/07  
December 2007



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# Introduction

Pursuant to House Bill 2793, passed by the Texas Legislature during the 79<sup>th</sup> Regular Session, the Texas Commission on Environmental Quality (TCEQ) has coordinated the development of a voluntary, convenience-switch collection program in the state of Texas.

HB 2793 was passed by both the Texas House and the Texas Senate on May 29, 2005. Formal implementation of this program began on Aug. 29, 2005, the date on which HB 2793 was mandated to take effect.

This report, for the year ending Dec. 31, 2007, is the second annual report published according to the requirements of Section 375.151 of the Texas Health and Safety Code.



## Executive Summary

Pursuant to House Bill (HB) 2793, the TCEQ has helped to coordinate the implementation of a convenience-switch collection program for the state of Texas. Although participation in the program is voluntary for both vehicle recyclers and metal recycling facilities, the legislation includes specific mandates for both automobile manufacturers and the TCEQ. To facilitate the implementation of the requirements under HB 2793 and other programs throughout the U.S., the automobile manufacturers created a not-for-profit corporation called End of Life Vehicle Solutions (ELVS).

Two of the primary responsibilities assigned to the TCEQ in HB 2793 involve identifying facilities to participate in the convenience-switch collection program and providing a list of those facilities to the automobile manufacturers. After considering a number of potential sources for this list, the TCEQ developed a list of 653 facilities to receive collection buckets in the initial mailing. A total of 453 collection buckets were mailed on or before the Oct. 28, 2005, deadline. An additional 200 collection buckets were mailed to the remaining facilities on or before Jan. 20, 2006. Of these 653 buckets, 72 buckets were returned, the result of either an undeliverable address or a refused delivery.

Following these initial mailings, the TCEQ solicited and received feedback from stakeholders in both the steel-production and automobile-recycling industries. The TCEQ participated in a series of meetings with representatives from both of those affected sectors to update them on the status of the voluntary collection program and to gather feedback on potential concerns identified from the initial mailings.

From these meetings, the TCEQ took steps to address two primary concerns. First, to eliminate potential confusion and to streamline participation in the collection program, the TCEQ developed several new resources in cooperation with ELVS, with feedback from both the vehicle recycling and steel manufacturing industries. Also, in an effort to identify additional facilities interested in participating in the collection program, the TCEQ compiled a list of 1,784 facilities from a list of related businesses that receive permits from the Texas Department of Transportation (TxDOT).

Through a series of mailings between June 20 and Aug. 15, 2006, the TCEQ supplied Bucket Request Forms and related materials to each of the facilities on the list generated from the information provided by TxDOT. Approximately 635 of the 1,784 addresses on the list of facilities were returned as undeliverable. Of the remaining 1,149 facilities whose mailers were not returned, 26 requested collection buckets by the Nov. 15, 2006, reporting deadline.

In addition to identifying facilities that would qualify to participate in the collection program, HB 2793 also mandates that the TCEQ provide regulatory incentives to those facilities that participate in the voluntary program. Pursuant to the legislation, the TCEQ has met these requirements through existing programs, which already offer these incentives to participating facilities.

On-site technical assistance is available to vehicle recyclers through the Small Business and Environmental Assistance (SBLGA) Section's existing site assistance

program. This program allows small businesses to contact SBLGA to request a free, confidential site visit to assess potential compliance concerns at the facility. Through this program, participating small businesses also receive guidance to address any concerns identified during the visit.

As an additional incentive, a participating facility can qualify for an adjustment to its compliance-history classification. Because HB 2793 requires that any compliance-history adjustments be provided to qualifying businesses through existing programs, the TCEQ provides these incentives “based on: (1) a [business’s] compliance-history classification; and (2) any voluntary measures undertaken by the [business] to improve environmental quality.”

Under these existing programs, the TCEQ provides regulatory incentives to entities with an average or high compliance-history classification through the CLEAN TEXAS program. Under CLEAN TEXAS, participating facilities without an environmental management system (EMS) that make voluntary commitments to maintain environmental performance that is beyond minimum requirements can have their participation applied to their compliance history score as a *mitigating factor*.

The Legislature established the annual report from a participating vehicle recycler as the mechanism for potentially qualifying to receive regulatory incentives under HB 2793. A total of 34 facilities submitted annual reports by the Nov. 15, 2007, deadline mandated in Section 375.101 (b) of the Health and Safety Code. However, the requirements of the CLEAN TEXAS program allow facilities to join the program throughout the year, depending on their compliance-history classification.

In conjunction with the voluntary convenience switch collection program, Section 2 of HB 2793 also mandated that the TCEQ “adopt rules for regulating a convenience switch...as universal waste under 30 TAC Section 335.261.” The TCEQ fulfilled this mandate by incorporating by reference existing federal rules that allow mercury-containing equipment, including convenience switches, to be managed as universal waste. Handlers of universal waste are subject to less stringent standards for reporting, storing, transporting, and collecting these wastes. By eliminating existing requirements for storing and shipping mercury convenience switches, this change to the rules amended provisions that might otherwise serve as obstacles for small businesses wishing to participate in the program.

The 34 facilities that submitted Annual Reporting Forms by the Nov. 15, 2007, deadline reported processing a total of 23,868 vehicles, and removing a total of 11,696 switches. In addition to these reports, ELVS reported the total number of switches it received from Texas facilities prior to Nov.15, 2007. According to ELVS, 58 facilities returned collection buckets containing convenience switches. These facilities returned 13,910 switches, accounting for an estimate of 30.9 pounds of mercury.

At the Dec 5, 2007, commissioners’ agenda meeting, representatives from the steel recycling and auto salvage industries recommended to the commission adoption of a requirement for auto salvage facilities to remove mercury convenience switches from vehicles replaced through the AirCheckTexas program. The commission adopted this recommendation.

# Background on Mercury Convenience Switches

## *The Use of Mercury Convenience Switches in Automobiles*

Over the years, mercury has commonly been used in a variety of products, including dental amalgam, electrical lighting, measuring and control devices, and switches and wiring devices. In a 2006 report, the EPA estimated that as recently as 2001, around 245 metric tons of mercury was used in products manufactured that year (Roadmap 2006). Of the 245 tons, it was estimated that 103 metric tons (or 42 percent of the total) were used in the production of switches and wiring devices, including convenience switches.

Although the EPA has identified these additional potential sources of mercury emissions such as those listed above, current efforts throughout the United States are largely focused on mercury convenience switches in end-of-life automobiles (Desk 2005). This is in large part because these switches not only represent the most prevalent use of mercury in automobiles, they are also relatively easy to locate and remove.

Convenience switches making use of an alternative to mercury, such as a ball bearing, remain a common feature on many vehicles manufactured today. Whatever mechanism it might use, the convenience switch itself is typically located in the hood or trunk of a vehicle, automatically turning on when either is opened.

Because of its conductive nature, mercury was commonly used within convenience switches installed on domestic automobiles manufactured prior to model year 2003. The mercury within these convenience switch assemblies is typically encapsulated in a small metal “bullet,” with the average bullet containing about 1 gram of mercury (a gram equals .035 ounces). Once the hood or trunk is tilted upwards, the movement of the mercury inside the bullet creates the connection necessary to turn on the light.

In a 2005 report, the EPA estimated that about 33 percent of the automobiles manufactured in the United States between model years 1985 and 2003 included mercury switches (EPA 2005). During this period, the number of automobiles containing mercury switches declined from 57 percent of the models produced in 1985, to 17 percent of the 2002 models. Although mercury convenience switches were phased out starting with model year 2003 vehicles, the EPA cites estimates that nationwide, more than 50 million switches remain in vehicles still on the road, with an estimated 3.7 million still on the road in Texas (EPA 2006).

To assist vehicle recyclers in identifying “eligible vehicles” and locating the convenience switches, a complete list of the vehicles and model years that are likely to include mercury convenience switches was developed cooperatively by the TCEQ and ELVS (See Appendix B).

## **References**

Minnick, Rhonda. Data regarding number of convenience switches still in vehicles via e-mail communication of Nov.16, 2006. U.S. Environmental Protection Agency (2006).

United States Environmental Protection Agency (EPA). Desk Statement on Cross-Agency Efforts to Bring About Removal of Automotive Mercury Switches, Offices of Solid Waste, Office of Air Quality Planning and Standards, Office of Water, Office of Policy, Economics, and Innovation, and Office of Pollution Prevention and Toxics (2005).

U.S. Environmental Protection Agency (EPA). EPA's Roadmap for Mercury. EPA-HQ-OPPT-2005-0013, Office of Pollution Prevention and Toxics (2006).

U.S. Environmental Protection Agency (EPA). Market Study: Mercury Use in Automotive Switches. Office of Pollution Prevention and Toxics (2005).

## ***The Use of Automobile Scrap for Steel Production***

Scrap metal from salvaged automobiles is an important source of material for steel producers, both here in Texas and throughout the United States. In producing more than 100 million tons of new steel each year, U.S. steel producers will utilize more than 76 million tons of steel scrap (Foley 2006).

Scrap steel is an especially important source of material for electric arc steelmakers. The source material for these steel producers is comprised almost entirely of scrap metal, meaning the finished new steel they produce is virtually 100 percent recycled content. Because the source of the scrap material is largely determined by availability in scrap markets, the mix of scrap metal going into the process is likely to change on any given day.

Scrap material is not as essential for basic oxygen steelmakers. These steel producers will typically use a combination of 25 to 30 percent scrap and 70 to 75 percent virgin iron ore to produce new steel. Once again, market availability will typically dictate the mix of scrap going into the process on any given day (Foley 2006).

The scrap steel used by steel recyclers to produce new steel comes from a variety of sources. Although nearly all obsolete vehicles in the United States are eventually dismantled, shredded, and recycled, industry estimates show that only 14.2 million tons of the more than 76 million tons come from recycled vehicles. It is estimated that this 14.2 million-ton figure represents approximately 14 million end-of-life vehicles recycled nationwide each year (Foley 2006).

Here in Texas, representatives from companies operating electric arc furnaces located throughout the state report processing more than 1.3 million end-of-life vehicles in producing new steel each year. They estimate that salvage vehicles represent approximately 17 percent of the total mix of salvage steel used by the electric arc furnaces in Texas (Bredesen 2006).

### ***References***

Foley, Walter J. Industry scrap supply and consumption data provided via e-mail communication of November 13, 2006. Steel Recycling Institute (2006).

Bredesen, Brad. Scrap supply and consumption data for electric arc furnaces in Texas provided via e-mail communication of Nov. 30, 2006. Commercial Metals Co. (2006).

## ***Summary of the National Vehicle Mercury Switch Recycling Program***

After a number of years of negotiations, the U.S. Environmental Protection Agency (EPA) and key industry stakeholders announced the formation of the National Vehicle Mercury Switch Recycling Program (NVMSRP) in August 2006. The national program, which is being implemented separately from programs already in place in a number of states, is aimed at facilitating the removal and collection of mercury convenience switches in states without preexisting programs.

Maximizing the removal and collection of mercury switches nationwide is a primary goal of this program. To support those efforts, a \$4 million fund has been established to reward dismantlers and recyclers participating in the collection program on a first-come, first-served basis. Participating facilities will be paid \$1 for each mercury convenience switch that is received for processing. These payments began in January 2007.

The program will largely be coordinated by End of Life Vehicle Solutions (ELVS), the not-for-profit corporation formed by the automobile manufacturers. Through this national program, ELVS will not only provide educational materials, it also will collect and recycle the convenience switches returned by participating facilities. In addition to convenience lighting assemblies, under the national program, ELVS will also accept ABS modules containing mercury switches, as well as the individual switch pellets removed from convenience lighting assemblies.

Although the national program has been implemented independent of the program mandated under HB 2793, vehicle recyclers and metal recycling facilities in Texas are eligible to participate. Additionally, because the existing collection outlined in HB 2793 does not include financial incentives, Texas facilities will automatically receive the \$1 per switch payment promised under the terms of the national program. This is possible, in large part, because many of the key elements of the national program and the program in Texas are coordinated by the same entities.

Currently, TCEQ's program materials do not include any mention of these separate incentives. This is primarily due to the fact that these materials were developed before the national program was finalized. Discussions to finalize the national program included differing opinions as to whether or not it was meant to incorporate states, such as Texas, with existing programs.

If TCEQ program materials are revised to include information on the national program, it will be important to maintain the distinction between the national program and the program outlined in HB 2793. This distinction will help to reduce the potential for confusion between the elements of the national program, agreed to voluntarily by industry and government stakeholders at the national level, and the elements of the existing collection program here in Texas, which includes specific mandates, requirements, and incentives outlined in HB 2793.

## **Recommendations and Planned Next Steps**

With the initial implementation and second year of HB 2793 completed, the TCEQ respectfully recommends to discontinue (Health and Safety Code §375.151) the annual report to the Legislature due to the increased participation and improvement with the convenience switch collection program. The TCEQ will continue to work with ELVS and representatives from the vehicle-recycling industry to improve the capture rate within the framework of the existing program.

## Collection Rates and Participation

**Table 1. Data from Annual Reports Submitted by Participating Facilities**

	2006	2007
Number of facilities submitting completed Annual Reporting Forms by the Nov 15 deadline	6 facilities	34 facilities
Total reported number of eligible vehicles processed by facilities submitting completed Annual Reporting Forms	186 vehicles	23,868 vehicles
Total reported number of convenience switches removed from eligible vehicles processed by facilities submitting completed Annual Reporting Forms	156 switches	11,696 switches

To qualify for incentives provided by the TCEQ, facilities participating in the convenience-switch collection program are required to submit a report documenting the number of convenience switches collected during the prior 12 months, and the total number of vehicles processed for recycling during that same period. The data included in Table 1 are a compilation of the information included on the reports submitted by participating facilities.

**Table 2. Convenience-Switch Collection and Facility-Participation Data Submitted by ELVS**

	2006	2007
Number of Texas facilities returning collection buckets and convenience switches to ELVS for processing	7 facilities	58 facilities
Total reported number of mercury convenience switches processed by ELVS from facilities in Texas	2,050 switches	13,910 switches
Estimated total weight of mercury removed from convenience switches returned by Texas facilities	4 lbs.	30.9 lbs.

Pursuant to Texas Health and Safety Code Section 375.152, the manufacturers are required to report the total number of convenience switches recovered from Texas. Table 2 includes the number of mercury convenience switches returned to ELVS from facilities in Texas prior to Nov. 15, 2007.

Note: switch numbers vary between ELVS and the TCEQ due to the fact that manufacturers do not return buckets to ELVS until the bucket is full.

**Appendix A**

***Instructions Provided by ELVS for Removing Convenience Switches***

**Appendix B**

***List Provided by ELVS of Vehicles Believed to Include Mercury Convenience Switches***

**Appendix C**

***Bucket Request Form***

**Appendix D**

***Annual Reporting Form***

**Appendix E**

***RG-443: Guidance on Obtaining Regulatory Incentives as a Participant in the Voluntary Collection Program***

# REMOVING MERCURY SWITCHES

## Removing hood and trunk convenience lights:

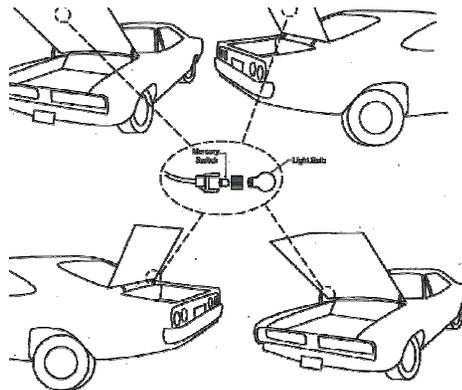
1. Remove hood and trunk convenience lights on these cars and trucks:

- GM, 2002 and older.
- Ford, 2001 and older.
- Chrysler, 1998 and older.
- Volvo, 1991 and older.
- Audi, 1977-1988 Audi 100 and 1980-1988 Audi 200

2. Disconnect the battery.

3. Find the small lighting fixture on the underside of the hood or trunk.

4. Cut the power supply wire to the fixture.



5. Remove any fasteners to separate light from vehicle.

# RECYCLING MERCURY SWITCHES

## Collecting and managing mercury-containing assemblies and pellets:

1. Determine if the vehicle should be checked for a switch assembly. If unsure, check the list of likely vehicle years, makes and models provided.

2. If yes, see removal instructions on opposite panel.

3. Remove the entire assembly. If the state requires pellet removal, then remove the metal pellet from the assembly.

4. Place the assembly and/or pellets in the plastic bucket. Properly labeled containers with air-tight lids will be provided.

5. Replace the lid after each pellet or assembly is added.

## VEHICLES CONTAINING MERCURY CONVENIENCE SWITCHES

Mercury switch information for specific brands and model years for the participating members of the End of Life Vehicle Solutions (ELVS).

MAKE / MODEL	MODEL YEAR	SWITCH LOCATION
<b>AUDI</b>	<i>Audi</i>	
Audi 100	1977-1988	✓ Hood Trunk
Audi 200	1980-1988	✓ Hood Trunk
<b>DAIMLERCHRYSLER</b>	<i>Dodge, Chrysler, Jeep, Plymouth, Eagle</i>	
All	1998 and prior	✓ Hood ✓ Trunk
<b>FORD</b>	<i>Ford, Lincoln, Mercury, Merkur, Mazda, Volvo</i>	
Ford Mustang	2000 and prior	✓ Hood ✓ Trunk
Ford Crown Victoria	2000 and prior	✓ Hood ✓ Trunk
Mercury Grand Marquis	2000 and prior	✓ Hood ✓ Trunk
Lincoln Town Car	2000 and prior	✓ Hood ✓ Trunk
Ford, Lincoln, Mercury, and Merkur Cars	1996 and prior	✓ Hood ✓ Trunk
Ford, Lincoln, and Mercury Trucks, SUV's, and Vans	2001 and prior	✓ Hood Trunk
<i>* Excludes: 1999 and newer model year Ford Econoline, Ford Windstar, Ford Ranger, and Mercury Villager</i>		
Mazda Navajo	1993-1997	✓ Hood Trunk
Mazda B-Series Pick-Up	1995-1999	✓ Hood Trunk
<i>* Ranger/B-Series phased out of mercury switches with 1999 model year.</i>		
Volvo	1991 and prior	✓ Hood Trunk
<i>* Volvo convenience switches may contain glass mercury capsules. Use care when removing convenience switches from these vehicles.</i>		
<b>GENERAL MOTORS</b>	<i>Chevrolet, GMC, Cadillac, Buick, Oldsmobile, Pontiac, Saturn, Saab</i>	
All Vehicles	1999 and prior	✓ Hood ✓ Trunk
<i>* Excludes: 1999 model year Chevrolet Astro, Chevrolet Silverado, GMC Safari, GMC Sierra</i>		
Cadillac Escalade	2000	✓ Hood Trunk
Chevrolet Blazer	2000, 2001, 2002	✓ Hood Trunk
Chevrolet Cavalier	2000, 2001	Hood ✓ Trunk
Chevrolet Corvette	2000	✓ Hood Trunk
Chevrolet Express	2000, 2001, 2002	✓ Hood Trunk
Chevrolet S-10 Crew cab	2002	✓ Hood Trunk
GMC Denali	2000	✓ Hood Trunk
GMC Envoy	2000, 2001	✓ Hood Trunk
GMC Jimmy	2000, 2001	✓ Hood Trunk
GMC Savana	2000, 2001, 2002	✓ Hood Trunk
GMC Sonoma Crew cab	2002	✓ Hood Trunk
Luxury G-Van	2001, 2002	✓ Hood Trunk
Oldsmobile Bravada	2000, 2001, 2002	✓ Hood Trunk
Pontiac Sunfire	2000, 2001	Hood ✓ Trunk

- **BMW, MITSUBISHI, NISSAN, SUBARU, and VOLKSWAGEN** vehicles DO NOT contain mercury convenience switches.
- Vehicles manufactured 2003 Model Year and beyond DO NOT contain mercury convenience switches.
- Vehicles without trunks including SUVs, station wagons, and hatchbacks DO NOT contain a mercury convenience switch in the "Trunk" or rear of the vehicle.



# COLLECTION BUCKET REQUEST FORM

## CONVENIENCE SWITCH COLLECTION PROGRAM

Through House Bill 2793, the Texas Legislature called for the creation of a voluntary convenience switch collection program in the state of Texas. The goal of this program is to remove convenience switches from underneath the hood and the trunk before a vehicle is crushed and/or shredded for recycling.

To assist facilities in collecting convenience switches removed from vehicles they have processed, the participating automobile manufacturers are providing collection buckets to participating facilities throughout Texas. Facilities that have not yet received a collection bucket can use this form to request a bucket and related materials from the End of Life Vehicle Solutions (ELVS) Corporation.

If you would like to participate in this voluntary program, simply take a moment to complete this form. Once you have completed your Convenience Switch Collection Bucket request form, it can be returned to ELVS by mail at the address printed on the bottom of this form.

### Section I: Please tell us about your business

1 How would you classify your facility? Vehicle Recycler  Scrap Metal Recycling Facility

2 Approximately how many salvage vehicles are processed by your facility each month?

3 Vehicles manufactured prior to 2003 by the following companies may contain mercury convenience switches.

- |         |       |          |            |          |         |       |        |       |      |
|---------|-------|----------|------------|----------|---------|-------|--------|-------|------|
| Audi    | Buick | Cadillac | Chevrolet  | Chrysler | Dodge   | Eagle | Ford   | GMC   | Jeep |
| Lincoln | Mazda | Mercury  | Oldsmobile | Plymouth | Pontiac | Saab  | Saturn | Volvo |      |

Convenience switches will only need to be removed from vehicles manufactured by the companies listed above. Does your facility typically process vehicles manufactured by these companies?

**Yes, my facility will typically process vehicles manufactured by these companies. I would like to receive a FREE convenience switch collection bucket for my facility!**  
(You can also request a collection bucket online at [www.elvsolutions.org](http://www.elvsolutions.org).)

### Section II: How can we contact you?

DESIGNATED CONVENIENCE SWITCH COLLECTION PROGRAM CONTACT PERSON\*: \_\_\_\_\_

SALUTATION:  
Mrs.   
Ms.   
Mr.

NAME OF COMPANY: \_\_\_\_\_

PHYSICAL ADDRESS: \_\_\_\_\_

CITY: \_\_\_\_\_ STATE: **TX** ZIP CODE: \_\_\_\_\_

MAILING ADDRESS (if different): \_\_\_\_\_

CITY: \_\_\_\_\_ STATE: \_\_\_\_\_ ZIP CODE: \_\_\_\_\_

\* This person will be your facility's primary contact person for coordinating any bucket deliveries or collections associated with the voluntary Convenience Switch Collection Program.

Any questions regarding the voluntary Convenience Switch Collection Program can be directed to Karley Eaves with the TCEQ Pollution Prevention and Industry Assistance Section at [keaves@tceq.state.tx.us](mailto:keaves@tceq.state.tx.us).

**Mail your completed request form to ELVS at:** End of Life Vehicle Solutions  
PO Box 3282  
Farmington Hills, MI 48333-3282

If you have questions on how to fill out this form or about the Convenience Switch Collection Program, please contact us at 512/239-3100. Individuals are entitled to request and review their personal information that the agency gathers on its forms. They may also have any errors in their information corrected. To review such information, contact us at 512/239-3282.



# ANNUAL REPORTING FORM

## CONVENIENCE SWITCH COLLECTION PROGRAM

House Bill 2793, passed by the Texas Legislature in May 2005, calls for the creation of a voluntary convenience switch collection program in the State of Texas. The goal of this program is to remove convenience switches from underneath the hood and the trunk before a vehicle is crushed and/or shredded for recycling.

This legislation also directs the Texas Commission on Environmental Quality to provide regulatory incentives to vehicle recyclers and scrap metal facilities participating in this voluntary program. To qualify for these incentives, an auto salvage facility must submit annual reports to the TCEQ. These reports must provide information on: **1)** the total number of eligible vehicles processed by a facility in the previous twelve months, and **2)** the number of convenience switches collected during that same period.

Once you have completed the annual reporting form for your facility, it can be returned to the TCEQ either by FAX or by mail using the information provided at the bottom of this form.

### Section I: Tell Us About Your Business

DESIGNATED CONVENIENCE SWITCH

COLLECTION PROGRAM CONTACT PERSON\*: \_\_\_\_\_

SALUTATION:

Mrs.

Ms.

Mr.

NAME OF COMPANY: \_\_\_\_\_

PHYSICAL ADDRESS: \_\_\_\_\_

CITY: \_\_\_\_\_ STATE: **TX** ZIP CODE: \_\_\_\_\_

MAILING ADDRESS (if different): \_\_\_\_\_

CITY: \_\_\_\_\_ STATE: \_\_\_\_\_ ZIP CODE: \_\_\_\_\_

\* This person will be your facility's primary contact person for coordinating any reporting associated with the voluntary Convenience Switch Collection Program.

### Section II: Convenience Switch Collection Data

**1** What was the total number of eligible vehicles processed by your facility between November 1, 2006, and October 31, 2007? (*"Eligible vehicles" includes any vehicle listed on the list of VEHICLES CONTAINING MERCURY CONVENIENCE SWITCHES.*)

What was the total number of convenience switches removed from eligible vehicles processed by your facility between November 1, 2006, and October 31, 2007?

**2** Have you returned for processing any of the convenience switches removed from vehicles your facility has processed? Yes  No

How many convenience switches have you returned for processing?

Approximately how many convenience switches removed at your facility remain on site?

As a participant in the the voluntary convenience switch collection program, your facility can qualify for certain regulatory incentives. Are you interested in considering regulatory incentives for your facility? Yes  No

I declare that I have examined this report and to the best of my knowledge, it is true, correct, and accurately lists the total number of eligible vehicles processed at this facility during the last twelve months, and the number of convenience switches removed from those vehicles to be collected for processing or stored for collection and processing in the future.

▶ \_\_\_\_\_  
Signature of Company Executive or  
Primary Facility Operator

\_\_\_\_\_  
Date

Please return completed forms by **November 15, 2007**, to:

Mail  
Convenience Switch Collection Program  
Pollution Prevention and Industry Assistance Section (MC 112)  
Texas Commission on Environmental Quality  
P.O. Box 13087  
Austin, Texas 78711-3087

or FAX  
**512-239-1065**

If you have questions on how to fill out this form or about the Convenience Switch Collection Program, please contact us at 512/239-3100. Individuals are entitled to request and review their personal information that the agency gathers on its forms. They may also have any errors in their information corrected. To review such information, contact us at 512/239-3282.



# Regulatory Incentives for Participants in the Voluntary Convenience Switch Collection Program

## What is the Convenience Switch Collection Program?

In May 2005, the Texas Legislature created a voluntary mercury convenience switch collection program through House Bill 2793. This program offers information and resources to *vehicle recyclers* and *scrap metal recycling facilities* in Texas to assist them in removing and collecting convenience switches from *end-of-life vehicles* before the vehicles are recycled.

## Why is it important that I participate?

Mercury convenience switches are common in vehicles manufactured in the United States prior to model year 2003. If these mercury-containing switches are not removed from scrap vehicles, the mercury they contain can be emitted into the atmosphere when the vehicle is smelted.

## How can I benefit as a participant in this program?

The TCEQ will recognize all facilities participating in this voluntary program for the leadership they have demonstrated in helping to improve environmental quality in Texas.

In addition to this recognition, participating facilities can also qualify for regulatory incentives, including adjustments to compliance history classifications. These regulatory incentives can be offered to participating facilities based on: (1) a facility's compliance history classification; and (2) any voluntary measures undertaken by the facility to improve environmental quality.

Under these provisions, the TCEQ offers regulatory incentives to entities with an average or high compliance history classification primarily through the CLEAN TEXAS program.

Through the CLEAN TEXAS program, a facility implementing an Environmental Management System (EMS) can qualify for a 10 percent adjustment to its compliance history score. However, even without an EMS, the commitments made through the convenience switch collection program can also qualify a participating facility as a CLEAN TEXAS member. Participating facilities with a compliance history classification of average can have their participation applied to their compliance history score as a *mitigating factor*.

## How can I participate?

Auto salvage and recycling facilities in Texas can participate in this voluntary program by:

- ✓ removing convenience switches from the *eligible vehicles* processed at their facilities,
- ✓ collecting the convenience switches in the collection buckets available through the program,
- ✓ returning the collected convenience switches for processing, and
- ✓ submitting an annual report detailing the number of switches they have collected and the number of eligible vehicles they have processed.

Participating facilities will not have to pay any of the costs associated with storing, shipping, or processing the convenience switches removed from the vehicles they have processed. Facilities wishing to receive a free collection bucket can request one from End of Life Vehicle Solutions by calling 1-800-839-3975.

The TCEQ Annual Reporting Form for facilities participating in the voluntary convenience switch collection program can be downloaded at:

**<[www.tceq.state.tx.us/goto/switches.html](http://www.tceq.state.tx.us/goto/switches.html)>**

### **How can I receive further assistance?**

Participating facilities can also request on-site technical assistance from the Small Business and Local Government Assistance (SBLGA) Section. Through this program, facilities will receive a confidential site visit to explore possible solutions to potential regulatory concerns and to answer any questions they might have regarding applicable TCEQ rules and regulations.

To request a confidential site visit, facilities can call the **SBLGA hot line at 1-800-447-2827**. Additional information regarding the SBLGA programs and resources available to assist small businesses can be found online at <[www.sblga.info](http://www.sblga.info)>.

For specific questions regarding the voluntary convenience switch collection program, you can call 512-239-3182 or go online to <[www.tceq.state.tx.us/goto/switches.html](http://www.tceq.state.tx.us/goto/switches.html)> to find out more.

## **Glossary of Important Terms**

*Eligible vehicle* means a vehicle identified in information provided by the manufacturer to the TCEQ under Texas Health and Safety Code, Section 375.051 as a vehicle that might contain a convenience switch.

*End-of-life vehicle* means a vehicle that:

- (A) has not been intentionally flattened, crushed, shredded, or baled; and
- (B) is sold, given, or otherwise conveyed to a vehicle recycler or scrap metal recycling facility for the purpose of recycling.

*Mitigating factor* means those factors listed in 30 TAC Subsection 60.2 of the Compliance History Rule which can be considered by the executive director to reclassify a site from a poor performer to an average performer.

*Scrap metal recycling facility* means a facility at a fixed location that uses equipment to process and refabricate scrap metal into prepared grades and principally produces scrap iron, scrap steel, or nonferrous metallic scrap for sale.

*Vehicle recycler* means a person engaged in the business of acquiring, dismantling, or preparing for recycling six or more end-of-life vehicles in a calendar year for the primary purpose of reselling the vehicles' parts. The term includes a salvage vehicle dealer licensed under Occupations Code, Chapter 2302.