



Exempt Action Final Regulation Agency Background Document

Approving authority name	Virginia Waste Management Board
Virginia Administrative Code (VAC) citation	9 VAC 20-200
Regulation title	Mercury Switch Regulations
Action title	Adoption of Exempted Regulations
Final agency action date	January 8, 2007
Document preparation date	December 1, 2006

When a regulatory action is exempt from executive branch review pursuant to § 2.2-4002 or § 2.2-4006 of the Virginia Administrative Process Act (APA), the agency is encouraged to provide information to the public on the Regulatory Town Hall using this form.

Note: While posting this form on the Town Hall is optional, the agency must comply with requirements of the Virginia Register Act, the *Virginia Register Form, Style, and Procedure Manual*, and Executive Orders 21 (02) and 58 (99).

Summary

Please provide a brief summary of all regulatory changes, including the rationale behind such changes. Alert the reader to all substantive matters or changes. If applicable, generally describe the existing regulation.

During the 2006 Virginia legislative session, Virginia adopted HB447/SB88 - *Mercury switches in motor vehicles*. This action required removal of mercury switches from end-of-life motor vehicles prior to their demolition. Many end-of-life vehicles are shredded for scrap metal reclamation. The presence of mercury switches contributes to atmospheric mercury emissions when vehicle scrap steel is smelted for recovery and reforming. The Virginia Waste Management Board was authorized to adopt regulations setting standards for removal and management of mercury switches from end-of-life automobiles to promote environmental mercury reduction. This is a new regulation establishing criteria and standards for vehicle demolishers managing mercury switches from end-of-life vehicles. Stakeholders were active supports and developers of the MSR to promote reduction of mercury emissions at steel processors, ensure equitability in program applications, and provide for a system to store, ship, recycle and dispose of mercury switches removed from vehicles in accordance with the National Vehicle Mercury Switch Recovery Program and the Resource Conservation and Recovery Act universal waste rule.

Adoption of these regulations is exempted from the provisions of the Administrative Process Act (Section 2.2-4000 et seq. of the Code of Virginia) by the legislation.

Statement of final agency action

Please provide a statement of the final action taken by the agency including (1) the date the action was taken, (2) the name of the agency taking the action, and (3) the title of the regulation.

The Virginia Waste Management Board approved Adoption of Exempted Regulations on January 8, 2007, as a final regulation, 9 VAC 20-200 Mercury Switch Regulations.

Family impact

Assess the impact of this regulatory action on the institution of the family and family stability, including to what extent the regulatory action will: 1) strengthen or erode the authority and rights of parents in the education, nurturing, and supervision of their children; 2) encourage or discourage economic self-sufficiency, self-pride, and the assumption of responsibility for oneself, one's spouse, and one's children and/or elderly parents; 3) strengthen or erode the marital commitment; and 4) increase or decrease disposable family income.

There is no impact on the institution of the family or family stability.