

(C) A UNIT MANAGEMENT PROGRAM SHALL BE SUBMITTED TO THE DEPARTMENT PRIOR TO THE SALE OF ANY UNIT, OR OF ANY PRODUCT WITH AN EASILY REMOVABLE RECHARGEABLE BATTERY, BY A MARKETER IN THIS STATE WHICH TAKES PLACE AFTER DECEMBER 31, 1994. ANY CHANGE IN A RESPONSIBLE ENTITY, ADDRESS OR TELEPHONE NUMBER, COVERED UNITS OR PRODUCTS, OR DISPOSITION OF UNITS UNDER A UNIT MANAGEMENT PROGRAM SHALL BE REPORTED TO THE DEPARTMENT WITHIN 90 DAYS AFTER THE CHANGE TAKES PLACE.

~~(D) IN CONSULTATION WITH MARKETERS OR A REPRESENTATIVE ASSOCIATION OF MARKETERS, THE DEPARTMENT SHALL ESTABLISH GUIDELINES ON THE APPROVAL OF UNIT MANAGEMENT PROGRAMS BY REGULATION. THE DEPARTMENT SHALL APPROVE A UNIT MANAGEMENT PROGRAM WHICH MEETS THOSE GUIDELINES.~~

~~(E) NOTWITHSTANDING SUBSECTION (A) OF THIS SECTION, NOTHING IN THIS SUBTITLE MAY BE CONSTRUED TO PROHIBIT THE SALE TO AN ORIGINAL EQUIPMENT MANUFACTURER BY A CELL MANUFACTURER OF A CELL NOT COVERED UNDER A UNIT MANAGEMENT PROGRAM.~~

6-1008.

(A) EACH MARKETER SHALL ENSURE THAT ITS DIRECT CUSTOMERS HAVE A CONVENIENT MECHANISM FOR RETURNING UNITS TO THE MARKETER OR TO THE RESPONSIBLE ENTITY OR TO A DESTINATION SPECIFIED IN THE UNIT MANAGEMENT PROGRAM COVERING THOSE UNITS.

(B) EXCEPT FOR DIRECT SALES TO PRIVATE CONSUMERS, EACH MARKETER SHALL PROVIDE WRITTEN NOTICE TO ITS DIRECT CUSTOMERS THAT EACH UNIT SOLD BY THE MARKETER IS COVERED BY A UNIT MANAGEMENT PROGRAM.

(C) EACH MARKETER IS RESPONSIBLE FOR UNITS SOLD BY IT.

~~(D) THE RETAILER LOCATION WHERE UNITS ARE COLLECTED UNDER TO A UNIT MANAGEMENT PROGRAM MAY NOT CONSTITUTE A FACILITY AS DEFINED IN § 7-101 OF THIS ARTICLE.~~

6-1009.

(A) IN ADDITION TO ANY REQUIREMENT WHICH A CELL MANUFACTURER MAY HAVE AS A MARKETER UNDER THIS SUBTITLE, EACH CELL MANUFACTURER SHALL ACCEPT CELLS AND RECHARGEABLE BATTERIES COLLECTED IN THE STATE, INCLUDING CELLS COLLECTED BY THE STATE, LOCAL GOVERNMENTS, AND THEIR AGENCIES.

(B) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, A CELL MANUFACTURER SHALL ACCEPT CELLS AND RECHARGEABLE BATTERIES RETURNED TO IT OF THE SAME GENERAL TYPE WHICH IT MANUFACTURES, INCLUDING CELLS OF OTHER BRANDS.