

## Article - Environment

SUBTITLE 8. MERCURIC OXIDE BATTERIES ~~AND NICKEL CADMIUM BATTERIES~~

6-801.

(A) ON OR AFTER JULY 1, ~~1993~~ 1994, A PERSON MAY NOT DISPOSE OF A MERCURIC OXIDE BATTERY ~~OR A NICKEL CADMIUM BATTERY~~ EXCEPT IN A MANNER THAT THE DEPARTMENT APPROVES UNDER REGULATIONS ADOPTED BY THE DEPARTMENT.

~~(B) BY JULY 1, 1993, THE OFFICE OF RECYCLING IN THE DEPARTMENT, IN CONJUNCTION WITH THE MANUFACTURERS, DISTRIBUTORS, AND RETAILERS OF MERCURIC OXIDE BATTERIES, SHALL DEVELOP A PROGRAM FOR THE RECYCLING AND SAFE DISPOSAL OF MERCURIC OXIDE BATTERIES.~~

~~(B) (1) ON OR AFTER JULY 1, 1993, A PERSON MAY NOT SELL, OFFER FOR SALE, OR OFFER FOR PROMOTIONAL PURPOSES IN THE STATE ANY MERCURIC OXIDE BATTERY OR NICKEL CADMIUM BATTERY UNLESS THE MANUFACTURER OF THE PRODUCT HAS OBTAINED THE PRIOR WRITTEN APPROVAL OF THE DEPARTMENT OF A PLAN FOR THE COLLECTION, TRANSPORTATION, AND RECYCLING OR PROPER DISPOSAL OF THAT USED DRY CELL BATTERY.~~

~~(2) (B) ANY 2 OR MORE MANUFACTURERS MAY SUBMIT DEVELOP A JOINT PLAN TO THE DEPARTMENT FOR FOR RECYCLING OR DISPOSAL OF ANY SPECIFIED MERCURIC OXIDE BATTERY OR NICKEL CADMIUM BATTERY THAT THEY MANUFACTURE.~~

~~(C) (1) A MANUFACTURER SHALL BE RESPONSIBLE FOR THE ENVIRONMENTALLY SOUND COLLECTION, TRANSPORTATION, AND RECYCLING OR PROPER DISPOSAL, INCLUDING THE COST OF THESE ACTIVITIES, OF EVERY USED MERCURIC OXIDE BATTERY OR USED NICKEL CADMIUM BATTERY PRODUCED BY THE MANUFACTURER AND SOLD OR OFFERED FOR PROMOTIONAL PURPOSES IN THE STATE.~~

~~(2) NOTWITHSTANDING PARAGRAPH (1) OF THIS SUBSECTION, A RETAILER OR SELLER MAY PROVIDE FOR THE COLLECTION, RECYCLING, OR PROPER DISPOSAL OF USED MERCURIC OXIDE BATTERIES THROUGH THE SALE TO A REFINER OR A REFINER'S AGENT IF THE RETAILER OR SELLER COMPLIES WITH ANY REQUIREMENT ESTABLISHED BY THE DEPARTMENT TO IMPLEMENT THIS SECTION.~~

~~(D) MANUFACTURERS MAY ESTABLISH OR UTILIZE A TRADE ASSOCIATION OR A CONSORTIUM COMPRISED OF MEMBERS OF THE DRY CELL BATTERY INDUSTRY IN ORDER TO FACILITATE COMPLIANCE WITH THE REQUIREMENTS OF THIS SECTION.~~