



**STATE OF NEW HAMPSHIRE
DEPARTMENT OF EDUCATION
101 Pleasant Street
Concord, N.H. 03301
FAX 603-271-1953
Citizens Services Line 1-800-339-9900**

09/01/00

To: Superintendents, Principals, and Science Department Chairs

From: Elizabeth M. Twomey, Commissioner of Education
Robert W. Vamey, Commissioner of Environmental Services

Subject: School use and purchase of elemental mercury, mercury compounds, or mercury-added instructional equipment and materials.

On June 20, 2000 Governor Shaheen signed into law, Chapter 278, an act relative to mercury-containing products. This new act prohibits the sale of certain mercury-added products and establishes limitations on the use of elemental mercury.

Mercury is a persistent and toxic pollutant that "bioaccumulates" in the environment and our bodies. Recent studies illustrate that mercury pollution is a significant problem in the northeastern United States, and in New Hampshire. Accidental mercury spills, breakages, and releases have occurred throughout the region and these incidents have proven costly to clean up and have exposed students, teachers, and administrators to mercury emissions. In 1999, the NH Department of Environmental Services (NH DES) responded to 18 mercury spills, and nationwide, there were over 18,000 mercury-related calls to poison control centers and emergency rooms.

The intent of Chapter 278 is to reduce accidental mercury exposures and mercury releases to the environment by prohibiting certain uses of mercury and prohibiting

the sale of some mercury-added products, such as mercury fever thermometers and mercury-containing novelty items.

Effective January 1, 2001 no school in New Hampshire shall use or purchase for use in a primary or secondary classroom, elemental mercury, mercury compounds, or mercury-added instructional equipment and materials, except measuring devices and thermometers for which no adequate substitute exists. These actions will serve to protect the health of students, faculty and staff in New Hampshire's schools. Incidents in schools throughout New Hampshire and the country have illustrated that the costs of a mercury spill can be significant, and such spills can also cause anxiety and disruption in the classroom. In addition, there are suitable alternatives that make the continuing use of mercury in the classroom an unnecessary risk to public health and the environment.

Though the new law does not require the removal of mercury and mercuric compounds from schools, it is prudent to make arrangements to safely remove and dispose of those materials. Many communities hold annual Household Hazardous Waste (HHW) Collection Days and school personnel may bring mercury compounds and mercury-containing devices to these collection days, free of charge. Since the law bans the use of mercury in schools and the sale of mercury fever thermometers it makes sense to remove these items from the school environment, regardless of costs. To obtain a list of upcoming HHW collections and instructions on safe handling, contact the NH DES HHW Program at 271-2047, or visit the DES website at www.des.state.nh.us . If a collection day is not being held in your area, you may contract with a mercury recycler or hazardous waste disposal company for proper removal and disposal. If you wish to pursue this option, you may contact Paul Lockwood, NHDES at 271-2956, for assistance.

In addition to removal of mercury compounds and devices, we urge you to take this opportunity to review your school's chemical inventory and chemical purchasing practices. Many out-dated and potentially dangerous chemicals can be found in school laboratories, art programs, industrial arts programs, etc. These chemicals can be removed and disposed of by using a licensed hazardous waste contractor. Personnel from the Department of Education and the Department of Environmental Services can assist your school in developing a program to properly dispose of these materials, and put in place procedures to minimize the purchase and use of hazardous chemicals.

Please call one of the staff listed below if you are interested in this type of assistance.

Thank you for your attention to this very important matter. If you have any

questions about the requirements of the law or assistance programs that are available please contact Stephanie DAgostino, NHDES at 271-6398/ sdagostino@des.state.nh.us or Dr. Edward Hendry, NHDOE at 271-3846/ ehendry@ed.state.nh.us