

HR 1534

Mercury Export Ban Act of 2007

Congress: 110 (2007–2009, Ended)

Chamber: House

Policy Area: Environmental Protection

Introduced: Mar 15, 2007

Current Status: Committee on Environment and Public Works. Hearings held.

Latest Action: Committee on Environment and Public Works. Hearings held. (May 13, 2008)

Official Text: <https://www.congress.gov/bill/110th-congress/house-bill/1534>

Sponsor

Name: Rep. Allen, Thomas H. [D-ME-1]

Party: Democratic • State: ME • Chamber: House

Cosponsors (14 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Waxman, Henry A. [D-CA-30]	D · CA		Apr 18, 2007
Rep. Farr, Sam [D-CA-17]	D · CA		May 1, 2007
Rep. Wynn, Albert Russell [D-MD-4]	D · MD		May 9, 2007
Rep. Capps, Lois [D-CA-23]	D · CA		Jun 6, 2007
Rep. Ellison, Keith [D-MN-5]	D · MN		Jun 6, 2007
Rep. Kucinich, Dennis J. [D-OH-10]	D · OH		Jun 12, 2007
Rep. Solis, Hilda L. [D-CA-32]	D · CA		Jun 12, 2007
Rep. Schakowsky, Janice D. [D-IL-9]	D · IL		Jul 17, 2007
Rep. Butterfield, G. K. [D-NC-1]	D · NC		Jul 24, 2007
Rep. Baldwin, Tammy [D-WI-2]	D · WI		Jul 25, 2007
Rep. Hodes, Paul W. [D-NH-2]	D · NH		Jul 25, 2007
Rep. Engel, Eliot L. [D-NY-17]	D · NY		Sep 20, 2007
Rep. McCollum, Betty [D-MN-4]	D · MN		Sep 27, 2007
Rep. Eshoo, Anna G. [D-CA-14]	D · CA		Oct 29, 2007

Committee Activity

Committee	Chamber	Activity	Date
Energy and Commerce Committee	House	Reported by	Aug 2, 2007
Environment and Public Works Committee	Senate	Hearings By (full committee)	May 13, 2008

Subjects & Policy Tags

Policy Area:

Environmental Protection

Related Bills

Bill	Relationship	Last Action
110 S 906	Related bill	Oct 14, 2008: Became Public Law No: 110-414.

Mercury Export Ban Act of 2007 - (Sec. 3) Amends the Toxic Substances Control Act to prohibit any federal agency from conveying, selling, or distributing elemental mercury to any other federal, state, or local agency or any private individual or entity. Exempts transfers between federal agencies for the sole purpose of facilitating storage of mercury to carry out this Act.

(Sec. 4) Prohibits the export of elemental mercury from the United States effective January 1, 2010.

Requires the Administrator of the Environmental Protection Agency (EPA) to report to Congress on mercuric chloride, mercurous chloride or calomel, mercuric oxide, and other mercury compounds used in significant quantities in products or processes. Requires such report to include an analysis of: (1) the sources and amounts of such compounds imported into, or manufactured in, the United States; (2) the purposes for which each of the compounds is used domestically, the amounts consumed annually for each purpose, and the amounts estimated to be consumed in 2010 and beyond; (3) the sources and amounts of each compound exported annually in the last three years; (4) the potential for the compounds to be processed into elemental mercury after export; and (5) other information relevant in determining whether to extend the export prohibition to include mercury compounds.

Authorizes any U.S. resident to petition the Administrator for an exemption from the export prohibition. Authorizes the Administrator to grant an exemption for a specified use at an identified foreign facility if: (1) nonmercury alternatives for the specified use are not available in the country where the facility is located; (2) there is no other source of elemental mercury available from domestic supplies (not including new mercury mines) in the country where the mercury will be used; (3) the country where the mercury will be used certifies its support for the exemption; (4) the export will be conducted in a manner that ensures the mercury will be used at the facility described and will not be diverted for other uses for any reason; (5) the mercury will be used in a manner that will protect human health and the environment; and (6) the export for the specified use is consistent with international obligations of the United States intended to reduce global mercury supply, use, and pollution.

Authorizes the Administrator to suspend or cancel an exemption for specified violations or the submission of false information. Subjects violators to penalties, injunctive relief, and citizen suits.

Declares that nothing in this Act: (1) affects, replaces, or amends prior law relating to the need for consistency with international trade obligations; or (2) prohibits the export of coal.

(Sec. 5) Requires the Secretary of Energy to: (1) accept, and collect a fee for management and storage of, elemental mercury generated within the United States and delivered to a Department of Energy (DOE) facility; and (2) report annually to specified congressional committees on the costs of such long-term management and storage.

Requires the Secretary to establish procedures and standards for the receipt, management, and long-term storage of elemental mercury at designated facilities that are protective of human health and the environmental and that ensure that the elementary mercury is stored in a safe, secure, and effective manner.

Subjects such stored mercury to the requirements of the Solid Waste Disposal Act (SWDA). Sets forth provisions concerning permit applications under SWDA.

Requires the Secretary to: (1) conduct training for elemental mercury management, transfer, storage, monitoring or response; (2) ensure that each designated facility has all equipment necessary for routine operations, emergencies,

monitoring, checking inventory, loading, and storing mercury; and (3) ensure the installation of specified fire detection systems.

Provides for indemnification of persons delivering elemental mercury.

Declares that elemental mercury that the Secretary is storing on a long-term basis is not subject to a specified SWDA storage prohibition. Deems a generator accumulating elemental mercury destined for a facility for 90 days or less to be accumulating the mercury to facilitate proper treatment, recovery, or disposal for purposes of SWDA standards applicable to owners and operators of hazardous waste treatment, storage, and disposal facilities.

Exempts elemental mercury that is stored at a facility with an SWDA hazardous waste permit from the SWDA prohibition of hazardous waste storage if: (1) the Secretary is unable to accept the mercury at a designated facility for reasons beyond the control of the owner or operator of the permitted facility; and (2) such owner/operator certifies that the owner/operator will ship the mercury to the designated facility when the Secretary is able to accept it and will not sell it or otherwise place it into commerce.

Requires the Secretary to report to Congress on a study that: (1) determines the impact of the long-term storage program on mercury recycling; and (2) includes proposals to mitigate any negative impact.

Requires the Administrator, at least three years after the effective date of the export prohibition, to report to specified congressional committees on the global supply and trade of elemental mercury.

Actions Timeline

- **May 13, 2008:** Committee on Environment and Public Works. Hearings held.
- **Nov 14, 2007:** Received in the Senate and Read twice and referred to the Committee on Environment and Public Works.
- **Nov 13, 2007:** Placed on the Union Calendar, Calendar No. 275.
- **Nov 13, 2007:** Reported (Amended) by the Committee on Energy and Commerce. H. Rept. 110-444.
- **Nov 13, 2007:** Mr. Wynn moved to suspend the rules and pass the bill, as amended.
- **Nov 13, 2007:** Considered under suspension of the rules. (consideration: CR H13549-13554)
- **Nov 13, 2007:** DEBATE - The House proceeded with forty minutes of debate on H.R. 1534.
- **Nov 13, 2007:** Passed/agreed to in House: On motion to suspend the rules and pass the bill, as amended Agreed to by voice vote.(text: CR H13549-13551)
- **Nov 13, 2007:** On motion to suspend the rules and pass the bill, as amended Agreed to by voice vote. (text: CR H13549-13551)
- **Nov 13, 2007:** Motion to reconsider laid on the table Agreed to without objection.
- **Nov 13, 2007:** The title of the measure was amended. Agreed to without objection.
- **Oct 30, 2007:** Committee Consideration and Mark-up Session Held.
- **Oct 30, 2007:** Ordered to be Reported (Amended) by the Yeas and Nays: 45 - 2.
- **Aug 2, 2007:** Subcommittee Consideration and Mark-up Session Held.
- **Aug 2, 2007:** Forwarded by Subcommittee to Full Committee (Amended) by Voice Vote .
- **Jun 22, 2007:** Subcommittee Hearings Held.
- **Mar 16, 2007:** Referred to the Subcommittee on Environment and Hazardous Materials.
- **Mar 15, 2007:** Introduced in House
- **Mar 15, 2007:** Referred to the House Committee on Energy and Commerce.