

From: Jordan <jordan@nsaction.us>
Sent: Friday, January 28, 2022 2:41 PM
To: Knaebel, Karen
Cc: Heidi Sanborn
Subject: NSAC Public Comment: 10 V.S.A. §7152(A)(6) Sale of Mercury-Containing Lamps Draft Determination Notice
Attachments: NSAC VT DEC CFL Ban 1-28-22 FINAL.pdf
Importance: High

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Good Day Karen,

Please see attached for the National Stewardship Action Council's comment letter on the 10 V.S.A. §7152(A)(6) Sale of Mercury-Containing Lamps Draft Determination Notice.

Please let us know if you have any questions.

Thank you,

Jordan

Jordan Wells

Director of Advocacy & Communications

(Pronouns: She, Her, Hers)



Standing for environmental and social justice.

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DONATE



January 28, 2022

Karen Knabel
State of Vermont
Agency of Natural Resources
Department of Environmental Conservation

Sent via email to: karen.knaebel@vermont.gov

Subject: 10 V.S.A. §7152(A)(6) Sale of Mercury-Containing Lamps Draft Determination Notice - SUPPORT

Dear Karen Knabel,

The [National Stewardship Action Council](http://nsaction.us) (NSAC), a 501(c)(4) non-profit organization, would like to express support for the determination that screw-based mercury-containing compact fluorescent lamps (CFL) shall not be sold, offered for sale, or delivered to a retailer for subsequent sale in the state of Vermont. However, we urge the Vermont Agency of Natural Resources to expand its determination to end the sale of common linear fluorescent lamps (LFLs), as cost-effective alternatives that don't contain mercury exist today. NSAC is comprised of governments, non-government organizations, businesses, and consumers with the vision for the United States to attain a circular and equitable economy, an economic system that eliminates waste and pollution and keeps materials in use. We'd like to thank the Vermont Agency of Natural Resources for the opportunity to provide comments on the draft determination.

In the past, fluorescent lamps were promoted as an energy-efficient alternative to incandescent and halogen lamps, and the risks associated with mercury in fluorescents were tolerated as a necessary trade-off. But that is no longer the case. In 2019, the U.S. Department of Energy concluded that LEDs “are revolutionizing the lighting market,” explaining that they “have surpassed, or matched, all conventional lighting technologies in terms of energy efficiency, lifetime, versatility, and color quality, and, due to their increasing cost competitiveness, LEDs are successfully competing in a wide variety of lighting applications. Going forward, LED technology is expected to continue to improve, with increasing efficacy and decreasing prices while enabling new opportunities for lighting design and energy savings”.¹ Now the industry is also in agreement, with the National Electrical Manufacturers Association (NEMA) conceding that mercury-containing screw-based CFLs have LED alternative lamps available that provide the same or better overall performance, and at a cost that is equal to or less than CFLs.

¹ Energy Savings Forecast of Solid State Lighting in General Illumination Applications, Prepared by Navigant Consulting for the Office of Energy Efficiency and Renewable Energy, U.S. Department of Energy, December 2019. https://www.energy.gov/sites/default/files/2020/02/f72/2019_ssl-energy-savings-forecast.pdf

With its initial determination, the Vermont Agency of Natural Resources only addresses 2% of the mercury-lamp problem as CFLs have already been rejected by most consumers, who instead favor energy-efficient, mercury-free LEDs. Linear fluorescent tubes are a much larger problem and are still being widely sold for residential and commercial use. Linear LED tubes that replace CFLs are widely available and an easy retrofit solution that will save consumers and businesses money year after year. Plus, LED lamps are the least cost option for lighting. The Agency must go further and phase-out the most common linear fluorescent lamps categories, including all lengths of T5, T8, T12, U-bend, and pin-based CFLs. Tens of thousands of direct, drop-in mercury-free LED retrofits are already available on the market. These LED retrofit lamps have the added benefit of lasting 2-3 times longer lifetime than fluorescent lamps and they use half the energy (or less).

Other states are also looking to take similar action. [California's Statewide Commission on Curbside Recycling and Recycling Markets](#), which the NSAC Executive Director was appointed to and elected Chair, is comprised of 16 stakeholders representing local governments, waste hauling businesses, and non-governmental organizations and that has issued 34 policy recommendations to the State Legislature that received unanimous consensus amongst the Commissioners. Included in their first policy recommendation, is banning the sale of fluorescent lamps: "Some products are just toxic and unnecessary and have safer, cheaper alternatives making their sale unnecessary and costly... fluorescent lamps fit this category and we recommend that California ban their sale to stop adding costly, dangerous and unnecessary mercury into homes and the environment since LED lamps are more energy efficient, durable, non-toxic, and can be disposed of in the regular trash." Like Vermont, California legislators may be looking to phase out the sale of CFL and CFLs in the state in legislation introduced in 2022.

The National Stewardship Action Council urges the Agency to prioritize the health of Vermont citizens as well as the environment by finalizing this determination and prohibiting the sale of CFLs and CFLs.

We are happy to take questions, please feel free to contact me at any time at jordan@nsaction.us or 916-597-3593.

Thank you,



Jordan Wells
Director of Advocacy and Communications