
Mercury-added Neon Products Sign Industry Advisory

The regulation, restriction, and ban of products and waste containing Mercury has become an increasing trend in the United States, for health and safety reasons. The states at the forefront of regulatory activity, starting in 1999, include California, Connecticut, Illinois, Maine, Massachusetts, Minnesota, New Hampshire, New Jersey, New York, North Carolina, Rhode Island, Vermont, and Washington.

In 2001, the Interstate Mercury Education and Reduction Clearinghouse, or IMERC, was created by certain States in the Northeastern US as the umbrella multi-state agency to oversee research and regulatory efforts to reduce and eliminate Mercury in products and waste.

For the Sign Industry, Neon tubing has come under scrutiny in recent legislation. For instance, the State of Vermont has a mercury-related "neon ban" set to go into effect on **January 1, 2007**. Based on information provided by the regulatory agency in Vermont, new installations of Neon products containing Mercury will not be permitted after 1.1.07. Repairs of existing installations will be permitted, in like kind and quality, at this time.

The State of Massachusetts has also recently enacted legislation concerning Mercury products and waste, and has established a year 2010 goal for the elimination of the use of Mercury in the state.

Your state may have also enacted Mercury restrictions or bans that affect Neon signs, or may be contemplating such regulations, and the USSC strongly suggests that you check with your local state regulators for information on your specific state, and/or visit the IMERC website for additional information: <http://www.newmoa.org/>

Not all Neon is being banned in the states that have enacted final legislation. Neon-filled tubing, and the colors that can be achieved using Neon gas and any other techniques and glasses, are still permitted in any state that has "banned" Neon.

The issue for Sign Industry is the neon tubing and colors achieved by using by tubing containing argon and mercury vapor. For instance, clear tubing with mercury/argon glows a characteristic light blue color. Phosphor-coated tubing with mercury can also glow blue, blue-green, slightly white-ish green, light yellow, bright pink, light purple, or white. And finally, use of mercury vapor with colored tubing can provide a lime-green or deep blue or deep violet-blue.

What can Sign Companies that manufacture and/or sell Signs that contain Neon tubing with Mercury do at this time? What about Product Manufacturers in this segment of the Industry? USSC has the following suggestions, and further recommends that each Company affected examine all the options available at this time:

1. Apply for an Exemption under the Mercury Legislation in your particular State. Criteria for the exemption, from IMERC, is included under a separate document on our USSC Site. A manufacturer or group of manufacturers may generally apply for an Exemption. There is typically a deadline for the Exemption application. The deadline in Vermont, for instance, was 3.1.06 and has passed. The Applicant must supply a good deal of information under this Application.
2. A manufacturer or group of manufacturers coordinates efforts to address or halt a Neon "ban" in applicable states or through the IMERC.
3. Investigate all the colors that can be achieved using Neon tubing that do not require Mercury, including coated and colored glasses.

For more information, please contact USSC.

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