

HOUSE BILL 1

M3

8lr0934

(PRE-FILED)

By: **Delegate Hubbard**

Requested: October 23, 2007

Introduced and read first time: January 9, 2008

Assigned to: Environmental Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Environment – Brominated Flame Retardants – Decabrominated Diphenyl**
3 **Ether – Prohibition**

4 FOR the purpose of prohibiting, on or after a certain date, the manufacturing,
5 processing, selling, or distributing of certain products that contain a certain
6 amount of decabrominated diphenyl ether; providing that the prohibition does
7 not apply to certain processing of certain recyclables or certain manufacturer
8 replacement service parts or other products; defining a term; and generally
9 relating to the use of brominated flame retardants.

10 BY repealing and reenacting, with amendments,
11 Article – Environment
12 Section 6–1201 and 6–1202
13 Annotated Code of Maryland
14 (2007 Replacement Volume and 2007 Supplement)

15 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
16 MARYLAND, That the Laws of Maryland read as follows:

17 **Article – Environment**

18 6–1201.

19 (a) In this subtitle the following words have the meanings indicated.

20 (b) “OctaBDE” means octabrominated diphenyl ether.

21 (c) “PentaBDE” means pentabrominated diphenyl ether.

22 (d) **“DECABDE” MEANS DECABROMINATED DIPHENYL ETHER.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 6-1202.

2 (a) This section does not apply to the processing of recyclables containing
3 pentaBDE [or], octaBDE, **OR DECABDE** that is conducted in compliance with all
4 applicable federal, State, and local laws.

5 (b) This section does not apply to original equipment manufacturer
6 replacement service parts or other products manufactured prior to October 1, 2008, if
7 the parts or products were manufactured in compliance with applicable federal, State,
8 and local laws.

9 (c) On or after October 1, 2008, a person may not manufacture, process, sell,
10 or distribute in the State a new product or flame-retardant part of a new product that
11 contains more than one-tenth of 1% of pentaBDE [or], octaBDE, **OR DECABDE** by
12 mass.

13 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
14 October 1, 2008.