**Section 190.130 Annual Collection Goals**

a) Collection programs required under the Act must be designed to collectively achieve the following annual statewide collection goals:

1) Compliance with the Collection Program Goals set forth in Section 190.135; and

2) The collection of no fewer than the number of out-of-service mercury thermostats, as follows:

|  |  |
| --- | --- |
| **Calendar Year** | **Mercury Thermostats Taken Out**  **of Service** |
| 2015 | 22,500 |
| 2016 | 25,000 |
| 2017 | 30,000 |
| 2018 | 7,000 |
| 2019 | 6,000 |
| 2020 | 5,000 |

b) Failure to Achieve Annual Collection Goals in Calendar Year 2015 or 2017

1) *If the collection programs do not collectively achieve the collection goals provided for in* this Part *for calendar year 2015 or 2017, thermostat manufacturers shall, individually or collectively, submit to the Agency for review and approval proposed revisions to the collection programs that are designed to achieve the goals in subsequent calendar years. The proposed revisions shall be submitted to the Agency with the annual report required in Section 20 of the Act.* [415 ILCS 98/15(c)]

2) *If the Agency determines the revised collection programs will not collectively achieve the collection goals set forth in* this Part, *the Agency may require modifications to one or more collection programs that the Agency determines are necessary to achieve the collection goals. Modifications required by the Agency may include improvements to outreach and education conducted under the collection program, expansion of the number and location of collection sites established under the program, modification of the roles of participants, and a $5 financial incentive in the form of either cash or a coupon offered by the manufacturer to contractors and consumers for each out-of-service mercury thermostat returned to a collection site.* [415 ILCS 98/15(d)(2)]

c) *Any person adversely affected by a goal established by* subsection (a) *may obtain a determination of the validity or application of the goal by filing a petition for review* on or before January 9, 2015*.* Any appeal must be filed in *with the Appellate Court for the District in which the cause of action arose. During the pendency of the review, the goal under review shall remain in effect.* [415 ILCS 98/25(d)]

d) *No later than April 1,* 2016 *and no later than April 1 of each year thereafter, each* *thermostat manufacturer shall, individually or collectively with other thermostat manufacturers, submit an annual report on its collection program to the Agency covering the one-year period ending December 31 of the previous year*, to *be posted on the manufacturer's website* in accordance with Section 20(b) of the Act. [415 ILCS 98/20(b)]

(Source: Amended at 42 Ill. Reg. 24897, effective December 11, 2018)