

TO: Montgomery County Council

RE: Bill 50-20 addressing mercury gas service regulators

FROM: N. Leslie Olson

On 12/8/2020 Bill 50-20E was introduced by Councilmember Hucker. It requires landlords to work with Washington Gas to obtain the replacement of mercury service regulators with spring loaded regulators. Washington Gas states that whether the regulator, which helps regulate the flow of gas into home appliances, is mercury or not, it is a safe and reliable part of the natural gas delivery system.

The sponsor, Councilmember Hucker, feels the mercury service regulator was the cause of a 2016 explosion. The intent of the legislation is to save tenant lives.

I urge to you vote against this bill and opt instead to push for an action that will require the county council, not landlords, to work with the Public Safety Commission (PSC) to complete an already existing mandate with Washington Gas to remove the mercury service regulators and replace them. Mercury has long been considered a hazardous element if not properly contained and this program provides for the proper reclamation of the mercury during the replacement process. In this scenario, the removal of the mercury service regulator provides for the safety of ALL county residents, not just tenants, by eliminating the potential that during work by unqualified individuals mercury could be released. The council has erred in relegating their responsibility to see the completion of this program to county landlords. There should be some embarrassment in the omission of caring for the safety of so many residents who are not tenants, in the attempt to further burden landlords.

Existing information on this subject is as follows:

1. Washington Gas maintains that both mercury and spring regulators are safe and their program was only intended to reclaim the mercury, a potential hazardous material if not properly handled.
2. Washington Gas received a rate increase to do this work.
3. Washington Gas was to provide progress reports to PSC, with a completion date of 2013.
4. Washington Gas neither completed the task nor provided reports as required.
5. In 2020 Washington Gas was fined \$750,000 for that failure
6. In 2016 there was an explosion in Silver Spring, resulting in death and displacement of the residents of the multi-family building.
7. There have been no facts (made public) supporting the concept behind bill 50-20 that the mercury service regulator on the building was faulty, and Washington Gas has publically denied any wrongdoing.
8. The explosion did however reveal the failure of both the PSC and Washington Gas to fulfil their responsibility in the monitoring and removal of existing mercury service regulators.

Now with that known failure by PSC and Washington Gas, the Montgomery County Council is poised to throw the matter to landlords to resolve, and in doing so, will create additional expense for the additional reporting and paperwork necessary to document this new action.

This is an inappropriate action, a waste of money, and does nothing toward the bill's mission statement which is to protect lives. The removal of the mercury service regulators, the proper reclamation of the mercury, and the replacement of the regulator will do that for ALL county residents.

Again, I urge the County Council to vote against bill 50-20 and pledge to put its energies toward forcing the PSC (an agency already receiving money for just such activities) to complete its monitoring of the replacement program started, but not yet finished, by Washington Gas.

This is not landlord's responsibility, nor should it ever have been thought to be so.