

Meeting Minutes

E-Scrap Stakeholder Workgroup

December 20, 2006

The Electronic Scrap (E-scrap) Stakeholder Workgroup held their sixth meeting on Dec. 20, 2006, at the Missouri Department of Natural Resources (department) Conference Center in Jefferson City. Thirty-six people attended the meeting, either in-person or by telephone conference call, representing manufacturers, vendors, recyclers, environmental groups, waste haulers and processors, several Missouri state agencies, federal agencies, local governments, and other interested parties. A copy of the agenda and attendance list is attached.

I. Welcome and October 25 Meeting Review:

Mike Menneke, of the department's Hazardous Waste Program, opened the meeting, welcomed the stakeholders, and discussed the logistics of today's meeting. Mr. Menneke stated that all information, including the minutes from the last meeting, is posted on the stakeholder Web site.

II. Subgroup Update: Funding

Ric Erdheim, of Philips Electronics, gave an update on the funding possibilities. Mr. Erdheim stated that there are two new types of funding models in Washington D.C.:

1. **Producer Responsibility:** Dell has two systems, one for computer monitors and one for TVs. Some producers like the producer responsibility model, but do not want to handle TVs. From a recyclers point of view, computer monitors and TVs are essentially the same product to recycle. From a business point of view, computer monitors and TVs are very different because there are less computer monitor producers and less disagreement over which brand belongs to which company. Many more manufacturers have made TVs over a longer period. Mr. Erdheim referred the stakeholders to www.dell.com/downloads/global/corporate/environ/recovery_policy.pdf for more information on Dell's policy.
2. **Recycling Card:** The consumer could purchase a recycling card either at "point-of-purchase" for a discount price or at "end-of-life" for full price. A third party organization would price and managed the card. The retailers would be required to offer the recycling card when the product is purchased. The consumer would turn in the card with the product at the recycling collection center. The collection center receiving the product to be recycled would turn in the card to the third party organization for reimbursement. In California, for every 100 products covered there has only been a return of 28. It is likely that the funding would be enough to cover recycling, even at the discounted "point-of-purchase" price.

III. Federal CRT Rule Implementation

Candace Bias, of the department's Hazardous Waste Program, discussed the department's progress in adopting the U.S. Environmental Protection Agency's (EPA) proposed cathode ray tube (CRT) rule. Ms. Bias explained that the only changes that have been suggested so far are clarifying that households would be the only exemption to the rule and the Regional Administrator would remain as the authority to notify when exporting used CRTs. A copy of the draft language is attached.

Ms. Bias stated that the department is currently reviewing the draft language. The department plans to file the language by May 1 and hold a public hearing at the June Hazardous Waste Management Commission meeting. Ms. Bias estimates that it will be one year before the rule is adopted. If Missouri adopts the CRT rule as drafted, electronics demanufacturers will be exempt from certain regulations that apply to breaking CRTs.

Mr. Erdheim asked if the state was considering temporarily issuing an enforcement order/letter. Ms. Bias said that it had not been brought up and asked the stakeholders if there was any interest. There was no interest from the stakeholder workgroup at this time.

IV. Resource Recovery Certification Process

Richard Hock, of the department's Hazardous Waste Program, gave a brief overview of the department's Resource Recovery Certification. Mr. Hock announced that the department certified the Computer Recycling Center (CRC) for hazardous waste resource recovery on Dec. 19. CRC is the first certified electronics demanufacturer in Missouri.

CRC's certification process took about seven weeks to complete. Mr. Hock explained that since it was the first certification of its kind, the cost and review time were more than subsequent reviews will take. Mr. Hock expects the next certification to take half the time. Mr. Hock explained that the application length varies, depending on the facility's process.

Mr. Hock reminded the stakeholders that CRC's certification is completely voluntary. The simple demanufacturing of electronics is not considered a hazardous waste management activity, nor does it require Resource Recovery Certification in itself. The certification is needed to break the CRTs. As mentioned earlier, if Missouri adopts the CRT rule as drafted, an electronics demanufacturer that wants to crush CRTs will not be required to get a Resource Recovery Certificate. CRC wanted to be able to crush CRTs before Missouri adopts the CRT rule.

Mr. Hock asked Ken Reiss, President of CRC, if he had any other information to add. Mr. Reiss stated that the certification process is "simple but complex." He added that if any of the other demanufacturers were looking into certification, to make sure that they worked with a banker knowledgeable in financial assurance instruments. Mr. Reiss said there are both good and bad things about being certified. CRC now has specific requirements for their recycling process, but they will be able to crush CRTs after a

simple certificate modification when they install their crusher. Other businesses will have to wait until the CRT rule is finalized in Missouri. He also stated that being a certified recycler is a great marketing tool as it shows he is environmentally responsible.

V. Other Issues

Alice Geller, the meeting facilitator, and Mike Menneke met with the Hazardous Waste Management Commission in early December. The Commission is very excited about the program the stakeholder workgroup is developing and anxious to assist.

Ms. Geller also mentioned that the department is currently looking into what state government does with their computers. The department is working with the Office of Administration (OA) to transfer department computers to “not-for-profit” organizations, such as fire districts or schools. The department is also looking into the ability to recycle department computers, rather than send them to surplus property. The department will meet with OA in mid-January. The proposal will be to start a pilot recycling program with the department and then to extend the program to the rest of Missouri state government.

VI. E-Scrap Strawman Proposal

Ms. Geller facilitated a large group discussion on the draft strawman proposal. A subgroup of the large stakeholder workgroup volunteered to compile the regulatory and education proposals, as well as other agreed to action items, into a draft plan with a timeline. A copy of the draft proposal is attached.

Assumptions:

Ms. Geller began with the assumptions made by the subgroup. One assumption was that the approach would be judged against baseline measures and established goals. If the goals are not met within 2 years, then a more formal regulatory approach such as a landfill ban for electronics must be considered. Several stakeholders expressed concern that “2 years” was too quick because we are trying to change consumer behavior. Ms. Geller clarified that “2 years” is when the stakeholder workgroup would start considering a more formal approach, one approach possibly being a landfill ban. It would still take another year or two for a formal approach to take effect.

The stakeholders agreed that the approach should be evaluated annually. If the program seemed to be heading in the right direction, there would be no significant changes. If, on the other hand, little progress had been made, the stakeholder workgroup would then look at legislative options, such as mandatory registration, a recycling fee, a landfill ban, etc. In addition, if the federal government proposes a nationwide E-scrap plan, the stakeholder workgroup will meet to discuss its effect on Missouri.

Goals for E-Cycle Missouri:

The proposed goals in the draft proposal were discussed next. There was some discussion on the amount of change needed to decide whether the effort is a success. In whole, the stakeholders agreed with the proposed goals. The stakeholders discussed what would be a sign of success concerning an increase in the number of visits to the E-Cycle

Missouri Web page. It was decided that there should be a differentiation between visits to the education Web page and the list of recyclers (tiered approach) Web page.

Proposed Tiered Approach:

The stakeholders discussed the proposed minimum components for the E-Cycle Missouri effort. The discussion focused on whether to include peripherals or not. The final consensus was to include TVs, computers, and monitors as the minimum components needed for the tiered approach. The educational effort can focus on any electronic equipment.

The Regulatory subgroup decided to add a “Level 0” to the proposed levels. This would provide start up businesses a no cost option to being listed on the department’s Web site. “Level 0” registration does not require the facility to submit a fee or follow the Best Management Practices. It is simply a voluntary listing with the department. The registration would include an environmental assistance visit from the department and the department listing the facility on the department’s Web site.

Some stakeholders did not agree with the titles. How would the public know the differences between the levels or if a “Level 1” is the highest or lowest? “Level 0” also sounded negative to some stakeholders. The stakeholders agreed to use symbols, such as 1 to 4 stars. The symbol used could be the E-Cycle Missouri logo. A brief explanation will also be posted on the Web page in order to make sure the public understands the “symbol” notations.

The stakeholders also discussed the fees. It was stated that the fee amounts listed in the proposed tiered approach are just estimates. Ms. Geller also mentioned that she is working with department staff to clarify whether the department can collect a fee for a voluntary program or if the department has to do a rule making to be able to collect a fee. The department will use the fee to cover the cost of department staff time for review of resource recovery certification applications and site visits.

The stakeholders reviewed the proposed tiered approach document. The following changes were made to the draft document (changes in bold, italics)

- The ***applicable*** Newly Organized Missouri Electronics Scrap Best Management Practices (NO MESS BMPs) are standard operating procedures.
- This cost estimate will be submitted to the department with either one of the methods of closure financial assurance in 40 CFR 264, Subpart H or with a legal contract with other registered electronics manager(s) or an environmental company to close the facility. (***The department needs to check with department legal counsel to see if it is allowable to have a contract between two companies to clean up one if the other goes out of business, as the financial assurance instrument.***)
- ***For Registration – Level 3 (information needs to be added about the Missouri Environmental Management Partnership.)***

Under the Newly Organized Missouri E-Cycling Standards (NO MESS) these changes were made (in bold, italics)

- Maintain documentation of environmental, safety and security audits of facilities *by regulatory agencies. (This change is to make it clear that the audits of concern are by regulatory agencies as opposed to audits done by others.)*
- Maintain *and document a plan to close the facility. (The wording was simplified so it would not be confused with other regulatory terms.)*

Proposed Timeline:

The stakeholders then discussed the proposed timeline. Ms Geller noted that if the action items were completed sooner than targeted, the timeline would be adjusted. The stakeholders agreed with the timeline and hoped, working together, it would be met.

VII. Wrap Up and Next Steps

The stakeholders agreed to form three small subgroups (1) Steering Committee, (2) Education Committee and (3) Rural Outreach Committee.

The Steering Committee will guide the development and implementation of E-Cycle Missouri. Minutes of meetings and additional drafts of plans or proposals will be posted on the E-scrap Stakeholder Workgroup Web site so the entire stakeholder workgroup can remain updated and provide comments.

Members:

- Scott Ammon, University of Central Missouri
- David Beal, EPC, Inc.
- Dale Brown, Honeywell FM&T
- Steve Fishman, EPA, Region 7
- Ken Reiss, Computer Recycling Center

The Education Committee will work on refining and implementing the education component of E-Cycle Missouri.

Members:

- Bill Guinther, Parkway School District
- Todd Houts, University of Missouri - Columbia
- Laura Yates, St. Louis Regional Partnership for Electronics Recovery

The Rural Outreach Committee will work on developing a strategy to provide E-cycling to rural Missouri and to successfully implement those strategies.

Members

- Kristin Allan, Environmental Improvement and Energy Resources Authority (EIERA)

- Dale Brown, Honeywell FM&T
- Brandt Ehrhardt, The Phoenix Institution
- Tim Roehl, South Central Solid Waste Management District
- Scott Walk, Northwest Missouri State University

Ms. Geller suggested that the entire stakeholder workgroup meet again in 6 months to a year, depending on progress, to evaluate what has happened and discuss future actions. The stakeholders agreed.

This will be the last stakeholder meeting until sometime in 2007. Ms. Geller and Mr. Menneke thanked the stakeholders for all their hard work and dedication. The goal was set at the beginning of the discussions to have a plan developed by December 2006, and that goal was successfully met.

Action Items:

1. Put together and post all hand-outs and meeting minutes on the stakeholder Web site – Heidi Rice
2. Edit the proposal to include the changes agreed upon today. The E-cycle Missouri proposal will then be posted – Alice Geller and Heidi Rice
3. Steering, Education and Rural Outreach Committees to meet and continue work as outlined in proposal.
4. Next Stakeholder Workgroup Meeting: 6 months to 1 year