



Electronics Recycling Systems and Policies

Maryland Recyclers Coalition

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Presentation Overview

- National Center for Electronics Recycling
- Enacted State Approaches
 - California, Maine, Maryland
- Proposed State Legislation 2006
 - Trends from 2005
- Federal Legislative Activity
- Outlook

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National Center for Electronics Recycling

- Mission: coordinate initiatives targeting the recycling of end-of-life electronics in the United States and support projects that move towards a national system
- In Polymer Technology Park in Davisville, WV
- Established 2005 as non-profit in WV, 501(c)(3)
- Manufacturer-led organization – leading companies on environmental initiatives on Advisory Committee
 - Manufacturers, approve projects
 - Multi-stakeholder project committees



Enacted State Electronics Recycling Systems

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California

- Two bills vetoed in 2002 – ARF of \$15
- SB 20 adopted 2003/Amended 2004 by SB 50
- Point of sale fee on certain video display devices with screens > 4" diagonal
 - \$6, \$8, or \$10 depending on screen size
 - All “consumers” covered
- Effective January 1, 2005 on covered electronic devices (CEDs) designated by DTSC
 - CRT devices (TVs & monitors)
 - LCD devices (laptops and monitors)
 - LCD and Plasma TVs added July 1, 2005

SB 20/50 - Implementation

- Collection and Recycling Payments
 - Authorized collector - \$0.20/lb
 - Authorized recycler - \$0.28/lb
- Payments only authorized for covered devices collected on or after 1/1/05 from CA sources (defined as users of the device in CA)
- “Cancellation” activities (crushing, shredding, dismantling) must occur within CA

SB 20/50 – Operations to Date

- Approved Collectors: 401
- Approved Recyclers: 46 (some dual collectors)
- 2005: BOE collected million \$60 million
 - At start, some problems with payment claims (missing info, not CA sources, not properly documented, etc.)
- 225 claims submitted for payment: \$31.1M – 64.8M pounds of covered electronic waste
- Claims approved for payment: \$21.5M – 44.5M pounds
- Claims still under review: \$10.4M

SB 20/50 – Regulations Update

- Developing Final regulations by end of 2006
 - Draft language for comment until 6/23
 - Few changes proposed
- CIWMB proposing no change to payment or fees
 - Still in development phase, covering net costs, likely to have sufficient funds next year

Maine

- Passed in 2004: covers TVs and computer monitors (includes laptops) from Maine households
 - Desktops only covered by brand labeling requirement
- Municipalities collect from household, send/contract to consolidators (facility or pickup)
 - Collection from household not funded by system
- Consolidators count brands, follow ESM guidelines, bill manufacturers for actual count + orphan share
- Manufacturers submit compliance plans, file reports, pay invoices from all (5) consolidators for “allowable costs”

Maine Law: Orphans

- Orphans: “Covered electronic device, the manufacturers of which cannot be identified or is no longer in business and has no successor in interest”
- DEP has to identify manufacturer “pro rata share”, provide to consolidators
 - So far, 108 brands “orphan” by DEP
- Example: OEM A has 20% pro rata share; consolidator collects 1000 OEM A branded units and 100 total orphans
 - OEM A is bill for 1020 units at “reasonable cost” rate

Maine Shared Responsibility Law Manufacturer Compliance

- As of late May 2006:
 - 101 manufacturers claiming 221 brands
- Non-compliant brands prohibited from sale: 53 manufacturers
 - Triple damages for non-compliant manufacturers
- Website lists compliant brands/manufacturers, orphan brands, approved consolidators

Maryland Computer Recycling Law

- HB 575 passed in 2005
- Creates a statewide computer recycling pilot program for 5 years
 - Effective January 1, 2006, Ends 12/31/10
- Registration and fee required for manufacturers of more than 1,000 computers per year
 - 1000 can be sold anywhere, not just in MD
- Computers defined as: “desktop personal computer or laptop computer, including the computer monitor”
 - Like CA/ME, covered products must be brand labeled

Maryland Recycling Law cont'd

- Initial Registration fee for all OEMs \$5000, then:
 - \$5,000 if manufacturer does NOT implement a computer take-back program
 - \$500 if manufacturer DOES implement a program
- Takeback program guidelines flexible
- Registration money into state recycling trust fund
 - Used to provide collection/recycling grants to local governments
 - First year for education campaign, not recycling grants
- Registered Manufacturers as of 6/7/06:
 - 36 Companies, or \$180,000

Washington Legislation 2006

- Signed by governor on 3/24/06
 - 4th major state electronics recycling program
 - Different than other 3 in significant ways
- Producer Responsibility with default
 - Manufacturer responsible for “equivalent share” either on own or pay into State TPO
 - No collection goal, but must meet your % at year’s end or pay penalty (refund if collecting more than %)
 - Orphans must be calculated by DOE
 - Covers CA/ME products + Desktops
 - *Ban on exports to developing countries according to Basel Convention [VETOED]*
 - Programs must be effective Jan 2009

Comparing the Financing

- CA: Point of Sale fee, to state agency, all sellers and sales
- ME: No state funding, or manufacturer registration fees, Municipalities fund household collection, manufacturers from consolidation on
- MD: Annual manufacturer registration fee, state agency administration
- WA: Annual manufacturer registration fee + all costs for meeting "equivalent share" on own or through new quasi-government TPO

Financing-Specific Challenges

- CA: Can't enforce on out of state sellers
- ME: No funds for collection, finding and enforcing on manufacturers out of country, reliable orphan data
- MD: Finding manufacturers with different product scope, funding insufficient for major state program
- WA: State setting "equivalent share," unknown total quantities, finding/enforcing on manufacturers



Proposed Legislation 2006

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Legislation in 2006

- Over 25 states have introduced
 - Not including carryover bills from 2005
- Types of Bills
 - Advanced recovery fees – at POS and Manufacturer/first point of possession
 - With and without TPO
 - Producer responsibility, many variations
 - Studies, commissions & task forces
 - Landfill &/or incineration bans
 - California amendments (product scope, material restrictions)/Maine amendments



Regional Model Legislation and Study Committees

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NERC/Council of State Governments

- Northeast Recycling Council/Council of State Governments Initiative
- 10 states looking to coordinate on regional electronics recycling model legislation
- New England (including Maine), New York, New Jersey, Pennsylvania, Delaware

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NERC/Council of State Governments

- Status
 - Released final legislation in April, minor revisions in May
- Basic elements
 - Same scope as WA bill- desktop, monitors, TVs
- Financing model:
 - Manufacturer pays \$5k registration to State, AND
 - Fee for its “obligation” OR collect/recycle equivalent amount; formula for obligation based on recycling rate
 - TPO optional for state, can coordinate with multi-state entity

Midwest Regional Electronic Waste Recycling Policy Initiative

- State agencies, not legislators worked on regional model similar to NERC/ERC: Minnesota, Michigan, Illinois, Wisconsin, Ohio, and Iowa
- Drafted legislation, but released “policy statement”
- Elements of policy statement:
 - Same product scope as NERC/ERC and WA
 - Manufacturer pays registration fee and must collect/recycle their obligation; own program or fee to state
 - Obligation based on previous year’s sales
 - States may choose to authorize TPO and/or multi-state entity



Federal Legislative Activity

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Congressional Hearings!

- 2005: E-Waste Working Group formed – four House Representatives
 - Recently asked for prospects of reaching consensus
- 2 Hearings – House Energy and Commerce Subcommittee on Env and Haz Materials
- Hearing – Senate Env and Public Works Subcommittee on Superfund and Waste Mgmt
- Bills in House and Senate, not moving
 - 1 ARF, two based on tax credits for manufacturers and/or consumers
 - Digital TV transition bills?

Other Federal Activity

- EPA Baseline Data Report
- Department of Commerce Report
- Government Accountability Office 2005 Report

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Conclusions/Outlook

- More to learn in 2006
 - CA implementation enters 2nd year - > 1.79 lb/capita?
 - Maine/Maryland begin implementation
 - No clear consensus on financing
- States to watch in rest of 2006
 - MA, NC, NY
- How many states will introduce NERC/ERC model?
- Can states pass more programs with funding mechanism included?
 - Yes, in case of WA: coalition of local govt, retailers, NGOs, and one OEM (HP) pushed through
 - Or will intra-industry/other stakeholder split continue to result in stalemate?
 - See MN in 2005 and 2006

The logo for the National Center for Electronics Recycling (NCER) is a large, light green circular emblem. It features a stylized recycling symbol in the center, composed of three chasing arrows forming a triangle. The words "NATIONAL CENTER FOR" are written in a light green, serif font along the top inner edge of the circle, and "ELECTRONICS RECYCLING" is written along the bottom inner edge. The entire logo is set against a white background with a subtle grey shadow.

Thank You!

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