



Northwest Product Stewardship Council

2008 Electronics Subcommittee Issue Paper **January 10, 2008**

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The Issue

Electronics such as televisions, computers, printers and household appliances have a significant impact on our environment because of a number of factors: they contain toxic components such as lead, mercury, cadmium and chromium; large amounts of energy and natural resources are consumed to produce these products; they have a short life span due to rapid technical advances, there are large numbers of them in circulation, and they are costly to disassemble and recycle. Electronics also contain valuable resources that can - and should be - reused or recycled.

Under the current system, manufacturers of computers and electronic devices can design their products using toxic and non-recyclable materials and local governments are responsible for managing this equipment at the end of life. In some communities, local governments have elected to ban certain electronic products that contain toxic materials from the landfills and have assisted in the development of a private sector infrastructure to recycle these products. However, many local governments continue to accept electronic equipment at their transfer stations, landfills and energy recovery facilities and they pay to dispose or recycle these products.

Over the past several years, the NWPSC has been involved in the creation of legislation designed to encourage a system whereby product manufacturers are responsible for the creation and financing of a convenient, environmentally safe collection and recycling system for electronic products.

In 2006 the Washington State Legislature passed the Electronic Product Recycling Law 70.95N RCW. The law, which will go into effect in 2009, required that computer and television manufacturers provide consumers, small business, schools and small local governments with convenient recycling for their computers, televisions, and monitors at no cost. The manufacturers can provide these services by taking part in a "standard plan" administered by the Materials Management and Financing Authority or they can choose to establish their own "independent plan".

In June, 2007, the Oregon State Legislature passed [HB 2626](#) which creates a producer responsibility system for the management of computers, monitors and televisions. The system will provide convenient recycling of covered devices in all parts of the state. The system will allow households, businesses and small non-profits to drop off for free seven or fewer covered devices at a time. The bill requires all manufacturers of covered electronic devices to provide collection and recycling for these products or pay for a program contracted by the state. Manufacturers are required to register with the Department of Environmental Quality (DEQ) and pay an annual registration fee. Manufacturers must indicate their intent to participate in a "manufacturer program" or the "contractor program".

The NWPSC Position

Before the Washington law can be implemented, the Department of Ecology must draft the rules for administering the Electronic Product Recycling law. The rule-making process includes an advisory committee and is required to offer several public comment periods. In 2007 and 2008, the NWPSC will participate in the rule-making process to ensure that there are strict rules for processing equipment in an environmentally sound manner.

The NWPSC electronics subcommittee will also work with various stakeholders, such as electronics collectors, recyclers, and local governments in Washington to inform them about the rules and to encourage them to provide input. The subcommittee will conduct workshops with these stakeholders to make sure they understand the issues surrounding the Washington legislation and understand how they can best participate in the program.

Before the Oregon system becomes operational in January 2009, several important steps need to be taken. The Department of Environmental Quality (DEQ) will be convening workgroups for the development of guidelines for manufacturers' plans, and for managing collected electronics. After the program gains operational experience, the DEQ will initiate formal rule-making procedures.

The current laws only cover a limited number of electronic products. In order for electronic product recycling to be successful over the long term, the scope of products should be expanded to cover all electronics and electronic equipment.

Proposed Solution/Recommendations

The NWPSC Electronics Subcommittee will continue their efforts to comment on the Washington rule-making process and conduct additional outreach efforts to key stakeholder groups, including NGOs, local governments, and Take it Back Network members to make sure that they understand their role in the upcoming legislation.

The NWPSC Electronics Subcommittee will monitor the implementation process in Oregon and seek to determine the most effective way to comment on the guidelines as they are developed. In addition, the Council can provide support for education and outreach efforts about the new system.

Subcommittee Next Steps/Timeline

Next steps for the subcommittee are as follows:

For the State of Washington

- Continue to comment on Phase II of the rule-making process and Processor Performance Standards.
- Continue to develop materials and hold workshops for key stakeholder groups to make sure they understand the legislation and their role.

Timeline

October 2007 – Rules are finalized, meeting held with collectors to inform them about the new law and how to join with the manufacturer-run programs.

Jan–Feb 2008 – Materials Management and Financing Authority (MMFA) drafts Operations Plan, holds public hearing.

February 2008 –Public education campaign development begins.

February 2008- Manufacturer plans submitted to Ecology.

January 2009 – Manufacturer programs implemented .

For the State of Oregon

- Follow Oregon's implementation process and provide comments as appropriate. In particular the Council will attend to how the state develops Environmental Management Practices (EMPs) guidelines for managing covered products.
- Work with stakeholders on developing materials, and education and outreach efforts regarding the legislation.

Timeline

December 2007

- Manufacturers must register and state their intention to be part of the state contractor program or a manufacturer-run program. Manufacturers can update their intentions through July 2008.
- Statewide outreach materials being developed for use by contractor program, manufacturers, retailers and public agencies.

January 2008

- Environmental Management Practices Guidelines completed.

March 2008

- Manufacturer Plan Guidelines completed.

July 2008

- Manufacturer Plans due.
- DEQ awards contract for contractor program.

January 2009

- State contractor and manufacturer programs are operating.

January 2010

- Disposal of covered electronic devices is banned.

For the NW region and other states:

- Continue to share information between Oregon and Washington on efforts to implement the laws.
- Support producer-responsibility solutions to electronics throughout the nation.
- Support and expand interim recycling solutions, such as the Take it Back Network.