




2016 ILLINOIS E-WASTE SUMMIT

COLLECTORS/RECYCLERS,
OEM'S & LEGISLATION:

SUCCESSES VS. CONCERNS
PATRICK FERRY | DYNAMIC RECYCLING

Electronic Waste - State Laws

- 25 states currently have implemented legislation for recycling electronic waste.
 - 23 EPR (Extended Producer Responsibility) states, including Illinois:
 - Extended Producer Responsibility (EPR) is a fundamental principle of Zero Waste. Also known as Product Stewardship, EPR is a strategy that places a shared responsibility for end-of-life management of consumer products on the manufacturers of the products, while encouraging product design that minimizes negative impacts on human health and the environment at every stage of the product's lifecycle.
 - Manufacturers attempt to fund the recycling costs for electronic devices that are considered end-of-life.
 - California – ARF (Advanced Recovery Fee) model:
 - Up front tax paid by California residents when purchasing new electronics.
 - Convenience Standards – require OEM's to provide an adequate amount of collection sites to meet a specific standard of convenience for consumers, in states with mandated e-waste laws, that want to properly dispose of electronics in a responsible manner.
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History of the *Illinois Electronic Products Recycling & Reuse Act*

- 2008 – **PA 95-0959 (SB2313)** Effective September 17th, 2008. Electronic Recycling and Reuse Act established.
- 2010 – First full program year for “Act”.
- 2011 – **PA 97-0287 (SB 2106)** goes into effect on August 11th, 2011
 - Notable changes include: collection strategies for underserved counties, definitions of the “Act”, clearer definitions of specific electronic products manufacturers are responsible to recycle, collectors and their responsibilities and legislative findings.
- 2014 – **PA 98-0714 (HB4227)** goes into effect on July 16th, 2015
 - Notable changes include: reduction in the amount of categories of electronic products OEM’s and collectors must separate, segregate, weight and report to the IEPA.
- 2015 – **PA 99-0013 (HB1455)** goes into effect on July 10th, 2015
 - Notable changes include: requirement of recyclers/re-furbishers to hold certification with R2/E-Steward/USEPA approved certification, added an additional OEM credit and CRT glass storage approved by the IEPA.

Illinois Environmental Protection Agency E-Waste Program Review

Amendments to Public Act 99-13 (“P.A. 99-13”) Electronic Products Recycling and Reuse Act include:

- An increase in OEM electronic waste recycling goals:

2015 – 30.8 million pounds for television/monitor manufacturers

15.8 million pounds for other CED (covered electronic devices) manufacturers

2016/2017 – 34 million pounds for television/monitor manufacturers

15.6 million pounds for other CED manufacturers

Individual Manufacturers – annual goals in proportion to the OEM’s market share of CED’s sold in Illinois 2 years before the calendar program year.

2018 – OEM’s must recycle/reuse at least 50% of total weight of CED’s sold in Illinois during the calendar year two years before the applicable program year.

Illinois Environmental Protection Agency E-Waste Program Review (continued)

- Allow a carry-forward collection credit for manufacturers.
- Require recyclers and re-furbishers to acquire certification from an independent, third-party certification body.
- Allow the placement of cathode-ray-tube (CRT) glass from televisions and computer monitors into retrievable storage cells at a landfill as a means of meeting a manufacturer's recycling goal.
- Restructure the penalties assessed to manufacturers so that penalties are triggered at a higher threshold.

The revised goals and new credit apply to program years 2015, 2016, and 2017.



Concerns/Problems with Illinois Collection and Recycling

- In program year 2015, 36% of Illinois counties had no registered electronic waste collection locations.
- Decrease in adequate electronic waste collection sites is costly for Illinois residents and makes it difficult for Illinois residents to properly dispose of generated electronic waste.
- Decrease in commodity market pricing has put a large burden on recyclers.
- Increase in the cost of properly recycling CRT (Cathode-Ray Tube) containing devices for recyclers. Typically, any county or municipality will have 70% of CRT-containing devices in the overall mix of electronics collected from Illinois residents.
 - Alternative Daily Cover (ADC) vs. traditional CRT glass recycling.
- Recyclers and Collectors “cherry picking” certain commodities that hold more value, compared to the collection and recycling of CRT-containing devices, which are very costly to properly recycle.
- Some collection sites that are registered in Illinois only collect certain CED’s (covered electronic devices) and do not collect broken or disassembled CRT’s.
- Best Buy (CRT increase in county collection stream) – how much of an increase will IL collection witness?

Concerns/Problems with Illinois Collection and Recycling (continued)

- Manufacturer's subsidized pricing they pay recyclers is sometimes unrealistic and does not cover the cost of properly recycling Illinois CED's under the current legislation.
- No Charge to Illinois residents – this puts a large burden on the registered Illinois collectors that are not in manufacturer contracts and is costly to the county and/or municipality.
- Manufacturer's that do not contract at the beginning of a program year:
 - Some manufacturers do not contract with recyclers until the middle of a program year, which puts the collection network and the recycler in a tough position.
- Once recyclers hit their manufacturers obligated poundage goals, collection sites can be cut off and not have an outlet to properly recycle electronic waste, which can result in stock-piling or illegal dumping of hazardous electronic waste.
- Underserved county collection credit - reduces the amount of e-waste actually collected.
 - 85 Illinois counties currently qualify for OEM's to receive double credit toward their state mandated recycling goals.

Concerns/Problems with Illinois Collection and Recycling (continued)

- Recycling/Reuse goals and how they are calculated:
 - Currently based on the total weight of devices manufacturers sold in Illinois two years prior.
 - Newer devices weigh less than old devices sold two years prior.
 - Method for establishing electronic waste recycling/reuse goals does not accurately reflect the actual volume of electronic waste being collected for recycling.
- Not enough total manufacturer support to cover the over-all poundage of electronic waste generated by Illinois residents and/or households.

Concerns/Problems with Illinois Collection and Recycling (continued)

- “Policing” recyclers and collectors to ensure they are properly participating in the Illinois electronic waste program:
 - Verification of recycling data.
 - Proof of recycling (BOL’s, Invoices, Datasets).
 - Recyclers selling “ghost pounds” to count for manufacturer obligations.
 - Recyclers selling pounds “twice” to count for manufacturer obligations.
 - Recyclers illegally dumping or stockpiling CRT-containing devices (ex: Materials Processing Corporation – MPC, Creative Recycling, Global Environmental Solutions)
- Illegal Dumping and Stockpiling in Illinois:
 - Costly for local governments to pay for clean-up fees.
 - Residents illegally dumping CRT’s in rural areas, causing a threat to the environment.
 - Exposure to high levels of lead and other heavy metals.

Potential Solution with Illinois Collection and Recycling

- Shared Responsibility Model (consumers are willing to pay for this service)
 - collectors/recyclers/OEM's sharing costs
- Increasing obligation will create more demand for collectors/recyclers to be more active.
- Enforcement to ensure OEM's are playing fair.
- Creating a level playing field – include trans, supplies, labor, overall cost...
- Increase environmental sustainability to support the network.
- Challenges of pushing legislation through a current program year or in the middle of an existing program year.
 - issues with recyclers/collectors in contracts with no advanced warning.
- When structuring new legislation, needs to have a mechanism implemented
- Alternatives to recycling...ADC, Mineable storage, etc.
- OEM's have shown they cannot cover the full amount of VDD recycling.