



Proposed Amendments to the Illinois Electronic Products Recycling and Reuse Act

1. Create a statewide electronics producer responsibility organization (PRO), which all producers would be required to join, to coordinate manufacturer compliance with the law.
 - a. Provide appropriate anti-trust protection to allow companies to collaborate on implementation requirements.
 - b. Create and appoint an advisory council to oversee the implementation of the Act by the PRO
 - c. Reduce the current registration fees for recyclers and manufacturers by 75% to help offset the cost for the PRO to operate the statewide program. The IEPA would continue to receive the lower registration fees to fund its now more minimal role in implementing the Act.
2. Require manufacturers to submit, through the statewide PRO, a plan that details how they will achieve the Act's performance and convenience requirements. The plan would be submitted to and approved by the IEPA. To obtain approval, the PRO would be required to solicit and incorporate input from the advisory council and other applicable stakeholders, including County Solid Waste Coordinators appointed pursuant to the IL Solid Waste Planning and Recycling Act, particularly with regard to whether or not the plan establishes convenient collection.
3. Ensure that manufacturer obligations continue to cover a majority of the cost of electronics recycling, including collection, transportation, processing and recycling.
 - a. Establish a goal of 89,814,424 pounds for the 2017 program year (based on population of IL x 7 pounds per person per year), and require each manufacturer to pay the costs remaining after the additional funding sources outlined in 3.b, based on their market share of pounds sold into the market 2 years prior. Allow the funding to be contributed every six months instead of up front for the entire year. The annual goal would be adjusted each year to account for the collection needs of the State as the heavier TVs are gradually collected and the material stream becomes lighter. A waiver from the penalty provisions would be created to allow for the PRO and its members to demonstrate they attempted to collect the pounds but were unable to and therefore should not be levied any fines.
 - b. To augment the manufacturers' funding: 1) allocate \$4 million per year from the IL Solid Waste Management Fund (landfill surcharge) using the portion that used to fund DCEO's grant program, and 2) collect a retail recycling fee on each new TV sold in the State and set the fee to generate \$4 million per year and allocate a portion of the fee to cover costs for retailers to administer the fee.
 - c. Using funding from sources identified above in 3.a and 3.b, the PRO will compensate any local government in IL for 100% of its collection program costs as long as the programs are competitively bid and the PRO agrees the bidding process was fairly conducted. Local government can be compensated for its collection efforts (in addition to the costs for the recycler) if it sorts and loads semi-trailers that meet the requirements of the recyclers.
 - d. Maintain the current law's prohibition on charging of consumers at the point of collection or charging units of local government for assisting in collection programs.
4. Update reporting requirements and use new data to uncover fraud in the e-scrap recycling system.
 - a. Require collector, recycler, and manufacturer reports to be linked (electronically or otherwise) to ensure valid data (e.g., WI program). Also require and implement more strict registration requirements to ensure a clear and defined relationship between the collector, recycler and manufacturer.
 - b. Require semi-annual reporting.



- c. Authorize the program to audit reports and require the PRO to develop a better reporting system and provide ongoing oversight as necessary.
 - d. Require recyclers to identify end-use markets to the PRO and IEPA. Restrict the stockpiling of electronics by recyclers to a period less than 6 months, and create a recordkeeping system to monitor compliance.
 - e. Recyclers must provide the PRO with certification that the materials collected through their programs reached a recycling market; if such material is not certified as recycled, manufacturers must obtain additional material to meet their obligation.
5. Incorporate a convenience standard, as recommended by the IEPA, to ensure that all residents of the state have year-round access to electronics collection programs that accept all covered devices.
- a. Ensure that all regions of the state are served on an ongoing basis by permanent collection sites or a specified minimum number of collection events throughout the year such that it is “reasonably convenient” for the public to recycle used electronics. Manufacturers, working through the PRO, should consult County Solid Waste Coordinators in determining whether their plan is reasonably convenient. The results of that consultation should be presented in the PRO plan. Table 1 provides the ILPSC’s recommended number of collection sites and one-day events for all 102 counties and builds upon the table developed by IEPA.

<u>County Population Density, Persons per Square Mile</u>	<u>Number of Sites or Events*</u>	<u>Number of Counties Covered</u>
< 50	2 collection events, may petition for 1 permanent site under the plan	54 counties
50 – 249	2 collection sites per county	36 counties
250 – 499	4 collection sites per county	Peoria, Rock Island, Kendall, Madison and St. Clair Counties
500 – 749	6 collection sites per county	McHenry and Winnebago Counties
750 – 999	8 collection sites per county	Kane and Will Counties
1,000 – 4,999	10 collection sites per county	Lake and DuPage Counties
5000+	15 sites within Chicago city limits 15 sites in suburban areas	Cook County

*Counties may count 6 one-day collection events held per year in municipalities with a population of 30,000 or greater as one permanent collection site.

- b. Ensure that any municipality that chooses to engage in collection of electronics is included in the PRO plan and can access revenue neutral electronics recycling services.
 - c. Any sites included in the PRO plan to meet the convenience standard must not charge consumers a fee, and may not limit types of incoming e-waste, unless it provides other free collection accommodations for any e-waste for which limitations are imposed (e.g., alternative, no-cost collection options periodically for large CRT devices not accepted at some sites).
 - d. The convenience standard negates the need for the rural collection incentives and therefore those should be eliminated.
6. Adopt collection site management standards for e-scrap collectors to ensure the safety of the public and workers, and to support economic sustainability.
- a. All collection sites must be supervised.
 - b. All collection sites must be secured when not open.



- c. All collection sites must be open year round and for a reasonable amount of time each week to provide access to the public; the hours of operation for each collection site must be included in the plan and developed in consultation with the county solid waste coordinators.
 - d. The PRO may negotiate operating standards, such as sorting and loading requirements, with collection sites to which they are providing compensation for collection services. Such standards shall be included in the PRO's plan.
7. Require the PRO to develop and distribute education and outreach materials, and to include education and outreach efforts in plans and reports submitted to IEPA.
 8. Require recyclers to document to the PRO that they have a current certification from R2 or e-Stewards and have met the liability insurance provisions of Section 50(d)(3) and the closure requirements of Section 50(d)(6).
 9. Expand the list of eligible electronic devices to include all electronics brought by the public, excluding white goods as defined by the IL Environmental Protection Act.

About the Illinois Product Stewardship Council

The mission of the ILPSC is to shift the product waste management system in Illinois from one focused on government funded and ratepayer financed waste diversion to one that relies on producer responsibility in order to reduce public costs, increase opportunities for waste minimization and resource recovery, raise recycling rates, and drive improvements in product design that promote environmental sustainability. As a significant consequence of this evolution, the green jobs sector will continue to grow, offering an increasing number of in-state recycling industry jobs.

The ILPSC membership includes 97 partners who represent municipalities, counties, waste management agencies and businesses.

