



Comparisons Of State E-Waste Laws

Seventeen states (plus New York City) have passed laws establishing statewide electronic waste recycling programs. While all the states (except California) use the producer responsibility approach, there are some differences in how they structure their programs. This document provides a way to compare these laws by summarizing how each law addresses the same list of criteria.

This document will be updated as more states pass laws, and as states with laws establish regulations. Updates can be found at: www.electronicstakeback.com

Electronics TakeBack Coalition

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www.electronicstakeback.com

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Terms Used in this Document

OEM: Original Equipment Manufacturer – the electronics manufacturers.

OEM Plans are not the same as registration. Some States require OEMs to submit detailed plans describing how they intend to establish their own takeback and recycling programs, which require review and approval by the State.

Orphan Waste is e-waste where no brand owner can be identified, or the brand owner is no longer in business (and no successor business exists).

Sales Prohibition: Retailers may not sell brands that are not in compliance with program

ROHS is the Reduction of Hazardous Substances directive passed by the EU that requires that certain toxics be reduced or removed from electronics products that are sold in Europe.

TPO: Third Party Organization, run wholly or in part by the manufacturers. In States where the OEMs are paying into a recycling fund, the question is who administers the fund – the State or the Industry (via a TPO).

White Box Manufacturers: Companies who manufacture unbranded products.

California E-Waste Law

Dates	
Date law signed by governor	Sept 25, 2003 (SB20) amended by SB50 in Sept 2004
Program start date	January 2005
What Gets Recycled?	
Scope of products collected	Video display devices – monitors, televisions, laptops. Not computers. Portable DVD players with LCD screens were added in December 2006
Language on how scope would be expanded later?	Requires legislation to add new categories. New products in the display device category can be added if the State deems them as hazardous.
Whose products are collected for free recycling?	California residents – both consumers and business
Financing	
Who pays for collection, transportation, recycling?	Consumers pay fees at the point of purchase of covered devices that are used for a statewide recycling fund. Fee is not like a deposit – it's not tracked to the recycling of the product it was collected on.
Market Share or Return Share?	Neither (Not producer responsibility) – Advanced Recovery Fee (ARF)
Details on financing	Consumers pay a fee (currently \$6, \$8, or \$10) at purchase to the retailers. Retailers send fee money to the State. The State uses the fees to reimburse recyclers and collectors who submit receipts showing they have collected covered devices from state residents. State agencies may adjust the fee every two years.
Incentive for OEMs to create their own takeback program?	There are no OEM plans. OEMs do not do takeback or recycling in this program
Who pays for Orphan Waste?	Since recycling fees reimburse collection and recycling of any brand, no need for special provision for orphan waste.
Do OEMs file plans with State?	No, OEMs have no role in the recycling program.
Do OEMs pay registration fee?	No
State administered or TPO?	State administered.
Cost per pound if OEMs don't meet obligation	No obligation to OEMs. State reimburses collection at 20 cents per pound and recycling at 28 cents per pound – total is 48 cents/pound.
What if OEMs exceed their targets or obligation?	NA – no targets for OEMs.
Specified coverage for rural counties?	No.
Role of State Agency	Two state agencies administer this program. They collect fees from the retailers (who collect it from consumers). They process requests from recyclers and reimburse these requests.
Role of Local Government	None specified.
GOALS	
Are there any goals for collection, recycling?	The law sets a goal of eliminating “electronic waste stockpiles and legacy devices” by December 31, 2007. State Waste Board must establish other statewide goals for the program, but may not attribute goals to individual manufacturers.
Provision to encourage reuse?	No. State only reimburses for recycling

RECYCLING STANDARDS	
Language on Recycling Standards?	<p>A person who exports covered electronic waste, or a covered electronic device intended for recycling or disposal, to a foreign country, or to another state for ultimate export to a foreign country, shall do all of the following at least 60 days prior to export:</p> <p>(a) Notify the department of the destination, disposition, contents, and volume of the waste, or device intended for recycling or disposal to be exported, and include with the notification the demonstrations required pursuant to subdivisions (b) to (e), inclusive.</p> <p>(b) Demonstrate that the waste or device is being exported for the purposes of recycling or disposal.</p> <p>(c) Demonstrate that the importation of the waste or device is not prohibited by an applicable law in the state or country of destination and that any import will be conducted in accordance with all applicable laws. As part of this demonstration, required import and operating licenses, permits, or other appropriate authorization documents shall be forwarded to the department.</p> <p>(d) Demonstrate that the exportation of the waste or device is conducted in accordance with applicable United States or applicable international law.</p> <p>(e) (1) Demonstrate that the waste or device will be managed within the country of destination only at facilities whose operations meet or exceed the binding decisions and implementing guidelines of the Organization for Economic Cooperation and Development for the environmentally sound management of the waste or device being exported.</p> <p>(2) The demonstration required by this subdivision applies to any country of destination, notwithstanding that the country is not a member of the Organization for Economic Cooperation and Development.</p> <p>Recyclers must demonstrate to the State that any facility utilized by the e-waste recycler for the handling, processing, refurbishment, or recycling of covered electronic devices meets all of the following standards:</p> <p>(A) The facility has been inspected by the department within the past 12 months and had been found to be operating in conformance with all applicable laws, regulations, and ordinances.</p> <p>(B) The facility is accessible during normal business hours for unannounced inspections by state or local agencies.</p> <p>(C) The facility has health and safety, employee training, and environmental compliance plans and certifies compliance with the plans.</p> <p>(D) The facility meets or exceed standards specified in the state Labor Code or, if all or part of the work is to be performed in another state, the equivalent requirements of that state.</p> <p>If the covered electronic waste is processed, it must be processed in California according to the "cancellation method" authorized by the State.</p>
Do recyclers or collectors register with the State?	Yes
Prohibit prison labor?	No
RETAILER REQUIREMENTS	
Sales prohibition?	Yes, applies to manufacturer compliance with ROHS standards, and with reporting requirements of the program.
Other retailer requirements?	Retailers must correctly assess and collect the appropriate fee on covered products, and then remit fees to the State.

ADDITIONAL PROVISIONS	
Disposal ban?	Disposal ban was already in place when law was passed.
Toxics reduction?	Comply with RoHS Directive on heavy metals. Companies can't sell laptops, monitors, TVs, portable DVD players that exceed RoHS levels for Lead, Mercury, Cadmium, and Hexavalent chromium.
Labeling requirement?	NA
Language on electronics purchases by the State?	Bidders for the lease or purchase by the State of covered devices must demonstrate compliance with the e-waste laws (mostly relevant for the adherence to toxic materials requirements).
Regulations to be drafted	Completed.
Language on Regional implementation	No
Link to bill language	http://www.ciwmb.ca.gov/electronics/RegIssues/ See links for both SB20 and SB50
Link to State program website, if any	http://www.ciwmb.ca.gov/electronics/

Connecticut E-Waste Law

Dates	
Date bill signed into law	July 6, 2007
Program start date	January 1, 2009
What Gets Recycled?	
Scope of products collected	TVs, monitors, personal computers, laptops and any other similar or peripheral electronic device specified in regulations adopted pursuant to the law.
Language on how scope would be expanded later?	Regulations may add "similar or peripheral electronic devices"
Whose products are collected for free recycling?	Consumers or any resident defined as dropping off 7 or fewer products at once.
Financing	
Who pays for collection, transportation, recycling?	Manufacturers pay for collection, transportation and recycling of covered devices
Market Share or Return Share?	Return share
Details on financing	The approved electronics recyclers will work with the municipalities to provide for collection, transportation, and recycling covered electronic devices (CEDs). Recyclers maintain a written log listing brand name and weight of each CED they collect, and then they bill the manufacturers quarterly for their share of what the recycler handled, including collection and transportation, (up to 50 cents per pound).
Incentive for OEMs to create their own takeback program?	Law permits OEMs to establish their own program, but they can't opt out of the state program.
Who pays for Orphan Waste?	OEMs pay approved recyclers for a pro rata share of orphan devices calculated as a manufacturer's market share for the preceding calendar year divided by the total market share of all registered manufacturers for the same year multiplied by the total, in pounds, of orphan devices returned. The pro rata share of orphan devices is calculated separately for computer equipment and televisions.
Do OEMs file plans with State?	Only if they intend to establish their own programs.

Do OEMS pay registration fee?	Yes, by Jan 2008, those selling more than 100 covered devices in the 2007 must pay an annual registration fee. The first year registration fee is \$5000. (Rulemaking will establish a fee schedule for future years.) Registration fees go to cover the State's administration expenses for this program. New companies (who sold nothing in 2007) pay an initial fee of \$5000 plus an additional fee of 1% of the previous year's orphan waste (weight collected) time 50 cents, or \$1000 (whichever is greater).
State administered or TPO?	Most recycling money isn't collected centrally, so this doesn't apply. State administers some fees collected to reimburse recyclers for expenses not paid by identified manufacturers, The state is authorized to seek payment, including penalties, from the any manufacturer that doesn't pay.
Cost per pound if OEMs don't meet obligation	No obligation established in statute, OEMS are sent bills from recyclers to pay for their share collected each quarter. Price per pound is set in regulation but may not exceed 50 cents.
What if OEMS exceed their targets or obligation?	NA, since OEMs are billed for what's collected.
Specified coverage for rural counties?	No
Role of State Agency	The State registers manufacturers, approves recyclers, reimburses recyclers for fees not paid by identified manufacturers, prepares plan establishing collection goal
Role of Local Government	As of January 1, 2009, each municipality (individually or through a regional recycling program) will (1) provide for the collection of CEDs from residents within such municipality or region, (2) arrange for the transportation of collected CEDs to a covered electronic recycler, and (3) make information readily available to residents of the municipality or region of the time and location of the collection of CEDs. In providing collection and recycling opportunities to its residents each municipality shall give priority to convenience and accessibility.
GOALS	
Are there any goals for collection, recycling?	State will establish statewide collection goals by Oct 2010 and make recommendations for how to achieve them.
Provision to encourage reuse?	No
RECYCLING STANDARDS	
Language on Recycling Standards?	Recycling of covered devices must be in compliance with all applicable federal, state and local laws, regulations and ordinances, and "may not be exported for disposal in a manner that poses a significant risk to the public health or to the environment." The State will set performance requirements in order for collectors, transporters and recyclers of covered electronic devices to be eligible to receive funds from the department. They must, at a minimum, demonstrate compliance with the United States Environmental Protection Agency's Plug-In to eCycling Guidelines for Materials Management in addition to any other requirements mandated by state or federal law. [The Plug-In guidelines require adherence to the laws of importing countries.]
Do recyclers or collectors register with the State?	Yes, "covered electronics recyclers" must be approved by the State.
Prohibit prison labor?	No
RETAILER REQUIREMENTS	
Sales prohibition?	Yes, effective Jan 2008. Retailers consult list of compliant manufacturers maintained by State. Retailers may not sell products from companies not on the list, or products without label.
Other retailer requirements?	By Jan 1, 2010, retailers must provide information to customers on recycling requirements.

ADDITIONAL PROVISIONS	
Disposal ban?	Yes, disposal ban effective January 2011
Toxics reduction?	No
Labeling requirement?	As of January 1, 2008, covered devices must be labeled with the manufacturer's brand, and the label must be permanently affixed and readily visible.
Language on electronics purchases by the State?	None
Regulations to be drafted	Through drafting regulations, the State will establish: (1) a process for approving covered electronic recyclers, (2) a table of qualified reimbursable costs for covered electronic recyclers, (3) standards for operation, accounting and auditing of covered electronic recyclers, (4) a list of covered electronic devices and such list may include additional devices other than those specified in section 1, such as printers, and (5) any other requirements necessary to carry out the act.
Language on Regional implementation	"The commissioner may participate in the establishment and implementation of a regional, multistate organization or compact to assist in carrying out the requirements of sections 1 to 12, inclusive, of this act."
Link to bill language	http://www.cga.ct.gov/2007/ACT/PA/2007PA-00189-R00HB-07249-PA.htm
Link to State program website, if any	http://www.ct.gov/dep/cwp/view.asp?A=2714&Q=397482

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Dates	
Date bill signed into law	September 2008
Program start date	January 1, 2010
What Gets Recycled?	
Scope of products collected	Desktop computers, notebook computers, computer monitors, printers and televisions In addition, the following products may also be collected and count toward an OEMs annual recycling goal: mobile telephone, computer cable, keyboard, mouse, stand alone facsimile machine, MP3 player, portable digital assistant (PDA), video game console, video cassette recorder/player, video disk player, zip drive and scanner
Language on how scope would be expanded later?	None
Whose products are collected for free recycling?	Consumers
Financing	
Who pays for collection, transportation, recycling?	OEMs
Market Share or Return Share?	Overall statewide goal is a return share goal (increased up to 10% over previous year goal.) Converting the statewide goal into company specific obligations is based on market share for televisions and return share for desktop computers, notebook computers, monitors and printers.
Details on financing	100% OEM financed

Incentive for OEMs to create their own takeback program?	No
Who pays for Orphan Waste?	OEMs pay their proportionate share of orphan waste
Do OEMS file plans with State?	No
Do OEMS pay registration fee?	Yes
State administered or TPO?	State administered
Cost per pound if OEMs don't meet obligation	In first year (2012), \$.70 per pound of shortfall between amount collected and 60% of OEM goal; shortfall percentage increases to 75% in second year (2013) and remains 75% every year thereafter
What if OEMS exceed their targets or obligation?	No credit or carryover is given to OEMs that exceed their annual recycling targets
Specified coverage for rural counties?	Yes
Role of State Agency	The Illinois Environmental Protection Agency Acts as the program administrator by monitoring compliance with the Act and calculating the OEMs annual recycling targets
Role of Local Government	Collectors must consult with local governments to ensure that collection sites provide sufficient coverage within a geographical area
GOALS	
Are there any goals for collection, recycling?	Yes, OEMs are assigned an annual recycling goal
Provision to encourage reuse?	Yes, OEMs receive an increased per pound credit toward their annual recycling goal. A 2-for-1 pound credit is given to OEMs that refurbish products and return them to the market for reuse. A 3-to-1 pound credit is given to OEMs that refurbish products and donate them to a primary or secondary public school or a 501(c)(3) not-for-profit organization that serves low income children, families or the disabled
RECYCLING STANDARDS	
Language on Recycling Standards?	Yes
Do recyclers or collectors register with the State?	Yes, both recyclers and collectors register with the State
Prohibit prison labor?	Yes
RETAILER REQUIREMENTS	
Sales prohibition?	Yes, retail sales prohibition for OEMs that fail to register annually
Other retailer requirements?	Retailers are required to: (1) inform consumers about Illinois' Electronic Recycling and Reuse program and (2) report to television manufacturers by model number the number of television sold during a program year
ADDITIONAL PROVISIONS	
Disposal ban?	Yes, as of third year of program (2012) and beyond
Toxics reduction?	No, however OEMs must disclose whether their products are RoSH complaint pursuant to the 2002/95/EC Directive
Labeling requirement?	Yes
Language on electronics purchases by the State?	Yes
Regulations to be drafted	No
Language on Regional implementation	No
Link to bill language	http://www.ilga.gov/legislation/95/SB/PDF/09500SB2313lv.pdf

Link to State program website, if any	Not yet, the Illinois Environmental Protection Agency will create a website once the bill becomes law
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Maine E-Waste Law

Dates	
Date bill was signed into law	April 22, 2004
Program start date	January 2006
What Gets Recycled?	
Scope of products collected	TVs, monitors, Laptops. Doesn't cover CPUs unless attached to monitors.
Language on how scope would be expanded later?	None. Would require legislation.
Whose products are collected for free recycling?	Households only
Financing	
Who pays for collection, transportation, recycling?	Producers pay for transport, consolidator handling (brand accounting and billing) and recycling. Municipalities pay for collection costs.
Market Share or Return Share?	Return share
Details on financing	Maine uses a Consolidation point model. E-waste collected at municipal sites are taken to Consolidation points. Consolidated containers are then transported to recycling facilities. At consolidation points, brand names are recorded and tracked, so that OEMS are later billed (by consolidators) for their share of what was collected (their return share).
Incentive for OEMs to create their own takeback program?	Documented manufacturer takeback from households can offset orphan share responsibility.
Who pays for Orphan Waste?	Bills for orphan waste collected are divided among the other registered brand owners in the product category: TV orphan waste is divided among TV mfgs, computer orphans (laptop/monitors) are divided among IT companies.
Do OEMS file plans with State?	Yes, they submit plans for how they will work with consolidation point system to recycle what's collected. Manufacturer responsibility starts at the consolidation points. Can physically take waste fro recycling or can pay reasonable costs for consolidator to recycle.
Do OEMS pay registration fee?	No.
State administered or TPO?	Recycling money isn't collected centrally, so this doesn't apply.
Cost per pound if OEMs don't meet obligation	No obligation established, OEMS are sent bills from consolidators to pay for their share collected each year. Price per pound is not set by statute, and it varies by consolidator.
What if OEMS exceed their targets or obligation?	NA since they are billed for what's collected. They are not running their own programs.
Coverage for rural counties?	The manufacturers shall ensure that consolidation facilities are geographically located to conveniently serve all areas of the State as determined by the department.
Role of State Agency	Support development of local collection infrastructure; set standards for consolidation & recycling; annually approve consolidators and costs, develop and maintain brand and manufacturer database; training of municipal collection personnel, compliance, enforcement (collector and consolidator operating standards, manufacturer annual reporting requirements).
Role of Local Government	Municipalities are responsible for ensuring a system for delivery of residential waste televisions and computer monitors to a consolidation facility in Maine .

	Each municipality decides whether it wants to operate an on-going collection center, do regular one-day collections, or have their residents deliver directly to a near-by consolidator
GOALS	
Are there any goals for collection, recycling?	No
Provision to encourage reuse?	No
RECYCLING STANDARDS	
Language on Recycling Standards?	<p>Recyclers are responsible for providing consolidators with a sworn statement that its handling, processing, refurbishment and recycling of computer monitors and televisions meet environmentally sound management (ESM) guidelines published by Maine DEP. Consolidation facilities are responsible for shipping only to recyclers that provide certification of meeting Maine 's <i>ESM Guidelines</i> which can be found at http://www.maine.gov/dep/rwm/recycle/tvcomputerguidelines.htm</p> <p>Maine's lengthy ESM requirements include these provisions: The facility must apply due diligence principles to selection of facilities to which components and materials (e.g., plastics, metals, circuit boards, CRTs) from televisions and computer monitors are sent for reuse and recycling. The facility must comply with federal and international law and agreements regarding the export of used products or materials. In the case of export of televisions and computer monitors, compliance with applicable requirements of the U.S. and of the import and transit countries, and maintenance of proper business records documenting such compliance. The facility agrees not to establish or utilize intermediaries for the purpose of circumventing these U.S., import, and transit country requirements.</p>
Do recyclers or collectors register with the State?	No
Prohibit prison labor?	No
RETAILER REQUIREMENTS	
Sales prohibition?	Yes.
Other retailer requirements?	No
ADDITIONAL PROVISIONS	
Disposal ban?	Yes, CRT ban went into effect July 2006; mercury product disposal ban in effect July 2005..
Toxics reduction?	No
Labeling requirement?	Yes, devices must have a visible, permanent label clearly identifying the manufacturer of that device.
Language on electronics purchases by the State?	All vendors of electronic devices to the State shall provide take-back and management services for their products at the end of life of those products and must be in compliance with all the requirements of this section. Vendors shall provide assurances that all take-back and management services will operate in compliance with all applicable environmental laws. Purchasing preference must be given to electronic devices that incorporate design for the preservation of the environment
Link to bill language	http://janus.state.me.us/legis/statutes/38/title38sec1610.html
Link to State program website, if any	http://www.maine.gov/dep/rwm/ewaste/

Maryland E-Waste Law

Dates	
Date law signed by governor	Initial bill passed in 2005. Additional legislation passed in 2007, effective Oct 2007.
Program start date	Five year pilot project, started July 1, 2005, ends Dec 2010.
What Gets Recycled?	
Scope of products collected	Monitors, computers (CPUs), laptops. Televisions were added in 2007, effective Oct 2007.
Language on how scope would be expanded later?	TVs were added via legislation.
Whose products are collected for free recycling?	Not specified
Financing	
Who pays for collection, transportation, recycling?	Counties pay for collection and recycling, and money from this program is used to reimburse counties.
Market Share or Return Share?	Neither, manufacturers pay a flat fee into a recycling fund.
Details on financing	This is a five year pilot program. Manufacturers pay into a state recycling fund which is used both for public education and to reimburse recycling expenses for county and municipal recycling programs. Counties are not required to operate recycling programs.
Incentive for OEMs to create their own takeback program?	Manufacturers pay lower registration fees (\$500 instead of \$5000 per year) if they have their own takeback program.
Who pays for Orphan Waste?	No specific provision.
Do OEMS file plans with State?	No, just registration.
Do OEMS pay registration fee?	Yes, it's the only payment they make. They pay \$10,000 for their initial registration (increased from \$5000 by the 2007 legislation) and \$5000 per year in subsequent years if they are not running a takeback program, or \$500 per year in subsequent years if they are running their own takeback program.
State administered or TPO?	State
Cost per pound if OEMs don't meet obligation	NA - No specific obligation
What if OEMS exceed their targets or obligation?	NA - No specific obligation
Specified coverage for rural counties?	No
Role of State Agency	Registers manufacturers, maintains a list of compliant manufacturers
Role of Local Government	Local governments may operate recycling programs, and seek reimbursement from the state recycling fund.
GOALS	
Are there any goals for collection, recycling?	No.
Provision to encourage reuse?	No
RECYCLING STANDARDS	
Language on Recycling Standards?	No
Do recyclers or collectors register with the State?	No

Prohibit prison labor?	No
RETAILER REQUIREMENTS	
Sales prohibition?	Yes, retailers may not sell covered products of non-compliant manufacturers.
Other retailer requirements?	No
ADDITIONAL PROVISIONS	
Disposal ban?	No
Toxics reduction?	No
Labeling requirement?	Yes, must be labeled with manufacturer brand
Language on electronics purchases by the State?	No
Regulations to be drafted	Completed
Language on Regional implementation	No
Link to bill language	Original 2005 bill: http://mlis.state.md.us/2005rs/bills/hb/hb0575t.pdf 2007 bill: http://www.mde.state.md.us/assets/document/HB488_Third_Reader.pdf
Link to State program website, if any	www.mde.state.md.us/Programs/LandPrograms/Recycling/SpecialProjects/ecycling.asp

Minnesota E-Waste Law

Dates		
Date law passed	May 8, 2007	
Program start date	August 2007	
What Gets Recycled?		
Scope of products collected	<p><u>Scope for figuring mfgr obligation:</u> video display devices (TVs, monitors, laptops)</p> <p><u>Scope for free collection:</u> TVs, monitors, laptops, desktops, printers, keyboards; fax machines; and DVD players</p>	
Language on how scope would be expanded later?	None.	
Whose products are collected for free recycling?	Consumers	
Financing		
Who pays for collection, transportation, recycling?	Manufacturers pay for collection, transportation, and recycling.	
Market Share or Return Share?	Market Share	
Details on financing	<p>Year 1: Manufacturers must recycle amount equal to 60% (by weight) of display devices they sold by weight in previous year or pay a fee to cover recycling of their products.</p> <p>Year 2 and following years: Manufacturers must recycle 80% of previous year sales</p> <p>The type of products manufacturers can collect to meet this target is broader than just display devices, including computer CPUs, printers and keyboards; fax machines; and DVD players.</p>	
Can OEMs create their own takeback program?	Yes, the bill encourages them to do this by charging higher rates per pound for the companies who do none of their own recycling.	
Do OEMS file plans with State?	No.	
Do OEMS pay registration fee?	Yes - \$5000 for the first year, \$2500 per year thereafter. Smaller companies (selling less than 100 devices annually) pay \$1200 per year.	
State administered or TPO?	State administered.	
Cost per pound if OEMs don't meet obligation	<p>The price per pound paid for recycling is lower when the company does more of its own recycling:</p> <ol style="list-style-type: none"> 1. \$0.50 per pound for manufacturers who recycle less than 50 percent of their target 2. \$0.40 per pound for manufacturers who recycle 50 to 90 percent of their target 3. \$0.30 per pound for manufacturers who recycle at least 90 percent but less than 100 percent of their target <p>This is to act as an incentive for companies to do more of their own recycling.</p>	
What if OEMS exceed their targets or	If they recycle MORE than their targets, they can earn recycling	

obligation?	credits, which can be applied to future year obligations.	
Coverage for rural counties?	To encourage more collection activity in rural counties, the bill give more credit for e-waste collected from households outside the 11 county metropolitan area surrounding Minneapolis-St Paul by counting it at 1.5 times the products' actual weight.	
Role of State Agency	The State Pollution Control Agency coordinates the registration of manufacturers , collectors, and recyclers. The State receives the manufacturers' registration and recycling fees. After covering their administrative costs, the State will contract for e-waste collection and recycling with counties and private entities outside the 11 county metropolitan area, giving preference to counties and entities who are working with manufacturers to meet their recycling obligations.	
Role of Local Government	No mandated role. Some rural counties may contract with State for recycling programs.	
GOALS		
Are there any goals for collection, recycling?	Yes, the MN law has enforceable goals. Year 1: Manufacturers must recycle amount equal to 60% (by weight) of display devices they sold by weight in previous year or pay a fee to cover recycling of their products. Year 2 and following years: Manufacturers must recycle 80% of previous year sales The type of products manufacturers can collect to meet this target is broader than just display devices, including computer CPUs, printers and keyboards; fax machines; and DVD players.	
Provision to encourage reuse?	None	
RECYCLING STANDARDS		
Language on Recycling Standards?	In registering with the State, recyclers must certify that facilities that recycle video display devices, including all downstream recycling operations: <ul style="list-style-type: none"> (1) comply with all applicable health, environmental, safety, and financial responsibility regulations; (2) are licensed by all applicable governmental authorities; (3) use no prison labor to recycle video display devices (see exception below); and (4) possess liability insurance of not less than \$1,000,000 for environmental releases, accidents, and other emergencies. Law does not establish any additional standards.	
Do recyclers or collectors register with the State?	Recyclers and collectors of e-waste must register with the State by August 1, 2007, and annually on July 1 of each subsequent year	
Prohibit prison labor?	Recyclers may not use prison labor to recycle display devices except where non profits contract for prison labor to refurbish and reuse donated computers in schools	
RETAILER REQUIREMENTS		
Sales prohibition?	Yes	
Other retailer requirements?	Retailers must provide sales data, by brand and model numbers, annually to the state. Retailers must also provide recycling information	

	and locations to customers who are buying covered products.	
ADDITIONAL PROVISIONS		
Disposal ban?	Was passed in previous legislation.	
Toxics reduction?	<p>Disclosure on ROHS compliant products: By September 1, 2008, and each year thereafter, manufacturers must include in their registration with the state a statement disclosing whether:</p> <p>(1) any video display devices sold to households exceed the maximum concentration values established for lead, mercury, cadmium, hexavalent chromium, polybrominated biphenyls (PBBs), and polybrominated diphenyl ethers (PBDEs) under the RoHS Directive (restricting the use of certain hazardous substances in electrical and electronic equipment for products sold in the EU) and its amendments or</p> <p>(2) the manufacturer has received an exemption from one or more of those maximum concentration values under the RoHS Directive that has been approved and published by the European Commission.</p>	
Labeling requirement?	Yes, video display devices sold must be labeled with brand owner's name. The label must be permanently affixed and readily visible.	
Language on electronics purchases by the State?	Video display devices purchased by the state must be in compliance with this legislation. If a contractor is found to be in violation, the contract must be voided, and the contractor is ineligible to bid on any state contract for three years.	
Link to bill language	http://ros.leg.mn/bin/getpub.php?type=law&year=2007&sn=0&num=48	
Link to State program website, if any	http://www.pca.state.mn.us/oea/stewardship/electronics-law.cfm	

New Jersey E-Waste Law

Dates	
Date bill signed into law	Jan 15, 2008
Program start date	Jan 1, 2009
What Gets Recycled?	
Scope of products collected	TVs, monitors, personal computers, laptops
Language on how scope would be expanded later?	No
Whose products are collected for free recycling?	Consumers
Financing	
Who pays for collection, transportation, recycling?	Manufacturers pay for collection, transportation and recycling of covered devices
Market Share or Return Share?	Return Share with partial market share. Producers pay for collection, transportation, and recycling. TV companies will assign costs of collective return share via market share.

	State will do sampling to determine return share rates.
Details on financing	State will advise companies of their return share each year, based on reports submitted from local program and OEM run programs. IT companies will include recycling payments with their annual fees, calculated as weight times up to 50 cents per pound. Beginning January 1, 2010, TV companies pay the State "reasonable costs" incurred by an authorized recycler for collection, transportation, and recycling products. Cities and counties oversee recycling programs, contract with recyclers, and get reimbursed by State for costs. In areas with no local program, State can contract with recyclers directly.
Is recycling free to consumers?	Yes, no fees may be charged to consumers.
Incentive for OEMs to create their own takeback program?	Only if rate of 50 cents per pound is high enough to motivate companies to manage their own programs (at a lower price).
Who pays for Orphan Waste?	Participating manufacturers pay for orphan waste according to their return share for all covered devices.
Do OEMS file plans with State?	If OEMS elect to establish their own programs, they must file a plan annually with the State at the time they pay their registration fee. OEMs who submit plans but don't comply with plan pays penalty of 10% of total recycling obligation.
Do OEMS pay registration fee?	Yes – manufacturers pay \$5000 per year.
State administered or TPO?	State administers the "TV recycling fund" - the fund that manufacturers pay into if they don't establish their own individual plans. State remits to local governments, or contracts recyclers directly.
Cost per pound if OEMs don't meet obligation	If a computer manufacturer running its own plan falls short of recycling its full obligation, State will bill for that shortfall at the rate per pound up to 50 cents/lb, plus 10% penalty.
What if OEMS exceed their targets or obligation?	They can sell credits to other companies.
Specified coverage for rural counties?	None, but not a rural state.
Role of State Agency	Maintain list of registered manufacturers and their brands, review and approve OEM plans, calculate annual return share obligations, establish and manage state contractor program for municipalities with no programs. Collect fees from OEMs, remit to local government. Oversee recycler authorizations.
Role of Local Government	Local government establishes and oversees recycling programs.
GOALS	
Are there any goals for collection, recycling?	State will prepare a plan every 3 years that establishes a per capita collection goal, identifying State actions needed to achieve goal.
Provision to encourage reuse?	No
RECYCLING STANDARDS	
Language on Recycling Standards?	Covered devices "shall not be exported for disposal in a manner that poses a significant risk to public health or the environment." The State will establish performance requirements for collectors, transporters, and recyclers, to be eligible for funds. All 3 must show compliance with EPA's Plug-In guidelines.
Do recyclers or collectors register with the State?	Yes. They must demonstrate compliance with EPA's Plug In guidelines. Rulemaking will determine recycling standards.

Prohibit prison labor?	Yes
RETAILER REQUIREMENTS	
Sales prohibition?	Yes, computer products can't be sold if manufacturer is not in full compliance with program. (Doesn't apply to TVs.)
Other retailer requirements?	Retailers must provide recycling information to consumers when they buy new products.
ADDITIONAL PROVISIONS	
Disposal ban?	Yes, as of Jan 1, 2010
Toxics reduction?	Yes, only ROHS compliant products can be sold.
Labeling requirement?	The covered electronic device must be labeled with a brand and the label must be permanently affixed and readily visible (IT only)
Language on electronics purchases by the State?	No
Regulations to be drafted	Rulemaking authorized for administering the provisions of the law. Will need to include determination of "reasonable" price per pound, State contracting, and performance requirements for recycling practices.
Language on Regional implementation	Yes, State is authorized to participate in regional or multi-state implementation.
Link to bill language	http://www.njleg.state.nj.us/2006/Bills/A4000/3572_U1.HTM
Link to State program website, if any	

New York City E-Waste Law

Dates	
Date bill signed into law	NYC law was split into 2 laws: Int 728 was signed by Mayor 4/1/08 Int 729 was vetoed by Mayor, but Council overrode veto 5/14/08. Int 728 contains most of the program language, but Int 729 contains the performance goals requirements.
Program start date	July 1, 2010 (collections begin)
What Gets Recycled?	
Scope of products collected	TVs, monitors, personal computers, laptops, printers, mice, keyboards
Language on how scope would be expanded later?	No
Whose products are collected for free recycling?	Everyone – manufacturers must accept e-waste from any "person" which is defined broadly, including businesses, non-profits, government entity, individual, etc.
Financing	
Who pays for collection, transportation, recycling?	Manufacturers are responsible for collection, transportation and recycling of covered devices. There is no provision them to pay into any centrally run program in lieu of operating their own program.
Market Share or Return Share?	Market share
Details on financing	Producers must collect and recycle e-waste based on their market share

	by weight. Market share calculations are averaged over 3 years of sales. In 2012, they must recycle 25% of sales (from prev 3 years) In 2015, they must recycle 45% of sales (from prev 3 years) In 2018, they must recycle 65% of sales (from prev 3 years)
Is recycling free to consumers?	Yes, no fees may be charged to consumers, small business or non profits. Manufacturers may charge businesses with more than 50 employees (with the business' consent).
Incentive for OEMs to create their own takeback program?	It's the only option. There is no pay-only option.
Who pays for Orphan Waste?	From 2009 to mid 2011, manufacturers must accept orphan waste on a "one for one" basis, with the purchase of a similar product. As of July 2011, manufacturers must accept any orphan products of the same type they are selling in the City.
Do OEMS file plans with State?	OEMS must file a plan annually with the City at the time they pay their registration fee. First plans due Sept 1, 2008. OEMs who fail to submit plans pay a penalty of \$1000 per day.
Do OEMS pay registration fee?	Yes – manufacturers pay \$1250 -\$1500 per year to the City.
State administered or TPO?	No central fund to administer
Cost per pound if OEMs don't meet obligation	Since there is no "pay" option, if OEMS don't meet goals, they pay a fine of \$50,000 for each percentage point they fall short in addition to submitting a plan for how they will comply.
What if OEMS exceed their targets or obligation?	Not addressed.
Specified coverage for rural counties?	Nothing rural in New York City!
Role of State Agency	See below (City acts like State)
Role of Local Government	City agency accepts and reviews plans; enforces provisions of law. Agency submits report on implementation to Mayor in 2011 and then annually.
GOALS	
Are there any goals for collection, recycling?	Producers must collect and recycle e-waste based on their market share by weight. Market share calculations are averaged over 3 years of sales. In 2012, they must recycle 25% of sales (from prev 3 years) In 2015, they must recycle 45% of sales (from prev 3 years) In 2018, they must recycle 65% of sales (from prev 3 years)
Provision to encourage reuse?	YES, collected items donated for reuse to the City schools or non profits count DOUBLE against the company's goals.
RECYCLING STANDARDS	
Language on Recycling Standards?	Only compliance with existing laws, including international laws. OEM plans and annual reports must disclose end markets and recyclers used.
Do recyclers or collectors register with the State?	No
Prohibit prison labor?	No
RETAILER REQUIREMENTS	
Sales prohibition?	Covered products that are not labeled can't be sold by manufacturer directly or thru distributors. Retailers not specifically named in this law.
Other retailer requirements?	

ADDITIONAL PROVISIONS	
Disposal ban?	Yes, as of Jul 1, 2010 covered products may not be disposed as solid waste in the City. This applies to manufacturers as of July 1, 2009.
Toxics reduction?	No
Labeling requirement?	The covered electronic device must be labeled with a brand and the label must be permanently affixed and readily visible
Language on electronics purchases by the State?	No
Regulations to be drafted	Rulemaking authorized for administering the provisions of the law.
Language on Regional implementation	NA
Link to bill language	INT 728: http://webdocs.nycouncil.info/textfiles/Int%200728-2008.htm?CFID=1002301&CFTOKEN=19310844 INT 729: http://webdocs.nycouncil.info/textfiles/Int%200729-2008.htm?CFID=1002301&CFTOKEN=19310844
Link to State program website, if any	

North Carolina E-Waste Law

Dates	
Date bill signed into law	August 31, 2007
Program start date	January 1, 2009
What Gets Recycled?	
Scope of products collected	Desktops, laptops, monitors, keyboards, mice. Scope does not include televisions
Language on how scope would be expanded later?	In 2011, the State will look at adding printers to the scope.
Whose products are collected for free recycling?	Not specified.
Financing	
Who pays for collection, transportation, recycling?	Producers must pay for transportation from collection sites (run by govt, retailers, or non-profits) as well as recycling costs. They are not required to pay for collection. Municipalities are expected to set up and operate collection sites.
Market Share or Return Share?	Neither – no specified obligation
Details on financing	Manufacturers must develop plans for how they will reuse or recycle discarded computer equipment that it manufactured. In those plans they must: <ul style="list-style-type: none"> - Describe any direct take-back program to be implemented by the manufacturer, including mail-back programs and collection events. - Provide that the manufacturer will take responsibility for discarded computer equipment it manufactured. - Include a detailed description as to how the manufacturer will implement and finance the plan. - Provide for environmentally sound management practices to transport and recycle discarded computer equipment. - Describe the performance measures that will be used by the manufacturer to document recovery and recycling rates for discarded computer equipment. The

	<p>calculation of recycling rates shall include the amount of discarded computer equipment managed under the manufacturer's program divided by the amount of computer equipment sold by the manufacturer in North Carolina.</p> <ul style="list-style-type: none"> - Describe in detail how the manufacturer will provide for transportation of discarded computer equipment at no cost from discarded computer equipment collectors. - Describe in detail how the manufacturer will fully cover the costs of processing discarded computer equipment received from discarded computer equipment collectors. - Include a public education plan on the laws governing the recycling and reuse of discarded computer equipment under this Part and on the methods available to consumers to comply with those requirements.
Incentive for OEMs to create their own takeback program?	All are required to develop some kind of program (see above)
Who pays for Orphan Waste?	Not specified.
Do OEMS file plans with State?	Yes, all computer manufacturers must submit plans to the State 4 months after they register.
Do OEMS pay registration fee?	Yes, computer manufacturers that sell more than 1000 computers per year must pay an initial fee of \$10,000 to the State, and then annual registration fees of \$1000.
State administered or TPO?	No centrally collected recycling funds, so not applicable.
Cost per pound if OEMs don't meet obligation	No obligation specified.
What if OEMS exceed their targets or obligation?	NA
Specified coverage for rural counties?	No
Role of State Agency	<ul style="list-style-type: none"> - Develop and maintain a current list of compliant manufacturers that are in compliance - Develop and implement a public education program on the laws governing the recycling and reuse of discarded computer equipment and how consumers can recycle their products. - Provide technical assistance to units of local government on the establishment and operation of discarded computer equipment collection centers and in the development and implementation of local public education programs. - Evaluate reports from OEMs and analyze recycling rates achieved. Make recommendations for program changes based on that analysis.
Role of Local Government	<p>Local governments are generally expected to collect products.</p> <p>"Discarded computer equipment collectors" must make sure that discarded computer equipment received by the collector is consolidated at central locations, properly stored, and either held for pickup by a manufacturer or delivered to a facility designated by a manufacturer. Discarded equipment collectors are defined as a municipal or county government, nonprofit agency, or retailer.</p> <p>Municipalities and Counties over 25,000 people must now include in their Solid Waste Plans (submitted to State) an assessment of their computer collection programs.</p>
GOALS	
Are there any goals for collection,	No, although the State will look at reports on collection and recycling rates

recycling?	accomplished and may recommend changes in program based on that analysis.
Provision to encourage reuse?	No
RECYCLING STANDARDS	
Language on Recycling Standards?	Plans must provide for environmentally sound management practices to transport and recycle discarded computer equipment.
Do recyclers or collectors register with the State?	No
Prohibit prison labor?	No
RETAILER REQUIREMENTS	
Sales prohibition?	Yes
Other retailer requirements?	No
ADDITIONAL PROVISIONS	
Disposal ban?	Yes, the law ban putting discarded computer equipment in landfills or incinerators as of January 1, 2012
Toxics reduction?	No
Labeling requirement?	Manufacturers can't sell computer equipment in the State unless a visible, permanent label clearly identifying the manufacturer of that device is affixed to the equipment.
Language on electronics purchases by the State?	State agencies may only purchase covered devices from compliant manufacturers
Regulations to be drafted	Defining environmentally sound management practices
Language on Regional implementation	No
Link to bill language	http://www.ncga.state.nc.us/Sessions/2007/Bills/Senate/HTML/S1492v7.html This is an omnibus solid waste bill. E-waste language begins with Section 16.
Link to State program website, if any	

Oregon E-Waste Law

Dates	
Date bill signed into law	June 7, 2007
Program start date	January 1, 2009
What Gets Recycled?	
Scope of products collected	TVs, monitors, personal computers, laptops
Language on how scope would be expanded later?	No
Whose products are collected for free recycling?	Households, small businesses (10 or less employees), small non-profits (10 or less employees) and anyone dropping off 7 items or less to collection points
Financing	
Who pays for collection, transportation, recycling?	Manufacturers pay for collection, transportation and recycling of covered devices
Market Share or Return Share?	Return Share with partial market share. The return share is calculated by dividing the total weight of covered electronic devices of a manufacturer's brands by the total weight of covered electronic devices for all manufacturers' brands. The return share by weight shall be determined by multiplying the return share for each such manufacturer by the total weight in pounds of covered electronic devices, including orphan devices, collected from covered entities the previous calendar year. The TV companies will assign costs for their total obligation according to their market share. So the total obligation is determined by return share, but they pay for it according to market share.
Details on financing	By January 2009, manufacturers will establish and finance convenient collection and recycling programs in urban and rural areas in each county throughout the state. Manufacturers may choose to meet this requirement independently or by joining the "state contractor plan" established by the legislation. The state contractor plan will serve as the safety net for those manufacturers who do not wish to set up and run their own programs. Manufacturers in the state contractor plan will pay a recycling fee based on their return share times a price per pound to be determined by the State.
Incentive for OEMs to create their own takeback program?	Companies (except new entrants, white box manufacturers, or companies with less than 5% return share of covered products) can opt out of the state contractor plan and establish their own. A manufacturer that does not meet its return share by weight for the previous calendar year must pay the State (into the state contractor program) for the amount not achieved at a rate determined by the department to be equivalent to the amount the manufacturer would have paid, plus 10 percent.
Who pays for Orphan Waste?	Participating manufacturers pay for orphan waste according to their return share for all covered devices.
Do OEMS file plans with State?	If OEMS elect to establish their own programs, they must file a plan annually with the State at the time they pay their registration fee.
Do OEMS pay registration fee?	Yes – for the first 5 years, the registration fee is based on the manufacturer's market share of total number of units of covered products sold in the previous year using national market

	<p>data prorated for Oregon based on statewide population: A) \$15,000 for manufacturers selling > 1% B) \$5,000 for manufacturers selling from 0.1 to 1% C) \$200 for manufacturers selling from 0.01 to 0.1% D) \$40 for manufacturers selling less than 0.01%. The State can modify this fee schedule in 2012 if the fees don't match the administration costs.</p>
State administered or TPO?	State administers the "state contractor program" - the program that manufacturers pay into if they don't establish their own individual plans.
Cost per pound if OEMs don't meet obligation	If manufacturer falls short of recycling its full obligation, State will bill for that shortfall at the rate per pound being charged by the state contractor plan, plus 10% penalty.
What if OEMS exceed their targets or obligation?	Not specified
Specified coverage for rural counties?	Plans must provide for "convenient service" in every county and for at least one collection site for each city with a population greater than ten thousand.
Role of State Agency	Maintain list of registered manufacturers and their brands, review and approve OEM plans, calculate annual return share obligations, calculate annual registration fee for manufacturers, establish and manage state contractor program
Role of Local Government	None specified
GOALS	
Are there any goals for collection, recycling?	No, only provisions to make it convenient, and prescribes convenient service in every county and at least one collection site for any city with a population of at least 10,000.
Provision to encourage reuse?	No
RECYCLING STANDARDS	
Language on Recycling Standards?	Both individual and State plans must utilize environmentally sound management practices to collect, transport and recycle covered electronic devices;
Do recyclers or collectors register with the State?	No
Prohibit prison labor?	No
RETAILER REQUIREMENTS	
Sales prohibition?	Yes, products can't be sold if not properly labeled and if brand is not covered by an approved plan filed with the State
Other retailer requirements?	Retailers must provide recycling information to consumers when they buy new products.
ADDITIONAL PROVISIONS	
Disposal ban?	Yes
Toxics reduction?	No
Labeling requirement?	The covered electronic device must be labeled with a brand and the label must be permanently affixed and readily visible
Language on electronics purchases by the State?	No
Regulations to be drafted	Specifics of state contractor plan, including price per pound, definitions

	for environmentally sound recycling practices,
Language on Regional implementation	No
Link to bill language	http://www.leg.state.or.us/07reg/measures/hb2600.dir/hb2626.en.html
Link to State program website, if any	http://www.deq.state.or.us/lq/electronics.htm

Rhode Island E-Waste Law

Dates	
Date bill signed into law	6/27/08
Program start date	List of approved manufacturers to retailers 1/1/09; Disposal Ban: 1/31/09
What Gets Recycled?	
Scope of products collected	<u>Computers</u> (including central processing unit or CPU), Computer monitors, including CRT monitors and flat panel monitors, Combination units (CPUs with monitors), Televisions (including CRT-based and non-CRT-based televisions, plasma and LCD), or any similar video display device with a screen greater than nine (9) inches diagonally and that contains a circuit board
Language on how scope would be expanded later?	Yes. The scope of products is the same as "covered electronic products" and includes products from covered electronic product generators. The department [of environmental management] is hereby authorized to modify the scope of products through regulations
Whose products are collected for free recycling?	households or public and private elementary and secondary schools in Rhode Island
Financing	
Who pays for collection, transportation, recycling?	Manufacturers
Market Share or Return Share?	Market for TVs; Return for IT
Details on financing	
Incentive for OEMs to create their own takeback program?	Option to run own program or pay into state program at up to \$.50/pound for IT (and based on market share for TVs)
Who pays for Orphan Waste?	Manufacturers
Do OEMs file plans with State?	Yes
Do OEMs pay registration fee?	Yes. \$5000 annually
State administered or TPO?	State administered
Cost per pound if OEMs don't meet obligation	\$.50/pound for IT
What if OEMs exceed their targets or obligation?	No provision.
Specified coverage for rural counties?	<i>On manufacturer plans:</i> Include convenient service statewide. Collection sites shall be staffed and open to the public at a frequency adequate to meet the needs of the area being served. <i>On the state collection program:</i>

	convenient and available collection services and sites for covered electronic products in each county of this state
Role of State Agency	<i>Department of Environmental Management:</i> review and approve Manufacturer and state plans; provide registered manufacturers list to retailers; Review and adopt recycling fees; Establish Environmentally Sound Recycling and Reuse regulations <i>Resource Recovery Corporation:</i> Create state collection program; propose rate for recycling fees to DEM; Conduct actual count of items collected
Role of Local Government	None.
GOALS	
Are there any goals for collection, recycling?	No.
Provision to encourage reuse?	Will be included in regs
RECYCLING STANDARDS	
Language on Recycling Standards?	DEM create regs
Do recyclers or collectors register with the State?	No
Prohibit prison labor?	Yes. It shall be unlawful for facilities that recycle covered electronic products, including all downstream recycling operations, to use prison labor to recycle covered electronic products.
RETAILER REQUIREMENTS	
Sales prohibition?	Yes
Other retailer requirements?	A retailer shall provide to a consumer at the time of the sale of a covered electronic product information from the department's website that provides details about where and how a consumer can recycle covered electronic products in Rhode Island. Information shall also be made available in printable form for Internet sales and other sales where the Internet is involved.
ADDITIONAL PROVISIONS	
Disposal ban?	Yes. Starts 1/31/09.
Toxics reduction?	Just disclosure: The plan shall include a statement disclosing whether: (1) any video display devices sold in Rhode Island exceed the maximum concentration values established for lead, mercury, cadmium, hexavalent chromium, polybrominated diphenyls (PBBs), and polybrominated diphenyl ethers (PBDEs) under the RoHS (restricting the use of certain hazardous substances in electrical and electronic equipment) directive 2002/95/EC of the European parliament and council and any amendments there to enacted as of the date; or (2) the manufacture has received an exemption from one or more of those maximum concentration values under the RoHS directive that has been approved and published by the European commission.
Labeling requirement?	Yes.
Language on electronics purchases by the State?	Yes. (a) No later than January 1, 2009, all state agencies shall meet at least ninety-five percent (95%) of their annual purchasing requirements with electronic products registered to the Electronic Product Environmental Assessment Tool (EPEAT) unless there is no EPEAT standard for such

	product.(b) All vendors of electronic products to the state shall provide take-back and management services for their products at the end of life of those products and must be in compliance with all the requirements of this section. Vendors shall provide assurances that all take-back and management services will operate in compliance with all applicable environmental laws. Purchasing preference must be given to electronic products that incorporate design for the preservation of the environment.
Regulations to be drafted	Yes. By DEM.
Language on Regional implementation	Yes.
Link to bill language	http://www.rilin.state.ri.us/BillText/BillText08/HouseText08/H7880A.htm
Link to State program website, if any	Not yet.

Texas E-Waste Law

Dates	
Date bill signed into law	June 15, 2007
Program start date	September 1, 2008
What Gets Recycled?	
Scope of products collected	Computers, laptops, monitors. Does NOT cover televisions.
Language on how scope would be expanded later?	No
Whose products are collected for free recycling?	Consumers
Financing	
Who pays for collection, transportation, recycling?	Each OEM selling computer equipment in the state must adopt and implement a recovery plan for recycling covered equipment.
Market Share or Return Share?	Neither, no specific obligation established for manufacturers
Details on financing	Each OEM pays to carry out its own plan. There is no fee collection. OEMs may select from a variety of options, including holding collection events, or mailback programs.
Incentive for OEMs to create their own takeback program?	The law requires all OEMS to create their own takeback program. There is no "pay a fee" option.
Who pays for Orphan Waste?	Not addressed except that the state purchasing of IT equipment will give special preference to companies that take back a computer from any brand with the purchase of a new product
Do OEMS file plans with State?	Manufacturers must develop and implement recovery plans. They submit them to the state, although there is no specified approval process. Manufacturers also submit reports each year documenting recycling and reuse efforts of the previous year, including documentation verifying the collection, recycling, and reuse of that computer equipment in an environmentally sound manner.
Do OEMS pay registration fee?	No
State administered or TPO?	No centrally collected funds, so not applicable
Cost per pound if OEMs don't meet	No specified obligation

obligation	
What if OEMS exceed their targets or obligation?	NA – no specified obligation
Specified coverage for rural counties?	No
Role of State Agency	Accept recovery plans, maintain list of compliant manufacturers, provide information to consumers on how and where to recycle products
Role of Local Government	None
GOALS	
Are there any goals for collection, recycling?	No goals except that collection should be “reasonably convenient and available” and “meet the collection needs of the consumers of the state”
Provision to encourage reuse?	No, except that manufacturers plans, reports and packaging information must include information about reuse.
RECYCLING STANDARDS	
Language on Recycling Standards?	Requires State to adopt the recycling “best management practices” established by ISRI (Recyclers trade association) or an equivalent national organization
Do recyclers or collectors register with the State?	No
Prohibit prison labor?	Not directly, but recycling standards language references standards set by ISRI, which precludes use of prison labor.
RETAILER REQUIREMENTS	
Sales prohibition?	Yes, manufacturers may not sell in the state unless they have implemented a “recovery plan” and have labeled their products.
Other retailer requirements?	Consult list of compliant manufacturers before offering brands for sale.
ADDITIONAL PROVISIONS	
Disposal ban?	No
Toxics reduction?	No
Labeling requirement?	Yes, covered devices must have a visible permanent label showing the manufacturer’s brand.
Language on electronics purchases by the State?	Yes, the State will only purchase covered devices from compliant manufacturers. Preference is given to companies whose takeback programs collect other companies’ products in addition to their own.
Regulations to be drafted	Adopting standards for sound environmental management.
Language on Regional implementation	No
Link to bill language	http://www.capitol.state.tx.us/tlodocs/80R/billtext/html/HB02714F.htm
Link to State program website, if any	http://www.tceq.state.tx.us/assistance/P2Recycle/recycle_computer_equipment.html

Washington State E-Waste Law

Dates	
Date law signed by governor	March 24, 2006
Program start date	No later than January 1, 2009
What Gets Recycled?	
Scope of products collected	TVs, monitors, desktop computers, laptops
Language on how scope would be expanded later?	No
Whose products are collected for free recycling?	Households, charities, small businesses (less than 50 employees), schools and small governments (cities with population under 50,000 or counties under 125,000 and special purpose districts)
Financing	
Who pays for collection, transportation, recycling?	Manufacturers pay for collection, transportation and recycling of covered devices
Market Share or Return Share?	Return share determined by annual sampling by both individual plans and the Standard Plan.
Details on financing	By January 2009, manufacturers will establish and finance convenient collection and recycling programs in urban and rural areas in each county throughout the state. Manufacturers may choose to meet this requirement independently (if they meet certain criteria) or by being part of the "Standard Plan" established by the legislation. The standard plan will serve as the safety net for those manufacturers who do not wish to set up and run their own programs.
Incentive for OEMs to create their own takeback program?	Yes, companies (except new entrants, white box manufacturers ¹ , or companies/groups of companies with less than 5% return share of covered products) can opt out of the Standard Plan and establish their own.
Who pays for Orphan Waste?	Each plan pays for a share of orphan products based on the plan's return share.
Do OEMS file plans with State?	Yes manufacturers (individually or as a group) submit plans to the State, for how they will collect and recycle their equivalent share each year. Plans must be approved by the State.
Do OEMS pay registration fee?	Yes, registration fee is a sliding scale based on Market Share (annual sales).
State administered or TPO?	TPO – quasi-governmental "Materials Management and Financing Authority." This is run by the manufacturers – the State has advisory seats on the board. The TPO contracts for collection, transportation, and recycling of covered equipment for the companies who do not establish their own plans. The TPO will decide how to apportion the total annual obligation of participating companies – by return share, by market share, some combination, or any other equitable method. TPO must adopt an operating plan.
Cost per pound if OEMs don't meet	OEMs who don't collect and recycle their "equivalent share" in a given

¹ **White Box Manufacturers:** Companies who manufactured unbranded products. (The WA definition includes those who manufactured unbranded products within 10 years prior to a program year for televisions or within five years prior to a program year for desktop computers, laptops, or monitors).

obligation	year must pay 50 cents per pound for their deficit into the State Electronic Products Recycling account. This amount can be modified annually by the State.
What if OEMS exceed their targets or obligation?	Plans that recycle more than their equivalent share will be refunded from the recycling account an amount based on 45 cents per pound for their surplus
Specified coverage for rural counties?	Plans must provide for collection services in each county of the state and for at least one collection site or alternate collection service for each city or town with a population greater than ten thousand. For rural areas without commercial centers or areas with widely dispersed population, a program may provide collection at the nearest commercial centers or solid waste sites, collection events, mail-back systems, or a combination of these options.)
Role of State Agency	State reviews and approves plans, calculates OEM's and plan's annual return share and equivalent share, sends bills to plans that don't meet obligation, sends refunds to plans exceeding obligations, registers collectors, transporters, and "processors," maintains list of compliant manufacturers and brands, publicizes collection locations.
Role of Local Government	Local governments may inform the State each year whether the recycling program is providing adequate services to their residents; and must provide public education on recycling locations and options.
GOALS	
Are there any goals for collection, recycling?	No specific goals, but there is a mandate for the minimum number of collection sites that must be established, and where.
Provision to encourage reuse?	Plans that use the collection services of charity reuse organizations get an extra credit of 5% towards meeting their annual equivalent share for the pounds of covered products received from the charity reuse organizations.
RECYCLING STANDARDS	
Language on Recycling Standards?	Through regulations, the State will establish performance standards for environmentally sound management for processors directly used to fulfill the requirements of an independent plan or the standard plan.
Do recyclers or collectors register with the State?	Collectors, transporters, and "processors" must register with the State.
Prohibit prison labor?	Yes. Plans may not include the use of federal or state prison labor for processing.
RETAILER REQUIREMENTS	
Sales prohibition?	Yes. Manufacturers and retailers may not sell covered products in the state unless the manufacturer of the covered product is registered and participating in an approved plan. State agency will maintain a list of compliant companies and brands.
Other retailer requirements?	Retailers will assume the responsibilities of a manufacturer for products they sell in the state that are their private label. Retailers may elect to register as a manufacturer in place of an importer when a manufacturer does not have a U.S. corporate presence. A retailer who sells new covered electronic products must also provide information to consumers describing where and how to recycle covered electronic products.
ADDITIONAL PROVISIONS	
Disposal ban?	Not in this bill, but some individual counties have passed bans

Toxics reduction?	Not for the overall plan, but State purchasing of electronics will give preference to those that meet performance standards for toxics reduction.
Labeling requirement?	Covered products must have a label showing the manufacturers brand, that is permanently affixed and readily visible.
Language on electronics purchases by the State?	The State Dept of General Administration must establish purchasing and procurement policies for electronic products giving a preference to products that meet environmental performance standards relating to the reduction or elimination of hazardous materials. The State must ensure that their surplus electronic products, other than those sold individually to private citizens, are managed only by registered transporters and by processors meeting the requirements the State law, and that these products are directed to legal secondary materials markets by requiring a chain of custody record that documents to whom the products were initially delivered through to the end use manufacturer.
Regulations to be drafted	Establishing "environmentally sound management standards" for direct processors; annual registration and plan review fees; and the process for manufacturers to change plans. Also, may adopt rules as necessary to implement, administer and enforce the law.
Language on Regional implementation	None
Link to bill language	http://www.leg.wa.gov/pub/billinfo/2005-06/Pdf/Bills/Session%20Law%202006/6428-S.SL.pdf
Link to State program website, if any	http://www.ecy.wa.gov/programs/swfa/eproductrecycle/