

# Comparison of States' E-Waste Recycling Programs

August 23, 2009

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## PROGRAMS' SCOPE OF COVERED ELECTRONIC DEVICES

**Single Tier States** – CA, CI, HI, ME, MD, MI, MO, NJ, NYC, NC, OK, OR, RI, TX, VA, WA, WV.

TVs, Monitors, Laptops, CPUs - CI, HI, MD, MI, NJ, NYC, NC, OR, RI, WA, WV.

TVs, Monitors, Laptops, CPUs, Printers, Keyboards, Mice, etc – NC, NYC.

Not TVs – MO, OK, TX, VA.

**Two Tier States** – IL, IN, MN (Scope for figuring OEM obligation is different than scope for free recycling or for meeting OEM obligations)

IL – TVs, monitors, CPUs, laptops and printers used to calculate OEM obligation; **mobile phones**, cables, keyboards, mice, fax machines, scanners, MP3s, PDAs, VCRs, DVD players, zip drives may be collected and count toward OEM's annual recycling goal.

IN – TVs, Monitors, Laptops (VDDs) used to calculate OEM obligation; TVs, monitors, laptops, desktops, printers, keyboards, fax machines, and DVD players recycled for free and used to count toward OEM's recycling goals.

MN - similar to IN.

## WHO GETS FREE RECYCLING?

General Household Consumers and Some Schools – CI, IL, ME, MN, MO, NJ, OK, RI, TX, VA, WV.

Consumers, Business, Non-profits, Governments – HI, NYC, CA.

Consumers, Small Businesses, and Schools – IN, MI, OR, WA.

Not Specified – NC, MD.

## WHO PAYS AND HOW?

In all state programs, OEMs pay either through registration fees, requirements to pay recycling costs, costs of orphan share, penalties for not meeting annual recycling goals, or combinations of all four.

### Registration Fees

No OEM Fees – CA, ME, TX.

Fixed First Year and Annual Registration Fees – CI, HI, IL, MD, MN, NJ, NYC, NC, RI. Registration fees vary from \$10,000 to \$5,000 for first year and \$5,000 to \$500 for subsequent years.

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Variable Registration Fees Based on Market Share – OR, WA.

### **OEMs Pay Recycling Costs Based on Advanced Recovery Fees (ARFs), Return Share, or Market Share.**

ARFs – CA Only

Return Share – CI, ME, WA

Market Share – HI, IN, MN, NYC

2-Tiered Approach, Return Share for IT, Market Share for TVs – IL, NJ, OR, RI.

Not Specified or No Level of Service Mandated – MI, MO, NC, OK, TX, VA, WV

Flat Fee – MD.

### **Program Financing Models**

**ARF Model** – Consumers pay at the time and point of purchase. CA is the only US example.

**Connecticut Return Share Model** – State-approved electronics recyclers work with 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 OEMs quarterly for their share of what the recycler handled, including collection and transportation, (up to 50 cents per pound).

**Maine Consolidation Point Return Share 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).

**Maryland Model** - MD has 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.

**Minnesota Market Share Model** - 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.

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**North Carolina OEM Responsibility Model** - Manufacturers must develop plans for how they will reuse or recycle discarded computer equipment that it manufactured. The NC law is highly prescriptive on plan contents. There is no specified obligation for meeting recycling goals.

**Oregon Contractor Plan Model** - Manufacturers 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. The OEM obligation is determined on a return share basis but is pay for by market share.

## Diversion Goals and Penalties for Non-compliance

### Diversion Goals

None or OEMs develop their own goals – HI, ME, MD, MO, NJ, NC, OK, OR, RI, TX, VA, WA, WV.

Statewide Goals – CA, CI, IL.

Goals set by state to be met by OEMs – IN, MI, MN, NYC.

### Penalties for Non-Compliance -

IL – In first year (2012), \$0.70 per pound of shortfall between amount collected and 60% of state-set goal, percentage increases to 75% in second year.

MN – Cost to OEMs for amount recycled by state contractor is on a sliding scale based on percent of goal the OEMs recycle. Ranges between \$0.50 and \$0.30.

NJ – State bills OEMs for short fall in meeting the OEMs' own goals up to \$0.50.

NYC – If OEMs fail to meet their goals, they are fined \$50,000 for each percentage shortfall.

OR – OEMs charged for shortfall at the rate being charged by the state contractor plus 10% penalty.

### Orphan Share

No special provisions – CA, MD, NC, RI, TX

Pro-rata based on market share, separate for IT and TVs – CI, IL, ME,

Pro-rata based on return share – NJ, OR, WA.