

**ELECTRONIC DEVICE RECYCLING TASK FORCE
MEETING MINUTES
June 25, 2009**

Representative Randy Fischer called the meeting to order at 9:30am at the Colorado State Capitol, Room HCR-0111, 200 E. Colfax Ave., Denver, Colorado.

Task Force Members Present:

- Dag Adamson, Lifespan Technology Recycling (Colorado-based E-waste Recycler); Present
- Laura Bishop, Best Buy (Electronic Device Retailer); Present by Phone
- Bill Carlson, Town of Vail (Rural Local Government); Present
- Rep. Randy Fischer, House District 53 (Colorado General Assembly); Present
- Sen. Dan Gibbs, Senate District 16 (Colorado General Assembly); Present
- Charles Johnson, CDPHE (Dept. of Public Health and Environment); Present
- Rep. Jim Kerr, House District 28 (Colorado General Assembly); Present
- Dan Matsch, Eco-Cycle (Nonprofit Organization); Present
- Anne Peters, CAFR (Nonprofit Organization); Present
- Lisa Skumatz, Town of Superior (Urban Local Government); Present by Proxy: Juri Freeman
- Sen. Pat Steadman, Senate District 31 (Colorado General Assembly); Present
- Karn Stiegelmeier, Summit County (County That Owns or Operates Landfill); Present
- Mike Wright, Metech (Colorado-based E-waste Recycler); Present
- TBD (Electronic Device Manufacturer)
- TBD (Electronic Device Manufacturer)
- TBD (Electronic Device Manufacturer)

CAFR Administrative Assistant Amy Randell and Herb Dreo were in attendance. Witnesses: David Rossi, Dell; Kristyn Rankin, Dell; Rachel Schwartz, Office of Senator Gail Schwartz; Marjorie Griek, CAFR; Anmarie Jensen; Ben Prochzka, Colorado Environmental Coalition; Jim Driscoll, Colorado Retail Council; Jesi Dobosz, CDPHE; Katie Reinisch, CDPHE; Peggi O'Keefe, Hewlett Packard; Alden Schacher, Hewlett Packard; Dianna Orf, Hawthorne Group; Leanne Arrant, Capstone Group; Leslie Collins, Hewlett Packard (by phone).

Appointments

Rep. Randy Fischer said the task force will be made up of 16 representatives; electronic device manufacturer representatives have not been appointed yet. Per statute, the task force is required to meet prior to July 1 to elect a chairperson. Fischer opened the floor for nominations of a chairperson. Sen. Pat Steadman nominated Rep. Fischer. Rep. Jim Kerr seconded the motion. Rep. Fischer asked for comments; no objections. **Motion passed unanimously.** Rep. Fischer said in legislative committees, if there are no objections, the motion is generally considered adopted; the task force will operate on that basis.

Rep. Fischer said the task force is not required by statute to appoint a vice chairperson, but the task force might be well served to appoint a vice chairperson if Rep. Fischer is unable to attend a meeting, etc. Rep. Fischer nominated Sen. Pat Steadman as vice chairperson of the task force. Dag Adamson seconded the motion. **Motion passed unanimously.**

Agenda Review

Anne Peters asked the definition of "witness." Rep. Fischer said a witness was an individual, other than a task force member, present to provide information or give presentations.

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Staffing, Reimbursement, Role of Facilitator

Rep. Fischer said per statute the task force was intended to be staffed by the Colorado Dept. of Public Health and Environment (CDPHE) or a contractor. CDPHE indicated that they did not have the personnel to staff the task force and asked that the Colorado Association for Recycling (CAFR) provide staff for the task force. The Pollution Prevention Advisory Board has approved a grant for the task force to operate and staff meetings and reimburse task force members; a contract has not yet been signed but is in process. Because this is not a legislative committee, legislative resources are not available. A reimbursement form will be available at the next meeting to apply for reimbursements. Reimbursement available: Maximum of \$88/person/meeting, based on six meetings.

Rep. Fischer said Herb Dreo has volunteered his services as facilitator for the task force and opened the floor for discussion. Herb Dreo said he is not an expert in e-waste, he has a background in facilitating; his focus will be on how the task force is operating and would make procedural suggestions on how to move forward if issues become stuck. Dreo asked if he has permission from the task force members to facilitate in that manner. No objections.

Rep. Fischer said Amy Randell would be staff at the task force meetings. The meetings will be recorded. Rep. Fischer asked for suggestions for alternate meeting locations due to the heat in the Capitol building. Peggi O'Keefe said HP has an office at 16th and Grant with a basement conference room.

Process and Procedures Discussion

Rep. Fischer reviewed a draft of purpose and expected outcomes of the task force. (See Appendix One) The draft represents the minimum requirements of the statute; the task force is not prohibited from going beyond the requirements.

Sen. Dan Gibbs said it is worthwhile to hear from additional folks so the task force can gather as much information as possible. Rep. Fischer said he sees information gathering as the major task of the task force.

Rep. Fischer asked for a discussion of how the meetings should be run, how decisions will be made, to get a sense of how the task force will operate. Rep. Fischer said he is used to majority rules on decisions and hopes to operate by consensus. Sen. Pat Steadman said if consensus is not possible, going with the majority would be appropriate; minority recommendations could be included in the final report.

Dan Matsch asked if the task force was limited in its form of communication or if e-mail conversation would be appropriate. Rep. Fischer said the statute requires that the public be notified of meetings and that meetings must be open to the public. The task force is not prohibited from ex parte communications but it can be a fine line. Rep. Fischer hoped people feel free to communicate outside of meetings. Herb Dreo said face-to-face communication is ideal, consensus derives from discussion and it is important to voice opinions. Laura Bishop said in-person meetings are good but some off-line communications are possible.

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Rep. Jim Kerr said to be successful the task force needs at least nine of the 16 members present (majority of appointed members). Rep. Fischer asked if the task force wanted to allow participation by phone. Bishop said allowing votes over the phone is important knowing some constraints; a vote should be put on the agenda ahead of time so members can be sure to make the meeting. Task force agreed that minor decisions will be made as needed but major decisions and recommendations for the report will be put on the agenda. Task force agreed to operate by consensus; unless a point is reached where agreement is not possible, then a vote will be taken, always respectful of the minority opinion, which can be included in the written report.

Rep. Fischer said there is not a problem with non-members participating in discussion, but the task force needs to stay on track. Rep. Kerr said staying on track is the responsibility of the Chairperson, Vice Chairperson and facilitator; however, the task force does want and need outside input. Rep. Fischer said when the task force does want input from specific folks they will be on the agenda with a set time; testimony will not be limited unless it is overly lengthy. Task force agreed that at meetings task force members, staff and facilitator will be seated at the table, witnesses will be seated in the room but not at the table.

Anne Peters motioned to include “create a viable means of recycling electronic devices ... and prevent the export of toxic materials to countries with insufficient environmental controls in place to recycle them safely” to the draft purpose and expected outcomes list. Mike Wright seconded the motion. No objections. **Motion passed unanimously.**

Dag Adamson asked what the intended use of the report would be: merely recommendations or basis of future legislation. Rep. Fischer said the statute was left silent in that regard. HB1282 grew out of efforts in 2008 to propose legislation, which he didn't feel was ready to be introduced at the time; however, there was other interest in going forward with the legislation. In 2008, the group didn't have CDPHE at the table and it is good to have the department as a member of this task force to understand what the department is currently working on statewide. Rep. Jim Kerr said the use of the report will be determined by information gathered; if legislation is appropriate that's what will be proposed, if another option is better, that will be proposed. Dan Matsch said a result of the work done in 2008 was draft legislation and suggested that it may be something the task force works off of.

Laura Bishop asked to look into what options are currently in place for consumers in Colorado and what data CDPHE had. Bishop wanted other programs to be taken into account, not seen as a barrier. Peters said CDPHE collected CRT recycling data and a report from 2003 is available. Charles Johnson said recycling facilities report to CDPHE under existing regulations, though data for some drop-off facilities are not captured. Facilities are not licensed but are required to notify CDPHE of their operation. Johnson said CDPHE is looking at redrafting current regulations and can share that information with the task force; the goal is to create a fully integrated and consistent framework. Dag Adamson said some market data is also readily available.

Laura Bishop left the meeting.

Anne Peters said she wants a discussion of funding mechanisms included for any program the task force proposes. Leslie Collins said she would like a discussion of how different states and industries fund programs. Rep. Fischer agreed a funding mechanism needs to be part of the discussion.

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Timeline for Decisions and Schedule

Rep. Fischer said by statute the task force must meet three times, once outside of the metro area. Karn Stiegelmeier offered to host a meeting at the Summit County Resource Allocation Park. Dag Adamson offered to host the meeting in Grand Junction. The task force agreed that representatives from other counties outside of the metro area would be invited to give presentations. Several task force members were willing to donate their reimbursement monies so county representatives could attend. Task force agreed to hold the next meeting in Denver and make final decision on out of area meeting at a later time.

Dates for future meetings (times to be determined based on agenda): July 23, August 24, and October 2.

Scope of Discussions

Rep. Fischer asked what kind of electronic devices the task force should include in discussions. Kristyn Rankin said there is value in looking at how other states tackled that issue; the definition could initially include major equipment and be left open to include other materials. Rankin said in her experience it takes many meetings to define the term electronic device.

Task force agreed that committee groups would prepare 30-minute presentations for the July or August meetings. (See Action Items) Presentations could focus on current issues, concerns, what they hope to accomplish, specific position, industry responsibility, what's working well on a voluntary basis, etc. Adamson suggested the statement of problem as a focus and said an outline for presentations would be helpful to aggregate the data. Anne Peters asked that the recyclers' presentation include information on different business models. Power Point presentations are appropriate, a projector will be available.

Herb Dreo said he is good at presentations, and task force members can contact him if they want feedback on their presentations ahead of time.

Subcommittees

Rep. Fischer said the statute suggests forming a subcommittee for writing the report. Anne Peters volunteered to serve on report committee. Task force agreed the need for other subcommittees will evolve as the task force progresses.

Action Items

This is a summary list of tasks from the EDRTF meeting. If you are listed as an 'owner', please come prepared to the next meeting with this information. If you don't think you were assigned a particular task, indicate who you think the owner is and notify Amy Randell for updating.

Action Item or Commitment	Owner	BY WHEN	Status
Develop task force reimbursement form	Griek	7/23/09	Pending
Confirm location of July task force meeting (HP?)	Fischer/Randell	7/3/09	Pending
Confirm location of August task force meeting (Summit County?)	Fischer/Randell	8/15/09	Pending
Arrange presentations as scoping task for July meeting	Fischer	7/23/09	Pending

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Action Item or Commitment	Owner	BY WHEN	Status
Prepare 30-minute introductory/national presentation, work with Rankin	Peters	7/23/09	Pending
Prepare 30-minute recyclers presentation	Adamson, Matsch, Wright	7/23/09	Pending
Prepare 30-minute overview of state programs, regulatory construct	Johnson	7/23/09	Pending
Prepare 30-minute presentation including TV, IT and small-device	Electronic Device Manufacturers representatives	7/23/09	Pending
Prepare 30-minute presentation	Laura Bishop - Electronic Device Retailer	7/23/09	Pending
Work with CCI, Peters and Skumatz to gather county program information	Stiegelmeier	8/24/09	Pending
Work with CML to get survey of municipal programs	Skumatz	8/24/09	Pending
Look into National Conference of State Legislatures for information for possible presentation	Fischer/Steadman	7/23/09	Pending
Contact NCER	Peters	7/23/09	Pending
Develop matrix of questions for presentations	Griek	7/3/09	Pending
Research grants and programs DOLA's office of local government might have for e-scrap recycling	Carlson	7/23/09	Pending

Public Comment

No public comments.

The Electronic Device Recycling Task Force meeting adjourned at 11:30am.

APPENDIX ONE
HB-1282 E-Waste Task Force
Purpose and Expected Outcomes
June 23, 2009

Purpose and Intent

1. Identify potentially viable means of gathering and recycling consumer electronic devices in Colorado;
2. Create a viable means of recycling electronic devices;
3. Address or eliminate environmental risks posed by landfill disposal or incineration of e-waste;
4. Identify specific technologies and practices for recycling of e-waste that are protective of human health and the environment;
5. Gather input regarding the benefits and consequences of establishing a landfill disposal ban for e-waste;
6. Investigate opportunities to increase e-waste diversion rates;
7. Investigate ways to promote new non-toxic and more readily recyclable designs for electronic devices;
8. Develop ways to create jobs and promote economic development through the recycling of e-waste;
9. Prevent the export of toxic materials to countries with insufficient environmental controls in place to recycle them safely;
10. Build on the existing infrastructure for recycling e-waste in Colorado.

Expected Outcomes

1. Establish and organize an e-waste task force consisting of 16 appointed members tasked with addressing the purposes and intent of HB09-1282;
2. Convene the first task force meeting by July 1, 2009;
3. Hold at least three public meetings, one of which shall be outside the Denver metro area;
4. Gather public input at task force meetings;
5. Develop action-oriented recommendations and compile findings;
6. Appoint a subcommittee of task force members to create a draft report summarizing the findings and the recommendations for e-waste recycling adopted by task force members;
7. Submit the final task force report summarizing the recommendations and findings to the joint Health and Human Services Committee of the General Assembly by December 15, 2009.