

**ELECTRONIC DEVICE RECYCLING TASK FORCE
MEETING MINUTES
November 30, 2009**

Representative Randy Fischer called the meeting to order at 1:05pm via conference call.

Task Force Members Present

- Dag Adamson, Lifespan Technology Recycling (Colorado-based E-waste Recycler); Present
- Laura Bishop, Best Buy (Electronic Device Retailer); Present
- Bill Carlson, Town of Vail (Rural Local Government); Present
- Meggan Ehret, Thomson Inc. (Electronic Device Manufacturer – TV); Present
- Rep. Randy Fischer, House District 53 (Colorado General Assembly); Chairman; Present
- Sen. Dan Gibbs, Senate District 16 (Colorado General Assembly); Absent
- Charles Johnson, CDPHE (Dept. of Public Health and Environment); Present by Proxy Jesi Dobosz
- Rep. Jim Kerr, House District 28 (Colorado General Assembly); Absent
- Jeffrey Kuypers, Hewlett Packard (Electronic Device Manufacturer – Computer); Present
- Dan Matsch, Eco-Cycle (Nonprofit Organization); Present
- Anne Peters, CAFR (Nonprofit Organization); Present by Proxy Marjorie Griek
- Lisa Skumatz, Town of Superior (Urban Local Government); Present
- Sen. Pat Steadman, Senate District 31 (Colorado General Assembly); Vice Chairman; Present
- Karn Stiegelmeier, Summit County (County That Owns or Operates Landfill); Present
- Tom Williams, AT&T (Electronic Device Manufacturer – Small Device); Present
- Mike Wright, Metech (Colorado-based E-waste Recycler); Present

CAFR Administrative Assistant Amy Randell was in attendance. Witnesses: Shannon Butler; Chris Howes; Chad Miller, Waste Management; Diana Orf; Kristyn Rankin, Dell; Amy Redfern; Carly Dallor, Axiom. The conference call was open to the public; a complete list of participants was not obtained.

Draft Report Discussion

Rep. Fischer said the task force would review the draft report submitted by the report-writing subcommittee page by page and take all comments into consideration as amendments.

The task force came to agreement or compromised on all of the editorial comments made by task force members. Not all comments are included here. Some major points of discussion were:

I-A. Task Force Membership and Charge

- Jeffrey Kuypers suggested combining #4 under purpose and intent with #6 since the HB-1282 didn't limit the opportunities for increasing diversion strictly to building on existing infrastructure.

I-C. Statement of the Problem

- Kuypers said the bullet points are not statements of fact, just opinions. Laura Bishop agreed that the bullets could be changed to reflect statements of fact rather than be eliminated. Rep. Fischer asked for a vote of who supported changing the wording to "perspective" and leaving the bulleted list. In favor: 12, opposed: 1. Rep. Fischer asked for comments on the bulleted

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list. Bishop suggested using “limited life” instead of “do not last very long” and striking the remainder of the sentence. Sen. Steadman said he would prefer to keep the “costly and difficult to repair” language because it is indicative of consumer behavior; consumers often behave as though it is just as expensive to repair electronics as to buy something new. Kristyn Rankin said that is a statement about consumer behavior not a statement of fact about the equipment.

- Kuypers said he suggested the edits to footnote #3 to simplify the statement and avoid the need to comment in detail on the data presented. Dan Matsch agreed with the edits since no TCLP test has been done since RoHS. Lisa Skumatz said the last sentence about newer devices containing fewer hazardous materials should be left in. Rankin said that statement may be overstepping what RoHS does; it doesn’t guarantee the use of less toxics, it requires certain toxics to be removed. The task force agreed to the changes suggested by Kuypers.

II-A. Covered Electronic Devices

- Kuypers said he wanted the total count of states with legislation to be accurate and changed it to 19 and one city, plus California with an advanced recovery fee.
- Dag Adamson asked why printers weren’t included. Rep. Fischer said in writing the section, he was trying to accurately reflect the discussion during the October 28 meeting and the bulleted list is what was agreed on. The following paragraph mentions printers, which not everyone on the task force agreed should be included.
- Marjorie Griek said Anne Peters was concerned that many communities collecting materials currently charge a fee and it might be confusing to the public and burdensome to the collectors to charge a fee for some devices and not charge a fee for others. Dan Matsch said that is a larger issue than the editing at hand and what Rep. Fischer wrote is accurate. Karn Stiegelmeier suggested adding that there was concern expressed among some task force members that there will be ongoing costs to communities to recycle devices that are not covered.
- Kuypers asked that if the limited list of items must be included, then preface it with the wording 'but not limited to'.

II-C-a. Manufacturers’ Roles and Interactions

- Kuypers suggested adding “reasonable cost” and said when saying manufacturers would cover the cost of recycling, there needs to be some boundary. Bishop said she was fine with the change but wanted to make it clear that manufacturers would cover reasonable recycling costs for Colorado consumers of their own devices. Dan Matsch said the report should say recycling should be provided “at no cost to the consumer.” Sen. Steadman suggested “at no cost to the consumer at the time of recycling.” Meggan Ehret said Illinois used the following language: covered entities may not be charged end-of-life fees for CEDs unless financial incentive of equal or greater value, such as a coupon, is provided. The task force agreed to this language.
- Kuypers asked if the paragraph describing the divergence of opinions should be more explicit and identify the different models specifically. Griek said the section needed more work to ensure all models were included. The task force agreed to separate the paragraph into bullets for further revision. Rep. Fischer asked that the different models not be attributed to specific groups.

II-C-b. Collectors’ Roles and Interactions

**ELECTRONIC DEVICE RECYCLING TASK FORCE
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- Marjorie Griek said there was some concern about the risk of the collector not getting compensated for the full cost of collecting. The task force agreed to include the statement “There was some concern among task force members that there would still be on-going costs for community collection programs to recycle e-waste that is not considered a CED.”
- Kuypers said he didn’t know how to address certain comments if there would be no minority reports. Kuypers said the report just described the collectors’ role under one model, and he would like to add a few bullets about collectors’ role in the manufacturers’ model. Kuypers asked if it was officially decided that there won’t be minority reports. Rep. Fischer said he prefers not to include minority reports because the way the statute reads the report is supposed to provide an accurate reflection of the work of the task force and include majority and minority opinions. Rep. Fischer said he hoped to get all opinions into the body of the report; the temptation to prepare minority reports is problematic because not all task force members have access to the same resources to prepare the reports and he would prefer not to see a compilation of each group’s opinions at the end. Lisa Skumatz said she thought the task force was trying to ensure majority and minority opinions were represented. Kuypers suggested further comments for the section.

II-C-c. Processors’ Roles and Interactions

- Dan Matsch said he objected to the statement that manufacturers’ model was designed to promote the development of an e-waste recycling infrastructure sufficient to eventually implement a statewide landfill ban for CEDs since that language is not included in the manufacturers’ model legislation. Jeff Kuypers said manufacturers have not promoted landfill bans because they have left that decision up to the states; you can have a landfill ban in a model where manufacturers can set up their own programs. Rep. Fischer suggested striking the reference to landfill ban and indicating in the landfill ban section that there was not agreement among task force members.

The conference call was interrupted by a problem with the conferencing system. The task force members who rejoined the call agreed to hold another meeting on December 7 to finish discussing comments on the draft report and vote on approval of a final version of the report.

The Electronic Device Recycling Task Force meeting adjourned at 5:15pm.

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