

New Electronics Law Takes Effect in 2013

Electronic Devices Banned from Landfills;
Responsible Recycling by State Agencies Required



Landfill Ban: In order to encourage recycling of electronics and to protect the environment in Colorado, a new law based on SB12-133, bans landfill disposal of certain electronic devices after July 1, 2013. The bill, signed by Governor John Hickenlooper on Earth Day 2012, applies to electronic devices throughout the state of Colorado, with some exceptions in the landfill ban requirements.

State Agency Requirements: Colorado state agencies are required to recycle their electronic devices using electronics recyclers that are certified to national environmental standards, such as the e-Stewards or R2 certification, or comparable national standard. However, certification is not required of the CO Division of Correctional Industries for its refurbishment of electronics for state agencies. More information will be available from the Colorado Department of Public Health and Environment (CDPHE).

Public Education: CDPHE is charged with coordinating existing public education programs about benefits of and access to electronics recycling, and about the landfill ban.

Is my County Included?

All Colorado counties are subject to the law. If e-recycling is not readily available, the County must perform a “good faith effort” to get e-recycling to their communities. Two collection events a year or a permanent collection facility might be considered “readily available” recycling. If local programs are not possible, the county may exempt itself from the law by commissioner vote.



What Defines a “Good Faith Effort”?

Each county will need to justify its own “good faith effort” to secure electronic recycling service for residents and small businesses.

One example for communities without an established recycling program or center would be to issue a “Request for Qualifications” seeking collection events or services. Such a request could be sent to electronics recyclers (see www.cafr.org/members/directory.php for a list).

However, the requirements to prove a “good faith effort” will be developed during the stakeholder rule making process and are not yet set. Sign up to participate in the stakeholder process at <http://www.cdphe.state.co.us/hm/sw/swregs.htm#stakeholder>.

What Electronics are Banned from Landfills?

- Computers
- Computer monitors
- DVD players
- Electronic books
- Fax machines
- Laptops
- Notebooks, Netbooks, Ultrabooks
- Peripherals
- Printers
- Slates and tablets
- Televisions
- VCRs
- Video display devices
- Any electronic device with a cathode ray tube or flat panel screen greater than 4”

See the CDPHE website for any updates to this list & for excluded devices.

Getting a Responsible Recycler for Old Electronics

It's very easy for electronics recyclers to sell old electronics to the highest bidder. These might, in turn, sell the material to unscrupulous brokers who ship it to overseas 'dumps' in developing areas. There, very poor people often labor in inhumane conditions to extract valuable metals. This practice irrevocably harms human health and the environment, and has led the United Nations to name these e-waste sweat shops as one of the top 10 worst man-made environmental disasters. To be sure your old electronics don't contribute to this problem, find a responsible recycler.

Ask the following questions:

- Does the recycler have a certification from e-Stewards or R2? These indicators are the fastest way to be sure you are using a responsible recycler.
- Is the recycler able to tell you how your old electronics will be handled?
- Can the recycler give you clear information about how your old electronics are processed? Less than 10% of leftover scrap – if any – should go to a landfill.
- Are working computer or television monitors reused or resold? Through what avenue?
- Does the company use domestic labor and pay prevailing wages (as opposed to prison labor or overseas labor)?
- Is data removed from the hard drive?
- Does the recycler have a record of violations of any environmental, worker safety, or immigration laws?
- Does the recycler have current insurance?
- Does the recycler charge a fee? Companies accepting equipment free from residents and small businesses might be reimbursed by the manufacturers – or they might be making money by selling to the unscrupulous brokers mentioned above.



Be Careful With Your Data

Before you contract for electronics recycling, ask recyclers about their policies and practices for destroying personal data that might still exist on used computers, copiers, cameras and cell phones.

- Data can be wiped from storage media using a magnetic wiping method or using a program to overwrite all sectors of a hard drive. Any method used for data wiping should be done more than once (multi-pass).
- Storage media can be destroyed by shredding, cutting, incinerating, multiple perforations or crushing.
- Your recycler should be able to provide written certification that the data was wiped or storage media destroyed, as well as a record of the methods used.

For further information, contact the CDPHE at www.cdphe.state.co.us/hm/electronics or visit CAFR.org