

DRAFT MEETING NOTES: INITIAL MEETING OF THE NATIONAL ELECTRONICS PRODUCT STEWARDSHIP INITIATIVE STAKEHOLDER DIALOGUE

April 19, 2001
Crystal City Marriott Hotel
1999 Jefferson Davis Highway
Arlington, Virginia

The initial meeting of the National Electronics Product Stewardship Initiative Stakeholder Dialogue was held on the afternoon of April 19, 2001, following the EPR2 meeting in Arlington, Virginia. The purpose of the meeting was to introduce the participants of the Dialogue and to gain consensus on the scope of and ground rules for the Dialogue. A copy of the agenda is attached.

Opening Remarks

Gary Davis, coordinator of the Dialogue, opened the meeting and discussed the purpose of the meeting and the purpose of the Dialogue. He also discussed the background of how the Dialogue began and the process that had been used for inviting stakeholders to participate. He stated that the composition of the Stakeholder Group is still open for discussion in the meeting. The invited participants, who were seated around the rectangular table, introduced themselves; then the observers introduced themselves. There were 47 participants at the table and 35 observers. A list of names of those attending is attached.

What the Stakeholders Want to Achieve in the Dialogue

Brief statements were presented by stakeholders representing governments, manufacturers, environmental organizations, and other groups concerning their goals for the Dialogue. These were followed by a short discussion of the overall goals. Each group generally agreed that the stakeholders should work together to solve the issues with end-of-life electronic products and that this Dialogue is timely. Some members expressed reservations about attempting to deal with too many issues in the Dialogue to the detriment of resolving those considered the most pressing for stakeholder attention and agreement.

Process and Ground Rules for the Dialogue

Gary Davis presented the proposed process and ground rules for the Dialogue dealing with: the number and location of meetings; the manner in which stakeholders participate in discussions; issues of press participation and information sharing; drafting and finalizing documents; and the decision-making process.

He stated that the key to participation is a commitment to the process and that the following are principles to follow as we move forward:

- Addressing each member's views with respect, and working to build common ground when divergent perspectives are expressed.
- Understanding the compromises necessary to reach consensus, and taking care not to misrepresent the views of other parties on any agreement reached, or to mischaracterize as final those matters still under discussion.
- Seeking to reach a consensus in good faith, asking for clarification, offering alternative suggestions, and listening with an open mind to issues under discussion.

The stakeholders then discussed the process for the Dialogue. They agreed that the Dialogue would have a set timetable of one (1) year with six (6) meetings during that time, although it was understood that stakeholders could agree that there should be more meetings, if needed, or fewer meetings.

The Core Group that had met twice to plan the initial meeting of the Dialogue was identified. The Core Group consists of:

Maureen Hickman
 Clare Lindsay
 Holly Evans
 Ted Smith
 Scott Cassel
 Sego Jackson
 David Isaacs
 David Thompson
 Gary Davis and Catherine Wilt (as facilitators)

The purpose of the Core Group is to plan meetings and communicate between meetings on agenda and other issues. The Core Group does not make decisions for the Stakeholder Group on substantive issues, but may make recommendations on substantive issues if directed to do so by the Stakeholder Group.

The composition of the Stakeholder Group and the process for selecting participants was discussed. There was support among some members of the group for adding additional representatives, including a representative of an academic institution working on electronics reuse and recycling and additional environmental advocacy organizations, with individuals to be determined by the environmental organization representatives already participating. There was also discussion about whether the "Other" stakeholder category should be broken down into subcategories to recognize that there are divergent interests represented by the individuals and organizations in this category. There was one suggestion that, instead of expanding the group, it should be contracted to make discussions and decision making easier. The stakeholders decided that the Core Group should further discuss the composition of the Stakeholder Group and make recommendations to the full group.

There was agreement that consistency of participation in the Dialogue is important for building trust and good working relationships. Therefore, there was consensus that an individual stakeholder may designate an alternate from his or her organization, but that no new or different

organizations may be added except by agreement of the stakeholders. There was also consensus that only those stakeholders at the table should participate in discussions, but that observers may participate by invitation, but not in decision-making. Furthermore, the Stakeholder Group may invite resource people with expertise in subject matter areas to participate in discussions.

There was a discussion about the relationship of the Dialogue and the stakeholders with the press. First, there was agreement that the press should be excluded from meetings in order to maintain an environment for frank and open discussion by the stakeholders. It was also agreed that press releases will be drafted following meetings of the group and circulated to a list of press contacts; that the press releases will state simple facts about the meetings, such as the issues that were discussed. There was a suggestion that Gary Davis serve as the primary press contact for the Dialogue. There was an alternate suggestion that there be multiple press contacts. This question was not resolved, and a procedure should be determined prior to sending out press releases. The group agreed that while individual stakeholders should be able to speak to the press, if they desire, they should not quote what was said in meetings, except to correct misinformation, and should not state the position of another participant or group of participants. There was a general understanding that advocacy by the participants about the issues involved in the Dialogue will likely continue during the course of the Dialogue, but the stakeholders agreed that the Dialogue itself will not be used in that advocacy for any purpose without the agreement of the stakeholders on a joint position.

There was a discussion about how documents will be handled during the Dialogue. It was agreed that documents generated in the Dialogue are not shared with the press or the general public until the stakeholders agree that they should be published. Gary Davis stated that he would circulate draft documents to participants for comments to permit revisions before they are brought to the stakeholders for discussion and approval in meetings. There was a discussion about how much time should be given for comments on these documents, with a concern about construing silence as assent when a stakeholder may not have access to mail or e-mail during the comment period. The question of the process for finalization of documents was referred to the Core Group for further discussion and recommendations.

The decision making process for group decisions was discussed. Gary Davis proposed that consensus based decision making is preferable, but that other forms of decision making may be used when appropriate. He described the benefits of consensus decision making, in contrast to voting, and why a modified form of consensus decision making would be appropriate in this particular Dialogue. The group agreed that consensus decision making should be used, with the understanding that objections to decisions can be expressed by non support (“I don’t see the need for this, but I will go along”), reservations (“I think this may be a mistake, but I can live with it”), standing aside (“I personally can’t agree, but the process should continue”), or in extreme cases, withdrawal from the Dialogue. It was agreed that no stakeholder may block a decision of the group, but the group recognized that any ultimate agreement achieved would be worth less if it does not have the support of most of the stakeholders.

Issues for the Dialogue

Prior to the meeting, all of the stakeholders received a document drafted by the government group that proposed a list of issues for the Dialogue. This document is attached to these minutes and was used to frame the discussion about the issues to be included in the Dialogue. The government group also circulated prior to the meeting a document that expressed their desired outcomes for the Dialogue.

The issues considered for focus in the Dialogue include the following:

- Scope of products (type of product and generator of end-of-life products)
- An improved collection, reuse, and recycling infrastructure for used electronics
- The financing of this infrastructure and its operation
- Market development initiatives
- Regulatory issues
- Design of electronic products to improve their life-cycle environmental profile

Scope of Products: The stakeholders recognized that the scope of products must be determined before the other issues can be discussed, because the types and sources of products included influence issues of infrastructure and financing, as well as regulatory issues. There was a preliminary agreement in the Core Group on the types of products to be included. The stakeholders discussed this preliminary agreement and agreed that this Dialogue should focus on monitors (CRT and LCD), TVs, CPUs, and peripherals. There was a discussion about the source of used products to focus on in the Dialogue: whether the Dialogue should be limited to electronics from residential users or whether it should include some business and government users. Due to the limited time available, the group referred the source issue to the Core Group for further discussion and recommendations.

Collection, Reuse and Recycling Infrastructure: The stakeholders agreed that the issue of how to create the infrastructure to significantly increase the collection, reuse and recycling of used electronics over time is one of the central issues of the Dialogue.

Financing of the Infrastructure: The stakeholders agreed that developing a funding mechanism that will sustain increased levels of collection, reuse, and recycling of used electronic products is another central issue in the Dialogue.

Market Development Initiatives: The market development issue as framed initially included both initiatives to increase market demand for reused products and recycled materials as well as development of procurement criteria for use by governments and businesses in driving the market for environmentally preferable electronics. The consensus of the group was that initiatives to increase market demand are a necessary part of developing the infrastructure for increasing collection, reuse and recycling and should be a priority in the Dialogue, but that procurement criteria should not be a priority for discussion in the Dialogue. There are a number of initiatives underway for the development of government procurement criteria, on the federal, state, and local levels. The Dialogue can be used to inform the stakeholders about these initiatives.

Regulatory Issues: This issue was framed as both regulatory barriers to collection, reuse and recycling and regulatory issues regarding safeguards for the environment in collection, reuse and recycling. The stakeholders agreed that regulatory issues are a priority in the dialogue. The stakeholders agreed that the issue of the federal regulatory status of collection, reuse and recycling of electronics under the federal Resource Conservation and Recovery Act is being addressed in a rulemaking process by the U.S. EPA, and that the Dialogue should focus on state and local regulatory issues.

Design of Electronic Products: This issue as framed by the governments was to “explore opportunities to work with stakeholders to promote research advances in product design and source reduction, target new technological trends, and consider the impacts of product and technology advances on recycling and reuse infrastructure needs (e.g., technology validation for value-added applications of thermoplastics or CRT glass from monitors).” While there was general agreement that design is important, some stakeholders questioned whether design should be a separate priority issue in the Dialogue. Other stakeholders emphasized that the Dialogue is not being undertaken just to solve the problem of past electronics waste but to reduce the problem of future electronics waste by creating incentives to incorporate the environment into product design. A proposal to create a subcommittee that would meet separately and discuss design issues and bring recommendations back to the whole group did not achieve consensus. Instead, the stakeholders agreed that the impact on product design should be considered as part of the discussion of the other issues. For instance, when developing an agreed-upon financing system for the collection, reuse and recycling infrastructure, the incentives or disincentives for designers to make products more reusable and recyclable will be considered. There was a separate discussion about how to share information among the stakeholders about advances in design for the environment in the electronic industries, which did not result in any formal proposals or decisions. This issue will be brought up in the Core Group to decide whether it should be a future discussion item in the whole group.

Role of Pilots and Other Projects and Initiatives

The group discussed in a preliminary way the role in the Dialogue of collection and recycling projects that have been proposed in some states and EPA regions. Some manufacturers have recently approached states that are considered to have overcome regulatory barriers to collection, reuse, and recycling to establish shared responsibility for used electronics on a limited basis. Some stakeholders view these pilots as a means of determining the economics of collection and recycling used electronics prior to developing a permanent program. Others view them as the first phase in implementation of a permanent national program. A representative of EPA Region III described a proposed project for that region, which includes the states of Delaware, Pennsylvania, West Virginia, Maryland, and Virginia, and the District of Columbia. The proposal is to demonstrate collection, reuse, and recycling on a regional level through a partnership among EPA, states, manufacturers, retailers, and existing recyclers. Region III has invited a group of manufacturers and other stakeholders to a meeting on June 6, 2001, to begin the process of planning this project.

There are also other initiatives to be considered in the Dialogue, such as the Northeast Recycling Council's stakeholder dialogue on market development; the Gordon Institute's dialogue on recycling plastics from electronics; and the Western Electronics Product Stewardship Initiative. There was insufficient time in the meeting to discuss how these projects and initiatives relate to the Dialogue, and the matter was referred to the Core Group for placement on the agenda at a future meeting.

Next Steps

There was a short discussion of next steps, including the date for the next meeting. Gary Davis proposed late May or early June, either in Philadelphia to coincide with the Region III meeting or in San Francisco to facilitate participation by Western stakeholders and observers. After a brief discussion about the date and place this matter was referred to the Core Group for their determination.

The next step is to convene a Core Group conference call to:

- Further discuss and make recommendations about the scope of products to be considered in the Dialogue;
- Clarify the consensus on how design issues are to be dealt with in the Dialogue;
- Affirm the commitment of the Stakeholder Groups to participate in the process;
- Discuss and make recommendations about the composition of the Stakeholder Group;
- Discuss and make recommendations about the process for finalizing documents;
- Provide more detail about the types of market development initiatives to be considered in the Dialogue;
- Plan the date and location of the next meeting; and
- Discuss the agenda for the next meeting.

Prior to the next meeting the Center for Clean Products will provide more information to the stakeholders about pilots, projects and other initiatives related to used electronics. The stakeholders who have such information should forward it to Gary Davis, who will compile it and make it available to all of the stakeholders.

The stakeholders should also send any press clippings about the Dialogue to Gary Davis who will compile them and make them available to all of the stakeholders.

The Center for Clean Products will establish a website prior to the next meeting for information about the Dialogue and access to documents by the stakeholders.

AGENDA
INITIAL MEETING OF THE
NATIONAL ELECTRONICS PRODUCT STEWARDSHIP INITIATIVE
STAKEHOLDER DIALOGUE

April 19, 2001, 1:30 pm to 5:30 pm
Crystal City Marriott Hotel
1999 Jefferson Davis Highway
Arlington, VA 22202

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| 1:30 | Opening remarks, discussion of the agenda, introductions of participants |
| 2:00 | What we want to achieve in the Dialogue: brief statements from representatives of governments, industry, environmental NGOs, other stakeholders |
| 2:30 | Process and ground rules for the stakeholder dialogue |
| 3:00 | Break |
| 3:15 | Issues for the Stakeholder Dialogue |
| 4:45 | Role of pilot collection and recycling projects and regional efforts |
| 5:15 | Next Steps |
| 5:30 | Adjourn Meeting |
| 5:30-6:30 | Reception |

**PROPOSED ISSUES FOR NATIONAL ELECTRONICS PRODUCT STEWARDSHIP
INITIATIVE DIALOGUE
APRIL 19, 2001**

The participating state and local agencies, and regional organizations, wish to propose a number of issues for discussion as part of the National Electronics Product Stewardship Initiative (“NEPSI”) Dialogue. The order and manner in which to address these and the time devoted to each are yet to be determined, except that it will be important to resolve any further issues related to the scope of products during our initial discussion.

- **Scope of Products:** Focus on televisions, monitors (CRT and LCD), CPUs, and peripherals during the first phase of discussions.

We would like to reach an agreement on what CPUs (e.g., desktops, laptops, handhelds) and peripherals (e.g., printers, keyboards, mouse) should be included. We would also ask stakeholders to consider whether or not the discussions should be limited to used electronics from households, or also consider opportunities to involve small businesses, institutions, and government agencies.

- **Pilot Collection and Recycling Projects:** Explore the role of pilot programs to gain added knowledge about program costs and as potential models for building needed infrastructure for collection, reuse, and recycling.

We would like to work together to consider existing data on the effectiveness and costs of on-going and completed pilot collection and recycling projects, to identify additional data needs, and to design pilots (e.g., locations, products collected, collection models to test) to yield the information needed.

- **Collection, Reuse, and Recycling:** Explore ways to develop used electronics management systems capable of achieving significantly increased levels of collection, reuse, and recycling over time in an environmentally sound and economically efficient manner.

We would like to explore opportunities to work with stakeholders to develop systems capable of handling all brands of products, while taking into account resource limitations of government agencies and industry.

- **Financing:** Focus on developing a funding mechanism that will sustain increased levels of collection, reuse, and recycling of used electronic products.

We would like to work with stakeholders to consider various funding options, including those that cover the costs of collection, reuse, and recycling as part of the purchase of new products, and thereby minimize or eliminate the need to charge a fee to consumers upon collection. We expect special attention will be needed to develop funding mechanisms during the initial development of a collection, reuse, and recycling infrastructure and before further design changes can reduce reuse and recycling costs.

- **Market Development:** Focus on joint market development initiatives as a way to decrease the cost of collection, reuse, and recycling; increase the value of post-consumer electronics; and increase the use of recovered materials in electronics manufacturing and other manufacturing processes.

We would like to examine and develop procurement criteria and other measures to enhance the market for electronic products produced, marketed, used, reused, and recycled in accordance with product stewardship practices.

- **Regulatory Issues:** Focus on ways to reduce regulatory barriers to the collection, reuse, and recycling of used electronic products while maintaining environmental protection.

We would like to examine and build on innovative regulatory approaches that promote the collection, reuse, and recycling of used electronic products.

- **Design:** Focus on economically feasible technological advancements that minimize environmental impacts of electronic products throughout the product life cycle.

We would like to explore opportunities to work with stakeholders to promote research advances in product design and source reduction, target new technological trends, and consider the impacts of product and technology advances on recycling and reuse infrastructure needs (e.g., technology validation for value-added applications of thermoplastics or CRT glass from monitors).