

NEPSI Regulatory Subgroup Discussion
Boston, MA
November 8-9, 2001

The task of this subgroup is to discuss and provide recommendations to the Stakeholder Group about the regulatory environment for the system for collection, reuse, and recycling of used electronic products. The subgroup's mission is to deal both with existing regulations and with the question of new regulations or standards as may be needed to ensure that the system that develops is safe, environmentally sound, and economically feasible.

After much discussion, the subgroup established the following framework for addressing the issues of this subgroup:

Step 1. Establish baseline– "lay of the land"

- Develop a matrix of state and Federal regulatory policies (existing, proposed, new) that affect consumers, collectors, transporters, and recyclers.
- Include simple benefit analysis

Step 2. Assess data utilizing NEPSI agreed upon attributes

Step 3. Provide recommendations

- For 4 categories (consumers, collectors, transporters, and recyclers)

Logistically, the members of this subgroup agreed that discussion would happen primarily through email and listserv. Conference calls would be established as necessary. George Lundberg of Epson will be serving as the subgroup chair-person.

Participants

People who participated in this discussion at Boston included:

George Lundberg, Epson (Chair-person)

Mario Rufino, Canon

Jim Hull, MO

Tricia Conroy, E4 (for BestBuy)

Kate Krebs, NRC

Anne Gelbmann, Wash. Co, MN

Greg Cooper, MA

Ted Wagner, Thompson

John McNabb, Clean Water Action

Terri Goldberg, NEWMOA

Peggy Harris, CA DTSC

Gordon Hui, US EPA

Ann Pistell, ME

Participant from CompTIA

Specific comments

- Subgroup can look at and consider Federal regulatory issues but recognizes that this is not a FACA that will submit formal recommendations to the EPA.
- A retailer commented on the challenges of developing a national recycling program given the disparity of state regulations.
- NEWMOA commented on the interest of it's member states to better understand the regulatory barriers for electronics recycling. The organizational representative also mentioned that a federal system leads to a patchwork reality. A workgroup is emerging on regulatory barriers for the 8 states in the Northeast; a survey will be developed. Many states in the NE have regulations stricter than RCRA.
- A state mentioned the key determination is "when is it a waste?"
- Industry is looking to provide input into the process so as to prevent something that will be untenable for business and computer collections.
- Maine spent \$300K for buildings at 25 transfer stations to collect CRTs and other electronics. A state bid was issued for recyclers. Businesses are not prohibited but must login and receive a certificate of recycling. Towns are concerned about the cost and potential liability. CRTs are Universal Waste in Maine and New Jersey.
- An NGO representative mentioned that CRTs are managed as solid waste and not hazardous waste in Massachusetts. He saw as goals for the system 1) Keep materials out of landfills and incinerators, 2) Protecting worker health e.g. workers at transfer stations, and 3) Recognize that CRTs are not the only thing.
- An electronics manufacturer expressed the desire to provide incentives for consumers to recycle their electronics, as well as an interest in making the incentives consistent between consumers and the regulated community.
- In Minnesota, 6 counties are looking at developing consistent regulations through a framework and are considering issues related to collection, registration, and financial assurance. The counties want to see the regs be consistent and to see that once material is collected that it be managed properly.
- California regulates households for CRTs. The state representative saw a need for fostering legitimate recycling. Facilitating collection and onerous details (manifest, registered haulers, actual permitting) but ensuring that the materials go to recycling.
- Exports was of interest to the group.
 - California could not address the issue in its current regulations.
 - Basel Convention plays a role.
 - Canon has no exporting of e-waste policy.
 - OECD is developing guidelines that will affect this issue.
- Procurement was discussed, and some noted that used parts were sometimes unacceptable in procurement contracts.
- Illegal dumping was discussed as it related to the resident, collectors, and SW facilities.

Sources of Information include:

BNA Online

State Recycling Laws Update

EIA

EPA