



## **LEGISLATIVE BRIEF: ELECTRONICS RECYCLING**

### **Background**

During the 2007-08 session of the North Carolina General Assembly, the NCACC adopted an environmental legislative goal related to electronic waste recycling. The goal stated the following: “Support legislation establishing county electronics recycling programs, funded through consumer-paid advance disposal fees.”

At the conclusion of the 2007 long session, the General Assembly passed and Governor Mike Easley signed into law S1492, the Solid Waste Management Act of 2007. Among multiple provisions related to landfill regulation and solid waste management, the legislation also adopted a proposal to ban certain electronics from landfills and required counties to submit plans to the N.C. Department of Environment and Natural Resources about establishing local recycling programs. Computer manufacturers were also required to submit recycling plans to DENR and were obligated to pick up and transport recycled materials from the county. No provision for funding county recycling programs was included in S1492. Almost all participants agreed that the logistical components outlined in the bill, specifically for collecting, storing and transporting the material, would be extremely challenging to achieve.

In 2009, S887 (Amend Electronics Recycling Law) was introduced by Sen. Don Vaughan (Guilford). The proposed bill makes substantive changes to the recycling provisions and proposes to change the arrangements between manufacturers and counties. The bill passed the Senate and resides in the House Finance Committee.

A working group consisting of representatives from the NCACC, the N.C. League of Municipalities, DENR, and multiple computer manufacturers (led in large part by Dell) worked throughout the summer in 2009 to reach a consensus that would provide a mechanism that would give counties some resources and greater flexibility to establish their own recycling programs for electronic equipment.

In March 2010, a formal consensus was reached and agreed upon by all parties. While not optimal, the compromise position does allow for a minimal amount of funding to be collected from computer manufacturers, placed in the state’s solid waste management fund, and then redistributed to counties for electronics recycling programs.

In essence, the proposed program balances a manufacturer paid fee versus the manufacturer agreeing to take increased amounts of e-waste out of the county solid waste stream. In very general terms, the higher the fee the manufacturer pays results in less responsibility for the manufacturer to collect e-waste from the public. If a manufacturer opts for the lower fee, then the manufacturer is required to take back a higher amount of e-waste.

The fees for computer manufacturers range from a high of \$15,000 to a low of \$2,500. The recycling collection requirements range from a low of only taking back the equipment that the manufacturer produces to a high of hosting collection events and having physical collection sites in counties and municipalities.

The proposal also shifts the e-waste landfill effective date from Jan. 1, 2011, to July 1, 2011, giving an additional six months to prepare for the e-recycling program.

### **Outlook for 2010**

The Environmental Review Commission has reviewed the draft language that outlines the compromise position and voted to recommend submitting the proposal for consideration during the 2010 session. The NCACC will continue to monitor this issue during the short session.

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