

THE COUNCIL OF STATE GOVERNMENTS

RESOLUTION ON THE DEVELOPMENT OF A LEGISLATIVE APPROACH TO END-OF-LIFE ELECTRONICS MANAGEMENT

Resolution Summary

Electronic products from computers to consumer electronics are an important component of everyday life. When they are no longer useful, however, they pose challenges for consumers, governments and others along the product chain.

Electronic products may contain lead, mercury and other harmful substances that, if not managed properly, pose a threat to human health and the environment. The collection and recycling of waste electronics promotes resource conservation, saves energy and creates economic development opportunities.

The costs to consumers and state and local governments to collect and recycle waste electronics are increasing, and it has become necessary to establish a system whereby manufacturers are engaged in the collection and recycling of waste electronics.

The Council of State Governments' East and Midwest regions have come together in support of harmonized legislation for the management of e-waste. The goal of this model legislative approach is to reduce compliance costs for business and government and to foster state collaboration on program implementation. This resolution calls on state legislatures to consider the harmonized policy for enactment in their state.

Additional Resources

- CSG-ERC/NERC project: <http://www.csgeast.org/enrgwaste.asp>
- State of California e-waste program: <http://www.ecycle.org>
- State of Maine e-waste program: <http://www.maine.gov/dep/rwm/ewaste>
- State of Maryland e-waste program:
<http://www.mde.state.md.us/Programs/LandPrograms/Recycling/SpecialProjects/ecycling.asp>
- State of Washington e-waste program:
<http://www.ecy.wa.gov/programs/swfa/eproductrecycle>

Management Directives

- **Management Directive #1:** Educate state leaders about the importance of end-of-life electronics management.
- **Management Directive #2:** Inform state leaders about the CSG/ERC – NERC process for developing the Model Electronic Recycling Legislation.
- **Management Directive #3:** Support state efforts to adopt a legislative solution to end-of-life electronics management.

THE COUNCIL OF STATE GOVERNMENTS

Resolution on the Development of a Legislative Approach to End-of-Life Electronics Management

WHEREAS, electronic waste—including discarded computers, televisions and other electronic devices—is considered by the United States Environmental Protection Agency to be the fastest-growing form of consumer waste in the U.S.;

WHEREAS, there is no national system in existence governing electronics end-of-life management;

WHEREAS, the states of California, Maine, Maryland and Washington have successfully enacted legislation for managing some portion of the waste electronics stream;

WHEREAS, given the absence of significant activity at the federal level, The Council of State Governments/Eastern Regional Conference (CSG/ERC) Energy & Environment Program engaged in a collaborative effort with the Northeast Recycling Council, Inc. (NERC) to facilitate a dialogue among state legislators, legislative and agency staff in the ERC's fifteen member jurisdictions;

WHEREAS, the Illinois Department of Environmental Protection, the Iowa Department of Natural Resources, the Michigan Department of Environmental Quality, and the Minnesota Pollution Control Agency (hereafter Midwest environmental agencies) collaborated to develop a policy statement on e-waste to promote harmonized programs in the Midwest;

WHEREAS, the CSG/ERC – NERC effort and the efforts of the Midwest environmental agencies sought significant input from stakeholders at the regional and national level through planned and coordinated multi-stakeholder meetings and additional single-stakeholder meetings between policymakers and manufacturers, retailers, recyclers, leasing companies, environmental groups and local government;

WHEREAS, CSG/ERC and NERC staff collaborated with staff from the Midwest environmental agencies to develop a harmonized policy for electronics management systems among the two regions;

WHEREAS, legislation based on the harmonized policy was introduced in Minnesota, New York, Delaware, New Jersey and Pennsylvania in 2006;

WHEREAS, establishment of a unified legislative approach would promote a level playing field for manufacturers, avoid a patchwork quilt of laws and regulations, thereby avoiding increased management and compliance costs among governments and businesses and reduced recycling opportunities;

WHEREAS, consistent with the guidance provided by policymakers, the CSG/ERG Model Electronic Recycling Legislation and the Midwest environmental agencies' policy statement calls for manufacturers to assume responsibility for the collection, transportation and recycling of discarded electronics, and, among other provisions, would establish collection programs that are convenient for consumers, create environmentally sound management standards, set clear performance goals, and encourage multi-state collaboration.

BE IT THEREFORE RESOLVED, that The Council of State Governments supports these efforts to inform and educate policymakers about the issues associated with end-of-life electronics management and believes that the CSG/ERG – NERC project and that of the Midwest environmental agencies make a significant contribution to the national discourse on this critical policy matter;

BE IT FURTHER RESOLVED, that The Council of State Governments authorizes staff to perform outreach to members of state legislatures and their staff throughout the nation to inform them of the harmonized policy developed by CSG/ERC- NERC and the Midwest environmental agencies' process and encourages the consideration of legislation based on that policy.

Adopted this 3rd Day of December, 2006 at the
CSG Annual State Trends and Leadership Forum
In Phoenix, Arizona



Governor Jim Douglas
2006 CSG President



Senate President Earl Ray Tomblin
2006 CSG Chair