

# The Covered Device Recycling Act (CDRA)

Act 108 of 2010

# Covered Devices

- The term includes desktop computers, monitors, laptops, computer peripherals and televisions.

# What does the Act require?

- The Act requires a manufacturer of “covered devices” to register each of their brands they wish to sell in PA with the Department and then take responsibility for recycling an amount equal by weight of covered devices they sell in PA

# Definition - Computer Manufacturer

A person:

- (1) who manufactures covered computer devices to be sold under its own brand as identified by its own brand label;
  - (2) who sells covered computer devices manufactured by others under its own brand as identified by its own brand label; or
  - (3) who assumes the duties imposed on the computer manufacturer under this act.
- The term does not include a person who manufactures only peripheral computer devices.

# **Definition – Television manufacturer**

A person who:

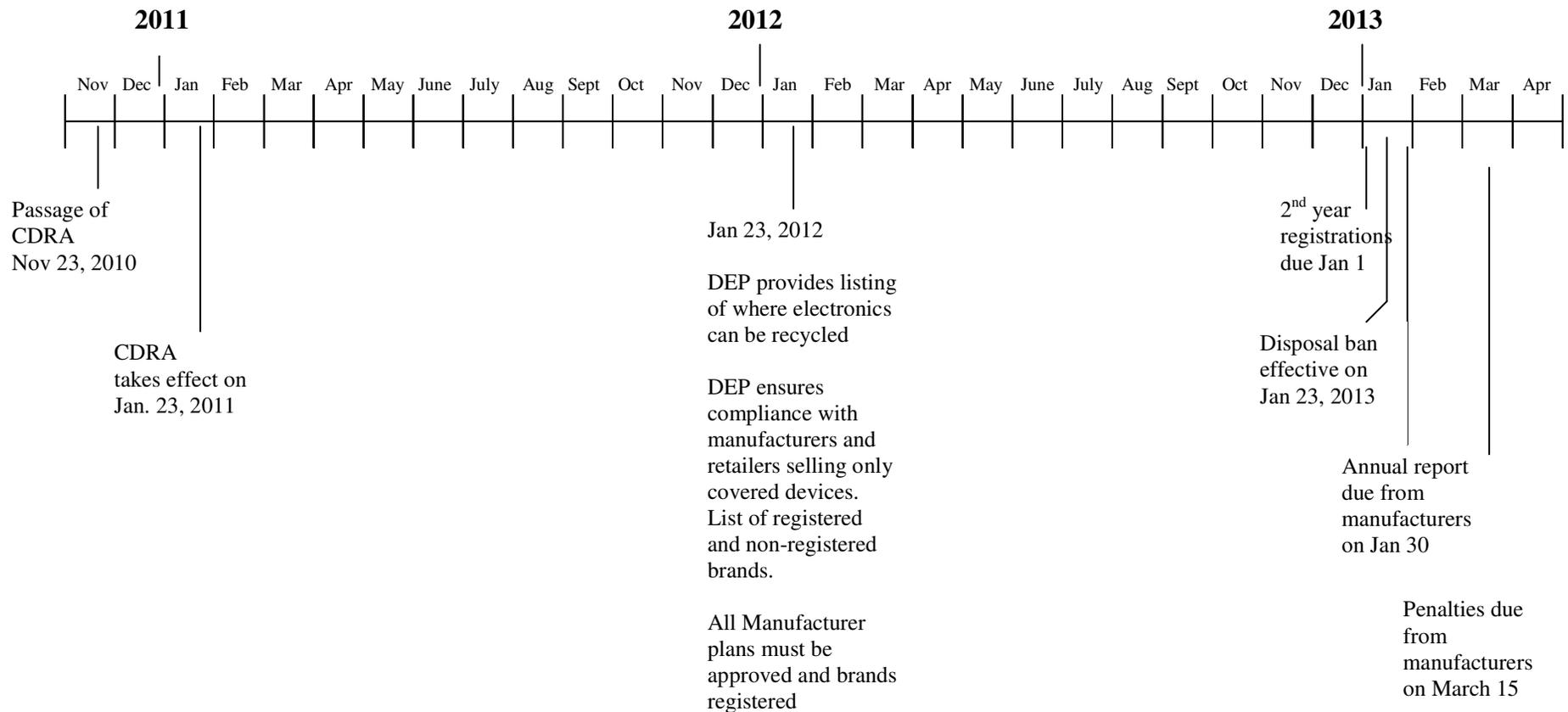
- (1) manufactures covered television devices to be sold under its own brand as identified by its own brand label or being sold under a brand it is licensed to use;
- (2) sells covered television devices manufactured by others under its own brand as identified by its own brand label; or
- (3) assumes the duties imposed on a television manufacturer under this act.

# Who's impacted?

- Manufacturers of desktops, laptops, computer monitors and televisions
- DEP
- Retailers
- Collectors of covered devices
- Recycling Facilities
- Households

# Covered Devices Recycling Act – Legal Deadlines

## Chronological Timeline



# Manufacturer Responsibilities

- Registration, Annual Fee
- Planning
  - Cover collection transportation and recycling of covered devices equal to market share.
  - Plan must include methods to collect, locations, processes used to recycle, names and locations of recyclers, means to publicize, intent to meet requirements of Act, collection sites.
- Reporting – Due January 30 each year, to include an estimate total weight of covered devices sold in PA, weight of covered devices recycled and documentation verifying collection and recycling of devices.
- Failure to comply with plan

# Retailer Responsibilities

- May purchase or sell only registered brands
- Notify customers about how to recycle
- Post information or provide DEP's toll-free telephone number and/or internet webpage or provide retailer developed information
- Retailers (and manufacturers) may not pass fee onto consumer to recycle covered device unless a financial incentive (coupon, rebate or other) of equal or greater value is provided to consumer.

# **Solid Waste Disposal Facilities**

- Make good faith effort to comply with disposal ban
- Post sign that states covered devices or any of their components will not be accepted
- Notify collectors that covered devices and components will not be accepted

# Public Responsibilities

- After January 1, 2013, no person may dispose of a covered device or its components, excluding non-hazardous residuals produced during recycling

# **Environmental Responsibilities**

- **Covered devices collected through ANY program shall be recycled in compliance with all applicable federal, state and local laws, regulations and ordinances and may not be exported for disposal in a manner that poses significant risk to public health or environment.**
- **At minimum, all entities shall demonstrate to DEP that facilities used to recycle covered devices have achieved and maintained third part accreditation from:**
  - **The Responsible Recycling (R2) Practices Standard**
  - **The E-Stewards Standard; or**
  - **An Internationally accredited third-party**
- **All entities shall provide information about their certification and its standing to DEP along with any other requirements mandated by federal or state law.**

# DEP Responsibilities

- Registration - Maintain list of registered and non-registered brands. Maintain list of brands not registered with DEP. Post list on web site.
- Collect \$5,000 registration fee
- Manufacturer Planning and Reporting
- Plan approval
  - Review plan and approve or reject plans
  - Collect penalties for failure to comply with plans
  - Determine average cost for collection and transportation of covered devices
- Provide toll-free telephone number with recycling locations and webpage
- Encourage use of existing collection and consolidation infrastructure
- Organize and coordinate public education and outreach. Work with retailers to accomplish
- Oversee implementation of plans and take necessary actions to ensure compliance with approved plans
- Prepare and submit annual report to General Assembly. Post report on internet
- Either annually or biennially review the amount of the covered device recycling and registration fee
- Maintain list on web site of entities and organizations that DEP has determined to meet performance requirements

# Implementation Issues With CDRA

- No PA permitted demanufacturer (WMGR081) located in PA is R2 or e-Steward certified. R2 and e-Stewards certifications are onerous for small recyclers.
- Manufacturers are required to submit an annual report on January 30th. Is this enough time to gather the data, put it into a report and submit the report to DEP?
- Small mom and pop computer repair shops often make computers to specifications for customers. Under the CDRA, they would be required to pay a \$5,000 registration fee. Will they be able to continue their operations? Should there be a certain size of manufacturer that must pay the fee or could a sliding scale be put into effect?
- LQGs do not have to send their electronics to certified recycler (R2 or e-Stewards). This would cause municipal waste to have a higher standard of management than that generated by business.
- Act 190 electronic collections will need to meet CDRA requirements. This could increase their costs and potentially stop the collections.
- What is the definition of a manufacturer? Exactly who has to pay the \$5,000 registration fee?
- Manufacturers of only peripherals do not need to register. The peripherals from these companies are to be recycled, but the peripheral manufacturers do not have to register or pay the registration fee.
- 2% increase per year is not clearly defined. What happens if a manufacturer collects more than 100% of their market share or if their market share decreases in future years? What will be their baseline?
- Will orphan devices become a problem if manufactures don't include them in their collection plans and implementation?