



Electronic Waste Reuse and Recycling Act
Governor's Program Bill #44, A. 9049 (Sweeney)/S. 6047 (Thompson)

Creates a statewide electronic waste (e-waste) recycling law

This bill would ensure that all New Yorkers have access to e-waste recycling, instead of relying on a patchwork of take-back programs to handle this problematic and costly waste stream. With the passage of this bill, New York would join 18 other states that currently have e-waste recycling programs using a product stewardship approach while preempting New York City's burdensome local recycling law.

Uses a market based approach

This bill would provide flexibility for manufacturers in designing a program that meets its share of the statewide recycling goal. All manufacturers that sell covered electronic equipment in the State would have to register with DEC by January 1, 2010 (or before selling such equipment in New York), pay a \$5,000 initial registration fee and submit an annual program report with a \$3,000 fee to DEC. A manufacturer would be prohibited from selling covered electronic equipment in the State unless it has an e-waste recycling program that accomplishes the following:

- Offers reasonably convenient recycling of electronics for which it is the manufacturer, made available for free to all New Yorkers including individuals, businesses, governments and schools
- Accepts one product return for every product of the same type it sells
- Recycles or reuses its market share of e-waste, by weight, based on its three year average of annual sales in the State and proportionate to the overall statewide recycling goal, which would be graduated initially and then based on the volume of all electronics returned for recycling.

Reduces the burden on local governments

While some manufacturers offer take back programs, local governments currently pick up the slack either in the garbage stream or when they hold e-waste recycling events or programs. This bill would reduce the cost for local governments by shifting the responsibility for e-waste recycling to electronics manufacturers.

Covers a broad range of electronics

This legislation would require recycling of unwanted televisions, computers, computer peripherals such as printers, keyboards and mice, fax machines, VCRs, DVD, DVR and MP3 players and other electronics.

Rewards the collection of more e-waste than required

The bill would permit manufacturers to bank, trade or sell recycling credits for excess electronic waste collected. If a manufacturer does not accept its share of electronic waste and does not obtain a waiver or purchase credits, it would be subject to a recycling surcharge which would be used to help fund municipal recycling programs.

Bans the disposal of e-waste

E-waste contains hazardous materials. Beginning July 1, 2010, manufacturer, retailer, and recyclers would be prohibited from disposing e-waste at a landfill or other disposal facility. Beginning January 1, 2015, individuals and households would be prohibited from disposing electronic waste at such facilities.