

## What You Need to Know About E-Waste and New York City's Intro. 104-A, the Electronics Collection, Recycling, and Reuse Act

### *What is e-waste?*

E-waste includes our discarded TVs, computers, and other electronics, which often contain toxic materials such as lead, mercury, and cadmium. E-waste is the fastest growing part of the nation's waste stream.

### *What currently happens to discarded computers, TVs, and MP3 players?*

According to the U.S. Environmental Protection Agency, 85 percent of electronics are now thrown out rather than recycled. In New York City, 25,000 tons of electronic waste are collected annually by the New York Department of Sanitation and then either dumped in a landfill or burned in the Newark Incinerator, which discharges toxic pollutants into our air.

### *What is the purpose of Intro. 104-A?*

The law is designed to keep toxins out of the environment. First, it would keep e-waste out of landfills and the nearby Newark incinerator. Second, because it would make manufacturers responsible for collecting their old products, the bill would act as an incentive for them to design less toxic and easier-to-recycle products.

### *How would Intro. 104-A address the e-waste problem?*

Intro. 104-A would require manufacturers to take back their products for recycling or reuse. Manufacturers would have flexibility in designing their own collection and recycling programs, which would then be subject to Department of Sanitation approval; collection programs could include mail-back, curbside pickup, and neighborhood collection events. The Department of Sanitation could fine manufacturers who do not submit adequate plans or do not meet the required performance standards. Beyond that, New York City taxpayers would save money because e-waste would no longer need to be collected by the City.

### *What are the bill's key milestones?*

September 2008	Manufacturers must submit collection plans to Department of Sanitation.
July 2009	Manufacturers begin implementation of their plans and must accept any of the covered products that consumers want to return.
June 2011	Programs also must accept products made by manufacturers that are no longer in business ("orphan waste").
July 2012	Manufacturers must take back at least 25 percent (by weight) of their sales during the previous three calendar years for recycling or reuse. In other words, if Apple sells an average of 1,000 pounds of computers and iPods over the prior three years, it must take back at least 250 pounds of electronics for recycling.
2015	Manufacturers must collect at least 45 percent (by weight) of their previous three years' sales.
2018	Manufacturers must collect at least 65 percent (by weight) of their previous three years' sales.

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### *What are the bill's performance standards?*

The bill's performance standards start low—at 25 percent in 2012—and increase gradually over time. In comparison, Minnesota's more aggressive new e-waste law requires manufacturers to take back at least 65 percent of the products they sell within one year, and at least 80 percent by the program's second year. Further, the Minneapolis area (population 1.1 million) already has a curbside and drop-off recycling program that is on track to collect far more e-waste than Intro. 104-A requires.

### *Who supports the bill?*

Apple and GE have testified in support of Intro. 104-A, as has Tekserve, a major local retailer. The bill has 47 Council sponsors. Twenty environmental and civic policy groups also support the bill, including:

- Environmental Defense
- Institute of Scrap Recycling Industries (ISRI)
- Natural Resources Defense Council (NRDC)
- New York League of Conservation Voters (NY LCV)
- New York Public Interest Research Group (NYPIRG)
- PerScholas
- Sierra Club (New York City Chapter)
- Staten Island Citizens for Clean Air
- Sustainable South Bronx
- We Act for Environmental Justice (WE ACT)

### *Why pass a bill applying only to New York City?*

New York City has a problem that needs to be addressed immediately. This bill enjoys widespread support from state elected officials and the New York State Department of Environmental Conservation in part because they believe that its passage would encourage Albany to act on the state-wide level. Unfortunately, federal legislation is years away.

### *What happens if the manufacturer of a computer or TV goes out of business? Who is responsible for collecting this "orphan" waste?*

For the first two years, a manufacturer would be required to take back an "orphan" device only when it is presented for collection by someone who is buying a similar new device made by that manufacturer. In other words, if a New Yorker wants to recycle an old Montgomery Ward television when buying a new Sony flat panel, Sony would have to take the old set back. After the first two years, manufacturers would be required to take back "orphans" of the same types of products they sell regardless of whether the consumer is in the market for a newer model.