

**NJ E-cycle! Program Information for
Best Management Practices for County and
Municipal Recycling Centers
New Jersey Forensic Science Technology Center**

October 10, 2013

**New Jersey Department of Environmental Protection
Solid and Hazardous Waste Management Program
Bureau of Recycling and Planning**

<http://www.nj.gov/dep/dshw/ewaste/index.html>



AGENDA

1. Review of the Electronic Waste Management Act, N.J.S.A. 13:1E-99.94 et seq

a. FAQs and Other Issues

b. Responsibilities of:

i. Government

County, Municipal

ii. Original Equipment Manufacturers

iii. Recyclers

iv. Handlers

v. Retailers

2. CRT Glass

3. Open Discussion and Questions



Review of the Electronic Waste Management Act, N.J.S.A. 13:1E-99.94 et seq

- The law requires that manufacturers set up a **FREE** and environmentally sound recycling program for “covered electronic devices”(CEDs) CEDs are computers, televisions, laptops, notebooks, eReaders, tablets, etc. generated by New Jersey residents and/or New Jersey based small businesses (fewer than 50 full-time employees). CEDs do NOT include printers, faxes, peripherals, etc.).

FYI: DISPOSAL BAN EFFECTIVE JANUARY 1, 2011
Beginning January 1, 2011 computers, monitors, laptops,
portable computers and televisions
CANNOT be disposed of in the garbage.



A1459

- Went into effect on December 21, 2012
<http://www.njleg.state.nj.us/2012/Bills/AL12/79 .HTM>
 - Includes updates to credit trading, registration requirements, but most important to this audience is the following:
- Compliance Update
 - Increases the maximum civil administrative penalty that may be assessed to a violator of the Act from \$1,000 to \$25,000.
 - Allows the NJDEP to enforce the Act through an administrative enforcement order as opposed to having to go Superior Court, which is a very costly process for all parties.
 - The Act may now also be enforced by every certified local health agency, as well as by the Department.



FAQS AND OTHER ISSUES

- MYTH: I am a private hauler and would like to do the right thing by offering pick up services to “small-businesses” in my area. The law states that no fees or costs can be charged to consumers for the collection and recycling of covered electronic devices, therefore, I cannot charge these “small-businesses” any money for this service
- FACT: As a private hauler offering a “premium service” a charge for the transportation of this material can indeed be charged. It is suggested that haulers keep receipts and maintain a paper trail of these transactions



FAQS AND OTHER ISSUES

- MYTH: I am an approved class D facility or Universal Waste Handler located in NJ and I collect spent electronics so that makes me an authorized recycler.
- FACT: You are considered an “authorized recycler” only if your company’s services are engaged under one or more collection plans submitted to the Department by an electronics manufacturer pursuant to the Ewaste law.



FAQS AND OTHER ISSUES

- MYTH: The Department of Environmental Protection is responsible for authorizing electronics recyclers for use in manufacturers' plans
- FACT: Manufacturers work directly with recyclers and identify those "authorized recyclers" to be utilized in the collection plans they submit to the Department



FAQS AND OTHER ISSUES

- MYTH: Now that I am being charged by my downstream markets to recycle CRTs and other electronics, I can pass that fee on to NJ residents.
- FACT: No fees or costs may be charged to residents to recycle their covered electronic devices. *If you are offering a premium service, a fee may be charged. FYI: “Premium service” means a collection service provided under an approved collection plan that exceeds the requirements in the Electronic Waste Management Act, (N.J.S.A. 13:1E-99.94 et seq.), for a convenient collection system, including, but not limited to the collection of a covered electronic device from a consumer’s residence.



FAQS AND OTHER ISSUES

- Recycling of Scavenged Items
 - Serious concerns of syphoning off the good/valuable stuff and towns and counties being left to deal with the bad stuff, including;
 - Handling cannibalized material that has little or no value yet cannot be disposed of and
 - Illegal dumping of this material



FAQS AND OTHER ISSUES

- Although it has been suggested that cannibalized e-waste be exempted from the requirements of the Act, the DEP does not have the authority to override the law
- The DEP is, however, drafting a letter to all Mayors regarding the increase in reporting of scavenged electronics and how to train enforcement folks to recognize illegal activity
- The DEP strongly suggests **NO CURBSIDE COLLECTION** of these materials



FAQS AND OTHER ISSUES

○ Junk Yards

- There is nothing in the law that prohibits junk yards and scrap yards from taking in these materials.
- CEHA may like to pay these yards a visit and inform them that they must be operating in conformance with the Universal Waste Requirements unless they are only collecting CEDs from households

<http://www.nj.gov/dep/dshw/lrm/uwaste/uwelectr.htm>



FAQS AND OTHER ISSUES

- QUESTION: Do towns have to be “Universal Waste Handlers” if they are just a drop-off for computers? What is the difference between a convenience center vs. a large or small quantity handler?



FAQS AND OTHER ISSUES

ANSWER: PART ONE

A convenience center only applies to solid waste disposal and recyclable materials that would otherwise be solid waste.

E-waste falls under the hazardous waste rules and is exempt from these rules if they are generated by households.

Therefore if the drop-off centers run by the township/county accept **ONLY** household electronics (such as computers), then they are **NOT** regulated under the universal waste regulations, and thus not handlers of universal waste (large or small).



FAQS AND OTHER ISSUES

PART TWO:

However the Electronic Waste Management Act includes consumers **and small businesses** (fewer than 50 full-time employees) so if you are collecting devices from both of these generators then you are either a...

- Small Quantity Handler or a Large Quantity Handler;
 - A small quantity handler always has less than 5,000 kg (11,000 pounds) of total universal waste at their location at all times,
 - A large quantity handler is at or over that 5,000 kg limit. If the municipality has any other types universal waste on-site, the weight of those universal waste must be included in tally towards the 5000 kg limit.



FAQS AND OTHER ISSUES

- Small quantity handlers are the *least* regulated handler. They must:
 - label the unit (individual items or container) with the words (“universal waste – consumer electronics”);
 - place the universal waste in a sturdy closeable container if evidence of leakage or damage that could lead to a discharge;
 - take immediate steps to stop any discharge; clean up any discharge and manage/dispose of spill clean-up waste appropriately;
 - ship universal waste to another universal waste handler or authorized recycling facility within one year of acceptance or generation.
 - **There are no notification or annual reporting requirements for small quantity handlers.**



FAQS AND OTHER ISSUES

- Large quantity handlers are subject to the same labeling and management requirements of a small quantity handler.
 - They also must obtain a hazardous waste EPA ID number from the Department's Enforcement group and
 - file a notification of universal waste handler activity with the Department's Bureau of Landfill and Hazardous Waste Permitting.
 - Finally, they are required to file an annual report by March 1st with the Department.



FAQS AND OTHER ISSUES

○ **Authorized Activities of Universal Waste Handlers**

- a **Small Quantity Handler is allowed** to
 - demanufacture (break down the item into its individual components), in addition to collecting, consolidating and shipping off-site while.
- A **Large Quantity Handler cannot**
 - demanufacture, but can only collect, consolidate, and ship off-site.



RESPONSIBILITIES OF GOVERNMENT

- County and Municipal Government:
 - Many counties and municipalities are working in conjunction with manufacturers to meet the requirements of the law. A number of county and municipal sites are included in approved manufacturer plans.
 - Local governments have the opportunity to play an important role in implementing the “Electronic Waste Management Act”. **By promoting the program to local residents and small businesses, you can *educate* them about the importance of e-cycling and help them locate participating collection sites.**



COLLECTORS, TRANSPORTERS AND AUTHORIZED RECYCLERS:

- Performance requirements for collectors, transporters, and authorized recyclers
 - Comply with the United States Environmental Protection Agency's "Plug-In to eCycling Guidelines for Materials Management," incorporated herein by reference and available at <http://www.epa.gov/waste/partnerships/plugin/pdf/guide.pdf>.
 - Collectors of covered electronic devices participating in a manufacturer's or group of manufacturers' approved collection plan shall comply with the Department's requirements applicable to universal waste handlers at N.J.A.C. 7:26A-7.4 and 7.5



COLLECTORS, TRANSPORTERS AND AUTHORIZED RECYCLERS

- Transporters of covered electronic devices participating in a manufacturer's or group of manufacturers' approved collection plan shall comply with the Department's requirements applicable to universal waste transporters at N.J.A.C. 7:26A-7.6
- An authorized recycler shall comply with "Responsible Recycling (R2) Practices for Use in Accredited Certification Programs for Electronics Recyclers," as supplemented or amended, and incorporated herein by reference, available at <http://www.epa.gov/waste/consERVE/materials/eycling/r2practices.htm>. An authorized recycler of covered electronic devices located in NJ shall also comply with the requirements for Class D recycling facilities at N.J.A.C. 7:26A-3.



COLLECTORS, TRANSPORTERS AND AUTHORIZED RECYCLERS:

- An authorized recycler of covered electronic devices located in a state other than New Jersey shall also comply with the receiving state's rules and regulations, including any requirements for the maintenance of any permit or approval.



HANDLERS:

- A collector, transporter or recycler must ensure that covered electronic devices are recycled in a manner that is in compliance with all applicable federal, State, and local laws, regulations, and ordinances, and shall not be exported for disposal in a manner that poses a significant risk to the public health or the environment.



CRT GLASS



CRT GLASS

- Cathode Ray Tube (CRT) stockpiling gained national attention after the release of TransparentPlanet's US Glass Management Report citing that over 600 million pounds of this leaded glass was accumulating in locations throughout the United States.
- CRT TVs or monitors contain 4-8 pounds of lead in the glass tube. Under RCRA, CRTs are hazardous waste when disposed due to the presence of this lead.
- CRT glass can be recycled in two ways under EPA's regulations – sent to a lead smelter (to reclaim the lead and to use the silica as a flux agent) and to glass-to-glass recycling to be made into new CRTs.
- No one is necessarily still buying new CRTs, (there is only one facility left, still manufacturing CRTs) but they are a significant portion of what is showing up in our electronics recycling programs.



CRT GLASS

- FYI: In California, even though the state pays recyclers 39 cents per pound it has seen the problem of recyclers stockpiling CRTs. As a result, California temporarily lifted its landfill ban to allow CRT glass to be sent to hazardous waste landfills.



CRT GLASS

- **News Sources**

August 29, 2013 DENVER - A company paid to recycle hazardous electronics waste abandoned 750 tons of the stuff, leaving someone else to clean up the mess. <http://www.thedenverchannel.com/news/local-news/colorado-electronic-recycling-company-closes-down-and-abandons-tons-of-hazardous-crt-glass>

CRT glass landfill use proposed. By Editorial Staff, Resource Recycling Kuusakoski USA LLC is building a processing facility in Peoria, Illinois where CRTs and clean tubes will be processed. The stabilized lead glass – labeled KleanKover Recycling Solutions -- replaces virgin soil for cover. This new use, however, produced some concern by several attendees at the conference. Several state officials and executives at original equipment manufacturers which fund CRT recycling systems expressed concern about this new option being labeled a "glass recycling" option under existing state electronics collection programs. "I need to go back and see if this alternative qualifies as recycling under our state law and regulations," said the manager of a state program in the Midwest. <http://resource-recycling.com/node/4167>



OPEN DISCUSSION AND QUESTIONS



E-CYCLE

New Jersey



CONTACT INFORMATION

Guy Watson, Bureau Chief

Recycling and Planning

Guy.Watson@dep.state.nj.us

(609) 984-3438

Dana Lawson, Environmental Specialist III

Recycling and Planning

Dana.Lawson@dep.state.nj.us

(609) 984-3438

Learn more about E-cycle New Jersey!

<http://www.nj.gov/dep/dshw/ewaste/index.html>

