

Securis re SB686 -Covered Electronic Devices Recyc

Uploaded by: Dan Mattock

Position: FAV

February 19, 2024

To: Maryland Senate Education, Energy, and the Environment Committee
Re: SB686 Covered Electronic Devices Recycling Program – Establishment

My name is Dan Mattock and I am here as the EVP of Strategic Initiatives at Securis to testify in support of SB686.

Securis is a Mid-Atlantic based electronics recycling and data destruction company that has served municipalities, state and federal agencies and private enterprises for their electronics recycling needs for over 23 years. Our services ensure that electronics waste does not end up in landfills and jeopardize the environment for current and future generations.

To carry out our mission of securely repurposing electronics with excellence, it is critical that we cover the costs that we incur during our operations. These costs come in the form of employee salaries and benefits, facilities leasing, recycling machinery, maintenance and logistics costs to cover the transportation of equipment from client sites to our processing facilities.

While we would love to be able to cover our operating costs from the proceeds we generate from the recycled commodities we produce, this is often not economically feasible. The cost to recycle eWaste is often more than the residual value of the equipment itself. We cover this gap by charging upfront recycling fees to our clients.

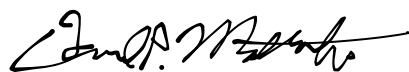
While working in Maryland and with other organizations around the country, we have seen both programs that are well funded and those that are not. Fortunately, the well funded programs tend to work smoothly and efficiently, providing a valuable service for residents and tangible employment opportunities for diligent workforces. In contrast, poorly funded programs tend to get shut down and leave residents scrambling to find ways to get rid of their old electronics in a way that protects the environment.

To handle electronics recycling the right way, we are strong advocates for well funded programs that encourage recycling vendors and residents to handle end-of-life equipment properly like the proposed Covered Electronic Device Recycling Program outlined in this bill

We strongly support the passing of SB686 and are happy to answer any questions or provide additional information as requested.

Thank you.

Sincerely,



Dan Mattock, CSDS, LEED GA

EVP of Strategic Initiatives

Securis

<https://securis.com/>

BaltimoreCounty_FAV_SB0686.pdf

Uploaded by: Jenn Aiosa

Position: FAV

JOHN A. OLSZEWSKI JR.
County Executive



JENNIFER AIOSA
Director of Government Affairs

AMANDA KONTZ CARR
Legislative Officer

WILLIAM J. THORNE
Legislative Associate

BILL NO.: **SB 686**

TITLE: Environment – Covered Electronic Devices Recycling Program
 - Establishment

SPONSOR: Senator Augustine

COMMITTEE: Education, Energy, and the Environment

POSITION: **SUPPORT**

DATE: February 20, 2024

Baltimore County **SUPPORTS** SB 686 – Environment – Covered Electronic Devices Recycling Program – Establishment. SB 686 creates the Covered Electronic Device Recycling Program within Maryland’s Department of the Environment, establishes recycling fees for two tiers of covered electronic devices, and creates an Advisory Council to study and make recommendations regarding the program and its impact to the Department.

In August 2023, Baltimore County announced its renewed commitment to recycling often complex electronic devices, including computers, smart devices, cell phones and televisions in order to increasingly divert the components in such devices from our municipal landfill. SB 686 will establish a complimentary statewide program to collect modest fees from electronic device manufacturers and consumers to help local jurisdictions and other authorized recyclers to expand electronics recycling.

As electronic devices proliferate within our homes, businesses, schools, and entertainment, we must also consider what happens at the end of these devices’ useful lives. Establishing the mechanisms and funding resources to responsibly recycle all of parts of many electronic devices can help protect valuable landfill capacity while protecting our environment.

Accordingly, Baltimore County requests a **FAVORABLE** report on SB 686 from the Senate Education, Energy, and the Environment Committee. For more information, please contact Jenn Aiosa, Director of Government Affairs at jaiosa@baltimorecountymd.gov.

MRN re SB686 -Covered Electronic Devices Recycling

Uploaded by: Kitty McIlroy

Position: FAV



February 16, 2024

**To: Maryland Senate Education, Energy, and the Environment Committee
Re: SB686 Covered Electronic Devices Recycling Program – Establishment**

I'm Kitty McIlroy, here as President of Maryland Recycling Network, to support SB0686, following [testimony](#) I gave to the U.S. Senate this past July, on this exact issue. I also bring my experience managing electronics recycling contracts over the last 10 years at the Northeast Maryland Waste Disposal Authority. I am not speaking on behalf of the Authority.

The Maryland Recycling Network (MRN) promotes sustainable reduction, reuse and recycling (the 3 "R's"), to ensure that the use of virgin materials is minimized, materials otherwise destined for disposal are reused or recycled and there is a strong demand for buying products made with recycled material content. We achieve these goals through education programs, advocacy activities to affect public policy, technical assistance efforts, and the development of markets to purchase recycled materials and manufacture products with recycled content.

Maryland Recycling Network members include municipal recycling managers, private sector and non-profit recyclers and citizens who support recycling. We have direct experience operating recycling and composting programs at the county and municipal government level. We know the ins and outs of recycling in Maryland. Our experience informs our comments. We thank Senator Augustine for sponsoring this bill.

Maryland's e-cycling plummeted since the market downturn of 2014 and has not recovered. We were recycling over 19,000,000 million residential pounds per year, now we are recycling under 8,000,000 pounds per year. Local government contracts began to see costs and many started landfilling televisions and computer monitors, the bulk of e-waste. Only 8 of 23 Counties recycle all electronics year-round, without resident drop off fees.

Just six Maryland Jurisdictions have spent over \$8,000,000 since 2014 to run these programs.

This is unsustainable.

This bill will take that financial burden off local government, grow local jobs, and increase our domestic supply of rare earth minerals and precious metals for the auto, jewelry and electronics industries.

It will allow jurisdictions to divert much needed tax revenues to other critical public sector services, eliminate fees at public collection sites, and expand programs, especially for rural areas.

Maryland Recycling Network
c/o Mariner Management • PO Box 1640 • Columbia, MD 21044
Phone: (443) 741-8740 • www.MarylandRecyclingNetwork.org

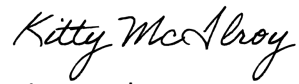
Maryland already has a consumer fee for tire recycling. This bill complements that law to ensure difficult material is responsibly managed.

Maryland has already proven itself to be a leader, by passing the 3rd e-waste law in the country, back in 2005. We are asking you to lead once again, and finish building on what is already in place.

The Maryland Recycling Network stands ready to serve as a sounding board and resource for legislators and others interested in pursuing our mission. Please do not hesitate to contact MRN via email phoustle@marylandrecyclingnetwork.org, phone 301-725-2508 or mail - MRN, PO Box 1640, Columbia MD 21044 if you have any questions or would like additional information regarding the above.

We look forward to working with you to improve Maryland's recycling programs and thank you for your consideration and support.

Sincerely,



Kitty McIlroy

President

Maryland Recycling Network

Background

Due to costs of recycling, approximately only 8 out of 23 Counties/City of Baltimore in Maryland are able to provide to their residents free (at time of drop off), year-round acceptance of all types of municipal electronics for recycling, including flat screen and CRT Glass Tube televisions and computer monitors, historically the bulk of material by weight and volume in the municipal electronics stream. These jurisdictions include Baltimore City, Baltimore County, Calvert County, Charles County, Howard County, Montgomery County, Prince George's County and Somerset County. The existing [Statewide Electronics Recycling Program \(SERP\)](#) has been unable to provide the funding needed for local government to run these programs. This means millions of pounds of electronics are likely being landfilled every year. Detail on the existing SERP shortfalls can be found [here](#).

MDE provided a space for government and industry (retailers and manufacturers) to discuss electronics recycling and the [current law](#) during the [2015 Electronics Recycling Department Workgroup](#). The stakeholders discussed in detail the current requirements and benefits, as well as shortcomings, one of those being the lack of funding directed to municipalities for actual recycling activities.

Maryland Recycling Network then chaired a Workgroup with Member/Non-Member Participation, beginning late 2021, including stakeholders from government and electronic recyclers, to discuss the MDE Workgroup findings and provide a set of policy recommendations to improve the current law. More specifically, stakeholders recommended replicating what is working in other states and applying it to the SERP. Many in both the public and private sector believe a hybrid consumer fee and manufacturer fee can succeed in this state, using California's consumer fee model to supplement the existing manufacturer fee already in place in Maryland. Stakeholders recommended that rather relying on infrequent grant funding, local government should be provided a sustainable source of funding, for operating collection sites and hiring electronic recyclers. These recommendations became SB0686/HB0830 Covered Electronic Devices Recycling Program.

A [Resolution](#) adopted by The United States Conference of Mayors at their 2017 Annual Meeting, also supports utilizing a visible consumer fee to support electronics recycling.

Additionally, the Pennsylvania Legislature is considering passing a consumer fee (eco fee) to be added to the purchase of electronics to assist in funding electronics recycling in the state. The House Consumer Protection, Technology and Utilities Committee seem to be supportive and [described](#) the Bill Sponsor, Representative Lisa Borowski's, efforts as "Herculean."

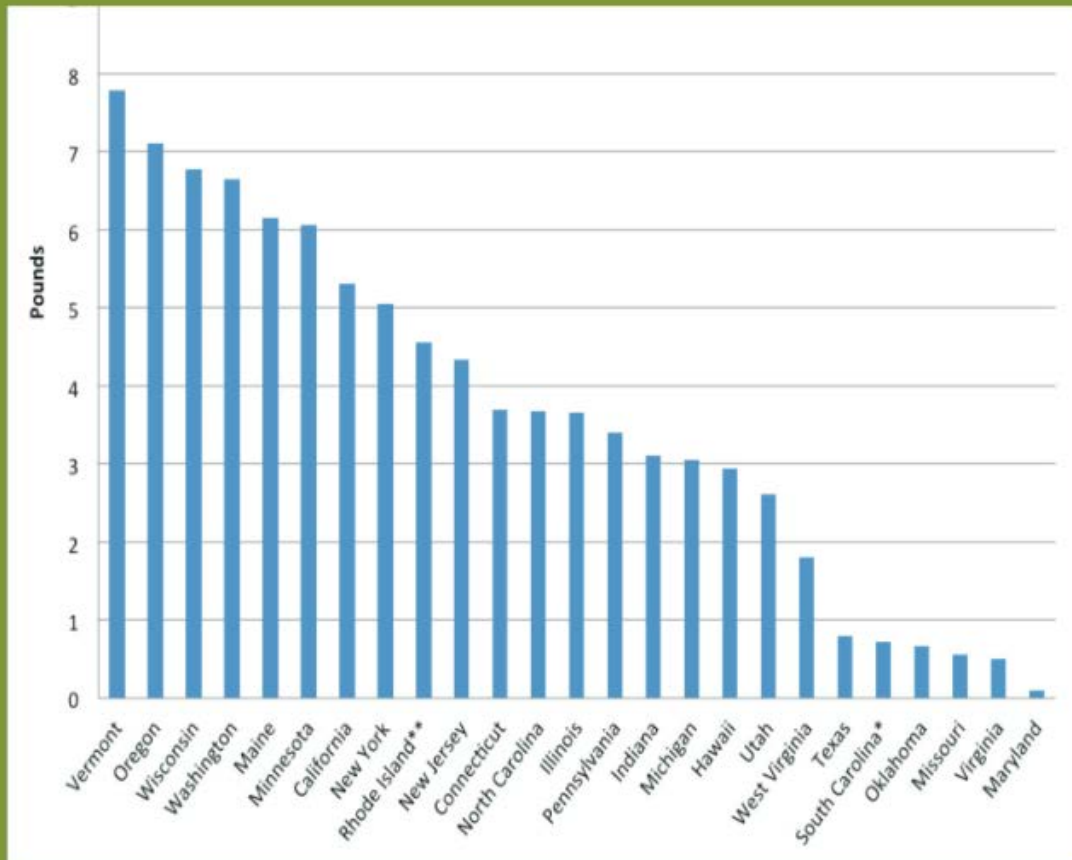
Furthermore, no federal law exists to mandate electronics recycling, and only 25 states along with Washington D.C. have some form of an e-waste law. The United States has not joined 187 countries and the European Commission in ratifying the Basel Convention, an international agreement governing the transboundary movements of hazardous wastes and their disposal.

As a result of this bill, MDE will be able to maintain a list of Authorized Recyclers eligible for reimbursement, which will increase transparency of national and international shipments of e-waste. Authorized Recyclers will have requirements for themselves and certified downstream markets, in order to guarantee certain environmental standards. This would support stronger environmental protection and prevent unauthorized exports, while creating jobs and supporting economic growth in the state, especially for those local electronics recyclers that operate here in Maryland.

"The proliferation of electronic devices has contributed to the accelerated surge of greenhouse gas (GHG) emissions in e-waste, according to a new study in Circular Economy. E-waste GHG emissions rose 53

percent between 2014 and 2020. Researchers anticipate e-waste will annually generate 852 million metric tons of CO2 compounds by 2030...Increasing the useful lifespan expectancy of electronic devices by 50%–100% can mitigate up to half of the total GHG emissions," the study's authors stated. "Such outcomes will require coordination of eco-design and source reduction, repair, refurbishment, and reuse...The current global rate of e-waste recycling stands at 17.4 percent, with Europe and the Americas responsible for the majority of waste generated. The study noted that Europe's recycling rate stands above other countries at 42.5 percent, following by Asia at 11.7 percent and the Americas at 9.4 percent...Researchers found that between 2013 and 2020, "the useful lifespan of average electronic devices such as desktops, laptops, and smartphones decreased by 41%, 22%, and 30%, respectively." Source: [E-Waste Emissions Jump 53 Percent Between 2014 and 2020 \(waste360.com\)](http://waste360.com)

E-scrap collection volumes per capita in states with recycling laws, 2013



Note: This chart presents available data on program collections performance, but does not provide an "apples to apples" comparison as the covered products and covered entities (residents, businesses, schools, etc.) vary from state to state.

Source: Electronics Recycling Coordination Clearinghouse

* 2012 data

** 2011 data

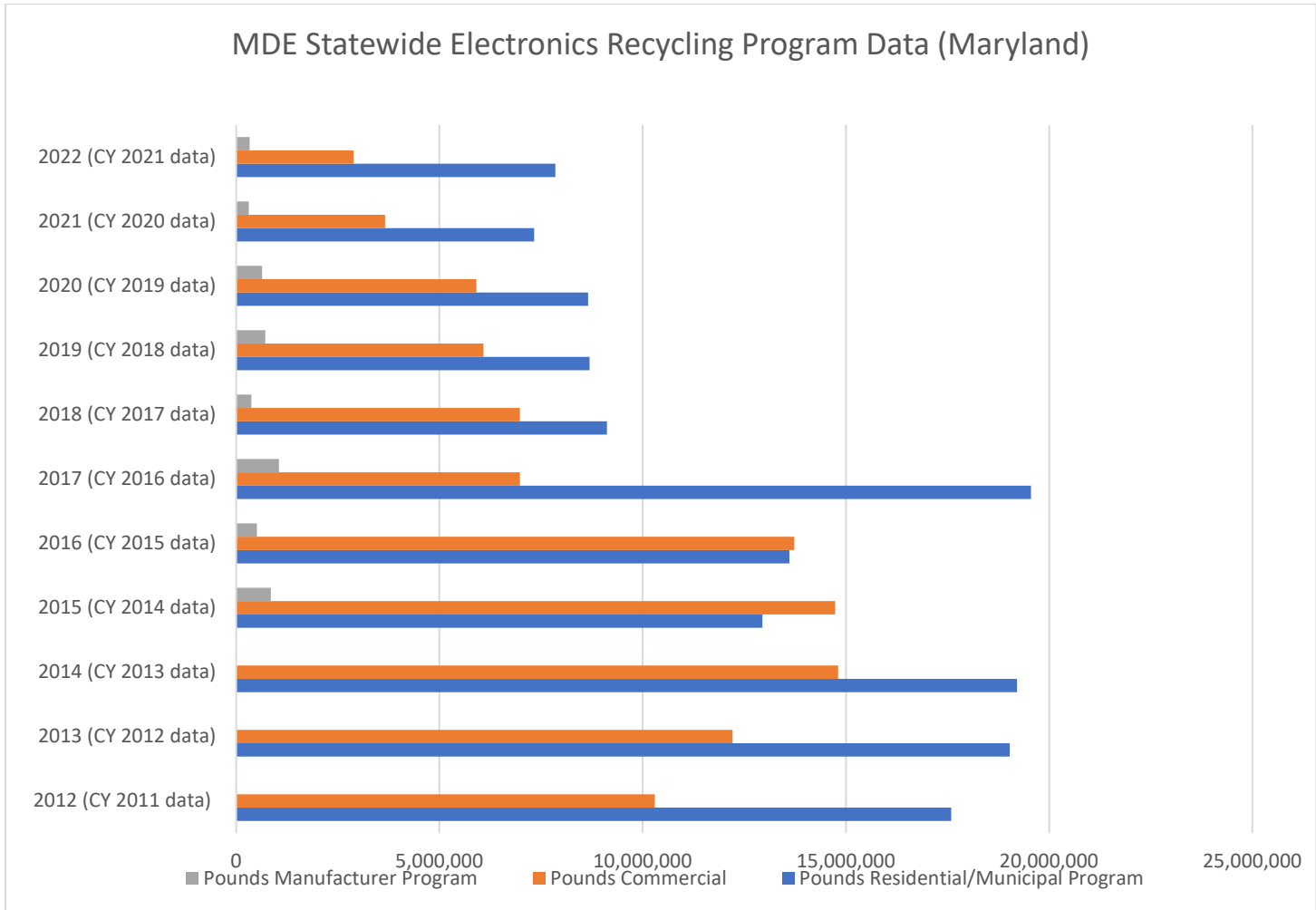
Source: [E-Scrap Newsletter Article \(March 2015\)](#)

MDE Statewide Electronics Recycling Program Data (Maryland)

Year	Pounds			Manufacturer Program Share of Total Pounds	Residential Program Share of Total Pounds	Commercial Share of Total Pounds
	Residential/Municipal Program	Commercial	Manufacturer Program			
2012 (CY 2011 data)	17,591,221	10,302,000	N/A	N/A	63%	37%
2013 (CY 2012 data)	19,033,550	12,214,000	N/A	N/A	61%	39%
2014 (CY 2013 data)	19,208,026	14,808,000	N/A	N/A	56%	44%
2015 (CY 2014 data)	12,949,658	14,736,000	853,400	3%	45%	52%
2016 (CY 2015 data)	13,610,620	13,734,000	512,000	2%	49%	49%
2017 (CY 2016 data)	19,554,907	6,978,000	1,050,000	4%	71%	25%
2018 (CY 2017 data)	9,120,499	6,978,000	371,200	2%	55%	42%
2019 (CY 2018 data)	8,691,452	6,080,000	716,000	5%	56%	39%
2020 (CY 2019 data)	8,656,008	5,910,000	638,100	4%	57%	39%
2021 (CY 2020 data)	7,329,304	3,664,540	312,780	3%	65%	32%
2022 (CY 2021 data)	7,853,593	2,891,080	330,820	3%	71%	26%
Total	143,598,838	98,295,620	4,784,300	2%	58%	40%

Source: Maryland Solid Waste Management and Diversion Annual Reports: <https://mde.maryland.gov/programs/land/Pages/LandPublications.aspx>

MDE Statewide Electronics Recycling Program Data (Maryland)



Manufacturer fees collected under existing law do not cover costs for local government to operate recycling programs. All grants provided to date are listed below:

MDE Electronics Recycling Grants to Local Government	
Fiscal Year	Total Grants Issued
2008	\$190,000
2009	\$616,552
2015	\$500,000
2016	\$250,000

Sources: Maryland Department of the Environment
[2015 Electronics Recycling Department Workgroup](https://news.maryland.gov/mde/2015/07/22/electronics-recycling-department-workgroup/)
news.maryland.gov/mde/2016/07/22/departments-of-the-environment-awards-grants-totaling-250000-for-electronics-recycling-in-maryland/

Electronics Recycling Costs to Jurisdictions*													
	CV 2012	CV 2013	CV 2014	CV 2015	CV 2016	CV 2017	CV 2018	CV 2019	CV 2020	CV 2021	CV 2022	CV 2023	Total
Anne Arundel County	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Baltimore City**	\$0.00	\$0.00	\$101,353.16	Unknown	Unknown	\$72,998.93	\$ 90,364.65	\$ 128,671.74	\$ 157,526.67	\$ 210,534.80	\$ 149,030.28	\$ 80,691.80	\$941,172.03
Baltimore County	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$ 126,824.30	\$ 121,773.60	\$ 156,026.90	\$ 170,999.40	\$ 143,225.60	\$ 115,064.04	\$ 89,711.92	\$923,625.76
Carroll County	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$ 20,770.56	\$ 23,865.60	\$ 37,280.60	\$ 42,885.40	\$ 34,397.60	\$ 30,538.72	\$ 18,881.00	\$208,619.48
Frederick County***	\$0.00	\$0.00	\$36,753.16	Unknown	Unknown	Unknown	Unknown	\$ 34,160.64	\$ 28,853.62	\$ 24,869.88	\$ 24,502.02	\$ 20,811.90	\$169,951.22
Harford County	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Howard County	\$0.00	\$0.00	\$ 211,797.47	\$ 195,366.08	\$ 193,463.50	\$ 193,037.28	\$ 158,821.44	\$ 197,481.16	\$ 188,424.60	\$ 141,089.80	\$ 109,497.00	\$ 53,723.40	\$1,642,701.73
Montgomery County	\$0.00	\$0.00	\$ 448,836.35	\$ 464,707.34	\$ 440,131.12	\$ 455,529.60	\$ 363,510.40	\$ 475,527.06	\$ 479,147.72	\$ 482,806.12	\$ 436,059.54	\$181,908.58	\$4,228,163.83
Total	\$0.00	\$0.00	\$ 798,740.14	\$ 660,073.42	\$ 633,594.62	\$ 819,160.67	\$ 758,335.69	\$ 1,029,148.10	\$ 1,067,837.41	\$ 1,036,923.80	\$ 864,691.60	\$ 445,728.60	\$8,114,234.05

*\$0.00 refers to either \$0.00 in costs or revenues to jurisdictions and/or program years where jurisdictions received revenues for their electronics
**Baltimore City: July 1, 2014-December 31, 2014 cost data is unknown. January 1, 2017-September 30, 2017 cost data is unknown
***Frederick County: July 1, 2014-December 31, 2014 cost data is unknown.

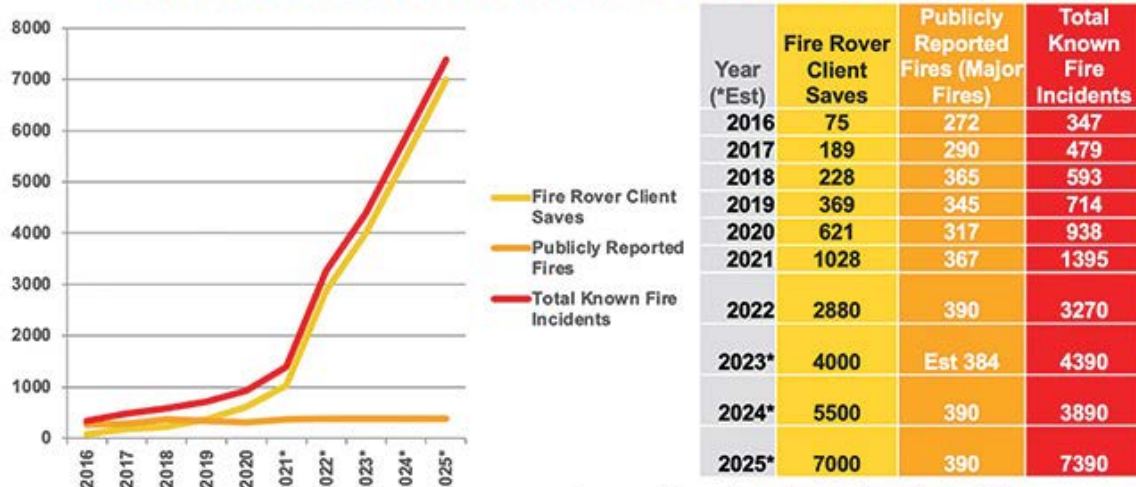
Sources: Northeast Maryland Waste Disposal Authority data and Jurisdiction data

Electronics Recycling Pounds													
	CV 2012*	CV 2013**	CV 2014***	CV 2015	CV 2016	CV 2017	CV 2018	CV 2019	CV 2020	CV 2021	CV 2022	CV 2023^	Total
Anne Arundel County	2,928,311	2,848,253	593,091	550,000	448,433	493,930	478,733	477,788	407,989	395,133	406,000	366,000	10,393,661
Baltimore City	1,276,791	1,421,668	1,141,000	1,136,000	183,883	171,673	322,965	476,174	564,143	751,910	532,251	288,185	8,266,643
Baltimore County	3,640,420	3,618,293	841,802	729,653	722,172	650,381	624,480	512,060	604,080	511,520	410,943	556,049	13,421,853
Carroll County	917,006	699,522	133,757	122,861	109,180	108,180	124,300	120,260	138,340	110,960	98,512	75,500	2,758,378
Frederick County	703,320	619,221	631,160	585,180	352,892	347,780	739,420	245,760	207,580	178,920	177,800	165,020	4,954,053
Harford County****	314,500	281,260	327,180	244,420	246,740	250,260	252,240	213,680	275,240	230,940	191,620	165,000	2,993,080
Howard County	1,439,580	1,485,129	1,460,672	1,347,352	1,334,231	1,206,483	992,634	1,165,014	1,108,380	847,880	644,100	648,800	13,680,255
Montgomery County	3,519,533	3,861,679	3,095,423	3,204,878	3,035,387	2,847,060	2,271,940	2,440,209	2,462,261	2,471,820	2,224,880	1,920,400	33,355,490
Total	14,739,481	14,835,025	8,224,085	7,920,344	6,432,918	6,075,747	5,806,712	5,650,945	5,768,013	5,499,083	4,686,106	4,184,954	89,823,413

*Total CV 2012 TVs/Computer Monitors under Anne Arundel County, Baltimore County and Carroll County program: 5,029,014 pounds
**Total CV 2013 TVs/Computer Monitors under Anne Arundel County, Baltimore County and Carroll County program: 5,101,565 pounds
***Beginning CV 2014, Anne Arundel County, Baltimore County and Carroll County no longer recycled TVs/Computer Monitors.
****2012-2023: Harford County's recycler sometimes accepted TVs/Computer Monitors for recycling, but did not recycle CRT glass TVs/Computer Monitors
^Beginning FY '24 Baltimore County reintroduced TV/Computer Monitor recycling & Baltimore City's program paused due to contract awaiting execution by its Board of Estimates
Sources: Northeast Maryland Waste Disposal Authority data, Jurisdiction data, and MDE Maryland Recycling Act Report data

SB0686/HB0830 will provide funding for collection sites to hire staff and implement heat spot and fire detection and suppression technology, a critical safety measure as facility fires from lithium-ion batteries continue to increase.

WASTE & RECYCLING FACILITY FIRES US/CANADA ACTUAL & FUTURE TRENDS



Source: Ryan Fogelman, rfogelman@firerover.com

“Then came the lithium-ion battery threat that revealed itself in 2018 in the form of increased fire incidents across the globe... This problem is not going away. In fact, the number of lithium-ion batteries forecasted to enter the waste and recycling streams is only growing along with hotter and dryer environments, which leads to a breeding ground for increased fire incidents... The goal is not just to catch a fire when there are flames, but also to understand that there are situations where hot spots can be cooled before they flame. The goal is to set the tripwire as early in the process as possible. This can be done through top-grade thermal detection in combination with smoke, optical flame detection, and advanced data analytics—all coupled with a highly trained agent who is able to weed through false positives to fight only the incidents that need fighting... 2022 was (and 2023 is forecasted to be) the worst year for reported fire incidents ... we are heading down a path where investments in solutions like the Fire Rover are considered ‘critical’ to successfully responding to the fire hazards that continue to hit our waste and recycling streams. We need a funding mechanism like the government or the battery manufacturers to help pay for the costs they have created... Investing in proper equipment for the fire department to use onsite can be a huge timesaver and lifesaver. Even going as far as having attached and rollout hoses so the firefighters can immediately start applying suppressant to the affected area can make a huge difference”

Source: [Keys to Building a Successful MRF: Before, During, After - Waste Advantage Magazine](#))

Additional Details of HB0830 & SB0686

- 1) Establishes a shared responsibility model among local government, MDE, manufacturers, consumers and retailers to fully fund electronics recycling statewide. The bill will insulate programs from unpredictable commodity markets, recession and inflation, to fully fund both collection sites and recycling operations, while manufacturers will fund MDE's administration.
- 2) Establishes a California modeled consumer fee (advanced recovery fee or eco fee) at the point of purchase of a new covered electronic device (CED) in Maryland, to fund Authorized Collectors and Authorized Recyclers. MDE shall have authority to amend/expand these definitions and fees as needed:
 - a. Tier 1 CEDs have a fee, to be determined by MDE for a computer monitor, television or video display device.
 - b. Tier 2 CEDs have a fee, to be determined by MDE, for a laptop computer, personal digital assistant, notebook, reader, tablet device, cell phone, central processing unit of a computer, printer, scanner, copier, and any other computer or electronic device or accessory that has a plug or battery that is designated as a Tier II CED by MDE.
- 3) Authorized Collectors (such as local government or retailers) are eligible to be reimbursed for the costs of end-of-life CED on-site collection, storage, equipment, heat and fire detection and suppression systems and equipment, transportation, staffing, and education.
- 4) Authorized Recyclers are eligible to be reimbursed for CED collection, transportation, recycling, refurbishment and reuse.
- 5) Authorized Collectors and Authorized Recyclers are required to accept CEDs with no charge to the public (residents and businesses). Manufacturers are not eligible to participate in the program nor act as Authorized Collectors and receive reimbursement. Manufacturers are encouraged to continue managing their own recycling programs, independent of the SERP.
- 6) Terminates the scarcely used manufacturer takeback programs as option under the SERP (which currently allow for reduced annual fees)
- 7) Reallocates existing annual manufacturer fees to solely fund MDE's administration of the statewide program including certifying and distributing funds to participating Authorized Collectors and Authorized Recyclers, as well as auditing, enforcement and education. MDE shall have the ability to alter the manufacturer fees as needed, in order to adequately fund the administration of the program.
- 8) MDE shall have the ability to hire a third-party entity to administer the program, as some nonprofits already administer electronics programs on behalf of state departments and are experts in doing so.
- 9) It will provide stronger environmental protections by authorizing MDE to establish:
 - a. Baseline of participating Authorized Recycler requirements and certifications, as needed.
 - b. Baseline of participating Authorized Collector requirements and certifications, as needed.
- 10) Authorizes MDE to establish reasonable caps on reimbursement rates for participating Authorized Recyclers and Authorized Collectors
- 11) Establishes an Advisory Council made up of a variety of stakeholders to continuously evaluate and recommend program updates to MDE, as needed. MDE maintains ultimate authority over the SERP.

Summary

HB0830 & SB0686 Covered Electronic Devices Recycling Program shall:

- (1) cover the costs of existing programs that local government is currently paying to recyclers to accept electronics
 - (2) allow jurisdictions to retract existing electronics recycling tipping fees placed on their residents; and
 - (3) allow jurisdictions to expand financially restricted programs by providing the funds to cover recycling of previously excluded electronics that were ending up disposed.
 - (4) Expand green collar jobs due to new demand for staffing at collection sites and recycling facilities.
- These updates will fully support and fund electronics recycling operations, infrastructure and administration statewide, incentivizing a system of convenience and accessibility for all Maryland residents and businesses to be able to participate equally, especially underserved rural and urban areas.

SWANA Testimony SB0686 Favorable.pdf

Uploaded by: Kristyn Oldendorf

Position: FAV



Kristyn Oldendorf, Director of Public Policy
Solid Waste Association of North America (SWANA)
8484 Georgia Ave, Suite 230, Silver Spring, MD 20910

February 20, 2024

To: Maryland Senate Education, Energy, and the Environment Committee
Re: SB0686 Covered Electronic Devices Recycling Program – Establishment

The Solid Waste Association of North America (SWANA) appreciates the opportunity to support SB0686. SWANA is an organization of 10,000 public and private sector professionals committed to advancing from solid waste management to resource management through a shared emphasis on education, advocacy, and research. Our members include the individuals collecting and transferring materials, running recycling facilities, managing landfills, providing residential recycling services and outreach, and overseeing solid waste departments, among many other job functions throughout the industry. For more than 50 years, SWANA has been the leading association in the solid waste management field.

Electronic waste is one of the fastest growing waste streams in the world and is costly to properly manage. As Maryland proceeds with its Statewide Recycling Needs Assessment, it is important that difficult to recycle materials, such as electronic waste, also have strong recycling program in place, making this bill very timely. Electronic waste needs to be collected, stored, and transported separately from mixed trash and recycling for safety and environmental protection.

SB0686, if adopted, would result in many benefits. While safety may not be the most obvious benefit of the bill, it is among the most important. Lithium-ion batteries within larger consumer electronic products are posing significant fire hazards at collection sites, within collections vehicles, at transfer stations, and at recycling and metal processing facilities. Fires caused by lithium-ion batteries have been increasingly common as consumers mistakenly discard a variety of electronics in household trash or recycling.

SWANA's first strategic goal is to make the industry safer, and our strategic plan specifically includes the need to address lithium-ion batteries, as they are a growing safety risk for workers in the industry. SB0686 will help mitigate this risk by allowing consumers to have options for proper recycling.

In addition, the legislation will provide funding for electronics collection sites to implement heat spot and fire detection and suppression technology. This technology has proven highly effective in preventing fires from spreading out of control, which is highly important for the safety of residents using the sites and the employees.

SWANA worked with the Institute of Scrap Recycling Industries (ISRI) and the National Waste and Recycling Association (NWRA) in 2022 to issue [a joint letter](#) to EPA Administrator Regan on the best practices for safe recycling and labeling of lithium batteries. The letter was in response to the EPA’s [Request for Information](#) on the Development of Best Practices for Collection of Batteries to be Recycled and Voluntary Battery Labeling Guidelines. SWANA continues to work on operational and advocacy solutions for avoiding fires caused by lithium-ion batteries, including [a guide](#) for lithium battery management at material recovery facilities. As shown in the chart below, fires in waste and recycling facilities have increased considerably in the span of five years.



Municipalities often bear the cost of collecting and disposing of this material. Many of SWANA’s public sector members often speak of the challenges of the increasing cost obligations to manage their waste and recycling operations. A county or city may not be able to provide convenient and accessible electronic waste recycling options to residents within their limited budgets. Only 8 out of 23 counties in Maryland (including the City of Baltimore) currently provide free, year-round acceptance of all types of municipal electronics for recycling to their residents. The proposed Covered Electronic Devices Recycling Program would provide new funding sources for collection sites and recycling operations, providing financial relief for the public sector. This will allow more counties to establish electronics recycling programs and will allow counties that currently provide programs to utilize that funding for other critical needs for residents.

Electronic waste recycling has great potential if performed properly. Electronics contain valuable materials that should be recycled rather than lost to a landfill. The United States Geological Survey classifies critical materials as commodities as materials “considered critical to the economic and national security of the United States” (<https://www.usgs.gov/news/national-news-release/interior-releases-2018s-final-list-35-minerals-deemed-critical-us>). These materials are not easily substituted and have a supply risk, making it critical to recover these materials through



recycling so that they can continue to be reused. The list of critical materials includes cobalt, lithium, graphite, and several other minerals that are common in batteries, electronics, and LCD screens.

In addition, many electronics contain mercury, lead, and flame-retardant chemicals which have the potential to negatively affect human health and the environment if not properly managed. If these materials end up in a landfill or incinerator, those facilities will have the additional cost burden of treating their leachate and emissions to appropriately manage these materials. These facilities are heavily regulated by the EPA and the State of Maryland, and they work hard to abide by the regulations and permit requirements. Diverting electronic waste from these facilities will be beneficial for all stakeholders. Under the proposed legislation, a list of Authorized Recyclers eligible for reimbursement would be available, enabling greater accountability and transparency into the end of life of these materials.

SWANA commends the Senate Education, Energy, and the Environment Committee for considering SB0686 and supports passage of this bill. If you have any questions about these comments, or about SWANA, please contact Kristyn Oldendorf, SWANA's Director of Public Policy, at koldendorf@swana.org or 240-494-2237.

Thank you for the opportunity to support this bill and for your consideration.

Sincerely,

Kristyn Oldendorf
Director of Public Policy
Solid Waste Association of North America (SWANA)

SB0686-EEE-FAV.pdf

Uploaded by: Nina Themelis

Position: FAV



BRANDON M. SCOTT
MAYOR

*Office of Government Relations
88 State Circle
Annapolis, Maryland 21401*

SB0686

February 20, 2024

TO: Members of the Senate Education, Energy, and the Environment Committee
FROM: Nina Themelis, Director of Mayor's Office of Government Relations
RE: Senate Bill 686 – Environment – Covered Electronic Devices Recycling Program – Establishment

POSITION: SUPPORT

Chair Feldman, Vice Chair Kagan, and Members of the Committee, please be advised that the Baltimore City Administration (BCA) **supports** Senate Bill (SB) 686.

SB 686 would establish the Covered Electronic Device Recycling Program in the Department of the Environment. We understand the importance and necessity of a recycling program to handle the large electronics supply. In 2022 alone, Baltimore City had over 525,000 pounds of electronics recycled.

Despite the state offering grants for jurisdictions to properly recycle electronics, it is currently insufficient and not a viable long-term solution. In 2016, the state issued \$250,000 in grants for electronic waste, with up to \$15,000 available for an individual jurisdiction. However, in 2017 the cost for electronics recycling was nearly \$800,000 for just four of the state's counties. A \$15,000 grant would not cover even one month of service for certain jurisdictions.

This legislation would ease the financial burden of localities by implementing modest fees on newly purchased electronics. The legislation would establish two fees for covered electronic devices. Tier 1 covered electronic devices would have a \$10.00 fee for a computer monitor, television, or video display device. Tier 2 covered electronic devices would have a \$5.00 fee for a laptop computer, personal digital assistant, notebook, reader, tablet device, cell phone, a central processing unit of a computer, printer, scanner, copier, and any other computer or electronic device or accessory that has a plug or battery that MDE designates. The fees collected from the newly purchased electronics would fully fund recycling centers and operations throughout the state.

This program would allow localities to divert more resources to other much-needed programs in their respective jurisdictions. In just under a decade, six jurisdictions with electronics recycling programs in place have spent over \$8,000,000 for the recycling of those electronics.

With more and more electronics entering the market it is paramount that there is a coherent, sustainable financial plan to handle the waste that comes from them. SB 686 provides that framework and sustainability.

For these reasons, the BCA respectfully requests a **favorable** report on SB 686.

*Annapolis – phone: 410.269.0207 • fax: 410.269.6785
Baltimore – phone: 410.396.3497 • fax: 410.396.5136
<https://mogr.baltimorecity.gov/>*

eRevival-Favorable-SB686 Covered Electronic Device

Uploaded by: Soni Sunkara

Position: FAV



eRevival LLC

2/19/2024

February 19, 2024

To: Maryland Senate Education, Energy, and the Environment Committee

Re: SB686 Covered Electronic Devices Recycling Program – Establishment

I am Soni Sunkara, a Director with eRevival an electronics recycling company having locations in Maryland and New Jersey. My association with this industry has been for nearly seventeen years experiencing various ups and downs. It has been well documented that the end of life electronics have hazardous materials and are not environmentally safe to landfill them. But the part that has been generally overlooked is that there are costs associated with the recycling of these end of life electronics. Over the years we have seen that in the absence of financial support, a lot of these electronics have been going to the landfill. Even littered on the side of the streets. This is also directly evident from the amount of electronics recycled annually. In order to have a sustainable program, financial support is needed. I support the bill for the reasons elaborated above.

Please do not hesitate to contact me if you have any questions or need any further information. I can be reached by email at contact@erevival.com or by phone 800-696-8042. Thank you for your consideration and look forward to a positive outcome.

Sincerely,

Soni Sunkara

Soni Sunkara
Director
eRevival

LS Enterprises re SB686 - Covered Electronic Devic

Uploaded by: Yosef Green

Position: FAV

February 16, 2024

To: Maryland Senate Education, Energy, and the Environment Committee
Re: SB686 Covered Electronic Devices Recycling Program – Establishment

My name is Yosef Green and I am an owner of LS Enterprise Group, a local small business electronics recycling company based in Owings Mills, Maryland. We are an R2v3 certified company that has been in the industry for almost a decade. We regularly recycle tens of thousands of units a month and are a business that prides itself on diverting hundreds of thousands of units of otherwise scrapped electronics from landfills. Our networks of vendors, customers, colleagues, and contractors are global and have given us a robust insight into the state of electronics recycling and data security practices worldwide. I am a member of the Reverse Logistics Association, Maryland Recycling Network, and have been affiliated with ITAD, E-Scrap, and been featured in a number of recycling publications.

I am writing in support of SB686 Covered Electronic Devices Recycling Program – Establishment as it provides MDE the authority to establish effective certification requirements for authorized recyclers.

In my opinion the State of Maryland's policies when it comes to protecting consumers, the environment, and even manufacturers leave a lot of room for abuse and exploitation by less than scrupulous peddlers of "recycling services". Although it is true that government agencies require their recycling vendors to be certified in some fashion, there are 2 remaining issues to be addressed.

- 1) Frequently the scope of the certification is not paid attention to. For example
 - a) a certified company wins a contract to recycle medical equipment, but their scope only allows them to handle computers.
 - b) A certified company scoped to handle focus materials wins a contract to recycle computers, but data security/sanitization is not in their scope at all.
- 2) There are no laws in place requiring certified recyclers to be used by consumers, manufacturers, private corporations, or any other level of life cycle of the device.

I can personally attest to a number of times that I was asked to be involved in resolving complications that arose from under-certified "recyclers" or ones with no certifications at all mishandling sensitive end-of-life electronics. They were chosen/won a bid due to their ability to undercut actual recyclers who needed to figure legitimate expenses into their operating costs. These expenses allowed the certified recyclers to do things like: guarantee focus materials are recycled/reused properly, ensure the security of private data, and guard the physical safety of their employees.

In one such instance CRT monitors were being buried in the ground or abandoned in shipping containers. In another case, data-sensitive products made their way out of the country into the hands of criminals who attempted blackmail and identity theft on the original owners. In a third instance, hospital systems faced potential lawsuits and serious liability when they asked their downstream recycling vendor for proof of destruction of patient files and the under-certified recycling vendor was unable to provide it.

The bottom line is that there needs to be government regulations in place requiring *all* electronics recycling to be done by vetted, certified recycling companies. Globally recognized independently verified certifications **must** be the norm required for a vendor to be allowed to engage in electronics recycling of any kind. Full transparency regarding scope of certification must be regular practice and vetted by all prospective customers. There must be penalties for infractions to motivate unscrupulous vendors to follow the regulations.

A short list of such certifications is R2v3, Rios, and E-Stewards. Supplementary certifications like relevant ISOs must be taken into account as well.

LS Enterprise Group stands ready to work with the State of Maryland in improving the topography of electronics recycling in 2024. Thank you for your time.

Sincerely,



Yosef Green

LS Enterprise Group

CPSR E-cycling 2.20.2024.pdf

Uploaded by: Dan Morhaim

Position: FWA



Support for SB686 & HB830 Covered Electronic Devices Recycling Program

Senate Education, Energy and Environment Hearing February 20
House Environment and Transportation Hearing February 21

Position: Favorable with amendment suggested below

CPSR has over 900 members statewide in Maryland who work for policy and action in major economic sectors including energy, transportation, and building, as well as pollution, social determinants of health, and the pursuit of health equity and environmental, social, and racial justice.

Electronics dominate all aspects of our lives. While the technology is amazing, the core constituent materials in these devices must be managed safely. These include plastics, metals, and chemicals, many of which (e.g. lead, benzene, cadmium) are toxic to humans and other living creatures, and others (e.g. valuable rare earth minerals) which could be reused. As new electronic devices are made and purchased, obsolete ones pile up.

The Maryland General Assembly enacted innovative legislation (HB109/2004, HB575/2005, HB488/2007, HB448/2012, HB879/2012) which started and supported state and local electronic recycling programs and kept millions of tons of these constituent materials out of the waste stream. Nonetheless, too many components have been discarded; too many toxins have leaked into our air, water, and soil; too many obsolete electronics haven't been dumped into landfills, incinerators, and roadsides or are stored in basements, closets, and warehouses until someone figures out what to do with them.

Now this program must be updated to stay current and ahead of demand and needs. That is why CPSR urges you to support HB830/SB686.

This legislation enables the Maryland Department of the Environment to manage and operate the program through the State Recycling Trust Fund. It also creates a funding mechanism to accomplish these goals.

In the big picture, accountability should shift to the electronic manufacturers themselves. It should not fall to citizens/taxpayers, states, counties, and countries to sort this out with the environment and public health paying the ultimate costs. These products should have been designed with dismantling plans built-in at their outset down to the molecular level. This legislation encourages that, but CPSR requests an amendment that more steps are taken to require manufacturers to take life-cycle responsibility for what they make and sell because these companies make 100% of the profits while paying 0% of the costs of safe disposal. In the final analysis, regulation is a sign of design failure.

Chesapeake Physicians for Social Responsibility urges you to vote favorably on both bills. Thank you for your consideration.

CPSR

<https://www.chesapeakepsr.org>

Post Office Box 10445

Baltimore, MD 21209-0445

CHESAPEAKE PHYSICIANS FOR SOCIAL RESPONSIBILITY is a 501c3 non-profit organization.

CPSR E-cycling 2.20.2024.pdf

Uploaded by: Dan Morhaim

Position: FWA



Support for SB686 & HB830 Covered Electronic Devices Recycling Program

Senate Education, Energy and Environment Hearing February 20
House Environment and Transportation Hearing February 21

Position: Favorable with amendment suggested below

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Electronics dominate all aspects of our lives. While the technology is amazing, the core constituent materials in these devices must be managed safely. These include plastics, metals, and chemicals, many of which (e.g. lead, benzene, cadmium) are toxic to humans and other living creatures, and others (e.g. valuable rare earth minerals) which could be reused. As new electronic devices are made and purchased, obsolete ones pile up.

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Chesapeake Physicians for Social Responsibility urges you to vote favorably on both bills. Thank you for your consideration.

CPSR

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Post Office Box 10445

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CHESAPEAKE PHYSICIANS FOR SOCIAL RESPONSIBILITY is a 501c3 non-profit organization.

SB0686-EEE_MACo_SWA.pdf

Uploaded by: Dominic Butchko

Position: FWA



Senate Bill 686

Environment - Covered Electronic Devices Recycling Program - Establishment

MACo Position: **SUPPORT**
WITH AMENDMENTS

To: Education, Energy, & Environment
Committee

Date: February 20, 2024

From: Dominic J. Butchko

The Maryland Association of Counties (MACo) **SUPPORTS SB 686 WITH AMENDMENTS**. This bill establishes a framework whereby the State will assess a fee on the purchase of certain electronics in order to more adequately fund primarily county-operated infrastructure for electronics recycling.

As policy makers continue the push toward electrification, Maryland residents will be purchasing an increasing number of electronics. Already, most household devices are powered by electricity and when they reach the end of their lifespan they are recycled via county-operated infrastructure. SB 686 seeks to strengthen this infrastructure by establishing a fee on the purchase of electronics and using those funds to provide more sufficient resources to collection and recycling operations. Importantly, counties that function as both collectors and recyclers will be eligible to receive reimbursement for both services, extending the capacity of local programs and providing more flexibility to local tax dollars. Should a county already be satisfied with its existing electronics collection and recycling programming, the legislation enables a county to retain that offering and not participate in the newly established scheme.

Counties thank both the advocates and the sponsors for proposing a plan to strengthen electronics recycling and retain local autonomy. Counties offer the following clarifying amendment to underline the intended local flexibility:

On page 9, in lines 3-12, do not strike but retain items (C)(1) & (2). Retaining this provision clarifies that counties can continue their own electronics recycling programs and will allow Counties to use the recorded recycled weights in their Maryland Recycling Act required annual reporting.

SB 686 marks an important step in fortifying Maryland's recycling infrastructure, while ensuring local leaders can operate programs that work best for their communities. For this reason, MACo urges the Committee to give SB 686 a **FAVORABLE WITH AMENDMENTS** report.

Maryland SB 686 - Covered Electronic Devices Progr

Uploaded by: Doug Kobold

Position: FWA

February 19, 2024

Senator Brian J. Feldman
Chair of the Education, Energy, and the Environment Committee
2 West
Miller Senate Office Building
Annapolis, Maryland 21401

Subject: Senate Bill 686 (Augustine) - Environment - Covered Electronic Devices Recycling Program – Establishment
Favorable with Amendment

Dear Chair Feldman,

On behalf of the California Product Stewardship Council (CPSC), I am writing to you to express a "Favorable with Amendment" position on Senate Bill 686 by Senator Augustine. CPSC is considered the expert on Product Stewardship programs in California. SB 686 proposes to create a Product Stewardship program for certain electronic waste products. While CPSC was not in existence when California's first electronic waste product stewardship program was established under Senate Bill 20 (Sher, 2003), we have been involved in the evolution of the existing program and did recently expand the program to go beyond just digital display devices to also include battery-embedded products under Senate Bill 1215 (Newman, 2022). These devices will also be charged a visible fee at the point of sale to ensure that they are properly recycled at the end of life.

In an interest to ensure programs that are established throughout the country help build on existing electronic waste collection and recycling programs, like the one in California, CPSC tracks the program of pending legislation in other states. Both SB 686, and its nearly identical bill in the House, HB 830 by Delegate Stein, seek to establish a visible fee funded recycling program similar to the California program. I have provided some background information on the California program below, an analysis of some important components of SB 686 and HB 830, and some recommendations for the authors and committees to consider as these bills continue the legislative process.

California Program Background

California's Covered Electronic Waste (CEW) program is regarded as one of the most successful programs in the country due to its high recovery rate of old electronics, specifically digital display devices (CRTs and non-CRTs) with screens over 4 inches measured diagonally. The success can be attributed to the funding for collection and processing that is made through the collection of a visible consumer fee collected at the point of sale.

In approximately the year 2000, California instituted a ban on the disposal of Cathode Ray Tubes (CRTs) in all but Class I landfills. The cost to manage these CRTs was over 10 times higher per ton than that average Class III landfill tipping fee at the time and was borne by local governments. California's Covered Electronic Devices (CED) program was established in 2003 under Senate Bill 20 (Sher, 2003), known as the Electronic Waste Recycling Act of 2003, and managed by the Department of Toxic Substances Control (DTSC). SB 20 required digital display devices to be collected and recycled, while also providing a funding mechanism, therefore the burden of cost for collection and recycling was removed from local governments and placed in the hands of the California Integrated Waste Management Board (now the Department of Resources Recycling and

Recovery (CalRecycle)) to manage the newly funded program. Collection of the visible fee began on July 1, 2004.

In 2005, the program collected and recycled over 64 million pounds of material at a cost of \$31 million (or about \$0.48/pound). By 2008, those figures reached a peak of 220 million pounds and \$96 million (about \$0.44/pound). These values fluctuated up and down over the years since but have shown a decline in weight by 2022 of 64 million pounds at a cost of \$58 million (about \$0.91/pound). The reason for the increase in \$/pound can be attributed to the significant decline in CRTs being collected and processed, while flat panel screens have continued to increase. Costs to collect and recycle either CRTs or flat panels are about the same per unit, but CRTs are much higher in weight, therefore causing the change in \$/pound over the years. For example, in 2015, CRTs represented about 84% of the total number of units collected and recycled, while flat panels (non-CRTs) made up the remaining 16%. In 2022 those numbers have flipped with CRTs representing only 16% and flat panels, 84%. Through the third quarter of 2023, those figures are 11% and 89%, respectively. The latest report from CalRecycle for the third quarter of 2023 about the program is attached to these comments.

As noted above, CPSC, along with our co-sponsors, South Bayside Waste Management Authority (ReThinkWaste) and Californians Against Waste (CAW), sponsored Senate Bill (SB) 1215 in 2022 that expanded the current CEW program for the first time since 2003. The intent of SB 1215 was to address the ever-increasing threat to solid waste facilities caused by batteries embedded in products that end up at material recovery facilities (MRFs) and can cause catastrophic fires in those facilities, especially products containing Lithium-Ion batteries. The state agency in charge of the CEW program in California, CalRecycle, is in the process of revising existing regulations to incorporate these battery-embedded products into the CEW program.

Analysis of SB 686 & HB 830

In reviewing the current versions of SB 686 and HB 830, the proposed language appears to follow many of the same provisions of the California CEW program. CPSC notes that laptops, notebooks, tablets, and readers are not part of the Tier I covered electronic devices. These devices require similar dismantling/deconstruction efforts as those of flat panel units (computer monitors & televisions) and therefore will likely incur similar processing costs to those in the Tier I category.

There appears to be a delay of one full year between when visible fees will be collected at the point-of-sale and when disbursement of funds to authorized recyclers. SB 20 in California did not have such a delay between collection of the fee and disbursement of recycling cost reimbursements.

Under Sections 2 and 3 of SB 686 and HB 830, on or before December 1, 2024, manufacturers of covered electronic devices will be notified of the termination of the existing takeback program and the effectiveness of the Covered Electronic Device Recycling Program, with the Act going into effect on October 1, 2024. However, fees collected at the point-of-sale and recycling cost reimbursements won't begin until January 1, 2028, and January 1, 2029, respectively. What will happen during the years of 2025, 2026, 2027, and 2028 regarding the actual recycling of devices?

Recommendations

We believe that SB 686 and HB 830 are going in the right direction to establish funding to encourage more electronics to be recycled at the end of life. We recommend the following considerations:

- Consider adding laptops, notebooks, tablets, and readers to the Tier I group for the reasons cited above.
- Consider reducing the delay between when visible fees will start being collected and when disbursements to collectors and recyclers will begin.

- Consider either pushing back the timeline for the existing takeback program so that it will terminate much closer in date to when the new program begins or push up the effective date of visible fee collection and recycling cost reimbursements to close the gap noted above.

For the reasons stated above, CPSC is providing a Favorable with Amendment position on SB 686.

Please feel free to reach out to me with any questions you may have at either Doug@calpsc.org or my cell phone at 916-413-5262.

Respectfully,



Doug Kobold
Executive Director

CPSC Vision

Producers have the primary responsibility to establish, fund, and manage end of life systems for their products with state government setting the performance goals and ensuring accountability and transparency.

CPSC Mission Statement

To shift California's material economy from a linear model that subsidizes resource extraction, including ratepayer financed collection and disposal, towards a circular economy that relies upon producer-financed and managed recovery programs overseen by state agencies with all participants compensated for their contributions, while improving the health and well-being of all Californians.

Quarterly Update on California's Covered Electronic Waste Recycling Program Implementation of the Electronic Waste Recycling Act of 2003 (SB 20, Sher)

Third Quarter 2023

Overview

The Electronic Waste Recycling Act of 2003 (Act), as amended and codified in the Public Resources Code (PRC) 42460, et seq., established a funding mechanism to improve and provide for the proper end-of-life management of certain hazardous electronic products. A fee paid by consumers of covered electronic devices (CED) at the time of retail purchase funds the program. Retailers remit collected fees to the California Department of Tax and Fee Administration (CDTFA), who deposits the funds in the Electronic Waste Recovery and Recycling Account (EWRRA). Approved recyclers and collectors of covered electronic waste (CEW) subsequently receive payments to offset the average net cost of appropriate recovery, processing, and recycling activities.

Intent of the Act

- Provide financial relief to responsible parties for managing CEW.
- Foster cost-free recycling opportunities for consumers throughout the state.
- Reduce illegal dumping; increase compliant management and disposition.
- Eliminate the stockpile of waste computer monitors/TVs.
- Decrease amount of hazardous materials in covered devices.

Major Components of the Act

- Assesses an electronic waste recycling fee on retail sales of CEDs.
- Tasks the Department of Resources Recycling and Recovery (CalRecycle) with administering a payment system for collectors/recyclers to cover the average costs of recovering/recycling CEW.
- Authorizes the Department of Toxic Substances Control (DTSC) to develop regulations for the proper management (collection, storage, and recycling) of discarded electronic devices.
- Requires DTSC to adopt regulations, consistent with the European Union's Restriction of Hazardous Substances (RoHS) directive, limiting the concentration of hazardous metals in covered electronic devices offered for sale in California.
- Establishes certain manufacturer responsibilities: consumer information, brand labeling, annual reporting, product design for recycling, and reduction of hazardous materials.

Covered Electronic Devices

CEDs are video display devices determined by the Department of Toxic Substances Control (DTSC) to exhibit hazardous characteristics when disposed. Covered devices must have screens greater than four inches on the diagonal. Unless excluded by PRC 42463(e)(2), current CEDs include:

- Cathode Ray Tube (CRT) devices
- Televisions and computer monitors containing CRTs
- Televisions and computer monitors containing liquid crystal display (LCD) screens or organic light emitting diode (OLED*) screens.
- Laptop computers with LCD or OLED* screens.
- Plasma televisions
- Personal portable DVD players with LCD screens
- Tablet computers with LCD or OLED* screens
- Smart devices* with LCD screens

*OLEDs and smart devices became eligible for the CEW Recycling Program on July 1st, 2022.

Revenue and Payment Status

CalRecycle has the statutory obligation to adjust the CEW recycling fee to maintain fund solvency.

CalRecycle acted in June 2023 to maintain the CEW recycling fee levels at the current rates of \$4, \$5, and \$6 per device (depending on the screen size).

Annual Total Revenue from CEW Recycling Fees (from FY 23/24 California Budget)

FY 2021/22 ~ \$82M / FY 2022/23 ~ \$83M / FY 2023/24 ~ \$59M

- Consumers pay a recycling fee to retailers at time of new device purchase based on the screen size.
- Effective January 1, 2020, the fee is \$4, \$5, and \$6, depending on screen size.
- Retailers remit collected fees to the CDTFA and retain 3% for administrative costs.
- Manufacturers are required to notify retailers regarding which products are subject to the fee.

CEW Recycling Program Participants (as of September 2023)

Approved Collectors: ~276*

Approved Recyclers: ~20

* Includes Approved Collectors that are also Approved Recyclers

- Growth in California's electronic waste collection and recycling infrastructure has been fostered by the Act and the CEW Recycling Program.
- Voluntary participation includes a diverse group: non-profit organizations, solid waste management companies, local governments, and traditional e-waste collection and recycling businesses.
- DTSC inspections of recycling facilities and compliance with environmental standards are required for participant approval and eligibility to receive payments.
- The infrastructure to recover CEW also recovers substantial quantities of miscellaneous electronic waste, the handling of which is not funded by the CEW Recycling Program.

CalRecycle pays approved recyclers the combined recovery and recycling payment; approved recyclers are required to pay collectors the recovery payment. Based on industry cost data reported by approved collectors and recyclers, analyses of these data, and industry trends, CalRecycle acted in May 2023 to increase all the payment rates. Effective July 1, 2023, the recovery rate for all CEW due to collectors is \$0.35 per pound. The combined recovery and recycling payment rate for CRT CEW is \$0.98 per pound and for non-CRT CEW is \$1.10 per pound.

Year to Year Comparison (based on claim reporting month):*

2005 total 216 claims submitted: \$ 31 M (~ 64 M pounds)
2006 total 283 claims submitted: \$ 61 M (~ 127 M pounds)
2007 total 350 claims submitted: \$ 88 M (~ 184 M pounds)
2008 total 403 claims submitted: \$ 96 M (~ 220 M pounds)
2009 total 300 claims submitted: \$ 72 M (~ 185 M pounds)
2010 total 251 claims submitted: \$ 75 M (~ 194 M pounds)
2011 total 298 claims submitted: \$ 77 M (~ 198 M pounds)
2012 total 314 claims submitted: \$ 83 M (~ 212 M pounds)
2013 total 274 claims submitted: \$ 79 M (~ 202 M pounds)
2014 total 269 claims submitted: \$ 77 M (~ 183 M pounds)
2015 total 247 claims submitted: \$ 77 M (~ 175 M pounds)
2016 total 208 claims submitted: \$ 72 M (~ 153 M pounds)
2017 total 222 claims submitted: \$ 62 M (~ 128 M pounds)
2018 total 229 claims submitted: \$ 51 M (~ 101 M pounds)
2019 total 240 claims submitted: \$ 47 M (~ 90 M pounds)

2020 total 206 claims submitted: \$ 50 M (~ 74 M pounds)
2021 total 204 claims submitted: \$ 56 M (~ 73 M pounds)
2022 total 215 claims submitted: \$ 58 M (~ 64 M pounds)
2023 total 145 claims submitted: \$ 47 M (~ 46 M pounds)

*Please note that as of January 2018, the tracking of these values was standardized to remove claims that were rejected due to regulatory deficiencies or claimant request.

Year to Year CRT vs Non-CRT Unit Comparison (based on claim reporting month)*

2015 units transferred: 2.6M total, 2.2M CRT (84%), 0.4M Non-CRT (16%)
2016 units transferred: 2.4M total, 1.8M CRT (76%), 0.6M Non-CRT (24%)
2017 units transferred: 2.2M total, 1.4M CRT (63%), 0.8M Non-CRT (37%)
2018 units transferred: 1.9M total, 1.0M CRT (54%), 0.9M Non-CRT (46%)
2019 units transferred: 2.0M total, 0.8M CRT (41%), 1.2M Non-CRT (59%)
2020 units transferred: 1.7M total, 0.6M CRT (33%), 1.2M Non-CRT (67%)
2021 units transferred: 1.9M total, 0.5M CRT (24%), 1.5M Non-CRT (76%)
2022 units transferred: 2.0M total, 0.3M CRT (16%), 1.7M Non-CRT (84%)
2023 units transferred: 1.5M total, 0.2M CRT (11%), 1.3M Non-CRT (89%)

*Unit type (CRT or non-CRT) data only available/complete for 2015 reporting months and after.

Payment Statistics 2005 through September 2023

- Approximately 4,874 claims submitted by recyclers for payment.
- Approximately 18.2M total units, 8.7M CRT (48%), 9.5M non-CRT (52%), have been transferred during the reporting months of January 2015 to September 2023.
- Approximately \$1.3 billion (representing approximately 2.7 billion pounds of recycled CEW) have been claimed through the CEW Recycling Program since January 2005.

CalRecycle has annually denied between 1% and 12% of moneys claimed in the CEW Recycling Program due to non-compliant or "significantly inconsistent" documentation (see 14 CCR 18660.30...). Total payment adjustments from the start of the program through September 2023 is about \$30 million (~ 2.4% of claimed).

Compliance Assurance and Fraud Prevention

- CalRecycle works closely with DTSC to ensure material handling compliance. The departments have a Memorandum of Understanding that delineates cooperation on regulatory and enforcement responsibilities.
- CalRecycle has statutory authority to impose administrative civil liabilities (penalties) against any person for false statements or representations made in documentation transferred or maintained for the purpose of compliance with the Electronic Waste Recycling Act and associated regulations, including those related to the CEW Recycling Program.
- CalRecycle maintains an Interagency Agreement with the Department of Food and Agriculture's Weighmaster program to ensure accurate and legal measurements within the electronics recycling industry.

Current Challenges

- CalRecycle must ensure that payment is made in a timely manner only for eligible and properly documented CEW; specifically, through complete and verifiable payment claims, including applicable source, collection, transfer, processing, and residual disposition documentation.
- The program must accommodate continued use (resale, reuse) as a possible destination for recovered CEW, but only pay for cancelled (dismantled) CEW.

- The program must allow for certain instances of otherwise eligible (California-sourced) CEWs resulting from illegal abandonment and load check activities to enter the payment system while simultaneously not creating a portal for fraudulent activities.
- The use of “handlers” outside the CEW Recycling Program by approved recyclers and collectors exposes participants to increased risk of faulty and/or falsified collection documentation.

Costs of Managing Non-CRT CEW

- Program is seeing an increase in volumes of non-CRT devices being cancelled and claimed for payment, which have different recycling economics. Non-CRT’s:
 - Are more difficult to dismantle and require longer processing times than CRT devices.
 - Have less intrinsic material value than CRTs due to miniaturization (for e.g., the circuit boards contain fewer precious metals).
 - Contain residuals that are fully regulated hazardous waste that entail high disposal costs (e.g., plasma panels) or that require special handling (e.g., fluorescent lamps); and
 - Are lighter than CRTs, while CEW recycling payments are weight-based.
- In the first 6 years of the program, less than 1% (by weight) of CEW claimed were non-CRT devices.
- CRT volume began an annual decline starting in 2012, while non-CRT volume continues to increase.
- Non-CRT units claimed surpassed CRT units in 2019, and claimed volume of non-CRT CEW, measured by weight, surpassed that of CRT CEW in 2021.
- In 2022, non-CRT made up about 64% (40.5M pounds), measured by weight, of total volume of CEW claimed for payment.
- In 2018, CalRecycle promulgated emergency regulations to bifurcate the combined recovery and recycling payment rate made to approved recyclers to establish separate rates for CRT and non-CRT CEW. The emergency regulations were readopted in 2020 and finalized in 2022.

The Future of Electronic Waste Management in California?

- Mixed e-waste (non-CEW) volumes are substantial and in aggregate have nominal value.
- CEW collectors and recyclers are handling more complex and lower value materials.
- Will the current model that has worked well for over a decade be as effective in the future?
- CalRecycle initiated a project in 2016 to examine current conditions and future options for electronic waste management in California and engage stakeholders in exploring how to address future challenges.
- CalRecycle approved policy recommendations in May 2018 regarding [future management of electronic waste in California \(PDF\)](https://www2.calrecycle.ca.gov/PublicNotices/Documents/11291).
<https://www2.calrecycle.ca.gov/PublicNotices/Documents/11291>

Other Program Implementation Activities

Regulations:

- In June 2023, CalRecycle determined to maintain the CEW recycling fee levels at the current rates of \$4, \$5, and \$6 per device (depending on screen size).
- In May 2018, CalRecycle enacted emergency regulations that establish the structure to have bifurcated payment rates for CRT CEW and non-CRT CEW. The emergency regulations were readopted and approved by the Office of Administrative Law (OAL) in March 2020. CalRecycle initiated the formal rulemaking process to finalize these emergency regulations in September 2021. The regulations were approved by OAL and became effective on April 6, 2022.
- In March 2017, CalRecycle enacted emergency regulations that modify requirements for the Designated Approved Collector provision of the CEW Recycling Program. This provision allows Local Governments to designate an approved collector to act on its behalf to provide CEW collection services. The emergency regulations were readopted and approved by OAL in March

2019. CalRecycle initiated the formal rulemaking process to make these regulations permanent in October 2019. The regulations were approved by OAL in July 2020 and became effective on October 1, 2020.

- In October 2018, DTSC finalized the emergency regulations for CRT and CRT glass disposition options that establish pathways for proper disposal, as well as more stringent disposition documentation.
- In August 2015, CalRecycle enacted emergency regulations to address changes in CRT market conditions and CRT management rules promulgated by DTSC; CEW recyclers may pursue all otherwise legal dispositions for residual CRTs/CRT glass derived from claimed CEW. CalRecycle initiated the formal rulemaking process to make these regulations permanent in August 2017. The regulations were approved by OAL in September 2018 and became effective on October 1, 2018.
- In October 2015, CalRecycle enacted emergency regulations to implement administrative authorities to impose civil liabilities (penalties) on persons who make false statements in documents maintained or transmitted for compliance purposes relative to the Act. CalRecycle initiated the formal rulemaking process to make these regulations permanent in August 2017. The regulations were approved by OAL in September 2018 and became effective on October 1, 2018.
- In addition to finalizing the two emergency regulations packages that address the assessing of civil liabilities and the management of residual CRTs/CRT glass, CalRecycle also amended various other aspects of the regulations governing the CEW Recycling Program. The regulations were approved by OAL in September 2018 and became effective on October 1, 2018.

Recent Legislation

- In 2022, [Senate Bill \(SB\) 1215](#) was passed by the Legislature and signed by the Governor. The bill amends the Electronic Waste Recycling Act and adds covered battery-embedded products to the CEW Recycling Program.
- For more legislative information, see the [California Legislative information page](http://www.leginfo.legislature.ca.gov).

Annual Net Cost Reporting

- Program participants must report annually on costs to handle and process CEW. This information is used to inform CalRecycle in fulfilling its obligation to adjust payment rates pursuant to PRC 42477 and 42478.
- Net Cost Reports must be submitted by all approved participants on or before March 1.
- Failure to submit a Net Cost Report is a leading cause of participant approval revocation.

Other States and Federal Government

California is monitoring activity on the national level. Approximately two dozen states passed e-waste legislation, all taking a producer responsibility approach. A large CEW Recycling Program challenge – ensuring payment only for California material – would be minimized or eliminated by a national-level program. However, any national system should provide cost relief to local governments and not contradict the hazardous waste/universal waste management standards adopted by DTSC. The Act specifies conditions under which a national program would preempt the Act (PRC 42485 (a)).

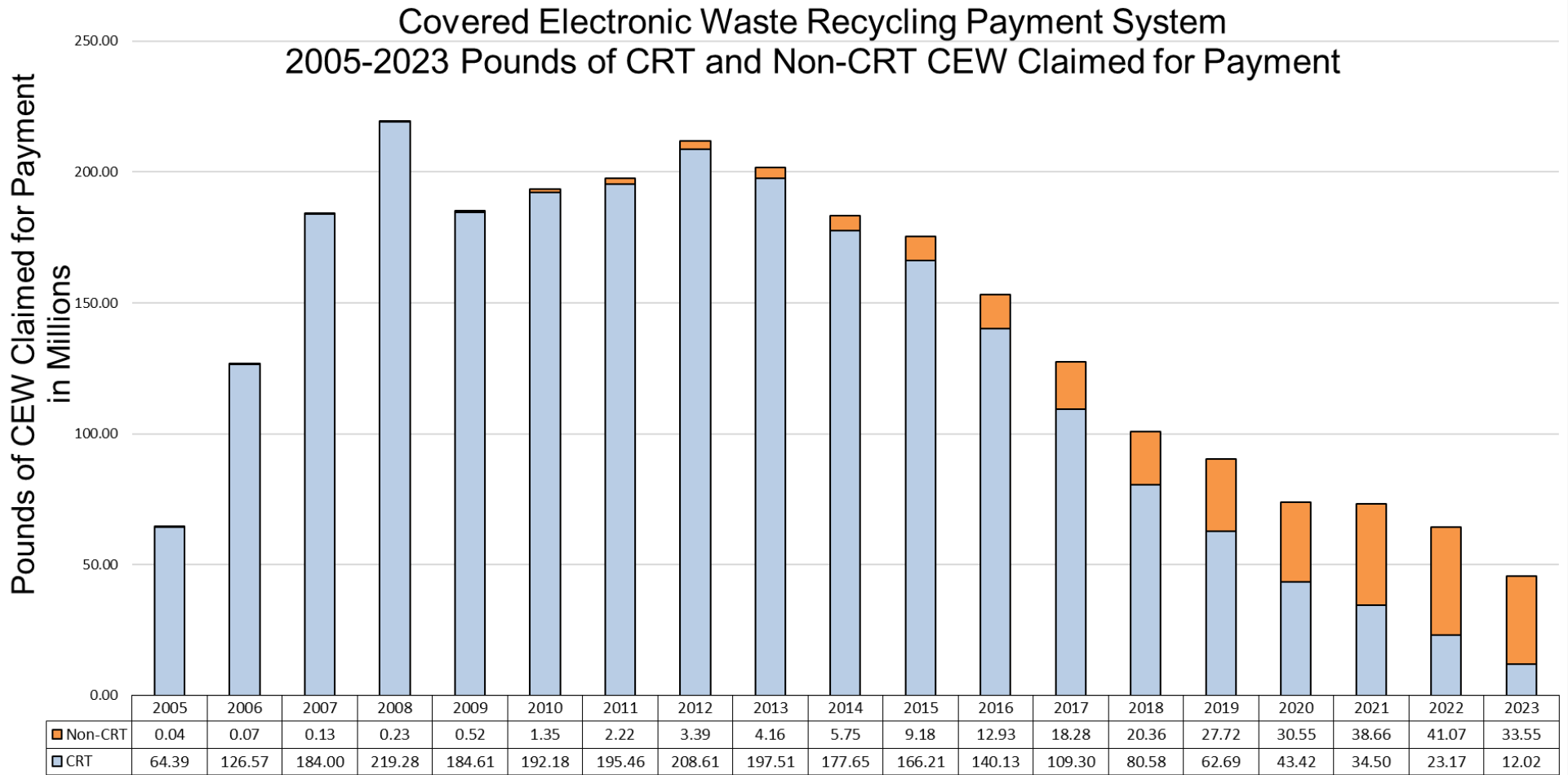
Outreach and Other Resources

- For current program actions and information, view the E-Waste newsletter archives: [Aug 2004-present](https://www2.calrecycle.ca.gov/Listservs/Archive/10)).
- [CalRecycle maintains a public oriented web address](http://www.calrecycle.ca.gov/electronics) to inform the public on environmental matters associated with the management of electronic waste, including a directory of recycling opportunities throughout California.

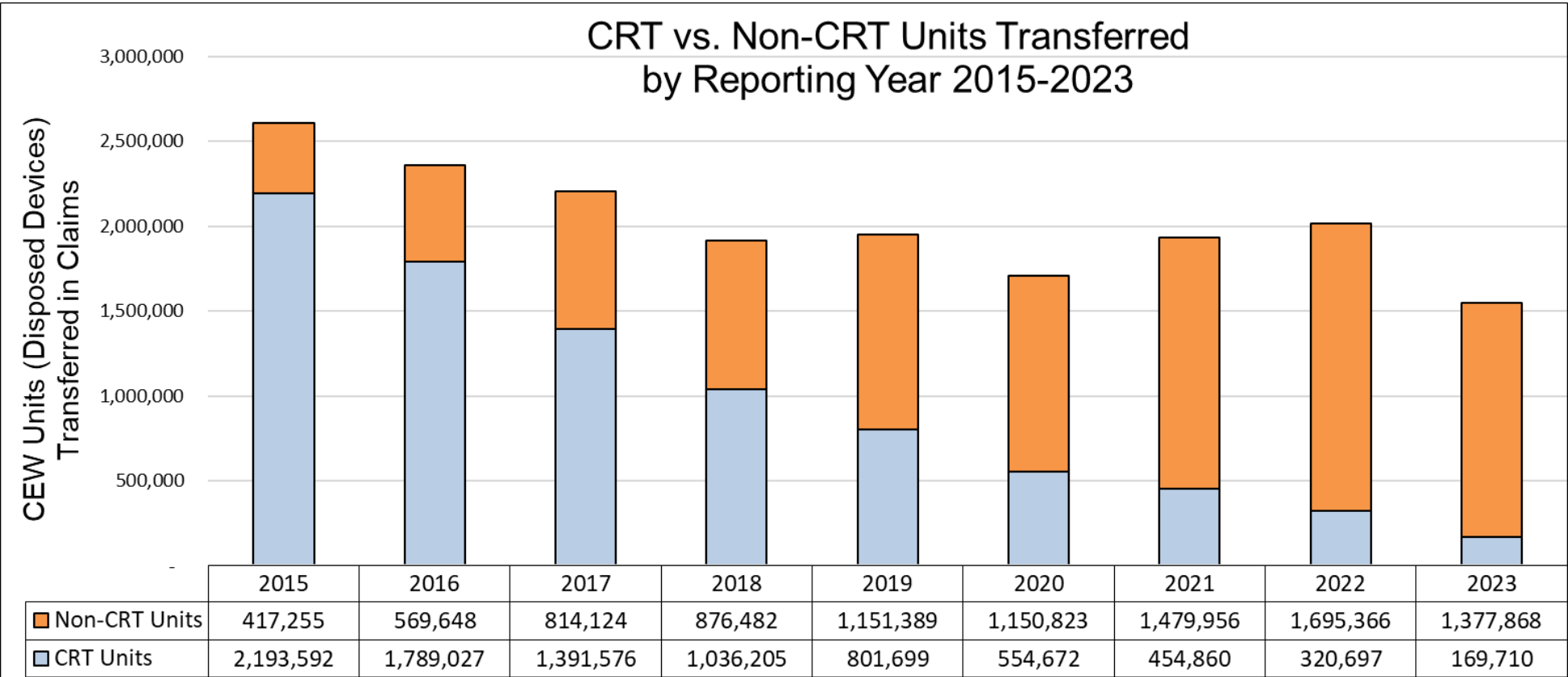
- [The California Department of Tax and Fee Administration website](http://www.cdtfa.ca.gov/taxes-and-fees/electronic_waste_recycling_fee.htm) contains frequently asked questions, registration information and registration forms. www.cdtfa.ca.gov/taxes-and-fees/electronic_waste_recycling_fee.htm
- [The Department of Toxics Substances Control website](https://dtsc.ca.gov/electronic-hazardous-waste/) contains information on covered devices, hazardous waste management standards, and regulatory requirements. <https://dtsc.ca.gov/electronic-hazardous-waste/>

*Comments on Covered Electronic Waste Recycling Payment System Chart (Next Page): The depiction of claim volumes in the chart reflects the evolution of the program since its inception in January 2005 through December 2022. Factors affecting the fluctuating volumes in the program include infrastructure development, the digital television broadcast transition in 2009, CRT glass market disruptions, and legacy stockpile depletion. Questions concerning this document may be directed to ewaste@calrecycle.ca.gov.

2005-2023 Pounds of CRT and Non-CRT CEW Claimed for Payment

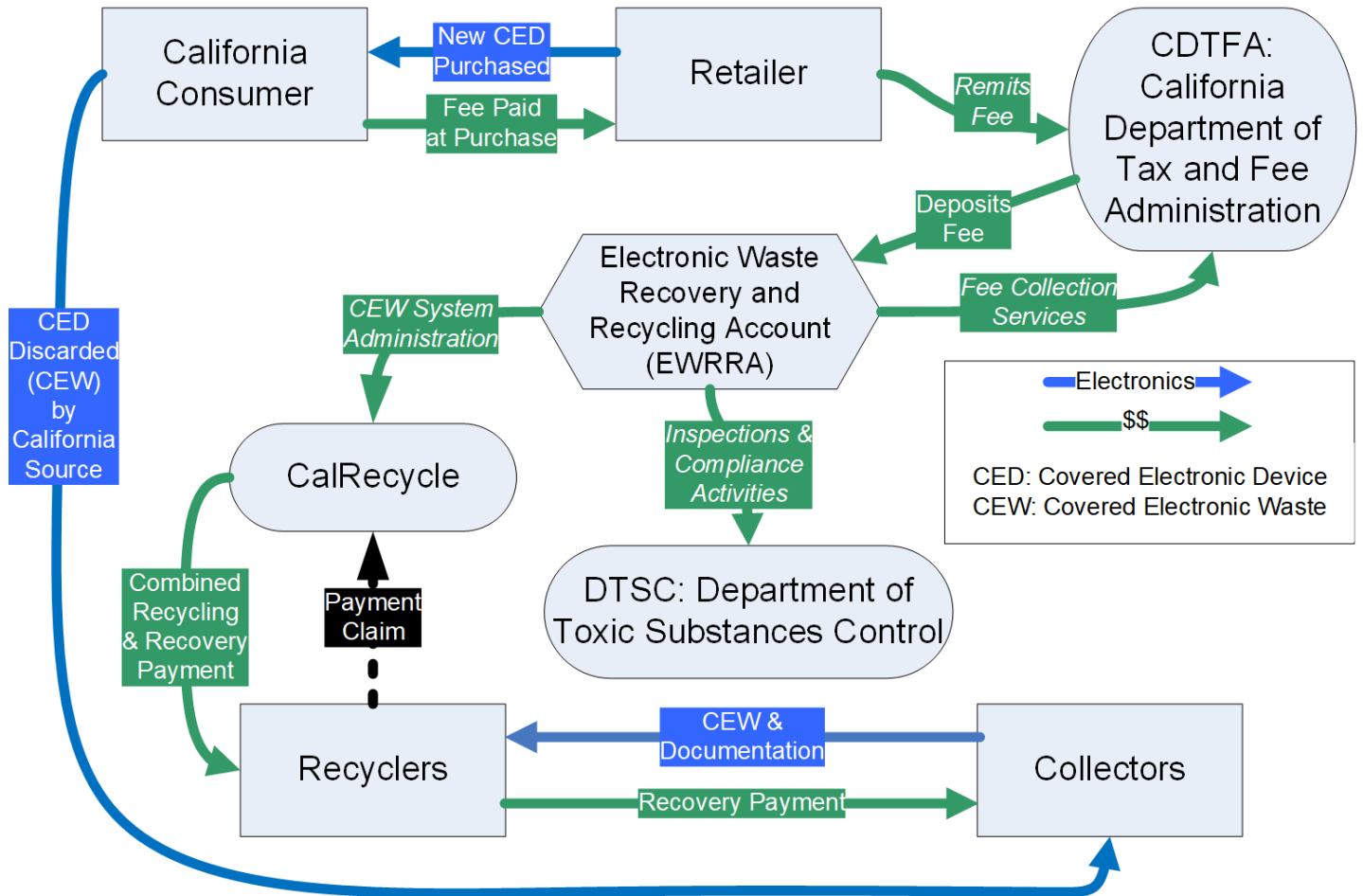


2015-2023 Units of CRT and Non-CRT CEW Transferred



Covered Electronic Waste Flowchart

Flowchart of Material and Funds within the State of California's Covered Electronic Waste Recycling Program



Appendix 1

Year	CRT Pounds Claimed	Non-CRT Pounds Claimed
2005	64,389,782	43,035
2006	126,567,589	70,698
2007	184,001,227	128,645
2008	219,279,718	234,385
2009	184,608,662	518,186
2010	192,183,827	1,354,261
2011	195,464,611	2,220,497
2012	208,612,778	3,390,096
2013	197,514,080	4,159,422
2014	177,646,847	5,754,842
2015	166,208,186	9,179,570
2016	140,132,266	12,931,644
2017	109,299,702	18,281,932
2018	80,580,813	20,357,824
2019	62,690,095	27,721,381
2020	43,421,265	30,552,244
2021	34,496,452	38,658,389
2022	23,169,414	41,066,955
2023	12,018,074	33,551,452

Appendix 2

Year	CRT Units	CRT Percent	Non-CRT Units	Non-CRT Percent	Total Transferred Units
2015	2,193,592	84%	417,255	16%	2,610,847
2016	1,789,027	76%	569,648	24%	2,358,675
2017	1,391,576	63%	814,124	37%	2,205,700
2018	1,036,205	54%	876,482	46%	1,912,687
2019	801,699	41%	1,151,389	59%	1,953,088
2020	554,672	33%	1,150,823	67%	1,705,510
2021	454,860	24%	1,479,956	76%	1,934,816
2022	320,697	16%	1,695,366	84%	2,016,063
2023	109,131	11%	1,377,868	89%	1,547,548

Appendix 3

When a California consumer buys a CED from a retailer, the consumer pays a recycling fee that funds the CEW Recycling Program. The retailer collects those fees and remits them to CDTFA. CDTFA deposits the funds into the EWRRA. Approved recyclers and collectors of CEW subsequently receive payments to offset the average net cost of appropriate recovery, processing, and recycling activities. CalRecycle pays approved recyclers the combined recycling and recovery payment, and recyclers pass the recovery payment on to the approved collectors who recovered the CEW. CalRecycle works closely with the Department of Toxic Substances Control (DTSC), who is responsible for regulating and enforcing the physical management of e-waste. DTSC conducts inspections and compliance activities with recyclers and collectors.

SB686 Testimony.pdf

Uploaded by: Malcolm Augustine

Position: FWA

MALCOLM AUGUSTINE
Legislative District 47
Prince George's County

PRESIDENT PRO TEMPORE

Executive Nominations Committee

Education, Energy and the
Environment Committee



THE SENATE OF MARYLAND
ANNAPOLIS, MARYLAND 21401

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February 20, 2024

Senate Bill 686 - Environment - Covered Electronic Devices Recycling Program - Establishment

Dear Colleagues,

I am pleased to present **Senate Bill 686 - Environment - Covered Electronic Devices Recycling Program - Establishment**, which seeks to streamline and enhance electronic device recycling efforts in the state, restructuring existing programs and establishing a designated fund to support and optimize electronic waste recycling initiatives.

In 2005, Maryland implemented an electronics recycling law aimed at holding manufacturers accountable for the disposal of their electronic products. The initial intent was to require manufacturers to contribute to a state fund through grants, supporting recycling efforts and providing resources to the Department of the Environment for program administration. However, a significant loophole has emerged over the years. Manufacturers were given the option to pay a reduced annual rate of \$500, allowing them to establish their own electronics recycling take-back programs. Unfortunately, these manufacturer-led initiatives have only managed to collect a mere 2% of electronics statewide over the past decade, significantly lagging behind municipal and commercial recycling programs. This legislative proposal addresses these shortcomings comprehensively. The current funding mechanism from manufacturers has proven inadequate, leading to operational challenges at the local level. Many jurisdictions are either conducting infrequent recycling programs, resorting to landfilling electronics, or imposing fees on the public for recycling services. Consequently, our statewide electronics recycling rates have plummeted by over half of what they were a decade ago. Even prior to the electronics commodity downturn of 2014, Maryland ranked poorly among the 25 states with electronics recycling laws, particularly in pounds per capita recycled.

To rectify these issues, this proposed Bill seeks to eliminate the underutilized manufacturer take-back program. Instead, it mandates higher, already established, manufacturer registration fees to fund the Department of the Environment's (MDE) administration of the program. Additionally, a modest consumer fee will be imposed at the point of purchase for new covered electronics. This fee will serve to fully fund not only electronics recyclers but also reimburse local governments for their staff, equipment, and expenses incurred in addressing the rise in solid waste and recycling facility fires linked to lithium-ion batteries.

MALCOLM AUGUSTINE
Legislative District 47
Prince George's County

PRESIDENT PRO TEMPORE

Executive Nominations Committee

Education, Energy and the
Environment Committee



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THE SENATE OF MARYLAND
ANNAPOLIS, MARYLAND 21401

The proposed amendments to SB0686 - Covered Electronic Devices (CED) Recycling Program address several key requests and considerations. Responding to the Maryland Association of Counties (MACo), the language on Page 9 remains unchanged, allowing Counties to maintain their independent electronics recycling programs and utilize recorded recycled weights for mandatory annual reporting under the Maryland Recycling Act. In response to the Maryland Department of the Environment's (MDE) request, consumer fees at the point of purchase for Covered Electronic Devices (CED) will now be collected by the Comptroller, similar to the tire recycling consumer fee process. These collected fees will be deposited into the CED Recycling Account by the Comptroller, with MDE responsible for distribution to Authorized Collectors and Authorized Recyclers after deducting administrative costs. Furthermore, specific consumer fees previously set at \$10 and \$5 for Tier I and Tier II on page 15 have been removed. Instead, MDE, in collaboration with the Advisory Council, will determine consumer fees necessary to cover all collection and recycling costs associated with Covered Electronic Devices (CEDs). These amendments collectively aim to enhance the efficiency and effectiveness of Maryland's CED Recycling Program.

Furthermore, this Bill mandates the establishment of an Advisory Council comprising government and industry stakeholders to continuously evaluate and advise on the program's effectiveness. Moreover, it will allow MDE to set a baseline of certifications for recyclers participating in the program through regulation, ensuring responsible management of electronics containing hazardous materials such as mercury, lead, and flame-retardant chemicals. By doing so, we aim to reduce pollution, greenhouse gas emissions, and the need for resource extraction of virgin materials. This bill is not only geared towards creating job opportunities in the green sector but also provides a comprehensive statewide solution to diverting electronics away from landfills. It addresses the loopholes in the existing system and ensures a sustainable, responsible approach to electronics recycling in the state of Maryland.

Thank you for your attention to this critical matter. I urge the committee to give a **favorable** report for **Senate Bill 686 - Environment - Covered Electronic Devices Recycling Program - Establishment**.

Sincerely,

A handwritten signature in cursive script that reads "Malcolm Augustine".

Senator Malcolm Augustine

SB686_MDSierraClub_fwa EEE 20Feb2024.pdf

Uploaded by: Martha Ainsworth

Position: FWA



Maryland Chapter
P.O. Box 278
Riverdale, MD 20738

Committee: Education, Energy, and the Environment

Testimony on: SB686 “Environment – Covered Electronic Devices Recycling Program – Establishment”

Position: Support with Amendments

Hearing Date: February 20, 2024

The Maryland Chapter of the Sierra Club supports SB 686, which aims to update Maryland’s existing code to provide increased funding for collection, recycling, refurbishment, and reuse of covered electronic devices. The program would be administered by the Maryland Department of the Environment (MDE), financed through registration fees paid by manufacturers (already in effect) and a new recycling assessment added to the price of new electronic devices. The bill also establishes an Advisory Council of stakeholders to advise MDE on the implementation of the program.

The problem

Disposal of electronic devices, including computers, computer monitors, televisions, tablets, cell phones, scanners, and copiers can pose environmental and public health risks. Cathode ray tubes (CRTs), glass tubes, flat screen televisions, and computer monitors contain mercury, lead, and flame-retardant chemicals. Liquid crystal display (LCD) and plasma screens contain lead, cadmium, chromium, antimony, beryllium, and brominated flame retardants. Disposal of these and other electronic devices also wastes resources, as many contain valuable materials, like copper, gold, and aluminum that could be reused. Reusing these recovered electronic components reduces the need for virgin materials in new products, and their associated greenhouse gas emissions.

Maryland’s existing electronics recycling program

Maryland has had an electronics recycling program since 2005, but the funding for the program as originally designed – based entirely on registration fees paid by manufacturers – has not been sufficient to reimburse local governments for the cost of collection and recycling. Since 2008, the program has been able to reimburse local governments for only four years, and the amount of the reimbursement in those years was inadequate to cover their costs. Around 2014, adverse market conditions led many local governments to stop accepting TVs and computer monitors in their electronics recycling programs because they are among the most expensive to recycle. Between 2013 and 2021, residential electronics recycling in Maryland fell by more than half, from 19.2 million pounds to 7.8 million pounds.¹ As a result, a lot more electronic devices are being landfilled.

According to county recycling websites, as of February 2024 only seven counties² and Baltimore City provide year-round collection of all electronic devices, including TVs and monitors, with no drop-off charge. Even in those jurisdictions, there is no convenience standard set for public access to electronics recycling in the existing program: Three of the eight provide electronics recycling at only a single site countywide.

¹ Maryland Solid Waste Management and Diversion Annual Reports, 2014-2022.

² Baltimore, Calvert, Charles, Howard, Montgomery, Prince George’s, and Somerset counties. Frederick and Washington counties provide the same services but charge a drop-off fee. Howard, Montgomery, and Prince George’s counties have only a single drop-off site. See Exhibit 1.

Updating the program

SB 686 increases the financial resources for the electronics recycling program to reimburse authorized recyclers and collectors of electronic devices. It retains the registration fees paid by manufacturers at existing levels and adds a recycling fee of \$5 or \$10 to the price of covered electronic devices paid by consumers (depending on the device). MDE is given discretion to adjust the consumer recycling fee by regulation. Authorized recyclers and collectors of covered electronic devices for recycling are prohibited from charging drop-off fees. SB 686 also creates an Advisory Council of stakeholders to advise MDE on program implementation. The updated program does not go into effect until 2028, and recyclers and collectors will not benefit from the increased funding until 2029.

The Sierra Club supports these improvements introduced by SB 686, which will increase available funding for electronics recycling and its environmental benefits. However, this bill is also an important opportunity to improve the performance of the program in other ways and ensuring that the new financing mechanisms are adequate to fund the program's needs into the future. For this reason, we encourage the Committee to consider amending the bill along the following lines:

- Within the program's funding from manufacturers' registration fees, require MDE to conduct an evaluation of the convenience and availability of drop-off sites in Maryland for covered electronic devices, make recommendations for increasing access, and estimate the costs of doing so. This would be the basis for developing, in consultation with the Advisory Council, a strategic plan for increasing recycling of covered electronic devices in the state, with targets and adoption of a convenience standard for public access to drop-off sites.
- To ensure that MDE is fully reimbursed for its administration of the program, in lieu of the two-tier flat registration fee for manufacturers, set the fee annually to fully fund the Department's anticipated costs. The registration fee for each manufacturer should reflect the share of electronic devices that each manufacturer sold in the state the previous calendar year and the recyclability of those devices, with a lower fee for greater recyclability.
- To ensure adequate funding for reimbursing recyclers and collectors of covered electronic devices, replace the pre-set \$5 and \$10 charge for the two tiers of covered devices with a fee for each covered device category that reflects the actual costs of collecting and recycling the devices in that category.

Finally, we are concerned that the new funding for electronics recycling provided by the bill would not be available for another five years (2029), during which time a lot of covered electronic devices will be landfilled as waste, with environmental and potential health consequences. We recommend that the Committee move up the timeline by two years, to 2027. This would allow 2 ½ years to launch these changes. The Sierra Club respectfully requests a favorable report on SB 686 and consideration of these strengthening amendments.

Martha Ainsworth
Chair, Chapter Zero Waste Team
Martha.Ainsworth@MDSierra.org

Josh Tulkin
Chapter Director
Josh.Tulkin@MDSierra.org

Attachment: Exhibit 1: County Recycling of Electronic Devices, 2024

Founded in 1892, the Sierra Club is America's oldest and largest grassroots environmental organization. The Maryland Chapter has over 70,000 members and supporters, and the Sierra Club nationwide has over 800,000 members and nearly four million supporters.

Exhibit 1: County Recycling of Electronic Devices, 2024

County	Collected?	Fee?	Frequency?	Notes
Allegany	No	N/A	N/A	Provided by Penn-Marr Recycling company, w/a fee for some products, M-F, 8-4
Anne Arundel	Yes	No	M-F, 7:30am - 4pm	Drop off at three recycling centers
Baltimore City	Yes	No	M-Sat, various hours	Five Citizen's Convenience drop-off centers, six days/week 9am-5pm (3), 7:00am-3:30pm, 7am-5pm
Baltimore County	Yes	No	Mon-Sat, 7:30 am-3:30 pm	Three drop-off centers
Calvert	Yes	No	Mon-Sat, Sun	Six Convenience Centers & landfill, all open Mon-Sat, a few on Sun.
Caroline	No*	N/A	N/A	*Electronics Recycling Day, twice annually, rotates across four counties. (Same county once every two years.)
Carroll	Yes	No	M-F, 7am-4:30pm, Sat 7am-3 pm	Northern Landfill recycling center. Som devices. However, computer monitors, TVs, software are trash.
Cecil	Yes	No	Mon-Sat, 7:30 - 3:30	Accepted for recycling at Central Landfill. TVs and monitors not accepted, trashed for fee.
Charles	Yes	No	Mon-Sat	At four recycling centers; Mon-Sat, 7:30 - 5 pm (2 centers); M,W,Sat, 9am-5pm (2 centers)
Dorchester	No	N/A	N/A	
Frederick	Yes	Yes	Mon-Sat, 7am - 4:30 pm	At Citizens' Convenience Center, flat rate of \$8 per visit, or by weight at landfill.
Garrett	Yes	No	M,W,F ,7am-6pm; Sat 9-6; Sun 12-6	Six locations. TVs and CRT monitors not accepted.
Harford	Yes	No		May be only one drop-off; website unclear. CRTs, TVs, CRT monitors are not accepted; disposed of as trash, for a fee.
Howard	Yes	No	Mon-Sat 8-4	Collected at Alpha Ridge Landfill drop-off
Kent	No*	N/A	N/A	*Electronics Recycling Day, twice annually, rotates across four counties. (Same county once every two years.) Free.
Montgomery	Yes	No	Mon-Sat, 9 am-5 pm	Drop off at Shady Grove Transfer Station
Prince George's	Yes	No	Thurs-Sat, 8 am-3:30 pm	Only at drop-off site at the Brown Station Road Landfill
Queen Anne's	No*	N/A	N/A	*Electronics Recycling Day, twice annually, rotates across four counties. (Same county once every two years.) Free
St. Mary's	Yes	Yes	7 days/week	Six convenience centers. Console TVs & projection TVs not accepted.
Somerset	Yes	No	M-F, 7:30am -	Drop off at 2 Public Works sites, M-F, and

County	Collected?	Fee?	Frequency?	Notes
			3pm	once/month Saturdays, 8am – 2 pm.
Talbot	No*	N/A		*Electronics Recycling Day, twice annually, rotates across four counties. (Same county once every two years.) Free
Washington	Yes	Yes	Thurs – Sat, 7:30am – 3:30 pm	At Forty West Landfill, amount of electronics fee not mentioned on website
Wicomico	Yes	No	Daily 6am- 6pm	At Newland Park Landfill convenience center. Excludes TVs and computer monitors
Worcester	No*	N/A		*Once yearly household hazardous waste collection accepts computers & laptops, but not TVs.

*No – indicates available once/year or less frequently

Source: County websites, accessed February 17, 2024.

Sign-On SB686 Environment - Covered Electronic Dev

Uploaded by: shari wilson

Position: FWA



SB 686 Environment – Environment - Covered Electronic Devices Recycling Program - Establishment

Date: February 16, 2024

Position: Support with Amendments

Dear Chair Feldman, Vice-Chair Kagan and members of the Education, Energy and the Environment Committee:

We enthusiastically support the goal of overhauling Maryland’s electronic recycling program for the State and greatly appreciate the leadership of the sponsors in this regard.

The proposal as drafted follows the approach used in Maryland’s Scrap Tire Program enacted in 1991 - placing an additional fee on the consumer and using those revenues to implement recycling of the product. A similar approach was used in California in 2023 for computer screens. The proposed bill includes a few of the tools of producer responsibility programs but does not implement a producer responsibility policy.

Under a producer responsibility approach, producers of the product, those who design the product, are incentivized to create a product that generates less waste and is more recyclable. This is achieved through manufacturers developing their own incentive system overseen by the State. This bill does not include components to incentivize the design of a better product. The cost of the recycling is borne by the consumer.

For these reasons, we ask the Committee to amend the bill to include a producer incentive system or modify the bill to require a study to determine how best to implement producer responsibility for electronic products.

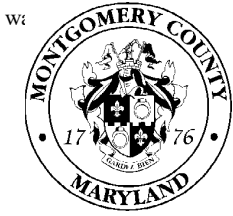
We thank everyone involved in this effort for taking the initiative to begin the badly needed update of the electronic recycling program in Maryland.

Contact: Shari Wilson (shari@trashfreemaryland.org)

SB 686 - MoCo_DEP_FWA (GA 24).pdf

Uploaded by: Steven Shofar

Position: FWA



Montgomery County

Office of Intergovernmental Relations

ROCKVILLE: 240-777-6550

ANNAPOLIS: 240-777-8270

SB 686

DATE: February 20, 2024

SPONSOR: Senator Augustine

ASSIGNED TO: Education, Energy, and the Environment

CONTACT PERSON: Steven Shofar (steven.shofar@montgomerycountymd.gov)

POSITION: Support with Amendments (Department of Environmental Protection)

Environment – Covered Electronic Devices Recycling Program – Establishment

The Montgomery County Department of Environmental Protection supports the intent of this bill to establish a Covered Electronic Devices Recycling Program for the purpose of enhancing electronic devices recycling across the State. However, we respectfully request that this bill be carefully analyzed to ensure that it does not negatively impact existing local government electronic devices recycling programs. Our highest priority is to ensure that the bill is amended to expressly acknowledge that it does not preempt the existing authority of local governments to operate their own electronic devices recycling programs.

Montgomery County has operated an electronic devices recycling program since 2000 and the comprehensive nature of the program has been recognized as a model for other local jurisdictions throughout the State. The program recycles a wide variety of electronic devices that goes beyond the devices covered by this bill.¹ In addition to allowing residents to drop off electronic devices at a collection center, approximately half the County has on-call curbside electronics pickup with the other half of the County to be added in the near future. The cost of operating the County's electronic devices recycling program is covered by an integrated County-wide solid waste systems benefit charge.

We respectfully request that the bill be amended to add language that makes it clear that Montgomery County and other local governments retain authority to operate their own electronic devices recycling programs, including authority to integrate the costs of such programs into a County-wide systems benefit charge to the extent that program costs are not covered by any new State funding under the bill. The bill should also be amended to allow reimbursement for the costs of any type of collection of electronic devices (e.g., curbside or mobile programs), in addition to on-site collection of electronic items.

¹ A complete list of the types of devices collected and recycled in Montgomery County can be found here: https://www2.montgomerycountymd.gov/DepHowDol/material.aspx?tag=electronics&material_key=37

MD Catholic Conference_HB 686_UNF.pdf

Uploaded by: Garrett O'Day

Position: UNF



MARYLAND
CATHOLIC
CONFERENCE

February 21, 2024

HB 686

Youth Sports Programs - Venue-Specific Emergency Action Plans - Requirements

House Health & Government Operations Committee

Position: UNFAVORABLE

The Maryland Catholic Conference offers this testimony in opposition to House Bill 686. The Catholic Conference is the public policy representative of the three (arch)dioceses serving Maryland, which together encompass over one million Marylanders. Statewide, their parishes, schools, hospitals and numerous charities combine to form our state's second largest social service provider network, behind only our state government. We also speak on behalf of the families of more than 50,000 students served by over 150 PreK-12 Catholic schools in Maryland.

House Bill 686 would require all youth sports programs to develop *venue-specific* action plans for each facility that they use for sporting events even if they do not own the facility and that the plans include care coordination and severe weather emergency plans. This legislation also requires the onerous steps of ensuring the plans are distributed and then interactively rehearsed by all coaching staff members of each sport before each athletic season. The bill also requires that every member of a coaching staff be trained in the operation of particular medical devices, every coach hold certifications in the application of medical procedures, and that a trained member of that staff be present at each athletic event. This bill further requires the facilities (often unrelated to the league operators) to procure an automated external defibrillator for each sports event.

Many churches, schools and other nonprofit organizations run recreational sports leagues or tournaments, which play an integral role of providing an outlet for youth and bringing communities together. However, they rely on unpaid volunteer and community personnel. While these leagues and coaches do everything they can to protect the reasonable safety of their players on the field in the short time each week or month they engage in their respective recreational sports, the provisions of this bill extend much too far in time, scope and feasibility for most leagues.

Additionally, this bill presents serious liability concerns for recreational sports leagues and the entities that sponsor them, especially considering the volunteer nature of most organizers, coaches and participants. It also, as stated above, places numerous requirements on coaches to be trained in various medical and other procedures, as well as to regularly rehearse the same.

If any of these procedures, trainings, or provisions are not met, it is unclear as to whom liability would fall, what parties would be required to be insured and as to what, as well as how insurance companies would both cover and handle claims relative to all of the aforementioned considerations. Such considerations, as well as the onerous provisions of this bill, are likely to further discourage youth sports programs from operating in our state, presenting a serious disadvantage to youth structure and community cohesion in our state, particularly to vulnerable and lower-income communities. Youth sports are engrained in the very fabric of our state and are highly important to parents and children across Maryland.

While we appreciate the context of this legislation as a protective measure against sports injuries and the like, this legislation goes too far and we thus urge an unfavorable report on House Bill 686.

SB686_MRA_UNF.pdf

Uploaded by: Sarah Price

Position: UNF

MARYLAND RETAILERS ALLIANCE

The Voice of Retailing in Maryland



SB686 Environment - Covered Electronic Devices Recycling Program - Establishment Education, Energy, and the Environment Committee February 20th, 2024

Position: Unfavorable

Background: SB686 would create a statewide recycling program for electronic devices which would include levying a fee to be paid by consumers on the purchase of all electronic devices.

Comments: The Maryland Retailers Alliance (MRA) does not oppose the intent of increasing recycling rates for electronic devices but has serious concerns about the establishment of stewardship programs which increase costs for consumers and reduce responsibility for manufacturers. SB686 as introduced would, in an effort to reform Maryland’s laws surrounding recycling of e-waste, establish a Covered Electronic Device Recycling Program within the Department of the Environment, which could then freely hand the functioning of the program to a private recycling entity, and would establish fees for consumers to pay for the recycling program.

SB686 would both cause confusion for the retail industry and drastically increase household costs for consumers through its extremely open-ended definition of covered electronic devices. Before potential change through regulation, it would levy a fee of \$5 per item for the purchase of not only laptop computers, tablets and e-readers, cell phones, computer central processing units, printers, scanners, and copiers, but also “any other computer or electronic device or accessory that has a plug or battery that is designated as a Tier II covered electronic device by the Department”. Without the ability to review undrafted regulations that will result from this legislation, we must respond to the proposed language as though it already meets its full potential of applying a fee to every small device or household appliance from alarm clocks and digital thermostats to gaming systems and even air purifiers, space heaters, and devices like toasters and blenders. Retailers will have to remain hyper vigilant to ensure that every employee is trained for every regulation update regarding the list of Tier II devices, and must be prepared to respond to consumer complaints when the State mandate increases costs for household goods that already have a large price tag.

SB686 explicitly excludes manufacturers from the definition of both “authorized collector” and “authorized recycler”, removing manufacturers from the chain of responsibility and potentially reducing the pool of collectors and recyclers due to the overlap between manufacturers and retailers through branded retail stores and private label brands. Many manufacturers and retailers already maintain take-back programs, and

the cost of these programs is factored into the price of goods. This bill's omission of manufacturers in the collection and recycling process allows those entities to walk away from the responsibility and cost of recycling with no incentive to reduce prices, while simultaneously increasing those prices by putting the cost of recycling on consumers.

The fiscal analysis of this bill has resulted in additional concerns regarding fairness between brick-and-mortar and online businesses. The section of the analysis reviewing the positions that would be required to administer this law notes that management and auditing would focus primarily on physical stores, and that enforcing the law for online retailers is not feasible. MRA has always advocated for fairness between online retail and brick-and-mortar stores, and must strongly oppose any policy that would target enforcement toward businesses operating in Maryland simply because it is easier or more cost-effective for the State to ignore online retailers.

MRA has consistently opposed bills that would establish stewardship programs on the principal that we cannot support increasing costs for consumers and allocating the associated fees to private management entities with minimal oversight. Our position on SB686 is in line with that belief and reflects our concerns regarding cost, fairness, and the role of manufacturers. For these reasons, we would urge an unfavorable report on SB686. Thank you for your consideration.

Maryland SB686 Letter 021924.pdf

Uploaded by: Lisa Kneller

Position: INFO

Monday, February 19, 2024

To: Maryland Senate Education, Energy, and the Environment Committee

Re: SB686 Covered Electronic Devices Recycling Program – Establishment

I'm Lisa Kneller, Legislative Program Manager for Kuusakoski, US. Over the past 10 years, we've had the opportunity to work with Montgomery County by being their dedicated electronics recycler. I am not speaking on behalf of Kuusakoski. I am here to give my personal experience in working together with their staff.

Montgomery County is a shining example of how to run an electronics take back program. The team at Montgomery County works hard to provide a top-tier recycling experience to the county residents. However, that level of service comes at an expense. Any opportunity to introduce legislation that would provide additional funding to sites like Montgomery County could be beneficial and support an increase of electronics recycling in the State of Maryland.

Lisa Kneller

Lisa Kneller

Legislative Program Manager

Kuusakoski, US