



Legislation Summary:

An Act to require producer responsibility for collection, reuse, and recycling of discarded electronic products

Initial bill number: [H2148](#) (Bill numbers will change as legislation proceeds.)

Sponsor: Rep. Frank Smizik

This bill would provide that any producer of covered electronics seeking to engage in business in Massachusetts must file an application for registration with the Department of Environmental Protection. Once registered, the producer will then need to register with the department for a specified registration period and pay the renewal fee. Producers will bear the financial responsibility for the collection, transportation, and reuse or recycling of covered electronic products. The bill provides that collectors and processors of covered electronic products must register with DEP as well and provides that the fee for renewal of such registrations should not exceed \$5,000. It establishes an advisory commission of 10 members to advise the department on policy and program development, review fees, and make recommendations regarding the definitions of covered electronic products.

The DEP reports that discarded electronics continue to be the fastest growing category of waste in Massachusetts. Current Environmental Protection Administration estimates indicate that roughly 70% of discarded electronics end up in the solid waste stream. And while total e-waste tonnage constitutes 1-2% of solid waste tonnage, it comprises 70% of the toxic waste load due to lead, mercury, PVC and cadmium and other chemicals and compounds that contaminate our soil, waterways and atmosphere when disposed of illegally or recycled unsafely here and around the globe.

In addition to the significant environmental harm and health issues related to e-waste, municipalities bear the financial burden of its collection and disposal. The DEP estimates that Massachusetts communities spend between \$2 and \$4 million dollars annually on e-waste processing and disposal in addition to unreported costs related to transportation, collection and administration of e-waste programs.

The proposed legislation is notable for several key features:

- Inclusion of a broad scope of covered products. In addition to computers, CRTs and laptops, this bill covers printers, scanners, game consoles and other electronics, allowing a wide range of products to be brought in for collection;
- Requirement that producers pay all costs of the collection, reuse and recycling of covered electronic products, including those collected by municipalities, providing welcome relief to towns and cities

struggling to adequately provide essential town services, while promoting increased reuse and recycling of highly toxic materials;

- Promoting reuse over recycling by providing a financial incentive of reduced fees to collectors who send units for reuse rather than recycling;
- Promoting producer redesign of products that are easier to recycle and to repair for reuse to reduce processor fees. When producers have responsibility for the end use remains of their products, they design them more carefully, reducing wasteful packaging and toxic substances at the front end;
- Processor certification to e-Stewards Standard for Responsible Recycling and Reuse of Electronics or the U.S. Environmental Protection Agency's "Responsible Recycling" (R2) standard or equivalent will ensure the safe disposal of electronics beyond useful life through reuse or recycling, a safeguard of the health of workers and the public.