

GOVERNOR DAVIS SIGNS MAJOR "E-WASTE" BILL CREATING NATIONS'  
FIRST ELECTRONIC WASTE RECYCLING PROGRAM 09/25/2003

**SACRAMENTO**

Governor Gray Davis has signed the electronics waste recycling act of 2003, the nation's first comprehensive electronics recycling law. The legislation creates a system for the safe and convenient collection and recycling of hazardous electronic products with the elimination of existing electronic waste stockpiles by the end of 2007.

"California has led the technology revolution and we will lead the way to safely managing computers and other electronic devices at the end of their life," said Governor Davis. "This is a low-cost, consumer-friendly solution to the expensive electronic product recycling options currently available."

In California, more than 10,000 computers and TVs become obsolete daily. Recycling programs run by some electronics manufacturers and local governments typically charge consumers from \$10 to \$35 to take back an obsolete computer monitor or television. A study by the California Integrated Waste Management Board (IWMB) estimates that Californians have some six million of these products stored at home.

SB 20 by Senator Byron Sher (D-Palo Alto) creates the Electronic Waste Recycling Act of 2003, which establishes a comprehensive program to safely manage cathode ray tubes (CRTs, or picture tubes). CRTs are used in computer monitors and TVs, flat panel screens and other video displays that contain hazardous components.

"The 'e-waste' problem has been created by rapid changes in the electronics industry, consumer demand for more powerful personal computers and a lack of convenient recycling opportunities," Senator Sher said. "SB 20 will put California at the front of national efforts to solve this burgeoning problem."

The act covers specific electronic products that use CRTs, flat panel screens, or any other video display device larger than four inches, if the California Environmental Protection Agency's (Cal/EPA) Department of Toxic Substances Control (DTSC) determines that they are hazardous. DTSC has determined that CRTs, which typically contain five to seven pounds of lead that protects users from radiation emitted by the products during their operation, is hazardous.

Starting July 1, 2004, California retailers will begin collecting an electronic waste recycling fee on covered products. The fee will be:

- \* \$6 on products with video display screens of at least four inches but less than 15 inches;
- \* \$8 for screens 15 inches to smaller than 35 inches; and

\* \$10 for those with screens 35 inches or larger.

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The fees also apply to mail order and Internet purchases. The IWMB can impose administrative civil penalties of up to \$2,500 per violation and seek penalties of up to \$5,000 per violation of each sale of a specific electronic device for which a recycling fee has not been paid.

Revenues will be deposited in a new Electronic Waste Recovery and Recycling Account and fund payments by the IWMB to authorized electronic waste collectors and recyclers, to cover the net costs for operating free and convenient collections programs for the public. The Board, in collaboration with DTSC, is required to adjust the fees every two years to ensure that sufficient revenues are available to fund the collection, consolidation and recycling and to administer the program. Similarly, the recycling payment schedule will be adjusted every two years to adequately cover the net costs of recycling.

After July 1, 2004, electronic product manufacturers must demonstrate compliance with provisions of the Electronic Waste Recycling Act. Starting July 1, 2005, electronic product manufacturers must report annually to the Board their approximate sales of covered products for the preceding year, the amount of hazardous materials used in manufacturing their products, what they have done to reduce this and efforts undertaken to design more recyclable electronic products.

Overseas export of electronic wastes has created problems, notably in China, where environmental controls and worker health and safety protections have been weak. Under the new law, anyone proposing to export covered electronic wastes to a foreign country will have to notify DTSC, at least 60 days in advance, of the destination, contents and volumes of covered electronic waste to be shipped. They will also be responsible for demonstrating that the importation is legal in the destination country, will meet all applicable laws of the importing country and that the waste will be handled at its destination in accordance with rules, standards, and requirements adopted by the Organization of Economic Co-operation and Development for the environmentally sound management of electronic waste.

Under current hazardous waste law, DTSC can enforce the new electronics waste recycling statute and seek fines of up to \$25,000 a day for violations.

"I look forward to working with industry leaders such as IBM, Hewlett Packard, Sony and others to halt the increasing 'e-waste' problem," Governor Davis concluded.

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