



Electronics Recycling Association of PA

January 15, 2016

## **The Pennsylvania E-Scrap Recycling Industry is Shrinking, Not Growing**

The Electronics Recycling Association of Pennsylvania (ERAP) is leading pursuit of amendment to Act 108, the Covered Device Recycling Act. ERAP is engaged in many stakeholder discussions and asks for your support, please read forward.

In November 2010, Act 108, the **Covered Device Recycling Act (CDRA)**, was signed into law. CDRA provided a runway for electronics scrap recyclers to provide citizens with electronics recycling services. CDRA requires electronics manufacturers to collect their share of electronics sold in Pennsylvania. These electronics include desktop computers, laptop computers, computer monitors, computer peripherals (such as keyboards, mice, printers), and televisions (including flat panels). The CDRA requires recycling for 85% of Pennsylvania citizenry.

In January 2013, under CDRA, a disposal ban went into effect for electronics and residents could no longer dispose of these electronics. The program was phased in over three (3) years with manufacturers expected to pay for the collection, transportation, and processing of electronics. Since the Covered Device Recycling Act began, there are negative impacts that occurred – here are a few.

1. **Pennsylvania E-Scrap recycling is shrinking, not growing.** The total quantity of collection sites for 2015 was verified and of the total sites, approximately 150 sites were non-restrictive sites, without restrictions as to electronics accepted. Compared to the 85% coverage goal under the Act, these 150 sites only account for 63.5% of the Pennsylvania population. Without adequate electronic manufacturer financial support for coverage of collection, transportation, and recycling, non-restrictive recycling coverage will decrease, as we are observing amongst 2016 sites.
2. In 2016, and largely due to inadequate electronics manufacturer support as required in the CDRA, additional **sites are closing or opting out of service** to Pennsylvania citizens. The result is that:
  - Over 20 regional recycling sites are closing in western Pennsylvania;
  - 2 Counties in south central Pennsylvania have lost service;
  - Underserved counties include the five (5) county area surrounding Philadelphia;
  - Collection locations are absent from the majority of the Route 79 corridor from Butler County to Erie County, and many of the rural counties in the Commonwealth;
  - At last count, these effects impact but are not limited to 18 Counties of which DEP notified electronics manufacturers- Armstrong, Bucks, Bradford, Cameron, Carbon, Chester, Clinton, Cumberland, Delaware, Huntingdon, Montgomery, Montour, Perry, Philadelphia, Pike, Sullivan, Susquehanna, and Wyoming.

When paired with the electronics disposal ban that is part of CDRA, this has led to **heightened illegal dumping** of electronics in state forests, abandoned properties, and off roadways, including computer monitors and old TVs, which are known to contain heavy metals, especially leaded glass.

3. Recyclers provide the collection, transportation, and processing on behalf of the manufacturers (or their plan administrator) where the unit rate paid per pound for electronics from the manufacturer often is depressed, accounting for scrap revenue from the recycled electronics. This is a flawed model, given dynamic fluctuations in scrap value. The electronics manufacturer rate under the law does not adjust to changes in scrap value leaving not only recyclers, but **municipally supported collection programs with inadequately mandated risk and unfunded liability.**

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4. Since 2011 as many as eight (8) different Pennsylvania permitted recyclers have participated in the CDRA program. Two (2) additional companies have closed their businesses. All 8 companies continue to reduce participation largely due to current CDRA structure. The recyclers that remain engaged are faced with all of the risk and liability for the proper handling of electronics while not receiving the legislated electronics manufacturer payment that covers 100% of the cost of recycling. The burden of this structure does not provide adequately for Pennsylvania non-profit, for-profit, and municipal organizations that function as collectors. In most cases, the **responsibility falls on the municipality, township, county, or authority**. Since all counties are not equal in resources or revenue, those with significant revenue streams may afford to recycle electronics. Many municipalities do not have sustainable programs, despite the best efforts of these programs or those who have assisted them.

5. CDRA requires electronics manufacturers to recycle in a given year the total weight of products they sold two (2) years ago. For 2016, an electronics manufacturer is required to recycle the weight of material they sold in Pennsylvania in 2014. Many electronics last longer than 2 years. Picture this – How do you account for the 2014 reduced weight of a tablet, pad, or flat television – products of 2 years ago – when many of the electronics that we need to recycle are heavy, back-breaking console televisions of decades ago? This **arbitrarily reduces electronics manufacturer's recycling** because sales weight is going down. There is no relationship of what dated electronics need to be recycled and sales of 2 years ago.

**– This has caused Marketplace Imbalance –**

**Sadly, it is more effective for electronics scrap recyclers to decrease services to stabilize revenue rather than expand business to Pennsylvania citizens**

When your membership raises Covered Device Recycling Act (CDRA) concerns, we request that you swiftly mobilize and bring these issues to state representatives and senators, but especially the Honorable Chris Ross, prime sponsor of Act 108, the Covered Device Recycling Act.

The Honorable Chris Ross  
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Should you require more information as to the ongoing CDRA issues that lead to the **decline in Pennsylvania's electronics recycling future**, please contact any of the ERAP Board Directors.

Respectfully Submitted,  
**Electronic Recycling Association of Pennsylvania**  
**Board of Directors**

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