ERRO Manufacturer Clearinghouse Program
IL EPA Electronics Recycling Stakeholder Meeting

Jason Linnell, National Center for Electronics Recycling
National Center for Electronics Recycling:

- Non-profit 501c3, est. 2005, in Vienna, WV
- Involved in Federal, State & Association Projects
- Conduct Research, Run Collection Programs
- Partner with NERC on Electronics Recycling Coordination Clearinghouse (ERCC)
- Manage Oregon State Contractor Program, Vermont State Standard Plan, administer ERRO Illinois Manufacturer Clearinghouse
- Our Mission: Dedicated to the development and enhancement of a national infrastructure for the recycling of used electronics in the U.S.
Electronics Recycling Representative Organization

• ERRO
  • Non-profit with manufacturer board formed in 2014, initial program 2015 in SC,
    • no staff, office, etc.
  • Promotes responsible electronic waste recycling, researches electronic waste recycling legislative policy options, and where appropriate provides electronics manufacturers and electronic waste recycling programs the opportunity to operate or participate in electronic waste recycling programs under specific state laws.
Actors and Roles under CERA and Clearinghouse

• **Manufacturers:** entity with obligations under to CERA to transport/recycled residential CEDs for opt-in counties, meeting convenience requirements
  • Can do this individually OR through Clearinghouse, AND
  • Per Clearinghouse Rules, can receive county assignments individually if over 1% of the obligation OR through a group plan

• **Group Plan:** entity contracting with multiple manufacturers to carry out obligations under Clearinghouse. Manufacturers select and inform Clearinghouse of group plan designation
  • 2019: ALL registered manufacturers in Clearinghouse and complying through one of 6 group plans
  • Group plans choose transporters and recyclers to service counties assigned by Clearinghouse, as well as collectors/consolidators/others
Who are the Group Plans?

• These groups all had worked in some capacity for manufacturers under the previous versions of the law
  • Many already work with current collectors, looked at preferences
  • All work in others states on behalf of these and other manufacturers

• Were asked to make the initial outreach to assigned counties due the fact that they make ultimate decisions on sites/events/transporters/recyclers to be used

• Work on deviations from standard – i.e. 4 events substituting for 1 site, sometimes fewer than required sites/events

• Must offer bulk transportation, recycling, and packaging materials. Other issues can be negotiated
Group Plans and Recyclers 2019

• **Group Plans** with County Assignments based on Participating Manufacturer Obligation
  *[These are NOT necessarily the recyclers!]*
  • DNA Group
  • ERI
  • MRM
  • RLGA
  • Sims Recycling Solutions
  • URT

• **Recyclers** chosen by Group Plans for 2019 (many work with multiple plans)
  • Com2
  • Dynamic
  • ERI
  • eWorks
  • URT
  • USMe
Manufacturer Clearinghouse

• In response to CERA, ERRO moved forward to create a CERA Clearinghouse for 2019
  • Initial funding for Clearinghouse Administrator from CTA, will be manufacturer fees in future
  • Issued RFP in Feb 2018 for a Clearinghouse Administrator, selected NCER with MRM
• DELAYED, needed another bill – **HB 3248** – to pass legislature and be signed in late June 2018 to establish anti-trust protections and a methodology for allocating responsibility amongst manufacturers for meeting CERA requirements.
• Immediately began weekly meetings after bill signing with manufacturers to work on questions such as:
  • Methodology for setting manufacturer percentage obligations
  • How to allocate sites, and to whom (individual manufacturers or groups)
  • Reporting and other rules
What the Clearinghouse Does/Doesn’t Do

• **DOES** help manufacturers collectively meet the requirements to implement a statewide “manufacturer e-waste program” in Illinois through a joint Plan

• **DOES** administer manufacturer obligation percentages within the Program Plan, request existing relationship preferences, and then allocate opt-in counties to individual manufacturers or groups

• **DOES** set rules for manufacturer or designated group participation

• **DOES** establish an auditing program for verifying reported pound totals and collector practices

• **DOES** compile information required and submit Program Plan to IEPA
What the Clearinghouse *Doesn’t* Do

- **DOES NOT** contract with recyclers, collectors or other service providers (for 2019 all contracts will be made by group plans)

- **DOES NOT** decide which collection site/s or events will be included in the final Program Plan

- **DOES NOT** decide which entities (collectors, super-collectors, recyclers) are used in meeting the required minimum sites for convenience standard (all entities must meet requirements in law and those by contract)

- **DOES NOT** mandate whether assigned groups/manufacturers agree to include all proposed sites/events from opt-in forms, including those beyond minimum required under convenience standard
County Collectors

- Review Section 1-45 of CERA on Collector Responsibilities, including:
  - Register by January 1, 2019 and each year
  - ONLY collect residential material under the manufacturer program, or kept separate
  - Accept 7 or fewer residential CEDs at one time from an individual
  - Average 18,000 lbs per truckload to avoid recycler charges
  - SORT into at least 5 categories by product type (see CERA)
  - NO scrapping, dismantling, or otherwise diverting any residential CEDs collected under the manufacturer program to anyone other than the group’s authorized recycler/service provider.
  - May charge consumers a fee for monitors or TVs to cover certain such as collection and bulk shipment (see CERA)
CERA Manufacturer E-Waste Program

• 56 Counties submitted opt-in forms by the 3/1/18
  • 58 jurisdictions total – 3 for largest county, Cook, incl City of Chicago and Northern Cook County (SWANCC)

• Total population covered – 11.58 million or 90% of IL population
  • 5 Counties w over 500k population, 51 counties under 500k, 30 under 50k population

• 87 Registered Manufacturers for 2019 (18 over 1% of 2018 obligation targets) – 83 with reported 2017 sales and therefore obligations under Clearinghouse
Clearinghouse Tasks and Progress

• Agreed to method for allocation of counties/municipalities, then developed assignments
• Requested all manufacturers to be in group or have individual allocation (if over 1%). Resulted in 6 groups
• Requested groups to submit existing relationships and preferences for current collectors
• Estimated collection pounds per county based on existing data and estimated product category breakdown
• Developed Manufacturer Participation Agreement, had all 84 manufacturers review, sign and return
More Clearinghouse Tasks and Progress

• Assigned Group Plan to each County, looking at existing relationships/preferences, then matching total estimate county collections with total cumulative manufacturer obligation by Plan.

• Received Group Plan lists of sites/events by County, and deviation documentation

• Submitted multiple version of Clearinghouse Plan to IEPA, made revisions based on feedback

• Sites/events now set, just needing final deviation documentation
Clearinghouse Private Programs

• Apart from CERA E-Waste Program, but ERRO rules agreed to include
  • No registration requirements if just in private programs

• Eligible sites include:
  • retail collection sites (as defined in CERA); curb-side collection programs; manufacturer-sponsored collection events; non-opt in county and municipal programs; and mail back collection programs.

• Manufacturers/groups can reduce their county-assigned obligations by reported eligible private program sites, and continuing those collection options.
  • HOWEVER, this does not reduce the overall Clearinghouse obligation to service CERA County sites.

• Clearinghouse will monitor quarterly data from County and private program sites, use data for a true-up compared to manufacturer obligation percentages
Outstanding Issues

• Insurance and registration of transporters
  • IEPA clarified that an entity that does not engage in recycling activities and merely delivers collected residential CEDs to a recycler do not meet CERA's definition of recycler (and need to meet insurance and registration, other recycler requirements)

• Sorting by CERA Product Category and CERA Collector Responsibilities
  • Clearinghouse needs data breakdown by 8 CERA Product Category to accurately assign manufacturer obligations
  • However, a section of CERA specifies 5 categories that don’t match, wouldn’t be useful

• Reporting
  • Developing forms for quarterly reports. WILL need a breakdown by collection site or event
  • Can be estimated breakdown in cases where consolidation occurs before weighing at the recycler
CERA Product Types vs Collector Sorting

CED Types Needed
1. Computers and Small-scale servers
2. Computer Monitors
3. TVs
4. Printers, Fax machines, Scanners
5. DVD players, DVD recorders, VCRs
6. Video game consoles
7. Digital converter boxes, cable receivers, satellite receivers
8. Keyboards, mice, portable digital music players

Sec 1-45 Collector Sorting
1. CRT Computer monitors and televisions (other than wood)
2. Flat Panel Computer monitors and televisions
3. ?? All covered televisions that are residential CEDs;
4. Computers;
5. All other residential CEDs; and
6. Any electronic device that is not part of the manufacturer program
Clearinghouse Proposed Minimum Sorting by Type

1. Computers and Small-scale servers
2. Computer Monitors (all types)
3. TVs (all types)
4. Printers, Fax machines, Scanners
5. DVD players, DVD recorders, VCRs
6. (through 8) Video game consoles, Digital converter boxes, cable receivers, satellite receivers, Keyboards, mice, portable digital music players

Will need sampling or other method to breakdown 3 categories within #6-8
Clearinghouse Auditing Program

• Will begin after Q1 2019 reports are in, may be carried out by Clearinghouse or 3rd party to ensure reported CED pounds are legitimate

• Review data to spot potential site for desktop audit after Q1

• After Q2, some on site spot check audits based on data review and desktop audit
  • observe and assess the traffic into a site and its origins and review on-site paperwork
  • Review paperwork as received by recycler

• Will develop desktop form in Q1
Other Questions/Upcoming Deadlines

• Submit final deviations and get final approval
• Compile and provide listing of private program sites
• Work with EPA and stakeholders to update County Opt-In Form for March 1 deadline
• Manufacturers register and submit market data for 2020 by April 1
• April 15 – 1st quarter 2019 data by collection site/event due from group plans to Clearinghouse
• Other Questions:
Thank You!

Jason Linnell, NCER
Phone: (304) 699-1008
jlinnell@electronicsrecycling.org

www.ecycleclearinghouse.org
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