



eCycling Advisory Committee
July 25, 2007 10:00 am
House Room D, General Assembly Building

- **Call to order, roll call:**

Delegate Kenneth Plum, chairman of the eCycling Advisory Committee called the meeting to order. The members of the committee briefly introduced themselves and their interest in the committee.

- **Staff Presentation, Jennifer Golladay, Research Assistant:**

Ms. Golladay provided a follow-up presentation on the international Basel Convention and the European Union's RoHS standards. She explained the adoption of the RoHS standards by California in 2003 (SB 20) and 2004 (SB 50), both became effective January 1, 2007. After her presentation, she fielded questions of the committee. Members were concerned with the applicability of adoption of the RoHS standards as related to federal law. A consensus emerged that such an adoption would not be preempted by current federal law as long as the state legislation was more stringent. A copy of this presentation is available at the JCOTS website. One member of the advisory committee noted that many electronics manufacturers are beginning to adhere to the RoHS standards on a voluntary basis because it is less costly for them to produce one version of a device for all potential markets.

- **Parker Brugge, Consumer Electronics Association, State by State eWaste Summary:**

Advisory committee member Parker Brugge provided an overview of state laws on electronic waste and recycling. The presentation focused on state initiatives of California, Maine, Maryland, Washington, Minnesota, Texas, Oregon, and Connecticut. The presentation is available on the JCOTS website.

After his presentation, Mr. Brugge accepted questions from the committee. Mr. Brugge explained that the initiatives are representative of each states concerns and abilities and it is



important to look at the metrics, such as pounds/capita recycled, in evaluating the cost effectiveness of a specific program.

Another major issue discussed by the committee was the issue of orphan waste. Each state seems to treat orphan waste differently, but with the exception of the California model, that responsibility falls to the larger manufacturers. Although California's plan covers orphan waste with revenue from the advanced recovery fee, many critics have argued that fee is too large.

- **A. Georgiana Ball, State Recycling Coordinator; Brad Crawford, Director of Surplus Property, VA Department of General Services:**

Advisory committee member Georgiana Ball and Brad Crawford, DGS, gave a presentation on state disposal and recycling practices for electronic equipment. Mr. Crawford also explained the information security procedures that must be followed by DGS and other state agencies. A copy of this presentation is available at the JCOTS website.

- **Open Discussion:**

Delegate Plum opened the discussion by asking the members what they felt needed to be addressed to foster an appropriate eCycling program in the Commonwealth.

Members stated the need to look at other state initiatives more thoroughly to assess possible options in the Commonwealth. A member suggested that the Texas initiative is least costly and could be the plan most advantageous to the state. Members were interested in why the Texas plan included computers but not televisions. One member of the advisory committee responded that computers are replaced more frequently whereas televisions often last much longer and have a better market for reuse or resale by the owner.

Members also stated the need to address the need for eCycling education of state agencies and the public at large. It was emphasized that the responsibility to eCycle must be shared among all shareholders and consumer involvement was essential. Under the current system, localities have the main responsibility for recycling and have become good at home collection activities (trash and recycling, mainly). There was discussion that this was one way of keeping consumers involved.

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A member suggested that consumers are accustomed to paying fees when they purchase tires and that this may be a similar situation. A member replied that the situation is different because people are not making a one to one substitution when they purchase new electronics, as they do with tires.

Members discussed the applicability of federal law to commercial entities who dispose of electronics. They also discussed the exception for small businesses and residential electronic refuse.

Delegate Plum closed the meeting by thanking all who were in attendance and asked the advisory committee if they would support a more in-depth look at the Texas model and Dell's model legislation. The advisory committee agreed that the Texas model might be the best option for the Commonwealth.

- **Public comment:**

No public comment was received.

- **Actions for next meeting:**

The committee identified several potential agenda items for future meetings, including:

- Staff presentation: Assessing the Texas/Dell state eCycling program in greater detail;
- Staff presentation: Discussing options under the Texas plan to address concerns related to orphan materials (e.g., materials made by a manufacturer who has ceased to exist);
- Staff presentation: Discussing enforcement/penalty options under the Texas plan;
- Staff presentation: Discussing and reviewing state landfill ban laws and the possibility of banning electronic materials from waste energy streams, especially with respect to cathode ray tubes (CRT).

- **Adjournment.**