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Bill would require manufacturers to recycle electronics

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May 31, 2009

State Rep. Spencer Black, D-Madison, found plenty of justification for a proposed state electronics waste law just a few blocks from his West Side home two weeks ago. He recounted trying to drop off some old computer parts at a nearby recycling event and getting stuck — in a traffic jam caused by people trying to drop off discarded computers and TVs.

"Anybody who experienced that traffic jam," Black said, "or who saw the mountains of old electronics has to realize there is a tremendous amount of this material out there."

Most electronics are disposed of in landfills, according to the federal Environmental Protection Agency, with only 18 percent being recycled. That's a problem because of the toxic materials that are found in many electronic products.

Black will preside over a hearing on a proposed electronics recycling law before his Assembly Natural Resources Committee on Wednesday. The bill, which already passed the Senate environment committee, is scheduled to be taken up at a hearing that begins at 9:30 a.m. in Room 417 North in the Capitol.

Proponents are optimistic that the bill, which has been introduced but stalled the last two years, will be approved this year. That optimism is fueled partly by the Legislature being dominated now by Democrats who have favored the proposal. But Black said there is also increased understanding that requiring recycling of such waste is more necessary than ever.

"The need for this bill is greater than ever," Black said, "especially with the changeover of TVs to digital."

Organizers of a Dane County electronics recycling drop-off early in May were overwhelmed by the response. The county collected 70 semitrailers of electronics, about 500 tons, and the event resulted in a huge traffic jam.

Such a response, according to supporters of the proposed legislation, shows that people are desperate for responsible ways to get rid of the electronic junk piling up in garages and basements.

A 2006 survey by the state Department of Natural Resources found that state households own 3.8 million computers and 7.5 million televisions. The agency estimated the average life of a computer at only three years and only 20 percent of those surveyed indicated they intend to recycle their discarded electronics.

Wisconsin's proposed law is patterned after similar legislation now in place in Minnesota — a law that last year resulted in more than 33

million pounds of electronics being collected and recycled in that state. Altogether, 18 states have passed electronics recycling legislation, including neighbors Illinois and Michigan.

Under the Wisconsin proposal, beginning May 1, 2010, electronics manufacturers would not be allowed to sell their products — TVs, computers (including laptops) and printers, computer peripherals, digital video players and recorders — in the state unless they:

- Register with the state DNR.
- Arrange for the collection and recycling of eligible electronic devices.
- Submit annual reports on the weight of devices sold to individuals in the state and the weight of devices collected by or on behalf of the manufacturer for recycling.
- Pay certain fees, including an annual registration fee of \$5,000 (less for manufacturers selling fewer than 100 devices a year in Wisconsin).

A manufacturer would be required to recycle 80 percent of the total weight of electronics it sold in the state during the year. If a manufacturer failed to reach that goal, it would be required to pay a shortfall fee.

Among the groups opposing the bill is TechAmerica, an electronics manufacturing association. The organization has called the proposal “unrealistic, unnecessary, and unsustainable.”

Ed Longanecker, executive director of TechAmerica Midwest, said many major manufacturers already operate recycling programs that meet or exceed many state mandatory requirements. A program such as that proposed in Wisconsin, Longanecker said, will result in manufacturers passing on increased costs to consumers.

“Legislators must realize these devices are private property, and we can in no way compel citizens to return obsolete products, let alone according to some statutory schedule,” Longanecker said. “Penalizing manufacturers for the actions or inactions of others raises many legal and constitutional concerns.”

One past opponent has been largely silent on the fate of the bill this year. Wisconsin Manufacturers and Commerce is not taking a position on the legislation, according to Scott Manley, who handles environmental issues for the business lobbying organization.

Barbara Kyle, coordinator of the Electronics TakeBack Coalition, said the national group supports the Wisconsin proposal. She said the Wisconsin law, like Minnesota’s, is powerful because it mandates that manufacturers recycle a prescribed volume of electronics. The difference between states that include such requirements and those that don’t is striking, according to Kyle.

In Minnesota, for example, there are now 69 electronics recycling sites, Kyle said. But she added that in the state of New York, where recycling volumes are not mandated, only two recycling sites have been set up.

“It’s really clear that manufacturers are going to do what the law requires, and not much more,” Kyle said. Kyle added that newfound support for the proposal in Wisconsin this year

mirrors increased enthusiasm for such programs nationwide.

"It's becoming more commonly accepted," she said of recycling legislation.

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