



DEPARTMENT OF  
**ECOLOGY**  
State of Washington

# **Rule Implementation Plan**

## **Electronic Products Recycling Program**

### **Chapter 173-900 WAC**

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## Publication and Contact Information

This report is available on the Department of Ecology's website at <https://fortress.wa.gov/ecy/publications/SummaryPages/1607009.html>.

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# Purpose

The Washington State Department of Ecology (Ecology) provides the information in this implementation plan to meet agency and Administrative Procedure Act (RCW 34.05.328) requirements related to rule adoptions.

# Introduction

On March 1, 2016, Ecology adopted amendments to Chapter 173-900 WAC Electronic Products Recycling Program (AO # 15-03). The purpose of this rule implementation plan is to inform those who must comply with WAC 173-900 about how Ecology intends to:

- Implement and enforce the rule.
- Inform and educate persons affected by the rule.
- Promote and assist voluntary compliance for the rule.
- Evaluate the rule.
- Train and inform Ecology staff about the new or amended rule.

Also included in this plan is information about:

- Supporting documents that may need to be written or revised because of the new rule or amended rule.
- Other resources where more information about the rule is available.
- Contact information for Ecology employees who can answer questions about the rule implementation.

# Implementation and Enforcement

Waste 2 Resources (W2R) staff, specifically the two positions currently working to implement the E-Cycle Washington program, will implement and enforce these amendments to WAC 173-900.

W2R staff routinely work with manufacturers of electronic products annually to determine their sales into the state. They work with retailers of electronic products to provide recycling information to the public so implementing and enforcing these changes to the rule will be fairly routine. Implementation will take place through phone calls, email, site visits to retailers, and posting information on the E-Cycle Washington web site.

## **Informing and Educating Persons Affected by the Rule**

Manufacturers of electronic products (and the Authority operating the recycling plan for the manufacturers) will be reminded of these changes by e-mail and through the ListServ. Retailers of electronic products will be informed by e-mail, through posts on the E-Cycle web site and through site visits.

## **Promoting and Assisting Voluntary Compliance**

From the onset of the E-Cycle program W2R staff have worked with retailers to comply with the requirement that retailers must provide consumers of new electronics with information about how to recycle their old electronics. We have been successful through direct communications and site visits to retail stores. These same methods will be used to assist retailers who aren't already doing so, to comply with the requirement that they provide consumers with recycling information in a take-home form. By showing examples of how other retailers are meeting this requirement and providing templates of materials, we expect to achieve 100% voluntary compliance.

In communication with the Authority and individual manufacturers the W2R staff have already implemented the change-over from a return share system to a market share system of assigning manufacturer responsibility for the E-Cycle program since this was required to take effect as of program year 2016.

The Authority has already stated that it will not be a problem to include the additional reporting requirements added by this rule amendment to their annual report to Ecology. Staff will assist the Authority as needed.

No other entities will be directly impacted by this rule amendment.

## **Evaluating the Rule**

As noted above, the change over from a return share system to a market share system has already occurred as required by law..

Retailer compliance with the requirement to provide consumers with take-home information on recycling electronics will be evaluated through site visits over the next 12 months. We will also conduct follow-up site visits as needed for any stores not already in compliance.

The Authority is required to submit an annual report in March for Ecology's approval. If that report does not contain all the information required by rule, the report will not be approved. As noted, above, this is not anticipated to be a problem.

# Training and Informing Ecology Staff

Other than the two W2R staff who implement the E-Cycle program, there are no other Ecology staff who need to be trained in these changes. The W2R Program – Program Management Team will be briefed again on the changes, following adoption.

## List of Supporting Documents that May Need to be Written or Revised

The E-Cycle Washington website will be updated to reflect the changes in statute. No other documents need to be created or revised.

## More Information

E-Cycle WA home page: [www.EcycleWashington.org](http://www.EcycleWashington.org)

Ecology's Open Rulemaking page: <http://www.ecy.wa.gov/laws-rules/currentactivity.html>

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