

# Rule Adoption Notice

Waste 2 Resources

March 2016

## Electronic Products Recycling Program, Chapter 173-900 WAC

### What is Chapter 173-900 WAC?

The Electronic Products Recycling Program rules implement the requirements of chapter 70.95N RCW, Electronic Product Recycling. Since 2009, the program called E-Cycle Washington has provided a free-of-charge recycling system for certain consumer electronics (TVs, computers, monitors, portable DVD players, and e-readers). The Electronic Product Recycling statute declares that:

1. A convenient, safe, and environmentally sound system for the collection, transportation, and recycling of covered electronic products must be established;
2. The system must encourage the design of electronic products that are less toxic and more recyclable;
3. The responsibility for this system must be shared among all stakeholders, with the manufacturers financing the collection, transportation, and recycling system.

The Electronic Product Recycling Program rules, chapter 173-900 WAC:

- (a) Define the administrative and enforcement responsibilities delegated to the Department of Ecology;
- (b) Describe the processes and procedures that Ecology will use to carry out those responsibilities; and
- (c) Describe the requirements for electronics manufacturers, retailers, collectors, transporters, and recyclers.

### Summary of the rule changes adopted on March 1, 2016

The revised rule responds to amendments adopted to the underlying statute, Chapter 70.95N RCW, by the 2013 Legislature. The rule was revised to account for each manufacturer's financial obligation to the stewardship program based totally on market share and eliminating all references to return share calculations.

The revised rule also directs the stewardship organization operating the standard (default) plan for recycling electronics to apportion costs for operation of the plan to its member manufacturers based on market share beginning in 2016.

#### MORE INFORMATION

For more information on the Electronic Products Recycling Program (E-Cycle Washington), visit our web pages at:  
[www.ecyclewashington.org](http://www.ecyclewashington.org)

To join our ListServ and stay up to date on program developments, go to:  
[Washington Recycles Electronics](http://WashingtonRecyclesElectronics)

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**Effective April 1, 2016**

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#### Special accommodations:

If you need this document in format for the visually impaired, call the Waste 2 Resources Program at 360-407-6900.

Persons with hearing loss, call 711 for Washington Relay Service. Persons with a speech disability, call 877-833-6341.

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Also in response to 2013 legislation, annual reports required to be submitted to Ecology by stewardship organizations operating an electronics recycling program are required to include:

- (1) An estimate of each type of material recovered from the recycling of electronics including cathode ray tube glass, circuit boards, batteries, mercury-containing devices, plastics, and metals;
- (2) An estimate of the weight of all collected products that are ultimately reused, recycled, or end up as residual waste that is disposed;
- (3) A description of program revenues and costs including the average cost of the program per pound of covered electronic products collected, and costs for education and promotional efforts, collection, transportation, processing and labor, and program administration; and
- (4) A description of the methods used to collect, transport and process covered electronic products.

Other amendments include:

- Retailers of covered electronic products must provide take-home information on the recycling of electronics to consumers at the time of purchase of a covered electronic product,
- Allowing Ecology to provide notifications electronically to the organizations operating recycling programs rather than by certified mail, and
- Updating references to Ecology's oversight program from the previous *Solid Waste and Financial Assistance Program*, to the current program name, the *Waste 2 Resources Program*.

## Response to Comments

Ecology's response to comments received during the public comment period is now available. Download a copy at <http://www.ecy.wa.gov/programs/swfa/rules/wac173900/1503docs.html>.

## Whom does this rule affect?

- Manufacturers of TVs, computers, monitors, portable DVD players, and e-readers;
- Stewardship organizations designated to operate a recycling plan for a manufacturer(s); and
- Retailers of the electronic products listed, above.

## More information

Visit our web pages at [www.ecyclewashington.org](http://www.ecyclewashington.org)

To get updates on Ecology's rulemaking activities, sign-up for the WACTrack e-mail list at [www.ecy.wa.gov/maillist.html](http://www.ecy.wa.gov/maillist.html).

## Appeal procedures

This adoption can be appealed under procedures described in the Administrative Procedure Act (RCW 34.05.330). For more information about appealing this rule adoption, please contact Bari Schreiner, Agency Rules Coordinator, at (360) 407-6998 or [bari.schreiner@ecy.wa.gov](mailto:bari.schreiner@ecy.wa.gov).