



State of New Jersey

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DEPARTMENT OF ENVIRONMENTAL PROTECTION
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BOB MARTIN
Commissioner

December 22, 2014

By e-mail

RE: Electronic Waste Management Act
N.J.S.A. 13:1E-99.94 et seq.

To: Local Officials involved with "E-Waste" collection/recycling

I am writing to bring you up to date on some recent developments in electronic waste recycling, and to clarify for you that neither consumers nor local governments that collect certain e-waste from consumers in their towns are obligated to pay any portion of the cost to collect, transport and recycle such electronics.

Since the E-Waste Law was implemented four years ago, the volume of e-waste that is collected in New Jersey has climbed from around 10 million pounds in 2010, to over 48 million pounds in 2012. At the beginning of this program, e-waste that is covered by the E-Waste Law (known in the law as "covered electronic devices", or CEDs) had sufficient value in the recycling markets that the recycling industry in New Jersey responded by expanding opportunities for local collection. New Jersey enjoyed over 550 local, convenient and free collection centers.

Beginning mid-2013, the market for older TVs (those with cathode ray tube, CRTs) changed abruptly when the last remaining CRT manufacturing plant in North America closed. CRT-based glass went from a positive, to a negative value. Since old TVs and monitors with CRT glass are still a large part of the total volume of CEDs, the drop in CRT-based glass caused disruptions in e-waste recycling systems throughout the United States, including New Jersey. The Department has been working with e-waste recyclers, representatives of county and municipal governments, and consumer electronic manufacturers to ensure that New Jersey consumers continue to receive free and convenient recycling of their CEDs notwithstanding the change in the market for CRT glass.

It has come to the attention of the Department that some authorized recyclers and local recyclers working on behalf of one or more manufacturers are, or will soon be, charging local governments for the cost of collection and transportation of CED's associated with a manufacturer's recycling obligation. **Such fees are prohibited by the E-Waste-Law.** With some limited exceptions, manufacturers must cover all costs associated with the collection, transportation and recycling of CED's. The Department has recently informed the manufacturers

that all costs for collection, transportation and recycling of those electronics covered by the “E-Waste Law” are the responsibility of the manufacturers, and that they are prohibited from assessing any costs or fees to local governments that are providing collection sites for their residents, so long as those sites are included in any manufacturer’s approved collection plan. See attached letter.

Please bear in mind that the E-Waste Law only covers certain consumer electronics- TVs, and the various forms of computers. Printers, etc., are not covered by the E-Waste Law. Thus, if your town or county provides recycling to your residents for consumer electronics that are not covered by the E-Waste Law (i.e., they are not CEDs), then the E-Waste Law does not require manufacturers to fund the costs of collection, transportation or recycling of those types of electronics.

Finally, the E-Waste Law does not require municipalities or counties to host CED collection sites. Again, the E-Waste Law requires that manufacturers provide a free and convenient system for consumers in your communities.

The Department welcomes your comments on the E-Waste Law, and this communication. If you have any questions, please do not hesitate to contact either Frank Piliere or Dana Lawson at 609-984-3438, or by email at Frank.Piliere@dep.nj.gov or Dana.Lawson@dep.nj.gov. Thank you.

Sincerely,

A handwritten signature in cursive script, appearing to read "Jane Herndon for".

Jane Herndon, Assistant Commissioner
Environmental Management