

# STATE RECYCLING LAWS UPDATE

## National Electronics Stewardship Talks Progress

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American and Canadian electronics makers could end up paying into European-style collection organizations to finance recovery of their products, if progress continues on national talks between government, industry and consumer groups this summer.

Officials working with the **National Electronic Product Stewardship Initiative** (NEPSI) announced March 13 they have reached an agreement in principle that there needs to be some sort of visible fee, most likely up front on new products, to finance recovery of used **TV's, computers and peripherals**.

Their panel discussion attracted a packed room of mostly local government officials and recyclers at the EPR2 conference, held March 12-13 in Washington, D.C.

The NEPSI group consists of about 25 states, the Northeast Waste Management Officials Assn, several major electronics makers, (about 16 now participate) the Electronic Industries Alliance, two retailers and several environmental groups.

While financing is the most contentious issue, participants tell SRLU that this was a critical step, and that they agreed there needs to be some sort of fee, and a third-party collection organization. Many in industry prefer some back-end fees for consumers - and this still could cause some slow-downs, according to one participant.

Moreover, the group agreed that there would need to be some sort of **national legislation** to deal with "free riders," companies that do not want to pay into the system, and how to deal with Internet and mail-order sales of these products (which some estimate is as high as 20%).

*(Cont. on p. 2)*

## CA: Romero Pushes Packaging, Electronics Bills

A new California state bill, introduced by Sen. Gloria Romero, seeks to amend the states recycled content mandate for rigid plastic containers.

The current law requires that if the statewide 25% recovery rate is not met for plastics, then manufacturers must use 25% PCR in their non-food containers.

The bill allows companies to use 20% post consumer materials, if they are recycled *in the state*. Any manufacturer who is unable to be compliant with these provisions may petition the California Integrated Waste Management Board for approval of a comprehensive environmental management program. The bill - **SB 1970** - would also allow manufacturers to trade credits in order to meet the requirements.

*Romero also has introduced an electronics takeback bill and a "zero waste" bill. See stories on page 2.*

## In This Issue:

NEPSI Talks Progress p. 1-2. . CA: Romeros Pushes Packaging, Electronics p. 1-2. . Report Claims ToxicTrash Flooding Asia p. 3. . At&T Wireless Announces Recovery Program. . CA: Plastics Recycling Problematic p. 4. . \$200 Million Price Tag on Plastics Recycling Automation p. 5. . SPE Technical Highlights. . Enviro Push Pepsi on Recycled PET. . Industry Agrees to Phase Out Arsenic Wood Preservatives p. 6. . WI Fee State Issue. . Nova Scotia Paint Recovery. . RCBC unhappy with Proposed EPR Changes. . Paper Recovery Rates Stable. . p. 7 STATE WRAP - 10 new electronics bills - p. 8. . End of Road for Evergreen's Carpet Recycling Plant? p. 13. . *NomoreAOLCD's* Launch Trouble. . Best Buy Drives Traffic with Electronics Recycling Events p. 14

## California Lawmakers Push Mandatory Ewaste Bills

Two bills introduced in the state legislature seek to push California in the forefront of the nation's efforts at controlling the volume of used electronics by asking manufacturers and consumers to pay the multimillion-dollar tab required for recycling.

On Feb. 21, State Sen. Gloria Romero of the Los Angeles area introduced SB 1619 requiring high-tech manufacturers to develop programs to recycle electronic wastes or pay a fee to support state-wide recycling initiatives.

Starting January 2004, all hazardous electronic devices and packaging would have to include a label with disposal instructions. Companies also must demonstrate compliance with recovery goals – which are set at **80%** within a few years.

Waivers could be granted by the California Integrated Waste Management Board if a company pays a recovery fee on all devices sold in the state. The bill would also prohibit the board from using any money obtained through these fees for the administration of the program.

State Sen. **Byron Sher's SB 1523**, introduced on Feb. 20, mandates consumers pay an **advanced disposal fee** when purchasing electronic devices containing **cathode ray tubes** to fund recycling programs.

The funds will be distributed to local agencies recycling electronics. The bill would establish a statewide program requiring every retailer selling CRT devices collect an unspecified point-of-sale fee starting July 2003.

The bill authorizes CIWMB to adjust the fee to acquire the necessary capital to develop and maintain infrastructure for the recovery, recycling and refurbishment of CRT's and CRT devices by January 2005.

The bill also proposes the creation of a seven-member CRT Recycling Advisory Committee within the CIWMB to study matters related to CRT recycling and the program.

The state's high-tech industry is concerned it will be placed at a competitive disadvantage should such bills become law and opposes their passage.

Information: Full text of bills:

<http://www.leginfo.ca.gov>

### Romero Adds Zero Waste Bill

State Sen. Gloria Romero introduced a measure in the California legislature on Feb. 20 that could make the California the first state to adopt a zero waste goal.

SB 1526 lists several companies, including Hewlett Packard, Epson, Pillsbury and Xerox, as well as governments, such as Canberra in Australia, Seattle and Santa Cruz County, that have adopted zero waste goals. The bill declares "zero waste is the goal for the State of California. Strategic plans and long-term strategies of the California Integrated Waste Management Board, and implementation of those plans and strategies, should include a zero waste goal."

The bill says, "At California's current annual growth rate of 2%, California's population is expected to reach 64 million people by 2035. Waste generation is estimated to nearly double in the same period. This requires a long-term strategic plan for sustainability."

### NEPSI Making Progress *(Cont. from pg. 1)*

Gary Davis from the University of Tennessee, a NEPSI facilitator, notes that there are many issues that need further work:

- ☛ Free riders
- ☛ Management of the finance system
- ☛ Shared responsibility
- ☛ Convenience of collection for consumers
- ☛ Historical and orphan wastes
- ☛ Environmentally safe and appropriate recycling
- ☛ How to quickly implement a national system

The groups agreed they would develop an action plan by September 2002 at their last official meeting. Heather Bowman with the **Electronics Industry Alliance** tells SRLU the group understands that developing a system for 10,000 cities and 200 million people will not be quick, but that the hope is to optimize infrastructure that is already out there and build on that.

Meanwhile, Mike Vanderpol from **Environment Canada** says ITAC, the electronics association in Canada, has hired a consulting firm to develop an action plan for a national recovery system, to be completed by this fall.

He also told SRLU **Manitoba** is pushing forward with its hazardous waste regulations, even though it keeps moving the dates back. *All electronics makers are supposed to register with the environment department by September, then submit takeback plans three months later.*

The local government managers attending the EPR2 session appeared to be impatient. A number of them complained they have no way to finance recovery of electronics once they collect them. One local manager in California said a collection day produced 50 carloads

in four hours, and “they had to close the gates with 100 more cars waiting.”

Mark Kennedy of the California Integrated Waste Management Board said his local managers are caught in between a landfill ban of household hazardous waste and a lack of financing and infrastructure to handle electronics. He notes that there is no cathode ray tube recycler in California.

Audience members also seemed concerned about the recent **Basel Action Network** report, which claims that 50-80% of electronics are now being “dumped” in China at places with unsafe working conditions.

Another concern was “design for environment.” Consumer groups would like to see electronics makers phase out lead solder and brominated flame retardants, (which will be required on some equipment going to Europe under the draft directives) and have an incentive built in for design.

The EIA sees that as a separate issue. Bowman noted that EIA is working on material decision guides for manufacturers, though it requires development of a database and it will take some time.

Davis noted that participants at a recent OECD meeting in Paris indicated that producer responsibility laws, now on the books in 30 countries, have not really impacted packaging design. Frequently it is other policies, such as landfill bans, that can impact design he said.

Mike Fisher of the **American Plastics Council** asked why EPA wasn't bringing more of its scientific expertise to the bear on the subject. Clare Lindsay with EPA agreed that more could be done, but that EPA has completed work on lifecycle analysis of **flat panel displays** versus CRT's, and analysis of the **lead-free solder** issue. It has held a roundtable on brominated flame retardants as well.

Another industry participant complained that the auto industry has had a terrible time getting information from suppliers on what goes into its parts, apparently because of proprietary issues. Ted Smith from the **Silicon Valley Toxics Coalition** noted that one Japanese manufacturer uses infrared tags on all parts to identify the material for recovery. Bowman agreed it was a problem that needs further work.

SVTC has been keeping the pressure on the electronics industry, issuing several reports tearing into industry practices, even though he has been at the NEPSI meetings negotiating. To date a total of **52** local governments in California and Massachusetts have passed resolutions calling for states to enact takeback laws.

Bowman felt the pressure takes energy away from the national talks. Smith insisted that the majority of manufacturers are a “tough customer,” that would rather “not bother” with this issue, and that they need to see grass roots concern to encourage them to take

action.

Concern was also expressed over the fact that a number of states are trying to move on their own legislation. (*According to SRLU data, there are 10 new bills as of this issue; there were 21 total last year.*) Scott Cassell of the **Product Stewardship Institute**, who works with the governments, said there will be a need to ensure that any state legislation is “consistent” with what is going on nationally. Bowman pointed out that the reason industry is at the table is to *avoid* a state patchwork.

“What happens after everyone cleans their garage?” Fisher asked. He warned they should plan for a “spike” but there may be a fall off in collections later.

Information: Cassel - 978-934-4855 Holly Evans, EIA: 703-907-7576

## **Report Claims Toxic Trash Flooding Asia**

Environmental groups are charging that 50-80% of America's electronics waste is being exported to Third World countries, to be processed in unsafe conditions. However, at least one U.S. electronics recycler says the new report is misleading.

The report, “*Exporting Harm: The High-Tech Trashing of Asia*,” was released by Basel Action Network (BAN), Silicon Valley Toxics Coalition (SVTC), with support from India-based Toxics Link India, Greenpeace China and SCOPE. It claims huge quantities of hazardous electronic wastes (E-wastes) are being exported to China, Pakistan and India.

The report further goes on to claim these E-wastes are being processed under extremely harmful conditions detrimental to both human health and the environment. Open burning of plastics and wires, riverbank acid works to extract gold, melting and burning of toxic soldered circuit boards and the cracking and dumping of toxic lead laden cathode ray tubes are some of the operations being purportedly carried out under unsafe conditions.

BAN claimed the United States is the only developed country in the world failing to ratify the Basel Convention and still continues to export 50-80% of its domestically-generated hazardous wastes to other countries. Other environmental groups called on the United States to follow Europe's example and immediately implement the global ban on the export of hazardous wastes to developing countries.

While applauding the report in bringing to light poor working conditions in China, Robin Ingenthron said the report paints too broad a brush on the export situation. Ingenthron, VP of ElectroniCycle in Gardner MA, said while it is possible that up to 80% of electronics waste is exported, only a portion of it goes out mixed.

“If they mix everything on one load, and they have to break a lead-based CRT to get a copper part, then

that's a problem," he said. However, he said his company separates certain parts – such as copper – and exports them to China “because that's where the new parts are made.” He questioned whether it makes more sense to mine the new copper or used recycled material from the U.S.

Ingenthron agrees there must be some export standards to avoid unsafe conditions, but he does not

enforcement officers for environmental laws, and they have vast areas to enforce.

Ingenthron is concerned that enforcement can be selective – there seems to be prohibition on import of any equipment that is reusable – he says there have been loads of usable electronics turned away. But once they were crushed, they were allowed in for recycling.

## **AT&T Wireless Announces Cell Phone Recycling Program**

AT&T Wireless announced its latest “green venture” – a national consumer cell phone takeback program – at the annual Take It Back! 2002 conference held in Las Vegas March 6.

Lynda Israel, AT&T Wireless district manager for Las Vegas, said the company was committed to addressing the issue of electronic product disposal in municipal landfills and incinerators. The new program allows consumers to drop off all brands of unwanted cell phones, accessories and batteries at collection boxes at approximately 800 AT&T Wireless retail stores nationwide. In-store advertisements and targeted consumer education programs will be developed to inform the public.

The program is scheduled for full implementation by Earth Day 2002, April 22.

Craig Boswell of program recycler Hobi International, Inc., said materials will be shipped to a recycler through a logistics coordinator. Presently, AT&T Wireless has an arrangement with UPS to carry collection boxes to recycling centers. Transportation will be arranged through one of the three regional recycling centers. Material processing will include

## **California: Plastics Recycling Remains Problematic**

Janet Schneider of California's Central Contra Costa Solid Waste Authority said plastics may not exactly be the “least-waste” packaging type, but they are here to stay as an issue for governments dealing with shrinking landfill space.

Schneider discussed her organization's work in recycling plastic at the **Take It Back! 2002** conference in Las Vegas March 7. She said resin identification numbers creates the expectation of recyclability, though many plastics, such as wrap, bags, utensils and

think a ban would make sense.

Are exports of electronics waste to China legal?

Richard Ferris, an Asian environmental law expert at Beveridge & Diamond, told Take it Back! attendees March 6 these practices are illegal in China and the report has caused the Chinese government to “lose face.” He explained the government has only a few

The reason: he feels industry is trying to push only production of new equipment – not reuse for Chinese consumers. (*A further report from Chinese sources will be in the next issue of RLI.*)

Information: For a full text of the report, visit <http://www.ban.org>

reuse, recycling and some redeployment. Material that can be refurbished and reclaimed will be resold.

Batteries will also be collected, sorted and recycled as far as possible by AT&T Wireless.

Boswell admitted the costs seem prohibitive, especially for transportation, but the company will try to use more collection centers and/or have multiple stores send goods to one regional collection center. This should also decrease labor costs.

He also said AT&T Wireless's varied experience in the field has shown sorting would not be as complex as it has been for other products, such as overhead projectors or hand-held cameras, because the composition of the material is consistent. If there is any net income from the program, those funds would be donated to charity.

AT&T Wireless was the chief sponsor of the **Take It Back! 2002** conference.

Information: AT&T Wireless, EH&S: Elizabeth McCleskey: 410-956-3645 <http://www.attws.com>

container lids, cannot be recycled. She said this presents a challenge to consumer education.

But there are many options for packaging any product. Orange juice alone can be placed in a paper carton, glass bottle, steel can, juice box, HDPE bottles, flexible pouch, powder concentrate in paperboard, frozen concentrate in paperboard or orange in a peel, she said.

She recommended companies use packaging

consistent with the Coalition of Northeast Governors Preferred Packaging Manual, which calls for no packaging or minimum packaging and returnable, refillable, reusable and recyclable containers – as well as packaging containing recycled content.

Schneider identified a downward trend in plastic collection in her region between 1999 and 2000. PET recycling fell 42%, HDPE fell 21% and #3-7 plastic fell 100%, compared to glass falling 23% and aluminum falling 5%.

In 2000 and 2001 following the effective date of California's expanded deposit system, PET bottles returned for money increased 33% and HDPE increased 194%. However, PET bottles collected through the buyback center only represented 3% of the total amount collected and the amount of HDPE was insignificant, she said. "So despite the higher numbers of plastics brought back for CRV value, it made no difference in the program," she said.

In 2001, CCCSWA land filled a total of 4.5 million

## ***\$200 Million Price Tag on Plastics Recycling Automation***

As they broadened the scope of their division – from recycling to "plastics and the environment" – the **Society of Plastics Engineers** attracted about 260 engineers to its annual technical conference Feb 13-14 in Detroit.

The conference included about primarily technical 60 papers covering not just plastics recycling, but also recovery of tires, waste oils and degradable plastics developments.

While there may be many technical developments to improve automatic sorting of plastics for recovery, there was little discussion of who should pay for the new equipment, according to veteran recyclers interviewed. Behind the scenes, plastics recyclers tell SRLU they face the same problems as 10 years ago – market price fluctuations, lack of markets when virgin prices are low, financing challenges, contamination of curbside loads and a lack of ability to improve collection efforts on the post-consumer end.

In a super-session panel on the future of plastics and the environment, Gary Kenney of **Magnetic Separation Systems, Inc.**, (which makes sorting equipment) estimated that if half of the major material recovery facilities in the United States were to automate plastics sorting, about \$50 million in labor would be saved each year.

When asked what the capital cost to outfit several hundred regional MRF's with sorting equipment would be, he told SRLU a rough estimate would be about \$200 million, including set-up, installation and equipment to sort bottles by resin and color.

Kenney told the group even though Germany has an expensive and problematic system for collection and

pounds of plastics, while about 1.5 million pounds were recycled.

"Plastics are here to stay and the recovery rate of plastics are so low – what are some solutions?" She listed improving the infrastructure needed for recycling and creating markets for recovered plastics. She also pushed for more laws requiring recycled content, like those in California, and laws requiring producers be more responsible for their packaging choices.

"You are not really recycling unless you are buying recycled content," she said. "If you are collecting all this stuff and nobody wants it, that is stockpiling not recycling."

Information: Schneider: 925-906-1801

recycling of packaging, the mandate to cope with such large volumes of low-value packaging forced the Duales System Deutschland to automate its plants. He said this drastically reduced sorting costs in the last two years, in part allowing DSD to reduce fees to manufacturers.

In a breakout session, Barbara Halperin from the **American Plastics Council** provided an overview of the current economic situation for plastics recycling.

She noted there is currently a weak demand for product, and thus for recycled material of all types – the weakest plastics has seen in nine years. For this reason, there will be fewer new collection and end-use developments early this year. State and local budgets are tight so recycling may come into question again as 2002 budgets dry up. The cost of exporting bales have increased as Asian shippers raise rates.

She said the economy is expected to improve a little later in 2002.

Some other observations from Halperin:

- ☛ There is still very limited recycling of plastics # 3-7 (Non-PET or HDPE)
- ☛ The plastics recycling rate declined slightly in 2001, but pounds collected stabilized
- ☛ Prices for recovered material are depressed, and hover nearly below a comfortable margin for recyclers

In surveys of government recycling managers, APC finds plastics recycling is still on the list of concerns, though not at the top (composting and electronics are of greater concern). Officials expressed disappointment over the lack of government regulation to improve

recycling.

The trends show there will be continued reliance on export markets, Halperin said. She said there is little danger that "extended producer responsibility" laws will come to the U.S. for packaging. *However, there seems to be a big push for EPR laws on special wastes, including electronics, she noted.*

## **SPE Technical Highlights**

### **Melt Filtration System**

One of the major problems with running recycled plastics is contamination tends to hurt the filters of extruders and other equipment, requiring frequent changes. Germany-based **Gness, Inc.**, developed a special filtration system that can handle all types of resins. The rotating screen system provides constant cleaning through a new integrated back-flush piston system just before the contaminated screen is re-introduced into the melt channel. The system allows for recycling from flake instead of pelletizing. Observers note pelletizing can cost 7-20 cents per pound.

Monika Gness provided examples with staple fibers from bottle scrap, spun non-woven fiber, and thermoforming sheet. While the system is not cheap, between \$50,000 - \$600,000 for the equipment and \$2,000 - \$5,000 per year for screens, the case histories presented indicated the system produced a nearly-virgin product – even though 100% recycled resin was used. The lines were running at commercial speeds because there was no need for constant manual screen changing.

### **Auto Plastics Sorting System**

**LLA Instruments, GmbH**, of Berlin, Germany, developed a new "superfast" sorting system for engineered resins using near-infrared sensors. The complex new system reportedly can separate nylon, polyethylene, polypropylene, polycarbonate PET, ABS, PUR, PPO, PMMA and other resins, including black PP.

The system was designed in collaboration with Daimler Chrysler, Ford and BMW to enable them to separate shredded auto parts for recovery. The shredded material is pre-sorted by air, then dust, solvents and laquer is removed. The material is sent through two sets of sensors – one with a short and one with a long wavelength. The material is 98-99% pure, and the system will handle about three tons per hour of material.

### **Recovering Barrier Plastics**

Eric Yan with **Outokumpu Technology**, Jacksonville FL, explained how his physical separation

division can separate the barrier layer of plastic to achieve a pure stream. The mining company already has separation equipment for other materials. Yan explained the company custom built this system to include triboelectrostatic separation and electrostatic separation able to separate polyethylene from ethylene vinyl alcohol. The system runs at about 1,500 pounds per hour and produces an 80% pure material.

### **PS Foam Recycling**

Ed Carreras of Resource Recovery Technologies, is developing a new technology that dissolves polystyrene into a reusable solution, transferring the solution to an extruder, devolatilizing it at low temperatures and recovering PS in solid form. The latest tests are on a machine that will handle 1,000 pounds per hour.

**Information:** Contact SRLU at 301-345-4237. Carreras: 610-356-9849. Proceedings from the conference are available from SPE at 800-798-1241 <http://www.sperecycling.org>

## **Environmentalists Push Pepsi to Increase Recycled PET Use**

Though some environmentalists are celebrating their successful effort to get Coke to use more recycled plastic in beverage containers, some are launching a new effort to have the nation's second-largest bottler, Pepsi, match Coke's progress.

Coke is currently uses 10% recycled plastic in three-quarters of its North American bottles. In February, Pepsi announced its aim to match Coke's content by 2005. "This is a good first step," said Bill Sheehan, executive director of Georgia-based GrassRoots Recycling Network. "We are pleased to see Pepsi finally start to acknowledge their responsibility for packaging waste. But three to four years to achieve what Coke is already doing is totally inadequate."

The GrassRoots Recycling Network and Ecopledge.com have launched the "Take It Back" campaign, which asks consumers to send their empty plastic bottles back to Pepsi to push forward the implementation of its new recycled-content goal. Though bouyed by Coke's actions, the groups are still calling for both bottlers to push recycled content up to 25% by 2005. GRRN and other environmentalists have pushed failed stockholder proxy items with both

companies that would require the companies to increase the use of recycled PET.

Information: <http://www.ecopledge.com>

## **Industry Agrees to Phase out Arsenic-based Preservatives**

Lumber companies agreed to stop using arsenic-based preservatives in the wood used to build playground equipment, decks and other Products.

The agreement comes as the Environmental Protection Agency (EPA) called for an end to the use of chromated copper arsenate (CCA) by December 2003 in all lumber used for residential purposes. Industry agreed to reduce the use of CCA in all its treated lumber products and replace the treatment process with a more expensive preservative free of arsenic residues.

Industry officials said their action is completely voluntary, though they maintain CCA-treated wood is safe. Environmentalists claim arsenic remains on wood surfaces for years and can rub off on people's hands. Stephen Johnson, an EPA assistant administrator, said some studies show applying some oil-based coatings annually reduces exposure to the pesticide. He said homeowners need not feel compelled to remove or replace wood they already have.

With arsenic activism at an all-time high, the federal government recently changed its position regarding arsenic and accepted a previous ruling from the preceding government reducing the amount of arsenic in drinking water.

The ruling is being viewed as an "enormous opportunity" by the US Plastic Lumber Corp. The Florida-based company is a maker of building materials from recycled plastic. They claim that their plastic lumber products are a "safe alternative to pressure-treated lumber because they contain no harmful chemicals." The ruling comes just as the company's fortunes in the share market have taken an upswing.

## **Wisconsin Waste Fee is a State Issue, Judge Says**

A federal judge turned down a lawsuit challenging the constitutionality of Wisconsin's new recycling fee, saying the case is the jurisdiction of the state's courts.

The National Solid Wastes Management Association (NSWMA) filed a lawsuit against the Wisconsin Department of Natural Resources challenging the validity of a \$3 fee levied on each ton of trash disposed of in the state. The fee is expected to raise between \$17 and \$21 million per year with receipts earmarked for recycling programs. The state began charging the fee Jan.1, 2002.

The group is studying the decision and deliberating

its next steps. While ruling, Judge John C. Shabaz scrutinized whether the \$3 charge could be considered a tax under the federal Tax Injunction Act, which essentially limits jurisdiction of state tax issues to state courts.

The NSWMA asserted the tipping fee is just that - a fee, which could be considered by the federal court. Wisconsin successfully argued the fee was a tax under the Act. An official said, "It's a recognition that the federal court is not the one to be judging how the state is managing its fiscal responsibilities. The judge acknowledged that it was a complex political process in putting together a budget for the state."

## **Nova Scotia Announces Paint Recycling Campaign**

Nova Scotia will recover thousands of liters of paint and paint cans as a part of a new paint-recycling program, which could create employment throughout the territory.

David Morse the Minister of Environment and Labor announced plans of the new campaign at the annual RRFB Nova Scotia award ceremony in Halifax in late February. The program, starting June 1, will allow consumers to return surplus paint to any one of the province's 85 recycling depots at no charge. The paint will then be shipped to a paint-recycling operation in Springhill where it will be treated and turned into new paint.

RRFB will administer a phased implementation of the campaign. Morse said the new program will create new jobs at the plant, which could produce as much as 350,000 liters of recycled paint annually.

Information: Barry Friesen, Environment and Labor, Tel: 902 424 2645/497 4664, Fax: 902 424 0569

email: [friesebk@gov.ns.ca](mailto:friesebk@gov.ns.ca) or website at: <http://www.gov.ns.ca/envi/wasteman>

## **RCBC Uneasy with Proposed EPR Program Rule Reform**

Industry's proposal for a new framework for stewardship regulations was met with reservations by the Recycling Council of British Columbia.

The industry coalition Consumer Products Industry Group is asking for the elimination of the mandatory deposit-return system and other elements of the local stewardship program. Industry began meeting with government officials last fall regarding their proposal. RBRC concedes the need for greater flexibility in programs, but wants performance targets and deadlines, as well as industry accountability, to remain in the hands of government.

## **Paper Recovery Rates Remain Steady**

The American Forest & Paper Association says paper recycling levels have remained high even following a sharp decline in consumption in a recently

released report.

The group says consumption fell 2.2% in 2000 and 5.1% in 2001, but the paper recovery rate for 2000 declined to 45.8% from the last reported figure of 48%. The group estimates 2001's rate will be approximately 48.3%. Grade-specific recovery rates will be posted on the AF&PA's website at a later date once calculations have been completed.

Information: <http://www.afandpa.org>

## **EPA to Release C&D Lead Rules**

A final rule on managing architectural components that may include lead-based paint is due out for August if the U.S. Environmental Protection Agency (EPA) can meet its deadline.

The proposed version includes provisions designed to affect concrete recycling and disposal of some lead-based materials in C&D landfills. EPA is expected to drop provisions imposing significant restrictions on handling and recycling concrete that possibly contains lead.

# State-By-State Wrap-Up

Bills Introduced or Moved February 16, 2002 - March 11, 2002



## California

**AB 2237** (Chu) New Bill: Enacts the "Toxics in Packaging Prevention Act" by setting clear terms. Any California manufacturer or distributor is prohibited on and after Jan. 1, 2004 from selling or using promotional packages or **packaging** component that includes **lead, cadmium, mercury** or hexavalent chromium in specified amounts. *02/20/2002 Introduced.*

**AB 2253** (Cohn) New Bill: Requires the Department of Toxic Substances Control to provide assistance to businesses engaged in the disposing, dismantling or crushing of motor vehicles or vehicle parts concerning the safe removal and proper disposal of **mercury-containing light switches**. *02/20/2002 Introduced.*

**AB 2356** (Keeley ) New Bill: Requires the specifications for the state **compost** purchases of compost be designed to maximize compost use without jeopardizing the intended compost use. *02/21/2002 Introduced. 03/07/2002 To Assembly Natural Resources Committee.*

**AB 2479** (Jackson) New Bill: Requires any Resources Conservation and Recovery Act and non-RCA **hazardous waste** that includes a substance of concern, be identified by a four-digit Department of Transportation hazardous number. Enacts California Chemical Security and Community Protection Act and requires the identification and rank of hazardous materials. Requires covered facilities to a high priority terrorism risk reduction audit. Requires motor carrier or railroads to submit annual report. *02/21/2002 Introduced.*

**AB 2770** (Matthews) New Bill: Declares legislative intent to require the California Integrated Waste Management Board to facilitate using technologies to convert post-recycled solid waste into a source of alternative fuels. *02/25/2002 Introduced.*

**SB 1488** (Polanco) New Bill: Enables all state highway projects including construction or repair of road surfaces to use **asphalt** containing **crumb rubber** from recycled tires when there is an insufficient supply of crumb rubber from scrap tires generated in the state. *02/19/2002 Introduced.*

**SB 1514** (Torlakson) New Bill: Requires the Department of Conservation, on or before July 1, 2003, and annually thereafter, to submit a status report to the Legislature regarding **beverage container** recycling efforts in California schools. Further requires the department to include any recommended policies or programs that may increase beverage container

recycling efforts in schools in the report. *02/20/2002 Introduced.*

**SB 1523** (Sher) New Bill: Establishes a state program administered by the California Integrated Waste Management Board to recycle **cathode ray tubes** (CRTs) and CRT devices. The bill also requires every retailer selling CRT devices to collect a fee at the point of sale in unspecified amounts for each CRT device sold in the state starting July 1, 2003. *02/20/2002 Introduced.*

**SB 1619** (Romero) New Bill: Starting Jan.1, 2004, industry is required to divert 80% of **hazardous electronic scrap** from landfills and 95% beginning in 2006. Starting in 2004, 25% of hazardous electronic scrap must be diverted from hazardous waste disposal and recovered for reuse and recycling, 50% by 2007 and 75% by 2010. CIWMB is directed to develop a **deposit** system on the sale of electronics should the 2004 goals fall short. Board-certified disposal labeling is also required. *02/21/2002 Introduced.*

**SB 1697** (O'Connell) New Bill: Includes antifreeze within the definition of "recycled product" for procurement goal purposes. Makes contracts for the provision of **antifreeze** defined as recycled products subject to the requirement that contractors meet minimum percentages. *02/21/2002 Introduced.*

**SB 1733** (Sher) New Bill: Relates to rejection of **recycled containers**. Requires every container manufacturer fill out a standardized rejection form and would include all beverage container materials within specified disposal prohibitions. *02/21/2002 Introduced.*

**SB 1857** (Sher) New Bill: Requires the Department of Conservation to annually expend a set amount until Jan. 1, 2006, to issue grants for market development and expansion-related activities regarding **beverage container** recycling. *02/22/2002 Introduced.*

**SB 1882** (Alpert) New Bill: Requires the California Integrated Waste Management Board to provide grants to local agencies for the purposes of funding programs for the recycling and **diversion** from **landfill** disposal of **personal care** products made from plastic and paper (diapers); Establishes the Personal Care Product Recycling Account in the Integrated Waste Management Fund; funds to come from unclaimed deposits on beverage containers. *02/22/2002 Introduced.*

**SB 1970** (Romero) New Bill: Modifies the postconsumer resin mandate to require rigid **plastic** packaging containers include either 20% postconsumer material from resins recycling or recovered within the state or 25% resins recycled outside the state. Non-compliant companies may petition the board to approve a management plan including deadlines and conservation goals. Also requires CIWMB to develop a tradable credit program for containers no later than Dec. 1, 2003, with the value of credits reduced by 10% each year following 2007. *02/22/2002 Introduced..*

## Colorado

**HJR1022** (Spence) New Bill: Encourages school districts to recycle surplus educational materials. *02/27/2002 Introduced. 03/04/2002 Passed House; to Senate.*

## Connecticut

**HB 5220** (O'Rourke): Recoups unclaimed monies paid for **bottle deposits** and to use these monies to fund government functions. *02/13/2002 Introduced. 02/14/2002 To Joint Committee on Environment.*

**HB 5315** (Joint Environment Committee): Aims at reducing **mercury** emissions from power plants. *02/13/2002 Introduced. 02/14/2002 To Joint Committee on Environment.*

**HB 5539** (Joint Environment Committee) New Bill: Concerning **mercury** education and reduction; restricts the sale and use of products containing mercury to work toward the virtual elimination of the discharge of anthropogenic mercury. *02/26/2002 Introduced.*

**HB 5540** (Joint Environment Committee) New Bill: Concerning **mercury** products; restricts the sale and use of products containing mercury to work toward the virtual elimination of the discharge of anthropogenic mercury. *02/26/2002 Introduced..*

**HB 5709** (Joint Environment Committee) New Bill: Proposes a task force to study issues relating to the recycling and redemption of **beverage containers**. *03/05/2002 Introduced. 03/06/2002 to Joint Environment Committee.*

**SB 37** (DeLuca) Concerns unclaimed deposits on **beverage containers**. *02/07/2002 Introduced; to Joint Finance, Revenue and Bonding Committee. 02/19/2002 From Joint Finance, Revenue and Bonding Committee: Reported with substitute.*

## Florida

**HB 851** (Dockery) Requires counties to implement recycling programs and funds litter prevention and waste **tire** reduction projects. *01/22/2002 Introduced. 02/06/2002 From House Natural Resources and*

*Environmental Protection Committee with amendment. 02/14/2002 From House General Government Appropriations Committee with amendment. 02/21/2002 From House Ready Infrastructure Council with substitute. 03/04/2002 Placed on calendar in House.*

**SB 1922** (Dyer) Directs the Department of Environmental Protection to conduct a comprehensive authoritative review of the end-of-life **electronics** waste stream and make a report and recommendations based on the review; creates a pilot program to collect lead-containing products, including cathode ray tubes, end-of-life computers and other electronic equipment from state and local agencies for recycling. *02/05/2002 Introduced; to Senate Natural Resources Committee; to Senate Governmental Oversight and Productivity Committee; to Senate Appropriations General Government Subcommittee; to Senate Appropriations Committee.*

## Hawaii

**HB 657** (Say) Specifies that every **glass** container importer shall pay an **advance disposal fee**, which would be imposed only once on the same glass container and shall not be assessed on drinking glasses, cups, bowls, plates, ashtrays and similar tempered glass containers. *01/23/2001 Introduced. 01/26/2001 To House Energy and Environmental Protection Committee. 02/14/2002 From House Energy and Environmental Protection Committee: Do pass amended. 02/15/2002 Read second time in House, committee amendment adopted; to House Committee on Finance.*

**HB 2723** (Say) Establishes county requirements for separate collection and recycling of **food** waste by specified restaurants, food courts, hotels, markets, food manufacturers or processors, catering establishments, hospitals, schools and businesses; requires inspections and dissemination of information about the requirements. Companion Bill SB 2909 (Bunda). *01/25/2002 Introduced. 03/01/2002 Passed House; to Senate.*

**HB 2731**(Say): Authorizes issuance of a specific amount in special purpose revenue bonds for Central Oahu Recycling and Disposal Facility, Inc. *01/25/2002 Introduced. 03/01/2002 Passed House; to Senate.*

**SB 2005** (Inouye) Authorizes the county of Hawaii to conduct a three-year demonstration **beverage container deposit-fee** system. *01/17/2002 Introduced. 03/05/2002 Passed Senate; to House.*

**SB 2266** (Matsunaga) Requires county integrated solid waste management plans include a **curbside** recycling program. *01/18/2002 Introduced. 03/05/2002 Passed Senate; to House.*

**SB 2908** (Bunda) Authorizes issuance of \$25,000,000 in special purpose revenue bonds for Central Oahu Recycling and Disposal Facility, Inc. 01/25/2002 Introduced. 03/05/2002 Passed Senate; to House.

**SB 2909** (Bunda) Establishes county requirements for separate collection and recycling of **food** waste by specified restaurants, food courts, hotels, markets, food manufacturers or processors, catering establishments, hospitals, schools and businesses; requires inspections and dissemination of information about the requirements. 01/25/2002 Introduced. 03/05/2002 Passed Senate; to House.

**HCR 51** (Thielen) New Bill: Requests state procurement office to study the feasibility of requiring government agencies give preference to the purchase of recyclable or compostable **carpeting**. 03/04/2002 Introduced.

## Idaho

**SB 1394** (Senate Health and Welfare Committee): Amends and adds to existing law to provide for a fee on new motor vehicle tire sales; provides for acceptance of waste tires by sellers; provides for notice by sellers and for fee credits; provides for the disposal of whole tires and chipped or shredded waste tires. 02/08/2002 Introduced. 03/07/2002 Passed Senate; to House. 03/08/2002 To House Transportation and Defense Committee.

## Illinois

**HB 3637** (Collins): Creates the **Mercury Fever** Thermometer Prohibition Act and prohibits the sale, distribution and manufacturing of mercury fever thermometers. Makes violations a petty offense punishable by a fine no less than \$50 nor more than \$200. Companion Bill HB 4153 (Burke) 08/02/2001 Introduced. 08/22/2001 To House Rules Committee. 01/23/2002 To House Environment and Energy Committee. 02/15/2002 From House Environment and Energy Committee: Do pass. 02/21/2002 Second reading in House. 02/22/2002 Recalled to second reading in House, amendment filed; to House Rules Committee.

## Indiana

**HCR.44** (Alderman) New Bill: Urges the establishment of an interim study committee on state sales **tax** exemptions on **recycled** products. 02/19/2002 Introduced. 02/19/2002 Passed House; to Senate.

## Iowa

**SB 2019** (Zieman): Relates to recycling requirements in solid waste comprehensive plans. 01/15/2002 Introduced; to Senate Local Government Committee. 01/16/2002 Subcommittee assignments in Senate Local Government Committee: Zieman, Fraise, Schuerer. 01/31/2002 Subcommittee reassignments in Senate

Local Government Committee: Zieman, Fraise, Gaskill. 02/25/2002 Becomes Senate File 2290.

**SB 2290** (Senate Local Government Committee) New Bill: Relates to recycling requirements in solid waste comprehensive plans. 02/25/2002 Introduced.

**HB 2302** (Mascher): Relates to the recycling of **electronic goods** and the disassembling and removing of toxic parts from electronic goods. 02/13/2002 Introduced. 02/13/2002 to House Environmental Protection Committee. 02/20/2002 From House Environmental Protection Committee: Do pass.

**HB 2417** (House Environmental Protection Committee) New Bill: Relates to statewide standards, site-specific cleanup standards, and public participation in the Iowa Land Recycling and Environmental Remediation Standards Act. 02/19/2002 Introduced. 03/06/2002 Passed House; to Senate; To Senate Natural Resources and Environment Committee.

## Kansas

**HB 2705** (House Environment Committee) Requires certain reports regarding recycling, reuse and composting of solid waste materials. 01/25/2002 Introduced. 02/21/2002 Failed to pass House.

**HB 2915** (Kuether) Relates to certain programs encouraging **waste reduction**, recycling and reuse. 02/13/2002 Introduced. 02/15/2002 to House Environment Committee.

## Kentucky

**HB 422** (Damron): Provides for the extension of the waste **tire** fee; provides for a waste amnesty program. 01/17/2002 Introduced. 01/18/2002 To House Natural Resources and Environment Committee. 01/29/2002 From House Natural Resources and Environment Committee: Reported with amendment. 02/01/2002 Passed House; to Senate. 03/07/2002 Passed Senate.

**SB 871** (Bromwell) New Bill: Increases the maximum amount of the used **tire** recycling fee. 02/25/2002 Introduced; to Senate Rules Committee.

## Maryland

**HB 1429** (Oaks) New Bill: Increases the maximum used **tire** recycling fee from \$0.40 to \$1 and increases the maximum amount for the Used Tire Cleanup and Recycling Fund; requires the Department of the Environment distribute 60% of the fund to Maryland Environmental Service to establish a scrap tire recycling facility. 03/04/2002 Introduced; to House Rules and Executive Nominations Committee.

## Maine

**SB 783** (Michaud) New Bill: Authorizes a General Fund bond to construct and upgrade water pollution control facilities, remove discharges, clean up **tire** stockpiles

and uncontrolled **hazardous substance** sites, remediate solid waste landfills, make drinking water system improvements, address **household hazardous wastes** and promote standardization and use of public geographic data. *02/20/2002 Introduced; referred to Joint Appropriations and Financial Affairs Committee by Senate; House concurs with Senate reference.*

## Massachusetts

**HB 3772** Marzilli: Regulates thermometers containing **mercury**; prohibits on-line or retail sale; requires manufacturers to provide instructions on handling and disposing of thermometers containing mercury *01/03/2001 Introduced. 01/22/2002 Passed House; to Senate. 02/12/2002 Passed Senate. 02/21/2002 Signed by Governor.*

## Michigan

**HB 4599** (Minore): Prohibits sale of **mercury** thermometers. *04/17/2001 Introduced; to House Commerce Committee. 01/29/2002 From House Committee on Commerce: Reported with substitute. 03/07/2002 Second reading in House with committee substitute adopted; to third reading.*

## Minnesota

**HB 2792** (Ozment): Provides for the indemnification of local units of government participating in **household hazardous waste** programs. Companion Bill SB 2575. *01/31/2002 Introduced. 03/07/2002 Passed House; to Senate.*

**HB 2815** (Ozment ): Provides for product stewardship of waste **electronic products; bans used electronics from landfills**. *02/04/2002 Introduced. 02/04/2002 to House Committee on Environment and Natural Resources Policy. 03/06/2002 From House Environment and Natural Resources Policy Committee: Do pass amended. 03/07/2002 Re-referred to House Rules and Legislative Administration Committee.*

**HB 3129** (Holsten): Abolishes the waste **tire** grant and loan program. Companion Bill SB 3134 (Higgins). *02/11/2002 Introduced; to House Environment and Natural Resources Policy Committee. 02/18/2002 From House Environment and Natural Resources Policy Committee: Do pass.*

**HB 3519** (Ozment): Modifies the application of recyclable material **container** requirements for public entities. *02/18/2002 Introduced; to House Environment and Natural Resources Policy Committee.*

**SB 2575** (Price): Provides for the indemnification of local units of government participating in **household hazardous waste** programs. *02/04/2002 Introduced; to Senate Environment and Natural Resources Committee. 02/18/2002 From Senate Environment and*

*Natural Resources Committee: Do pass amended; to Senate Judiciary Committee. 02/25/2002 From Senate Judiciary Committee: Do pass.*

**SB 2675** (Krentz): Modifies the application of **recyclable material container** requirements for public entities. *02/04/2002 Introduced; to Senate Environment and Natural Resources Committee. 02/15/2002 From Senate Environment and Natural Resources Committee: Do pass amended; referred to Senate State and Local Government Operations Committee. 02/22/2002 From Senate State and Local Government Operations Committee: Do pass.*

## Missouri

**HB 1569** (Davis): Eliminates certain references to used tires in the waste **tire** statute. *01/22/2002 Introduced. 02/14/2002 To House Environment and Energy Committee.*

**SB 1011** (Caskey): Enacts in lieu thereof of 1 new section relating to waste **tires** with penalty provisions. *01/24/2002 Introduced. 01/31/2002 To Senate Commerce and Environment Committee. 02/14/2002 From Senate Commerce and Environment Committee: Do pass; from Senate Commerce and Environment Committee: Do pass.*

## New Hampshire

**HB 654** (Phinizy ): Establishes a **presorting** program to remove **mercury** from waste prior to incineration at municipal waste combustors; provides that municipalities may be reimbursed for the costs of such program; requires the Department of Environmental Services implement a continuous mercury emissions monitoring program to verify compliance with emissions limits. *02/08/2001 Introduced; to House Environment and Agriculture Committee. 01/02/2002 Refer for Interim Study. Committee Report Rejected on House Floor; to House Environment and Agriculture Committee. 02/15/2002 From House Environment and Agriculture Committee: Recommended for interim study. 02/21/2002 Referred for interim study in House.*

## New Jersey

**SB 1202** (Buono): Provides for notification to pregnant women and holders of fishing licenses about **mercury** health advisories in consumption of fish. *02/25/2002 Introduced; to Senate Health, Human Services and Senior Citizens Committee.*

**SB 1216** (Turner): Establishes library material recycling programs for free county libraries. *02/25/2002 Filed.*

## New York

**AB 5960** (Weprin): Directs the Commissioner of Environmental Conservation to study the feasibility of developing programs to promote the recycling of computer monitors, television sets and other items containing **cathode ray tubes**. *03/01/2001 Introduced. 03/04/2002 Passed Assembly; to Senate. 03/04/2002 To Senate Environmental Conservation Committee.*

**AB 6805** (Finch): Limits any future hazardous waste remedial program surcharge fees of generators recycling more than 90% of the **hazardous waste** or hazardous wastewater they produce by determining any such future surcharge fee based upon only the net amount of such hazardous waste or hazardous wastewater not recycled. *03/06/2001 Introduced; to Assembly Environmental Conservation Committee.*

**AB 9991** (Cohen M) New Bill: Repeals the Returnable **Beverage Container** Act, provides for an additional period following the effective date where redeemers can return containers previously purchased to obtain deposit. *03/04/2002 Introduced; to Assembly Environmental Conservation Committee.*

**AB 10146** (Colton) New Bill: Enacts the **Electronic Equipment** Recycling Act, which establishes an electronic equipment recycling program to develop and implement a program to collect, store, transport, process and recycle electronic equipment containing hazardous materials; imposes a \$5 fee upon the retail sale of cathode ray tubes; provides grants for development of recycling programs; prohibits CRT landfilling and imposes civil penalties. *03/05/2002 Introduced; to Assembly Environmental Conservation Committee.*

**AB 10147** (Colton) New Bill: Directs the Environmental Conservation Commissioner to develop rules and regulations for the recycling, reuse and re-manufacturing of **electronic equipment**. *03/05/2002 Introduced; to Assembly Environmental Conservation Committee.*

**AB 10148** (Colton) New Bill: Grants a real property **tax** exemption to any portion of property used exclusively for the recycling of goods or waste of half the assessed valuation of such portion. *03/05/2002 Introduced; to Assembly Real Property Taxation Committee.*

**AB 10149** (Colton) New Bill: Establishes a sales and compensating use **tax** exemption for providing the transportation of used goods to be recycled, reused or remanufactured. *03/05/2002 Introduced; to Assembly Ways and Means Committee.*

**AB 10151** (Colton) New Bill: Creates a personal income **tax** credit for fees imposed by recyclers accepting electronic equipment given by the taxpayer. *03/05/2002 Introduced; to Assembly Ways and Means Committee.*

**AB 10210** (Colton) New Bill: Requires businesses selling disposable **cell phones** to accept used models of such telephone for recycling or reuse free of charge, prohibits the disposal or incineration of disposable cell phones. *03/05/2002 Introduced; to Assembly Environmental Conservation Committee.*

**AB 10263** (Koon) New Bill: Prohibits the sale of **mercury** fever thermometers without a prescription from a physician; provides a civil fine for violators. *03/05/2002 Introduced; to Assembly Environmental Conservation Committee.*

**SB 5399** (Marcellino): Relates to the reduction in toxicity in **packaging** waste. *05/30/2001 Introduced. 05/30/2001 to Senate Committee on Rules. 01/09/2002 Withdrawn from Senate Committee on Rules. 01/09/2002 to Senate Committee on Environmental Conservation. 03/05/2002 From Senate Environmental Conservation Committee.*

## Oklahoma

**SB 1406** (Martin) Provides requirement for certain material to consist of waste **tires** originating or recovered within the state; provides for notice of approved funds to be sent to applicant; prohibits reimbursement or payment pending installation and proof of payment; authorizes eligible entity to assign certain payments. *02/04/2002 Introduced. 03/05/2002 Passed Senate; to House. 03/07/2002 To House Revenue and Taxation Committee.*

## Rhode Island

**SB 2608** (Tassoni): Aims at preventing **mercury** emissions from recycling and disposal of motor vehicles. *02/06/2002 Introduced; to Senate Health, Education and Welfare Committee. 02/26/2002 Transferred to Joint Environment and Energy Committee.*

**SB 2832** (Blais) New Bill: Amends the **mercury** reduction and education act by changing the definition of a "mercury-added product." *02/26/2002 Introduced; to Senate Health, Education and Welfare Committee.*

**SB 2859** (Tassoni ) Amends the definition of a mercury-added product in the **mercury** reduction and education act. *03/07/2002 Introduced; to Senate Judiciary Committee.*

## South Carolina

**SB 1031** (Leventis) New Bill: Establishes the Electronic Equipment Recycling Program to be administered by the Recycling Market Development Advisory Council within the Department of Commerce; imposes a \$5 **fee** on each piece of **electronic equipment** containing a **cathode ray tube**; requires State Treasurer to deposit fees collected in the Electronic Equipment Recycling Fund to be used. *02/21/2002 Introduced; to Senate Agriculture and Natural Resources Committee.*

## Tennessee

**HB 2716** (Kernell): Relates to the recycling market advisory council. *01/31/2002 Introduced. 02/19/2002 To House Calendar and Rules Committee.*

## Virginia

**SB 392** (Whipple): Requires a ban on the sale of **mercury** fever thermometers. *01/09/2002 Introduced; to Senate Education and Health Committee. 02/19/2002 Tabled in House Health, Welfare and Institutions Committee.*

**HJR 181** (Pollard): Urges Congress to enact the Solid Waste Interstate Transportation Act of 2001 that gives local and state governments the authority to regulate the **importation of solid waste**. *01/09/2002 Introduced. 02/01/2002 Passed House; to Senate. 02/04/2002 to Senate Committee on Rules. 03/01/2002 From Senate Rules Committee: Reported with amendment. 03/05/2002 amendment adopted on Senate floor; engrossed by Senate.*

## Washington

**SB 6480** (Eide): Directs the Department of General Administration to work with commercial and industrial construction industry organizations to develop guidelines for implementing on-site **construction** waste management planning. *02/14/2002 Passed Senate; to House. 02/15/2002 To House Agriculture and Ecology Committee.*

## West Virginia

**HB 4448** (Fleischauer) New Bill: Relates to violations and penalties under the solid waste management act; creates a criminal penalty for illegal waste **tire** piles; corrects nomenclature; removes outdated language. *02/08/2002 Introduced to House Committee on Judiciary. 03/01/2002 From House Judiciary Committee: Do pass.*

## **End of the Road for Evergreen's Carpet Recycling Plant?**

Evergreen, a joint venture between DSM Chemicals North America and Honeywell International, cited mechanical problems and weak market conditions as the primary reasons for closing its two-year-old carpet recycling plant in Georgia, laying off 90 employees.

Today, at least a third of the scrap carpet that earlier ended up at the nylon recycling plant are headed to landfills in the neighboring areas. "Unfortunately, we're not being very 'green' right now," said one official working with the carpet industry.

Evergreen Nylon Recycling's Augusta plant was the only facility in the nation capable of converting

## Wisconsin

**AB 365** (Johnsrud ) Relates to the **newspaper** recycling fee and the recycled content of newsprint used in newspapers. *05/01/2001 Introduced. 11/01/2001 Passed Assembly; to Senate. 11/06/2001 To Senate Environmental Resources Committee. 03/08/2002 From Senate Environmental Resources Committee: Recommended as substituted.*

**AB 793** (Plouff): Relates to the sale or distribution of **mercury** thermometers; provides a penalty. *02/12/2002 Introduced; to Assembly Natural Resources Committee. 02/20/2002 Withdrawn from Assembly Natural Resources Committee; to Assembly Environment Committee.*

**SB 488** (Harsdorf) New Bill: Relates to disposal and recycling of oil-absorbent materials and used **oil filters**; requires secretary of commerce to appoint a committee to study the use and disposal of used oil filters and other oil-absorbent materials to establish percentage goals for recycling and future measures should goals fall short. *03/06/2002 Introduced.*

**SJR 30** (Joint Legislative Council): Memorializes the U.S. Congress to provide funding for research on recycled **lumber** by the Forest Products Laboratory of the U.S. Department of Agriculture Forest Service. *04/04/2001 Introduced. 01/22/2002 Passed Senate; to Assembly. 02/26/2002 Passed Assembly.*

used nylon 6 carpet into the raw material from which it came, a chemical called caprolactam.

The \$100-million plant was heralded as a technological achievement, though the machinery it used to shred and melt the carpet frequently broke down. The reactor separating the caprolactam from other byproducts also did not produce high enough yields.

The plant was designed to recycle up to 200 million pounds of carpet a year. An estimated 4.7-billion pounds of carpet go into the nation's landfills every year, said Frank Hurd of the Carpet and Rug Institute. He said, "Carpet isn't an easy and homogenous material

like paper. It is made of different kinds of fibers and backings. The recycling process involved is complex and quite costly.

"We are looking at multiple diversion targets away from landfills." For example, GeoHay and Nyloboard are some of the ways in which nylon recovered from old carpets have been reused. Nylon 66 is also used in car parts.

In January, the carpet industry announced an initiative called the Carpet America Recovery Effort, with a goal to recycle up to 25% of post-consumer carpet by 2012.

The once-burgeoning nylon carpet recycling sector was killed overnight when Evergreen shut down the plant in August. Carpet collection companies that sprang up nationwide, including Environmental Waste Solutions in Augusta, went out of business as the market for recycled carpet dried up.

The company said it is working on solutions to the problems and that the plant will eventually re-open. However, the start-up date largely hinges on when demand for caprolactam increases. "We just need to get our costs down and we need to get a better market," said Richard Sligh, vice president of manufacturing for DSM Chemicals.

To achieve that goal, not only will the Evergreen plant have to be reactivated, it must be also be replicated in other areas of the country, said Matthew Realf, associate professor of chemical engineering at the Georgia Institute of Technology.

"You will have to have systems that operate regionally," he said.

Sources said the industry initiative also promotes different uses for post-consumer carpet, such as its use as a fuel in cement kilns.

One carpet retailer, whose company spends more than \$25,000 a year in landfill charges, is anxious for any solution. "We're footing most of the (disposal) bill," he said. "The disposal fee we charge customers does not make a dime on the dollar." – *P.G.*

### ***Novel Ways to Recycle CDs . . . Is AOL Listening?***

NomoreAOLCD can be easily mistaken to be a banner from a competitor. But in reality, it is the name of a website started by a group of frustrated computer users who say they have been chronically receiving AOL CDs offering free sign up hours of late.

Jim McKenna and John Lieberman, the brains behind the venture have registered the domain name and launched a grassroots campaign to "stop the needless pollution of the environment due to distribution of unwanted materials."

The pair are so intent on their mission they are collecting promotional CDs to deposit at AOL Time

Warner's doorsteps. They have collected nearly 10,000 unwanted CDs in five months.

The effort has attracted supporters from around the globe, indicating a growing concern about the proliferation of one-time use CDs, the group said. From a marketing perspective, CDs are cheap to produce - about 5 cents each - easy to mail and easy to deliver computer software directly to the consumer. "However, unlike most junk mail, you can't run a CD through the shredder and can't record over the original message on a used CD again" the duo said.

As one of the largest producers of direct mail CDs, the Internet provider AOL has churned out as many as 300 million CDs annually with more on the anvil, according to an industry source.

CDs are made of polycarbonate, a high-quality plastic, with a metal coating. They are not considered hazardous, which is why there is no great concern about putting them in landfills, but the material takes 450 years to breakdown. At present, only a handful of companies recycle CDs. Recycled polycarbonate is often used in appliances and cars.

Information: <http://www.nomoreaolcd.com>

### ***Best Buy Drives Traffic With Recycling Events***

Retailer Best Buy has collected 161,000 pounds of used electronics at its 10 collection events in seven states last year. That according to Trish Conroy with E4 Partners, consultants for the project.

Speaking at the EPR2 conference March 13, Conroy explained that manufacturers Panasonic, Toshiba and Compaq paid for part of the events. In return their names have been on brochures as part of the public education program.

She reports that it cost about \$66,000 for the events, not including internal staff and consultants, for an average cost of about 12 cents per pound. The company did collect about \$25,000 in fees from consumers - who were charged \$5-and more for items with leaded glass. In some cases, local governments made up the difference so the event would be free. None of the events have been in large cities because of concerns over high volumes

Significantly, the survey of consumers participating indicated that 75% would be more likely to shop at Best Buy because of the takeback events. Officials said the events did increase traffic in the store, though apparently there has been no measurement of exact increased sales.

Conroy indicated that the company plans more events in 2002, and it would like to do more - but can only increase them if it gets more sponsorship from electronics makers.

Information: <http://www.e4partners.com>

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michele@raymond.com  
<http://www.raymond.com>