

SUBGROUP TOPIC BACKGROUND PAPER

Western Electronic Product Stewardship Initiative

Topic: Policy and Regulatory System

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Topic Description – This subgroup will look at how governmental policies and regulations, at all levels, govern recovery and handling of e-scrap. Then we will examine how to achieve a better system, which supports e-waste recycling and product stewardship. Areas of regulation to consider include:

- Regulation of CRTs and other e-waste components/chemicals
- Landfill bans
- Controls on environmentally sound recycling
- Overseas e-waste shipment.
- The international regulatory picture for e-waste
- Other?

How will we use SWOT for this topic?

To begin the SWOT process we will determine what the current regulatory situation is, and what an ideal product stewardship system might be. Then we will brainstorm strengths, weaknesses, opportunities and threats presented by the current situation in achieving the ideal. The action items that come out of this will be evaluated for cost and implementation strategy.

Key Questions to be Answered

- What is the current regulatory status nationally? Internationally?
- How does the regulatory status differ between states, and is that good or bad?
- When do hazardous waste rules apply to electronic products? How does this affect the collection and recycling system?
- Which regulations are barriers to collection and handling of e-waste?
- Which regulations are incentives to collection and handling of e-waste, and would there be another way to obtain that incentive that would fit better into a product stewardship system?
- At what level, national, state or local, would the regulation be most effective?
- Does the regulation provide adequate control of e-waste from all sectors, including households, schools, government, business and industry?
- Are regulations sufficient to protect worker health and safety at points where e-waste is processed, for instance if prison labor is involved?
- What happens to e-waste that is shipped overseas, and can regulations offer a better environmental or recovery result?

Key Subgroup Tasks

The subgroup will have a staff support person for recording and research. The subgroup may choose to meet in person, via conference call or via e-mail exchange.

The subgroup will:

- Develop a brief topic SWOT (regional and national) – Strengths/Weaknesses/Opportunities/Threats.
- Identify subject matter experts to speak to M-S meeting.
- Prepare a presentation for the multi-stakeholder meeting #3 on the SWOT, including a speaker.
- Define action items and associated costs for the multi-stakeholder meeting #5.
- Identify the people and other resources needed to execute the actions.

CONSIDERATIONS COMMON TO ALL TOPICS

The following issues should be considered in evaluating the current situation relative to the topic. Not all of these issues may apply to all topics.

- ▶ Convenience to the public
- ▶ Motivation for public participation
- ▶ Level of product recovery
- ▶ Source reduction/reuse/recycling hierarchy
- ▶ Efficiency of the system as a whole
- ▶ Signal for producers to improve product design for environment
- ▶ Signal to consumers about the implications of their choices (e.g. Should the end-of-life cost be visible or invisible to consumers?)
- ▶ Applies to all types of electronic products being considered
- ▶ Recovery of new, historic¹ and orphaned² product
- ▶ Environmentally responsible recycling
- ▶ Flexibility for regional and geographic differences
- ▶ All costs of the system are covered
- ▶ Costs are allocated equitably
- ▶ Everyone shares responsibility who should be responsible
- ▶ Minimize free riders
- ▶ Feedback to responsible parties
- ▶ Publicly or privately managed

¹ Old product that was designed and manufactured in the past, presumably with little thought to end-of-life management.

² Old product that was manufactured by a company that is now out-of-business and therefore cannot take responsibility for their product.