

H. 3847

(E-Waste Revisions)

The perfect storm has developed in South Carolina since the enactment of Act 178 in 2010, the South Carolina Manufacturer Responsibility and Consumer Convenience Information Technology Equipment Collection and Recovery Act.

The key concerns are:

- The statewide electronics recycling contract was amended and eliminated televisions and computer monitors (CRTs) as a covered item in 2012, leaving local governments to cover the costs of television and computer monitor recycling due to the landfill ban and the inability for local governments to charge consumer fees for disposal; and
- The lack of regulations to provide manufacturers guidance on recycling or provide fees for the South Carolina Department of Health and Environmental Control (DHEC) to implement the program.

The stakeholders (DHEC, counties, municipalities, South Carolina Retailers Association, Waste Management, Consumer Electronics Association - television and computer manufacturers, Hewlett Packard, recyclers, and environmental groups) met extensively throughout 2012 and 2013 and as part of the discussions H. 3847 was developed to respond to local governments concerns.

The bill proposes the following revisions:

- Clarifies many of the definitions (distinction between a television and a shell of a television, etc.);
- Establishes a transition year (2014) to address the current CRT situation with local governments and pile reduction – manufacturers obligation is over 5.5 million and will be divided among manufacturers based on their market share. In addition, this should give manufacturers, local governments, recyclers and others time to prepare for 2015;
- January 2015 - television and computer monitor manufacturers may elect to join a representative organization (RO) for obligation determination/plan submission or recycle CRTs based on 80% pounds sold the previous year. The planned level of recycling effort for the group of manufacturers participating in the representative organization is based upon input from participating local governments. Eligible manufacturers or covered electronic device stewardship programs operating within the RO plan will provide for the recycling of all used covered televisions devices and used covered computer monitors devices collected by participating local governments specified in the plan based on the proportionate membership of the representative organization.

Representative Organization Diagram

