

Summary of Maine E-waste Legislation 2004

An Act to Protect Public Health and the Environment by Providing for a System of Shared Responsibility for the Safe Collection and Recycling of Electronic Waste

L.D. 1942 passed and signed by the Governor. Now P.L. Chapter 661.

38 M.R.S.A. §1609. Electronic Waste

- 1. Findings; purpose.** *This section delineates the purpose as establishing a convenient electronics recycling system that ensures the environmentally safe handling, recycling, and disposal of electronic products and components, and encourages the design of products and components that are less toxic and more recyclable.*
- 2. Definitions.** *This section includes 11 definitions; definitions particular to the Maine system include:*
 - *“covered electronic device”- TVs, computer monitors, & CPUs (CPUs are included for purposes of labeling only);*
 - *“consolidation facility” defined by ability to ship a full 40-foot trailer.*
- 3. Sales prohibition.** *This section bans manufacturers and retailers from selling covered electronic devices produced by manufacturers that are not in compliance with this section as of January 1, 2006.*
- 4. Manufacturer label required.** *This section requires covered electronic devices offered for sale in Maine to have a visible, permanently affixed label clearly identifying the manufacture by January 1, 2005.*
- 5. Responsibility for recycling.**
 - *Municipalities must “provide for” delivery of household televisions and computer monitors to consolidation facilities. Municipalities determine how to do this locally, individually or regionally; can do on-going or one-day collections, curbside collections, or contract with consolidation facility for homeowners to deliver their own computer monitors and televisions directly to consolidator.*
 - *Consolidation facilities must provide accounting of household televisions & computer monitors to the State by March 1st each year; consolidation facility can do count or can contract with recycler to do the count. Consolidation facility invoices manufacturers for handling, transportation to recycling, & recycling costs for own units plus pro rata share of orphans. Consolidators must ship to recyclers that meet environmentally sound management guidelines published by Maine DEP.*
 - *recycling/dismantling facilities must provide consolidators with sworn certification that they meet ESM guidelines.*

- *computer monitor manufacturers and television manufacturers are individually responsible for paying consolidators for the cost of handling, transportation from consolidation and recycling of their own products generated as waste by households plus a pro rata share of orphan waste (beginning January 1, 2006).*
- *Maine DEP must provide manufacturers and consolidators with a listing of each manufacturer's pro rata share of computer monitors and televisions.*

6. Manufacturer plan and reporting requirements.

- *By March 1, 2005, manufacturers must submit plan for compliance to Maine DEP (no approval by Maine DEP required); plan can be individual or joint;*
- *Must implement plan by January 1, 2006;*
- *Must report on collection & recycling of own products annually starting January 1, 2007.*

7. Enforcement. *Maine DEP has enforcement authority.*

8. Reports to the Legislature. *Maine DEP must report on recycling of e-waste to the Legislature bi-annually from 2008 until 2014.*

9. State procurement. *All vendors of electronic devices to the State must provide take-back and management services at end-of-life for those products. State purchasing preference given to electronic devices that incorporate design for the environment.*

Other provisions (placed elsewhere in statute)

Maine DEP is also responsible for publishing ESM guidelines and for reporting to the Legislature on "abandoned waste" by March 30, 2005.

Manufacturers may designate information in their plans and reports as confidential.