

December 1, 2005

Ms. Lucy Doroshko  
Department of Environmental Quality  
525 West Allegan Street  
P.O. Box 30457  
Lansing, Michigan 48909

Dear Ms. Doroshko:

On behalf of the Solid Waste Management Coordinating Board (SWMCB) representing six Twin Cities' area counties, I am pleased to comment on the proposed regional approach to the management of covered electronic devices.

As you are perhaps aware, I, personally, as well as the SWMCB, regionally, have been involved with this issue for years. In 1999, the SWMCB, with the Minnesota Office of Environmental Assistance, convened a task force of manufacturers, retailers, recyclers, and local and state governments and made recommendations to the State Legislature for electronic waste management. In 2001, I became an active member of the National Electronics Products Stewardship Initiative (NEPSI). The topic is not new to us and we remain very concerned that electronics recycling is properly addressed in Minnesota and elsewhere. We also do not think it is realistic to wait for a national approach and welcome the opportunity to comment on the regional approach offered here.

Our comments on the draft "Act Providing for the Recovery and Recycling of Used Electronic Devices" are as follows:

- 1) Section 2 phases in covered electronics. We believe some consideration should be given to avoiding a phased in approach as it would be less confusing for the consumer if the program was not phased in over two years but if all covered electronics were recycled from the inception of the program.
- 2) We would like to see Option A explored further. We like the concept of one fee amount and think the concept of a fee being paid based only upon the number of VDDs placed on the market by manufacturers is interesting and perhaps workable. There will need to be further definition given to the process used to modify the fee, when needed. If Option B is considered further, as an ARF, defining the "first sale" needs more work.

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- 3) We like the concept of an independent third party administering the program. Our concerns would be that the Corporation should competitively bid the services for the service areas set up to address up to 85% of the population. Also, there is insufficient balance with the proposed membership of the Corporation. A better balance is needed to assure that local governments representing the interests of the consumer/taxpayer will be adequately heard.
- 4) We found it creative that the disposal ban is suggested to include all covered electronic devices in two years. In Minnesota, our disposal ban scheduled for July 2006 is only for CRTs.

We also have a few comments on the Addendum related to manufacturer's individual responsibility in implementing a recycling program instead of participating in the proposed manufacturer's ARF. To assure that the same recycling level is offered individually by a manufacturer, we believe it may be important to tie the obligation back to the findings of the market research firm in terms of market share and ultimate recycling responsibility, in other words some performance standard is needed.

Thank you for the opportunity to comment. The SWMCB remains interested in what the next steps will be for this regional effort. More importantly, SWMCB intends to work closely with all stakeholders in Minnesota and at the State Legislature to be sure Minnesota adopts a management approach this 2006 session. Attached for your information is our proposed legislative position. Properly managing discarded electronics is too important of an environmental issue for the State not to act even though there may never be a strategy that successfully addresses the various philosophical views that exist.

Sincerely,



Jim Kordiak  
Anoka County Commissioner  
Vice- Chair, SWMCB  
NEPSI Member

C: SWMCB Board  
Art Dunn, MPCA  
Garth Hickle, MPCA