



Summary of Amendments to the Minnesota Electronics Recycling Act

Effective July 1, 2016

Definitions

- “Covered electronic device” is amended to specifically include tablets and laptop computers.
- “Phase I recycling credits” refers to recycling credits from Program Years one through nine.
- “Phase II recycling credits” refers to recycling credits from Program Year 13 and beyond. A manufacturer can get these credits for recycling pounds of covered electronic devices in excess of their obligation if the pounds were collected from households located outside the 11-county metropolitan area.
- “Video display device” is amended to address only “televisions” and “computer monitors” of any screen size. Laptops and tablets are no longer defined as video display devices.

Registration

Manufacturer

- Manufacturers are to register with the MPCA by August 15 of each year.
- Each manufacturer that registers and sells 100 or more video display devices must pay a registration fee to the Department of Revenue, due August 15 of each year.
- Eliminates the registration fee for manufacturers with annual sales in Minnesota of 99 or fewer devices.

Collector

- Collectors are to register with the MPCA by July 15 each year

Recycler

- Recyclers must register with the MPCA by July 15 each year

Reporting requirements

Manufacturer – Sales

By August 1, 2016, each manufacturer must report to the agency the total weight of each specific model of its video display devices sold to households during the previous program year using one of these methods:

- The total weight of its video display devices sold to households during the previous program year.
- An estimate of the total weight of its video display devices sold to households during the previous program year, calculated by multiplying the weight of its video display devices sold nationally times the quotient of Minnesota’s population divided by the national population. All manufacturers with sales of 99 or fewer video display devices to households in the state during the previous calendar year must report using the method under this item for calculating sales.

By March 1, 2017, and each March 1 thereafter, each manufacturer must report to the agency the total weight of each specific model of its video display devices sold to households during the previous calendar year using one of these methods:

- The total weight of its video display devices sold to households during the previous calendar year.
- An estimate of the total weight of its video display devices sold to households during the previous calendar year, calculated by multiplying the weight of its video display devices sold nationally times the quotient of Minnesota's population divided by the national population. All manufacturers with sales of 99 or fewer video display devices to households in the state during the previous calendar year must report using the method under this item for calculating sales.

Manufacturer – Obligation

By August 15 each year, each manufacturer must report the total weight of covered electronics devices the manufacturer collected from households and recycled or arranged to have collected and recycled during the preceding program year. Reports go to the department until June 30, 2017, and to the agency thereafter,

By August 15 each year, each manufacturer must report (to the department until June 30, 2017, and to the agency thereafter):

- The number of phase I and phase II recycling credits the manufacturer has purchased or sold during the preceding program year.
- The number of phase I and phase II recycling credits the manufacturer elects to use in calculating its recycling fee.
- The number of phase I and phase II recycling credits the manufacturer retains at the beginning of the current program year.

Incentive for collection in Greater Minnesota

- The incentive for collection in Greater Minnesota is not applicable for program years 10-12 but is reinstated for program 13 and beyond.

Recycling credits

- No new recycling credits can be created during program years 10-12. Starting program year 13, recycling credits can be created for those pounds that are collected from outside the 11-county metropolitan area.

Recycling fees

- MPCA has the ability to waive a manufacturer's obligation shortage fees if there are not enough materials to collect and the manufacturer demonstrated a good faith effort to meet its obligation.

Collector

- Reports are due by July 15 each year.
- Indicated if the collector had a contract with a recycler or manufacturer to provide pounds toward meeting a manufacturer's obligation.

Recycler

- Reports are due by July 15 each year.
- The weight of video display devices recycled as part of covered electronic devices recycled during the previous program year.
- An estimate of the weight of portable batteries and any mercury-containing lamps that are associated with the covered electronic devices managed.

Responsibilities

Manufacturer

- Requires manufacturers to cover all the recycling and transportation related costs associated with the products they collect to meet their obligation. This is reinforced through the provision that prevents a recycler from charging a collector any charge for these products, unless the collector agrees to it.
- For those pounds that count towards a manufacturer's obligation, manufacturers are to use recyclers with third-party environmental certification.

Collector

- Collection sites must be staffed, open to the public at a frequency adequate to meet the needs of the area being served.
- A collector may limit the number of covered electronic devices or covered electronic devices by product type accepted per customer per day or per delivery at a collection site or service.
- A collector must use only registered recyclers.

Recycler

- Provide a report annually to each registered collector regarding the video display devices received from that entity.
- Do not charge collectors for the transportation and recycling of covered electronic devices that meet a manufacturer's recycling obligation unless otherwise mutually agreed upon.
- A recycler must use only registered collectors.

Obligation setting

Recycling obligation is now based on collection of "televisions" and "computer monitors."

- Program Years 10-12: Total obligation is fixed at 25 million pounds, 23 million pounds, and 21 million pounds, respectively.
- Program Year 13 and beyond: Total obligation is set by the actual pounds of "televisions" and "computer monitors" collected, based on a two-year average

The statewide obligation is apportioned to television manufacturers (80%) and computer monitor manufacturers (20%).

- Each manufacturer's share of the television and computer monitor obligations is determined by their sales from the previous sales period, applied to their respective product category obligation.
- Individual manufacturers will be assigned Program Year 10 obligation on September 1, 2016.
- Individual manufacturer obligation for Program Years 11 and beyond will be assigned on May 1, starting in 2017.