



WASHINGTON STATE
DEPARTMENT OF
E C O L O G Y

As required by the Washington State Administrative Act, RCW 34.05.

**IMPLEMENTATION PLAN FOR THE ADOPTION OF
Chapter 173-900 WAC, *Electronic Product Recycling***

10/11/06

Publication Number:

06-07-027

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IMPLEMENTATION PLAN FOR THE ADOPTION OF
CHAPTER 173-900 WAC, Electronic Product Recycling

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Implementation Plan for Chapter 173 - 900 WAC, Electronic Product Recycling

1. Please describe how the Agency intends to implement and enforce the rule. Please include a description of the resources the Agency intends to use.

As a result of a new law, Chapter 70.95N RCW, the Washington State Department of Ecology (Ecology) will carry out the requirements found in WAC 173-900 beginning January 1, 2007.

The Legislature gave Ecology two new employees to administer the Electronic Product Recycling Program statewide. This program will include four effective elements related to this rule. These elements are:

- Registration.
- Enforcement.
- Recycling plan review.
- Technical assistance program.

2. Please describe how the Agency intends to inform and educate affected persons about the rule.

Ecology will provide information and education through the following methods:

- A mail-out of the Rule Notification sheet to a list of potentially affected parties.
- Email to subscribers of the WA-RECYCLES-ELECTRONICS electronic mailing list.
- Posting the Rule Notification sheet on Ecology's Web site.
- Work with specific trade associations to draft educational messages to send to their members through existing means.
- Posting on Ecology's electronics Web page information about carrying out this rule, updates on the next phase of rule-making, and any other related news.

3. Please describe how the Agency intends to promote and assist voluntary compliance for this rule.

As of January 1, 2007, any manufacturer who wishes to sell covered electronic products in Washington State must comply with the rule. However, there will be many different ways to let the public know about the program and how to comply. Ecology plans to visit sites and provide technical help. The public will also find information on Ecology's website. Lastly, Ecology will interact one-on-one with program participants and interested parties.

Billing and registration notices will be used to notify manufacturers. Retailers will receive notice through their association newsletter and visiting Ecology's website. Those retailers that the program considers manufacturers will also get notices in billing and registration information. News releases will notify the public. Local governments will find notices in the SWFAP newsletter, *The Closed-Loop Scoop*, and through meetings that Ecology hosts for moderate-risk waste and recycling coordinators.

4. Please describe how the Agency intends to evaluate whether the rule achieves the purpose for which it was adopted, including to the maximum extent practicable, the use of interim milestones to assess progress and the use of objectively measurable outcome.

Compliance with registration and fee requirements will show immediate results. Registration and fees are due January 1, 2007. Shortly after the fees are due, Ecology will know the compliance rate.

Ecology will send letters of noncompliance to manufacturers that have not registered or paid their fees. The Web page will announce "in-violation" for brands of manufacturers that should not be sold in Washington.

Over the long term, Ecology will set up an annual process to allow local governments and communities to report their satisfaction with services the recycling plans provide. By December 31, 2012, Ecology will develop a report for the Legislature describing the program for each of the preceding program years. The report will include the following information:

- The weight of covered electronic products recycled in the state by plan, by county, and in total.
- The performance of each plan in meeting its equivalent share.
- Payments received from and disbursed to each plan from the electronic products recycling account.
- A description of various collection programs for covered electronic products in the state.
- An evaluation of how the amount of covered electronic products recycled in the state compares, per capita, to programs in other states.
- Recommendations on how to improve the statewide system for convenient, safe, and environmentally sound recycling of electronic products.
- Analysis of whether and in what amounts unwanted electronic materials exported from Washington have gone to countries that are not members of the Organization for Economic Cooperation and Development or the European Union.

5. Please describe how the Agency intends to train and inform Ecology staff regarding new rule or rule amendment.

Most of the Ecology staff that will carry out this rule work are located at Ecology's headquarters in Lacey. They were involved in the rule-making process and are aware of the rule and law. Once Ecology selects the remaining staff to carry out this rule, he or she will take part in the Phase Two of this rule. Phase Two will begin in the fall of 2006 and end in the summer of 2007. When available and feasible, Ecology will provide relevant training to staff.

6. Please identify supporting documents that may need to be revised because of the rule amendment. Or identify new supporting documents that need to be developed because of a new rule.

Ecology will need to revise the following:

- Electronic Product Recycling Web site.
- Manufacturer Registration Form.
- Electronic Product Recycling Fee Billing and Revenue Tracking System.
- Electronic Product Recycling Database.
- Collector/Transporter Registration Form.
- Electronic Product Recycling Program focus sheets.

Ecology will develop additional documents in response to needs it identifies after the program begins.