



## **FAQ-Frequently Asked Questions – Electronics Management Program**

### **Computer Equipment Manufacturers' Plans**

The answers below are general in nature. Refer to the Electronics Management Program law for exact language.

#### **What is a Computer Equipment Manufacturer Recycling Plan?**

The law specifies that the manufacturer must provide a free and reasonably convenient recycling program to take the responsibility for computer equipment discarded by consumers.

Three levels of plans are specifically outlined in the law. The manufacturers must choose which plan they will be implementing and register accordingly. The plan must specify how they will implement the plan, how they will use only environmentally sound practices to transport and recycle, and details about a consumer recycling education program.

#### **Is there a form for the recycle plan?**

No, although there is a form to list Collection Centers, for use with Level II and Level III plans. This form can be found on our website: <http://portal.ncdenr.org/web/wm/sw/electronics>.

#### **Would an educational webpage suffice for “a consumer recycling education program”?**

A website is a great start to an educational program. The site should list how and what to recycle in NC. Dates, times and locations of recycling centers and events should be listed, as well as a toll free phone number. Another important component of an educational program is advertising of collection centers and events.

#### **Level II and III Recycling Plans require computer equipment manufacturers to, “Provide that the manufacturer will take responsibility for computer equipment discarded by consumers that was manufactured by other manufacturers, as well as computer equipment that it manufacture.” Is there a quota which computer equipment manufacturers need to fulfill?**

For computer equipment manufacturers, there is no quota.

**What type of documentation do computer equipment manufacturers need to provide to demonstrate compliance as a Level II or Level III recycler?**

Reporting, which will be required October 1, 2011, will document how the manufacturer has complied with their plan and the law. Reporting forms will be made available to the manufacturers via our website.

Locations, dates and times of collection centers and events must be listed in the manufacturers plan, we would like for these to be listed on the form provided on our website. In addition, documentation, from each collector, that certifies the hours of operation and that all types of covered electronics are collected is required.

**Do manufacturers have to take back other manufacturers equipment?**

To be considered a Level II or Level III recycler, any physical collection infrastructure or collection event under the control of the manufacturer must take back discarded computer equipment from any manufacturer. Although you do not have to receive anything other than computer equipment at your collection centers, there is no restriction if you would also take other electronics devices such as VCRs, radios, DVD players etc.

**If our collection event also took in VCRs, for example, could I charge a fee?**

Yes, but the law does specify that the fee be nominal.

**Level II and Level III computer equipment manufacturers must “Host at least two collection events annually within the State.” What type of collection events will fulfill this requirement?**

No, specific collection event format is required or specified within North Carolina law. Any type of event, so long as it is “free and reasonably convenient” and where the manufacturer agrees to take responsibility for its computer equipment and other manufacturers’ computer equipment, is acceptable. Collection events may be held in participation with local governments and/or large retail establishments. The manufacturer must facilitate a location where consumers can bring computer equipment to be turned over to the manufacturer or a recycler.

**What is the state's definition or interpretation of "reasonably convenient"? Is there a mile radius or some other guideline to follow?**

North Carolina law does not have a definition or guideline for the term “reasonably convenient.” The Department expects consumers will have to drive a certain distance to recycle their electronics, depending on their location within the state, but the Department does not want the required distance travelled to discourage consumers from recycling their electronics.

**Who recycles electronics discarded by consumers at curbside bins or at the convenience centers?**

Computer and television equipment collected by North Carolina local governments is handled at the discretion of the collecting government. Local governments are free to handle the material as they deem necessary within the bounds of state law. They are free to establish recycling and reuse relationships with any recycling vendors or manufacturers.

**Will the curbside recycling and convenience centers be an option for everyone state wide or is that just in the bigger cities?**

North Carolina citizens are prohibited from disposing of banned computer and television equipment in landfills; therefore many local governments have set up collection sites to aide their citizens with the recycling of the equipment. Curbside electronics recycling may also be offered in some cities or counties.

**The electronics law states that a computer equipment manufacturer or the manufacturer's designee must provide a collection event or collection center. Does the event or center need to be in a specific county or can it be nationwide?**

Level II plans are required to have 10 collections sites located in the ten most populous North Carolina municipalities. A level III plan requires manufacturers to provide 50 collection centers in North Carolina, 10 of which must be in the ten most populous North Carolina counties. One day collection events and other collection centers do not have to be in a specific county but must be in North Carolina.

**How often must the event occur and can we partner with other manufacturers?**

Yes, a manufacturer may partner with others. Events need to be at least once per year within North Carolina. **Is there a weight requirement of collected equipment at an event?** No, there is a total weight collected to be reported for the year.

**Will the manufacturer be rewarded or penalized according to the weight collected?** No, the manufacturers have wide discretion although they must have the minimum events and collection centers according to their plans.

**When a recycler hired by us collects discarded equipment at a physical collection site, does the recycler need to identify our branded electronics and report our branded weight to us?**

No, That is not a requirement in the law. As long as you have the collection site/event available then you have complied with the law.

**What are the liabilities associated with personal data left on someone's computer that they turned over to a recycler?**

Session Law 2010-67 states in §130A-309.133, "Computer equipment manufacturers, television manufacturers, discarded computer equipment and television collectors, recyclers, and retailers shall not be liable in any way for data or other information left on a covered device that is collected or recovered pursuant to the provisions of this Part."

**Are networking components like switches, hubs, routers, wireless devices, and so on "covered equipment?"**

No. These devices are NOT included in the definition of computer equipment. There is a portion of the law which requires a future study to determine if additional electronics should be required to be recycled. Routers, switch boxes, network hubs and several 'wireless' items are specifically mentioned to be studied.