

Minnesota's Broken E-Waste Act

A loophole in the current language still passes over half of electronics recycling costs to local governments and residents instead of manufacturers, but it can be fixed this year.

When televisions and computer monitors containing hazardous materials were banned from disposal sites in Minnesota in 2006, the tremendous cost of e-waste recycling fell on Minnesota's residents. In 2007, Minnesota's Electronics Recycling Act (115A.1310-1330) was passed, and electronics manufacturers of devices covered in the statute began to pay some of these costs.

In 2016, statutory changes attempted to ensure manufacturers pay **all costs** to transport and recycle electronics covered by the statute. **The law is not working as intended.** As a result, local governments and residents are still paying over half the cost as shown in the charts below. The average cost to recycle covered electronics nationally is \$0.40 per pound.

Local governments and residents are still paying over half the costs to transport and recycle electronics because of the loophole in the current language.

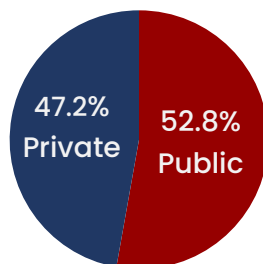
Why Is the Current Law Not Working?

Under the current law, manufacturers are not required to disclose what they pay recyclers and current statutory language opens a loophole that allows recyclers to charge collectors for transportation and recycling of electronics. The current language indicates recyclers are not to charge collectors "...unless mutually agreed upon"

www.revisor.mn.gov/statutes/cite/115A/full#stat.115A.1318.

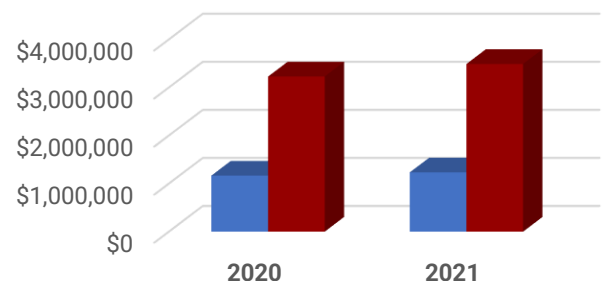
This loophole results in recyclers charging collectors. This in turn leads to both private and public collection sites charging residents to recycle electronics to ensure collection costs are covered.

Private VS. Public Collectors of E-waste 2021



Counties (residents) paid \$1.943M for transportation and recycling, and \$1.545M for overhead and facility costs in 2021.

Public Collectors Cost VS. Revenue to Collect and Recycle



■ Revenue ■ Gross Cost to Collect and Recycle

The public is taking on a significant portion of the manufacturer's responsibility to pay for e-waste recycling.

Manufacturers negotiate the price they will pay recyclers, but these prices are set too low. The recycler then must make up the difference by charging the collectors, who then pass on these costs to residents either through fees or by subsidizing the program with tax revenue.



HF3566/SF3940 Covered Electronic Devices (Sections 1-12):

- Access to free electronics recycling will substantially increase overall e-waste recycling.
- Requirements for convenient access to e-waste collection sites for all Minnesotans will be established.
- Covered electronics will go to certified recyclers to ensure best practices are followed during recycling.
- Manufacturers will be responsible for the actual cost of collecting, transporting, and recycling the public's electronics.
- Manufacturers are incentivized to design electronics for recyclability.
- This program is designed to run with the electronic recyclables program contained in this bill that offer collection and recycling of other electric products.

Your Support is Critical to Updating the E-Waste Act in 2024

Support legislation to achieve the original goals of the Minnesota Electronics Recycling Act:

- Reduce the financial burden on Minnesota's residents to recycle e-waste.
- Reduce illegal disposal, dumping, and improper stockpiling of e-waste.
- Improve environmental protection by making e-waste recycling free and convenient for residents.



If you have questions or would like more information about why it is crucial to update the E-Waste Act this year, please contact Brian Martinson, Policy Analyst, at 651-246-4156 or bmartinson@mncounties.org.