

March 27, 2007

S 1553. RECYCLING DISCARDED COMPUTER EQUIPMENT. Filed 3/27/07. *TO ESTABLISH THE NORTH CAROLINA PRODUCER RESPONSIBILITY PROGRAM FOR THE RECYCLING OF DISCARDED COMPUTER EQUIPMENT.*

Enacts new Part 2E of Article 9 of GS Chapter 130A prohibiting the disposal of discarded computer equipment in landfills or by incineration (effective January 1, 2011) and establishing the North Carolina Computer Equipment Responsibility Program. Provides that computer equipment collectors, certified computer equipment recycling facilities, manufacturers, and the state share the responsibility of recycling computer equipment and educating consumers on recycling opportunities. Requires each manufacturer of computer equipment sold in North Carolina to register with the Department of Environment and Natural Resources (DENR), pay a \$10,000 registration fee, and pay an annual registration fee; the proceeds of the fees must be credited to the Computer Equipment Management Account, a non-reverting account established within DENR. Requires computer equipment manufacturers to submit a plan to DENR for the recycling or reuse of computer equipment produced by the manufacturer and discarded by households in North Carolina. Provides for minimum information to be included in the plans. Also requires manufacturers to pay the reasonable costs of operating a certified computer recycling facility that are attributable to handling discarded equipment by households in the state, the costs of transporting the discarded equipment, and the actual costs of recycling the discarded computer equipment. Allows manufacturers to participate in collective recovery plans with other manufacturers. Requires manufacturers to submit a report to DENR by January 31 of each year concerning listed areas. Requires computers sold in the state to include a label identifying the manufacturer. Prohibits manufacturers not in compliance with the manufacturer requirements from selling computer equipment in the state. Provides that only computer equipment recycling facilities certified by DENR may accept discarded computer equipment for recycling. Establishes environmentally sound management standards that must be met for a computer equipment recycling facility to be certified by DENR. Requires the consideration of the facility's cost charges for transporting and recycling discarded computer equipment in deciding whether to grant or renew a certification. Sets a certification application fee and renewal fee, which must be credited to the Computer Equipment Management Account. Sets operating requirements for certified computer equipment recycling facilities. Requires DENR to provide manufacturers and recycling facilities with a listing of each manufacturer's share of the orphan discarded computer equipment by January 31 of each year and supply manufacturers with a list of certified recycling facilities. Requires computer equipment collectors that participate in the program to ensure that discarded computer equipment generated by households served by the collectors is delivered to a certified recycling facility. Authorizes the Attorney General to commence a civil action against a manufacturer to recover costs, in addition to any fines or penalties imposed. Requires DENR to submit a report on the recycling of discarded computer equipment to the Environmental Review Commission no later than April 1 of each year.

Amends GS 130A-309.09A to require counties and municipalities with a population exceeding 25,000 to provide an assessment of the collection of discarded computer equipment in their solid waste management plan. Amends GS 130A-309.14 to require the Department of Administration to review and revise its bid procedures so they comply with various standards of the federal Electronic Product Environmental Assessment Tool. Makes conforming changes to GS 130A-309.10. Generally effective September 30, 2007, with 2010 effective dates for reporting requirements, January 1, 2008, effective date for provisions concerning computer equipment recycling facilities, and other later effective dates.

Intro. by Cowell.

GS 130A