



# COUNTY OF ERIE

**MARK C. POLONCARZ**  
COUNTY EXECUTIVE

June 30, 2015

Erie County Legislature  
92 Franklin Street, 4<sup>th</sup> Floor  
Buffalo, New York 14202

**RE: Resolution to Support Amendments to the New York State Electronic  
Equipment Recycling and Reuse Act  
IMMEDIATE CONSIDERATION REQUESTED**

Dear Honorable Members:

Please find enclosed a memorandum and proposed resolution from the Department of Environment and Planning (DEP) which encourages New York State to support changes to the existing Electronic Equipment Recycling and Reuse Act toward a more sustainable, accessible and manufacturer supported electronic waste recycling program.

Should your Honorable Body require further information, I encourage you to contact Deputy Commissioner, Thomas R. Hersey, Jr. at the Department of Environment and Planning. Thank you for your consideration on this matter.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Mark C. Poloncarz", is written over a faint, larger version of the signature.

Mark C. Poloncarz, Esq.  
Erie County Executive

MCP/cw  
Enclosure

Cc: Maria R. Whyte, Commissioner  
Thomas R. Hersey, Jr., Deputy Commissioner

## **MEMORANDUM**

**To:** Honorable Members of the Erie County Legislature  
**From:** Department of Environment and Planning  
**Re:** Resolution to Support Amendments to the New York State Electronic Equipment Recycling and Reuse Act  
**Date:** June 30, 2015

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### **SUMMARY**

Changes to the existing New York State Electronic Equipment Recycling and Reuse Act (Act) are proposed to implement a more sustainable, accessible and manufacturer supported electronic waste recycling program. These changes would improve the efficiency and efficacy of the electronic waste collection system in New York while eliminating costs currently impacting local municipal governments providing electronic waste collection service to their residents.

### **FISCAL IMPLICATIONS**

Savings will be reflected in lowered costs to municipalities with no cost to the County.

### **REASONS FOR RECOMMENDATION**

One of the main reasons for the adoption of the Act was to assist local governments with managing the recycling and end-of-life costs associated with waste consumer electronics. The Act has succeeded in significantly increasing electronics recovery and recycling in the state.

The increase in recycling has resulted in an overabundance in materials generated from recycled consumer electronics. As such, reimbursement rates have dropped and e-waste recycling has gone from a revenue source to an expense for local municipalities.

Local governments urgently need changes to the Act to provide relief from this expense. In addition, with the implementation of the 2015 Disposal Ban prohibiting placement of e-waste in regular household trash or disposal by landfilling, the amount of surrendered e-waste and local government costs are growing.

The Act requires electronics manufacturers to fund a sustainable e-waste recycling program that is “effective, continuous and reasonably convenient to all New York State residents.”

### **CONSEQUENCES OF NEGATIVE ACTION**

Erie County will miss an opportunity to support and encourage changes to the Act to provide a sustainable manufacturer funded electronic waste reuse and recycling program.

### **STEPS FOLLOWING APPROVAL**

Certified copies of the resolution will be sent to:

Assemblyman Steven C. Englebright, Chairman – Environment Conservation Committee; Senator Thomas F. O’Mara, Chairman – Environment Conservation Committee; Joseph Martens, NYS Department of Environmental Conservation; Senator Patrick Gallivan; Senator Marc C. Panepinto;

Senator Michael Ranzenhofer; Senator Timothy Kennedy; Assemblymember Jane L. Corwin; Assemblymember Dave DiPietro; Assemblymember Raymond Walter; Assemblymember Crystal D. Peoples; Assemblymember Angela M. Wozniak; Assemblymember Sean Ryan; Assemblymember Michael Kearns; Assemblymember Robin Schimming; Governor Andrew Cuomo; Deputy County Executive Maria R. Whyte and Deputy Commissioner Thomas R. Hersey, Jr.

A RESOLUTION SUBMITTED BY:  
DEPARTMENT OF ENVIRONMENT AND PLANNING

RE: Resolution to Support Amendments  
to the New York State Electronic  
Equipment Recycling and Reuse Act

WHEREAS, the New York Electronic Equipment Recycling and Reuse Act was passed in 2010 to remove consumer waste electronics (e-waste) from the solid waste stream and increase recovery of electronic recyclable material; and

WHEREAS, since January 2015, due to the Statewide Electronics Disposal Ban, it is no longer legal to place e-waste in with regular household trash or to be disposed in landfills; and

WHEREAS, the Act intended to assign costs associated with the collection and recycling of e-waste to consumer electronics manufacturers based upon the amount of retail electronics sold in New York; and

WHEREAS, many municipalities have initiated programs to provide residents with convenient e-waste collection sites; and

WHEREAS, due to the amount and type of e-waste material collected by municipalities and due to a reduction in value for recycled materials generated from e-waste, the municipal collection programs have changed from a revenue generating program to an expense; and

WHEREAS, amendments to the original Electronic Equipment Recycling and Reuse Act would better assign costs associated with the recycling of e-waste to consumer electronics manufacturers and increase opportunities for residents to properly recycle their e-waste.

NOW, THEREFORE BE IT

RESOLVED, the Erie County Legislature does hereby call upon Governor Andrew Cuomo, the New York State Assembly, the New York State Senate, and the State Department of Environmental Conservation to amend and improve the current Electronic Equipment Recycling and Reuse Act to build toward long term goals of creating a more sustainable manufacturer implemented electronics recycling program, with convenience standards for both rural and urban populations, that eliminate expenses incurred by local governments; and be it further

RESOLVED, that the Clerk of the Legislature shall forward certified copies of this Resolution to: The County Executive's Office; Assemblyman Steven C. Englebright, Chairman – Environment Conservation Committee; Senator Thomas F. O'Mara, Chairman – Environment Conservation Committee; Joseph Martens, NYS Department of Environmental Conservation; Senator Patrick Gallivan; Senator Marc C. Panepinto; Senator Michael Ranzenhofer; Senator Timothy Kennedy; Assemblymember Jane L. Corwin; Assemblymember Dave DiPietro; Assemblymember Raymond Walter; Assemblymember Crystal D. Peoples; Assemblymember Angela M. Wozniak; Assemblymember Sean Ryan; Assemblymember Michael Kearns; Assemblymember Robin Schimminger; Governor Andrew Cuomo; Deputy County Executive Maria R. Whyte, and Deputy Commissioner Thomas R. Hersey, Jr.