

The Flawed Law: Challenges to Pennsylvania's E-Waste Recycling Programs

Finding a location to recycle your electronic devices can feel like an uphill battle. They won't be picked up with your trash by your hauler, many places restrict what types or sizes of electronics they take, and others charge by the pound. What is the current law that shapes these recycling realities in Pennsylvania? And how can we fix the issues with the current system to increase access to electronic recycling for people across the state?

The Covered Devices Recycling Act of 2010 (CDRA) was a good intentioned law developed to reclaim the valuable materials in e-waste, and to keep the more toxic components out of landfills. The CDRA applies to all "covered devices" which include TVs, desktop and laptop computers, computer monitors, and peripherals (such as keyboards, printers, and hard drives). The first part of the act is that covered devices cannot be disposed of in a landfill or other solid waste disposal facilities. This part of the law prohibits your trash hauler from accepting these devices with your curbside trash (although they may offer curbside pickup and delivery to a recycling facility for a fee). The second part of the law requires covered device manufacturers to "establish and conduct ongoing recycling programs that offer covered device collection opportunities at no cost to consumers."

Like many Pennsylvanians, you may realize that the realities of PA e-waste recycling programs are very different from the initial intentions of CDRA. According to the 2019 DEP Report to the General Assembly Covered Device Recycling Act, only 23.7% of the population has unrestricted access to recycling opportunities under CDRA. Due to high demand for the recycling of items that are costly to recycle (such as CRT TVs), it is often cost-prohibitive for e-waste recycling vendors to operate in PA. According to a letter from the Electronics Recyclers Association of PA (ERAP), the PA E-Scrap Recycling industry is shrinking due to a lack of financial support from electronics manufacturers to cover collection, transportation, and recycling costs. This deficit leads electronics processors to close sites or restrict the services they offer.

It is important that the failings of the current law are fixed, but that it still maintains its initial goals. E-waste can contain hazardous materials such as lead, mercury and cadmium. One of the reasons CRT TVs (Cathode Ray Tube Televisions) are so difficult to recycle is because of the leaded glass used for the cathode ray tubes. If not recycled or disposed of properly, these materials can contaminate the environment. Additionally, there are valuable and recoverable materials including gold, silver, copper and aluminum in e-waste. By ensuring these materials are reclaimed and not lost into the landfill, we can conserve natural resources and reduce the amount of mining required to meet the demand for these materials.

What can we do to change the current issues with CDRA? Pennsylvania is just one of two states that does not allow recyclers like Best Buy to charge a nominal fee for accepting old CRT TVs. The recycling act should be amended to allow businesses to charge a recycling fee for accepting CRT TVs. You can reach out to your state legislators and remind them that CDRA is too important not to fix. You can find specific speaking points and other resources at ewastepa.org/take-action/.

Municipal and state regulations require that residents, commercial establishments and non-residential establishments recycle all recyclable materials. Commonly recycled materials include paper, plastic, glass and metal. You should check with your hauler for a complete list of acceptable recyclable materials.