

HB 3114 A STAFF MEASURE SUMMARY
House Committee On Energy and Environment

Carrier: Rep. Sollman

Action Date: 04/02/19

Action: Do pass with amendments. (Printed A-Eng.)

Vote: 8-1-0-0

Yeas: 8 - Helm, Reschke, Salinas, Schouten, Sollman, Wilde, Williams, Zika

Nays: 1 - Findley

Fiscal: Has minimal fiscal impact

Revenue: No revenue impact

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Meeting Dates: 3/21, 4/2

WHAT THE MEASURE DOES:

Adjusts methodology for calculating each manufacturer's share of recycling costs for Oregon's electronic device recycling program (Oregon E-Cycles). Distinguishes between television devices with a viewable area of more than four inches measured diagonally, and non-television devices, which encompass all other devices covered by Oregon E-Cycles as defined in ORS 459A.305. Establishes that either notification of a return share, or return share by weight or notification of a television or non-television market share, shall serve as notice to a manufacturer that they must register with the Oregon Department of Environmental Quality (DEQ) and pay the registration fee within 30 days. Adds to annual registration for manufacturers of covered electronic devices a requirement that each manufacturer provide DEQ a list of brands that they offered for sale in Oregon for the previous calendar year. Modifies, for each manufacturer that chooses to implement a manufacturer recycling program, the requirement to identify by statistically significant sampling or by actual count the device type, weight, and brand of covered electronic devices collected and recycled by the manufacturer during the calendar year. Requires a manufacturer to report results to DEQ at least annually or in accordance with the approved sampling method as directed by DEQ. Modifies requirements for the state recycling program in the same manner. Directs DEQ to determine the total weight of covered electronic devices to be collected, including orphan devices and computer peripherals, and determine what proportion are television devices and non-television devices. Directs DEQ to calculate each manufacturer's market share of television and non-television devices by dividing the weight of the brands reported by the manufacturer as manufactured, sold, or imported by them in Oregon during the previous year by the total weight of all registered brands manufactured, sold, or imported by all registered manufacturers in Oregon during the previous year, performing separate calculations for television devices and non-television devices. Authorizes DEQ to use national market data pro-rated for Oregon, retail or manufacturer data, consumer research, or any other data for the previous year to calculate market share of devices. Requires manufacturers to submit any data, including sales data, to DEQ upon request for the purposes of calculating market share. Directs DEQ to determine the return share by weight for each manufacturer by first determining the weight of all television devices to be collected, then multiplying the total by the manufacturer's television market share, repeating the calculation for non-television devices, and summing the return share by weights. Directs DEQ to calculate a manufacturer's return share by dividing the manufacturer's return share by weight by the total of return shares by weight for all manufacturers. Authorizes DEQ to use national market data pro-rated for Oregon, retail or manufacturer data, consumer research, or any other data from the previous calendar year to calculate the annual registration fee for manufacturers. Directs manufacturers to submit any data required by DEQ for this purpose.

ISSUES DISCUSSED:

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- Current program for free recycling of electronic waste has been in existence for 10 years and collected 250 million pounds of waste
- Manufacturers of covered electronic products can pay a fee to participate in state recycling program or offer their own program
- Currently there are two paths to assigning costs for recycling to each manufacturer; bill would create a single path for assigning costs

EFFECT OF AMENDMENT:

Clarifies that either notification of a return share or return share by weight or notification of a television or non-television market share, rather than both, shall serve as notice to a manufacturer that they must register with DEQ and pay the registration fee within 30 days. Modifies language requiring reporting to DEQ annually to clarify that manufacturers shall report results to DEQ at least annually or in accordance with the approved sampling method as directed by DEQ. Clarifies that manufacturer's television and non-television market share are calculated based on weight of products sold in Oregon, and that market data used by DEQ will be for weight and sales of covered products sold in Oregon. Clarifies that market share be calculated for registered manufacturers in Oregon.

BACKGROUND:

Oregon E-Cycles is a statewide program, financed by manufacturers and jointly administered with the Oregon Department of Environmental Quality, that provides recycling of computers, monitors, and televisions. Computer peripherals, including keyboards and mice, are also accepted. Anyone may bring up to seven items at one time to participating collection sites to recycle their electronics at no charge. Additional items may be accepted for a fee. The program became effective January 1, 2010 and was developed to provide a way to dispose of computers, monitors, and televisions, which were prohibited from disposal in landfills, transfer stations, and other disposal facilities.

House Bill 3114 A adjusts the methodology for calculating each manufacturer's share of recycling costs for Oregon E-Cycles.