

1 AN ACT concerning regulation.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. If and only if Senate Bill 1417 of the 100th  
5 General Assembly becomes law, then the Consumer Electronics  
6 Recycling Act is amended by changing Sections 1-5, 1-10, 1-15,  
7 1-20, 1-25, 1-30, 1-35, 1-40, 1-45, 1-50, 1-55, and 1-85 and by  
8 adding Section 1-84 as follows:

9 (100SB1417enr., Sec. 1-5)

10 Sec. 1-5. Definitions. As used in this Act:

11 "Agency" means the Illinois Environmental Protection  
12 Agency.

13 "Best practices" means standards for collecting and  
14 preparing items for shipment and recycling. "Best practices"  
15 may include standards for packaging for transport, load size,  
16 acceptable load contamination levels, non-CED items included  
17 in a load, and other standards as determined under Section 1-85  
18 of this Act. "Best practices" shall consider the desired intent  
19 to preserve existing collection programs and relationships  
20 when possible.

21 "Collector" means a person who collects residential CEDs at  
22 any program collection site or one-day collection event and  
23 prepares them for transport.

1 "Computer", often referred to as a "personal computer" or  
2 "PC", means a desktop or notebook computer as further defined  
3 below and used only in a residence, but does not mean an  
4 automated typewriter, electronic printer, mobile telephone,  
5 portable hand-held calculator, portable digital assistant  
6 (PDA), MP3 player, or other similar device. "Computer" does not  
7 include computer peripherals, commonly known as cables, mouse,  
8 or keyboard. "Computer" is further defined as either:

9 (1) "Desktop computer", which means an electronic,  
10 magnetic, optical, electrochemical, or other high-speed  
11 data processing device performing logical, arithmetic, or  
12 storage functions for general purpose needs that are met  
13 through interaction with a number of software programs  
14 contained therein, and that is not designed to exclusively  
15 perform a specific type of logical, arithmetic, or storage  
16 function or other limited or specialized application.  
17 Human interface with a desktop computer is achieved through  
18 a stand-alone keyboard, stand-alone monitor, or other  
19 display unit, and a stand-alone mouse or other pointing  
20 device, and is designed for a single user. A desktop  
21 computer has a main unit that is intended to be  
22 persistently located in a single location, often on a desk  
23 or on the floor. A desktop computer is not designed for  
24 portability and generally utilizes an external monitor,  
25 keyboard, and mouse with an external or internal power  
26 supply for a power source. Desktop computer does not

1 include an automated typewriter or typesetter; or

2 (2) "Notebook computer", which means an electronic,  
3 magnetic, optical, electrochemical, or other high-speed  
4 data processing device performing logical, arithmetic, or  
5 storage functions for general purpose needs that are met  
6 through interaction with a number of software programs  
7 contained therein, and that is not designed to exclusively  
8 perform a specific type of logical, arithmetic, or storage  
9 function or other limited or specialized application.  
10 Human interface with a notebook computer is achieved  
11 through a keyboard, video display greater than 4 inches in  
12 size, and mouse or other pointing device, all of which are  
13 contained within the construction of the unit that  
14 comprises the notebook computer; supplemental stand-alone  
15 interface devices typically can also be attached to the  
16 notebook computer. Notebook computers can use external,  
17 internal, or batteries for a power source. Notebook  
18 computer does not include a portable hand-held calculator,  
19 or a portable digital assistant or similar specialized  
20 device. A notebook computer has an incorporated video  
21 display greater than 4 inches in size and can be carried as  
22 one unit by an individual. A notebook computer is sometimes  
23 referred to as a laptop computer.

24 (3) "Tablet computer", which means an electronic,  
25 magnetic, optical, electrochemical, or other high-speed  
26 data processing device performing logical, arithmetic, or

1 storage functions for general purpose needs that are met  
2 through interaction with a number of software programs  
3 contained therein, and that is not designed to exclusively  
4 perform a specific type of logical, arithmetic, or storage  
5 function or other limited or specialized application.  
6 Human interface with a tablet computer is achieved through  
7 a touch screen and video display screen greater than 6  
8 inches in size (all of which are contained within the unit  
9 that comprises the tablet computer). Tablet computers may  
10 use an external or internal power source. "Tablet computer"  
11 does not include a portable hand-held calculator, a  
12 portable digital assistant, or a similar specialized  
13 device.

14 "Computer monitor" means an electronic device that is a  
15 cathode-ray tube or flat panel display primarily intended to  
16 display information from a computer and is used only in a  
17 residence.

18 ~~"County collection site" means a collection site owned or~~  
19 ~~operated by a county or operated by a third party on behalf of~~  
20 ~~a county.~~

21 "County recycling coordinator" means the individual who is  
22 designated as the recycling coordinator for a county in a waste  
23 management plan developed pursuant to the Solid Waste Planning  
24 and Recycling Act.

25 "Covered electronic device" or "CED" means any computer,  
26 computer monitor, television, printer, electronic keyboard,

1 facsimile machine, videocassette recorder, portable digital  
2 music player that has memory capability and is battery powered,  
3 digital video disc player, video game console, electronic  
4 mouse, scanner, digital converter box, cable receiver,  
5 satellite receiver, digital video disc recorder, or  
6 small-scale server sold at retail ~~and taken out of service from~~  
7 ~~a residence in this State~~. "Covered electronic device" does not  
8 include any of the following:

9 (1) an electronic device that is a part of a motor  
10 vehicle or any component part of a motor vehicle assembled  
11 by or for a vehicle manufacturer or franchised dealer,  
12 including replacement parts for use in a motor vehicle;

13 (2) an electronic device that is functionally or  
14 physically part of a larger piece of equipment or that is  
15 taken out of service from an industrial, commercial  
16 (including retail), library checkout, traffic control,  
17 kiosk, security (other than household security),  
18 governmental, agricultural, or medical setting, including  
19 but not limited to diagnostic, monitoring, or control  
20 equipment; or

21 (3) an electronic device that is contained within a  
22 clothes washer, clothes dryer, refrigerator, refrigerator  
23 and freezer, microwave oven, conventional oven or range,  
24 dishwasher, room air conditioner, dehumidifier, water  
25 pump, sump pump, or air purifier. To the extent allowed  
26 under federal and State laws and regulations, a CED that is

1 being collected, recycled, or processed for reuse is not  
2 considered to be hazardous waste, household waste, solid  
3 waste, or special waste.

4 "Covered electronic device category" or "CED category"

5 means each of the following 8 categories of residential CEDs:

6 (1) computers and small-scale servers;

7 (2) computer monitors;

8 (3) televisions;

9 (4) printers, facsimile machines, and scanners;

10 (5) digital video disc players, digital video disc  
11 recorders, and videocassette recorders;

12 (6) video game consoles;

13 (7) digital converter boxes, cable receivers, and  
14 satellite receivers; and

15 (8) electronic keyboards, electronic mice, and  
16 portable digital music players that have memory capability  
17 and are battery powered.

18 "Manufacturer" means a person, or a successor in interest  
19 to a person, under whose brand or label a CED is or was sold at  
20 retail. For any CED sold at retail under a brand or label that  
21 is licensed from a person who is a mere brand owner and who  
22 does not sell or produce a CED, the person who produced the CED  
23 or his or her successor in interest is the manufacturer. For  
24 any CED sold at retail under the brand or label of both the  
25 retail seller and the person that produced the CED, the person  
26 that produced the CED, or his or her successor in interest, is

1 the manufacturer.

2 "Manufacturer clearinghouse" means a group of 2 or more  
3 manufacturers, representing at least 50% of the manufacturers'  
4 total obligations under this Act for a program year, that are  
5 cooperating with one another to collectively establish and  
6 operate an e-waste program for the purpose of complying with  
7 this Act.

8 "Manufacturer e-waste program" means any program  
9 established, financed, and operated by a manufacturer,  
10 individually or as part of a manufacturer clearinghouse, to  
11 transport and subsequently recycle, in accordance with the  
12 requirements of this Act, residential CEDs collected at program  
13 collection sites and one-day collection events ~~in accordance~~  
14 ~~with best practices.~~

15 "Municipal joint action agency" means a municipal joint  
16 action agency created under Section 3.2 of the  
17 Intergovernmental Cooperation Act.

18 "One-day collection event" means a one-day event used as a  
19 substitute for a program collection site pursuant to Section  
20 1-15 of this Act.

21 "Person" means an individual, partnership, co-partnership,  
22 firm, company, limited liability company, corporation,  
23 association, joint stock company, trust, estate, political  
24 subdivision, State agency, or any other legal entity; or a  
25 legal representative, agent, or assign of that entity. "Person"  
26 includes a unit of local government.

1 "Printer" means desktop printers, multifunction printer  
2 copiers, and printer/fax combinations taken out of service from  
3 a residence that are designed to reside on a work surface, and  
4 include various print technologies, including without  
5 limitation laser and LED (electrographic), ink jet, dot matrix,  
6 thermal, and digital sublimation, and "multi-function" or  
7 "all-in-one" devices that perform different tasks, including  
8 without limitation copying, scanning, faxing, and printing.  
9 Printers do not include floor-standing printers, printers with  
10 optional floor stand, point of sale (POS) receipt printers,  
11 household printers such as a calculator with printing  
12 capabilities or label makers, or non-stand-alone printers that  
13 are embedded into products that are not CEDs.

14 "Program collection site" means a physical location that is  
15 included in a manufacturer e-waste program and at which  
16 residential CEDs are collected and prepared for transport by a  
17 collector during a program year in accordance with the  
18 requirements of this Act. Except as otherwise provided in this  
19 Act, "program collection" site" does not include a retail  
20 collection site.

21 "Program year" means a calendar year. The first program  
22 year is 2019.

23 "Recycler" means any person who transports or subsequently  
24 recycles residential CEDs that have been collected and prepared  
25 for transport by a collector at any program collection site or  
26 one-day collection event.



1 "Recycling" has the meaning provided under Section 3.380 of  
2 the Environmental Protection Act. "Recycling" includes any  
3 process by which residential CEDs that would otherwise be  
4 disposed of or discarded are collected, separated, or processed  
5 and returned to the economic mainstream in the form of raw  
6 materials or products.

7 "Residence" means a dwelling place or home in which one or  
8 more individuals live.

9 "Residential covered electronic device" or "residential  
10 CED" means any covered electronic device taken out of service  
11 from a residence in the State.

12 "Retail collection site" means a private sector collection  
13 site operated by a retailer collecting on behalf of a  
14 manufacturer.

15 "Retailer" means a person who first sells, through a sales  
16 outlet, catalogue, or the Internet, a covered electronic device  
17 at retail to an individual for residential use or any permanent  
18 establishment primarily where merchandise is displayed, held,  
19 stored, or offered for sale to the public.

20 "Sale" means any retail transfer of title for consideration  
21 of title including, but not limited to, transactions conducted  
22 through sales outlets, catalogs, or the Internet or any other  
23 similar electronic means. "Sale" does not include financing or  
24 leasing.

25 "Small-scale server" means a computer that typically uses  
26 desktop components in a desktop form designed primarily to

1 serve as a storage host for other computers. To be considered a  
2 small-scale server, a computer must: be designed in a pedestal,  
3 tower, or other form that is similar to that of a desktop  
4 computer so that all data processing, storage, and network  
5 interfacing is contained within one box or product; be designed  
6 to be operational 24 hours per day and 7 days per week; have  
7 very little unscheduled downtime, such as on the order of hours  
8 per year; be capable of operating in a simultaneous multi-user  
9 environment serving several users through networked client  
10 units; and be designed for an industry-accepted operating  
11 system for home or low-end server applications.

12 "Television" means an electronic device that contains ~~(i)~~  
13 ~~containing~~ a cathode-ray tube or flat panel screen the size of  
14 which is greater than 4 inches when measured diagonally and ~~7~~  
15 ~~(ii) that~~ is intended to receive video programming via  
16 broadcast, cable, ~~or~~ satellite, internet, or other mode of  
17 video transmission or to receive video from surveillance or  
18 other similar cameras, ~~and (iii) that is used only in a~~  
19 ~~residence.~~

20 (Source: 100SB1417enr.)

21 (100SB1417enr., Sec. 1-10)

22 Sec. 1-10. Manufacturer e-waste program.

23 (a) For program year 2019 and each program year thereafter,  
24 each manufacturer shall, individually or as part of a  
25 manufacturer clearinghouse, provide a manufacturer e-waste

1 program to transport and subsequently recycle, in accordance  
2 with the requirements of this Act, residential CEDs collected  
3 at, and prepared for transport from, the program collection  
4 sites and one-day collection events included in the program  
5 during the program year.

6 (b) Each manufacturer e-waste program must include, at a  
7 minimum, the following:

8 (1) satisfaction of the convenience standard described  
9 in Section 1-15 of this Act;

10 (2) instructions for designated county recycling  
11 coordinators and municipal joint action agencies to  
12 annually file notice to participate in the program;

13 (3) transportation and subsequent recycling of the  
14 residential CEDs collected at, and prepared for transport  
15 from, the program collection sites and one-day collection  
16 events included in the program during the program year; and

17 (4) submission of a report to the Agency, by March 1  
18 ~~January 31~~, 2020, and each March 1 ~~January 31~~ thereafter,  
19 which includes:

20 (A) the total weight of all residential CEDs  
21 transported from program collection sites and one-day  
22 collection events throughout the State during the  
23 preceding program year by CED category;

24 (B) the total weight of residential CEDs  
25 transported from all program collection sites and  
26 one-day collection events in each county in the State

1 during the preceding program year by CED category; and  
2 (C) the total weight of residential CEDs  
3 transported from all program collection sites and  
4 one-day collection events in each county in the State  
5 during that preceding program year and that was  
6 recycled.

7 (c) Each manufacturer e-waste program ~~The Agency~~ shall make  
8 the instructions required under paragraph (2) of subsection (b)  
9 available on its ~~the Agency's~~ website by December 1, 2017, and  
10 the program shall provide to the Agency a hyperlink to the  
11 website for posting on the Agency's website.

12 (d) Nothing in this Act shall prevent a manufacturer from  
13 accepting, through a manufacturer e-waste program, residential  
14 CEDs collected through a curbside collection program that is  
15 operated pursuant to an agreement between a third party and a  
16 unit of local government located within a county or municipal  
17 joint action agency that has elected to participate in a  
18 manufacturer e-waste program.

19 (Source: 100SB1417enr.)

20 (100SB1417enr., Sec. 1-15)

21 Sec. 1-15. Convenience standard for program collection  
22 sites and one-day collection events.

23 (a) Beginning in 2019 each manufacturer e-waste program for  
24 a program year must include, at a minimum, program collection  
25 sites in the following quantities in counties that elect to

1 participate in the manufacturer e-waste program for the program  
2 year:

3 (1) one program collection site in each county that has  
4 elected to participate in the manufacturer e-waste program  
5 for the program year and that has a population density that  
6 is less than 250 individuals per square mile;

7 (2) two program collection sites in each county that  
8 has elected to participate in the manufacturer e-waste  
9 program for the program year and that has a population  
10 density that is greater than or equal to 250 individuals  
11 per square mile but less than 500 individuals per square  
12 mile;

13 (3) three program collection sites in each county that  
14 has elected to participate in the manufacturer e-waste  
15 program for the program year and that has a population  
16 density that is greater than or equal to 500 individuals  
17 per square mile but less than 750 individuals per square  
18 mile;

19 (4) four program collection sites in each county that  
20 has elected to participate in the manufacturer e-waste  
21 program for the program year and that has a population  
22 density that is greater than or equal to 750 individuals  
23 per square mile but less than 1,000 individuals per square  
24 mile;

25 (5) five program collection sites in each county that  
26 has elected to participate in the manufacturer e-waste

1 program for the program year and that has a population  
2 density that is greater than or equal to 1,000 individuals  
3 per square mile but less than 5,000 individuals per square  
4 mile; and

5 (6) fifteen ~~ten~~ program collection sites in each county  
6 that has elected to participate in the manufacturer e-waste  
7 program for the program year and that has a population  
8 density that is greater than or equal to 5,000 individuals  
9 per square mile.

10 For purposes of this Section, county population densities  
11 shall be based on the entire county's population density,  
12 regardless of whether a municipality or municipal joint action  
13 agency in the county participates in a manufacturer e-waste  
14 program.

15 If a municipality with a population of over 1,000,000  
16 residents elects ~~notifies the program of the municipality's~~  
17 ~~desire~~ to participate in a manufacturer e-waste ~~the program for~~  
18 a program year, then the program ~~that municipality~~ shall  
19 provide 10 additional ~~receive 15~~ program collection sites for  
20 the program year to be located in that municipality, and the  
21 program collection sites required under paragraph (6) of  
22 subsection (a) of this Section shall be ~~that municipality in~~  
23 ~~addition to county sites,~~ which shall be located outside of the  
24 municipality.

25 If a municipal joint action agency elects to participate in  
26 a manufacturer e-waste program for a program year, it shall

1 receive, for that year, a population-based pro rata share of  
2 the program collection sites that would be granted to the  
3 county in which the municipal joint action agency is located if  
4 the county were to elect to participate in the program for that  
5 year, rounded to the nearest whole number.

6 A designated county recycling coordinator may elect to  
7 operate more than the required minimum number of collection  
8 sites.

9 (b) Notwithstanding subsection (a) of this Section, any  
10 county, municipality, or municipal joint action agency ~~the~~  
11 ~~county recycling coordinator for a county~~ that elects to  
12 participate in a manufacturer e-waste program may enter into a  
13 written agreement with the operators of any manufacturer  
14 e-waste program in order to do one or more of the following:

15 (1) to decrease the number of program collection sites  
16 in the county, municipality, or territorial boundary of the  
17 municipal joint action agency for the program year;

18 (2) to substitute a program collection site in the  
19 county, municipality, or territorial boundary of the  
20 municipal joint action agency with either (i) 4 one-day  
21 collection events ~~in the county~~ or (ii) a different number  
22 of such events ~~in the county~~ as may be provided in the  
23 written agreement;

24 (3) to substitute the location of a program collection  
25 site in the county, municipality, or territorial boundary  
26 of the municipal joint action agency for the program year

1 with another location ~~in the county; or~~

2 (4) to substitute the location of a one-day collection  
3 in the county, municipality, or territorial boundary of the  
4 municipal joint action agency with another location; or in  
5 ~~the county.~~

6 (5) to use, with the agreement of the applicable  
7 retailer, a retail collection site as a program collection  
8 site.

9 An agreement made pursuant to paragraph ~~paragraphs~~ (1) or  
10 (2) of this subsection (b) shall be reduced to writing and  
11 included in the manufacturer e-waste program plan as required  
12 under subsection (a) of Section 1-25 of this Act.

13 ~~(c) To facilitate the equitable allocation of covered~~  
14 ~~electronic device collection and recycling obligations among~~  
15 ~~manufacturers participating in a manufacturer e-waste program,~~  
16 ~~beginning November 1, 2018 and by November 1 of each year~~  
17 ~~thereafter, the Agency shall determine each manufacturer's~~  
18 ~~collection obligation for each CED category that takes into~~  
19 ~~account the market share of a manufacturer so that the~~  
20 ~~manufacturer's obligations are allocated based on the weight of~~  
21 ~~the manufacturer's sales in each CED category, divided by the~~  
22 ~~weight of all sales in each CED category multiplied by the~~  
23 ~~proportion of the weight of CEDs in each CED category collected~~  
24 ~~from county collection sites used in the manufacturer's e-waste~~  
25 ~~program in the prior program year. The manufacturer's~~  
26 ~~collection obligation calculated in this subsection (c) shall~~



1 ~~be expressed as a percentage.~~

2 ~~(d) Nothing in this Act shall prevent a manufacturer from~~  
3 ~~using retail collection sites to satisfy the manufacturer's~~  
4 ~~obligations under this Section.~~

5 (Source: 100SB1417enr.)

6 (100SB1417enr., Sec. 1-20)

7 Sec. 1-20. Election to participate in manufacturer e-waste  
8 programs. Beginning with program year 2019, a county, a  
9 municipal joint action agency, or a municipality with a  
10 population of more than 1,000,000 residents may elect to  
11 participate in a manufacturer e-waste program by filing ~~having~~  
12 ~~the county recycling coordinator file~~ with the manufacturer  
13 e-waste program and the Agency, on or before March 1, 2018, and  
14 on or before March 1 of each year thereafter for the upcoming  
15 program year, a written notice of election to participate in  
16 the program. The written notice shall include a list of  
17 proposed collection locations likely to be available and  
18 appropriate to support the ~~this~~ program, and may include  
19 locations already providing similar collection services. The  
20 written notice may include a list of registered recyclers that  
21 the county, municipal joint action agency, or municipality  
22 would prefer using for its collection sites or one-day events.

23 Counties, municipal joint action agencies, and  
24 municipalities with a population of more than 1,000,000  
25 residents ~~County program coordinators~~ may contract with

1 registered collectors to operate collection sites. Eligible  
2 registered collectors are not limited to private companies and  
3 non-government organizations. ~~All collectors operating county~~  
4 ~~supervised programs shall abide by the standards in Section~~  
5 ~~1-45.~~

6 ~~Should a county elect not to participate in the program, a~~  
7 ~~municipal joint action agency, representing residents within a~~  
8 ~~certain geographic area in the non participating county can~~  
9 ~~elect to participate in the e waste program on behalf of the~~  
10 ~~residents of the municipal joint action agency.~~

11 (Source: 100SB1417enr.)

12 (100SB1417enr., Sec. 1-25)

13 Sec. 1-25. Manufacturer e-waste program plans.

14 (a) By July 1, 2018, and by July 1 of each year thereafter  
15 for the upcoming program year, beginning with program year  
16 2019, each manufacturer shall, individually or as a  
17 manufacturer clearinghouse, submit to the Agency a  
18 manufacturer e-waste program plan ~~and assume the financial~~  
19 ~~responsibility for bulk transportation, packaging materials~~  
20 ~~necessary to prepare shipments in compliance with best~~  
21 ~~practices, and recycling of collected CEDs, which includes, at~~  
22 a minimum, the following:

23 (1) the contact information for the individual who will  
24 serve as the point of contact for the manufacturer e-waste  
25 program;

1           (2) the identity of each county that has elected to  
2 participate in the manufacturer e-waste program during the  
3 program year;

4           (3) for each county, the location of each program  
5 collection site and one-day collection event included in  
6 the manufacturer e-waste program for the program year;

7           (4) the collector operating each program collection  
8 site and one-day collection event included in the  
9 manufacturer e-waste program for the program year;

10          (5) the recyclers that manufacturers plan to use during  
11 the program year to transport and subsequently recycle  
12 residential CEDs under the program, with the updated list  
13 of recyclers to be provided to the Agency no later than  
14 December 1 preceding each program year; and

15          (6) an explanation of any deviation by the program from  
16 the standard program collection site distribution set  
17 forth in subsection (a) of Section 1-15 of this Act for the  
18 program year, along with copies of all written agreements  
19 made pursuant to paragraphs (1) or (2) of subsection (b) of  
20 Section 1-15 for the program year.

21          (b) Within 60 days after receiving a manufacturer e-waste  
22 program plan, the Agency shall review the plan and approve the  
23 plan or disapprove the plan.

24           (1) If the Agency determines that the program  
25 collection sites and one-day collection events specified  
26 in the plan will satisfy the convenience standard set forth

1 in Section 1-15 of this Act, then the Agency shall approve  
2 the manufacturer e-waste program plan and provide written  
3 notification of the approval to the individual who serves  
4 as the point of contact for the manufacturer. The Agency  
5 shall make ~~post~~ the approved plan available on the Agency's  
6 website.

7 (2) If the Agency determines the plan will not satisfy  
8 the convenience standard set forth in Section 1-15 of this  
9 Act, then the Agency shall disapprove the manufacturer  
10 e-waste program plan and provide written notification of  
11 the disapproval and the reasons for the disapproval to the  
12 individual who serves as the point of contact for the  
13 manufacturer. Within 30 days after the date of disapproval,  
14 ~~the individual who serves as the point of contact for the~~  
15 manufacturer shall submit a revised manufacturer e-waste  
16 program plan that addresses the deficiencies noted in the  
17 Agency's disapproval.

18 (c) Manufacturers shall assume financial responsibility  
19 for carrying out their e-waste program plans, including, but  
20 not limited to, financial responsibility for providing the  
21 packaging materials necessary to prepare shipments of  
22 collected residential CEDs in compliance with subsection (e) of  
23 Section 1-45, as well as financial responsibility for bulk  
24 transportation and recycling of collected residential CEDs.

25 (Source: 100SB1417enr.)

1 (100SB1417enr., Sec. 1-30)

2 Sec. 1-30. Manufacturer registration.

3 (a) By April 1, 2018, and by April 1 of each year  
4 thereafter for the upcoming program year, beginning with  
5 program year 2019, each manufacturer who sells CEDs in the  
6 State must register with the Agency by: (i) submitting to the  
7 Agency a \$5,000 ~~\$3,000~~ registration fee; and (ii) completing  
8 and submitting to the Agency the registration form prescribed  
9 by the Agency. Information on the registration form shall  
10 include, without limitation, all of the following:

11 (1) a list of all of the brands and labels under which  
12 the manufacturer's CEDs are sold or offered for sale in the  
13 State; and

14 (2) the total weights, by CED category, of residential  
15 ~~weight of all individual CEDs by category~~ sold or offered  
16 for sale under any of the manufacturer's brands or labels  
17 in the United States during the calendar year immediately  
18 preceding ~~2 years before~~ the applicable program year.

19 If, during a program year, any of the manufacturer's CEDs  
20 are sold or offered for sale in the State under a brand that is  
21 not listed in the manufacturer's registration, then, within 30  
22 days after the first sale or offer for sale under that brand,  
23 the manufacturer must amend its registration to add the brand.  
24 All registration fees collected by the Agency pursuant to this  
25 Section shall be deposited into the Solid Waste Management  
26 Fund.

1 (b) The Agency shall post on its website a list of all  
2 registered manufacturers.

3 (c) Beginning in program year 2019, a manufacturer whose  
4 CEDs are sold or offered for sale in this State for the first  
5 time on or after April 1 of a program year must register with  
6 the Agency within 30 days after the date the CEDs are first  
7 sold or offered for sale in the State.

8 (d) Beginning in program year 2019, manufacturers shall  
9 ensure that only recyclers that have registered with the Agency  
10 and meet the recycler standards set forth in Section 1-40 are  
11 used to transport or recycle residential CEDs collected at any  
12 program collection site or one-day collection event.

13 (e) Beginning in program year 2019, no manufacturer may  
14 sell or offer for sale a CED in this State unless the  
15 manufacturer is registered and operates a manufacturer program  
16 either individually or as part of the manufacturer  
17 clearinghouse as required in this Act.

18 (f) Beginning in program year 2019, no manufacturer may  
19 sell or offer for sale a CED in this State unless the  
20 manufacturer's brand name is permanently affixed to, and is  
21 readily visible on, the CED.

22 (g) In accordance with a contract or agreement with a  
23 county, municipality, or municipal joint action agency that has  
24 elected to participate in a manufacturer e-waste program under  
25 this Act, manufacturers may, either individually or through the  
26 manufacturer clearinghouse, audit program collection sites and

1 proposed program collection sites for compliance with the terms  
2 and conditions of the contract or agreement. Audits shall be  
3 conducted during normal business hours, and a manufacturer or  
4 its designee shall provide reasonable notice to the collection  
5 site in advance of the audit. Audits of all program collection  
6 sites may include, among other things, physical site location  
7 visits and inspections and review of processes, procedures,  
8 technical systems, reports, and documentation reasonably  
9 related to the collecting, sorting, packaging, and recycling of  
10 residential CEDs in compliance with this Act.

11 (h) Nothing in this Act shall require a manufacturer or  
12 manufacturer e-waste program to collect, transport, or recycle  
13 any CEDs other than residential CEDs, or to accept for  
14 transport or recycling any pallet or bulk container of  
15 residential CEDs that has not been prepared by the collector  
16 for shipment in accordance with subsection (e) of Section 1-45.

17 (Source: 100SB1417enr.)

18 (100SB1417enr., Sec. 1-35)

19 Sec. 1-35. Retailer responsibilities.

20 (a) Beginning in program year 2019, no retailer who first  
21 sells, through a sales outlet, catalogue, or the Internet, a  
22 CED at retail to an individual for residential use may sell or  
23 offer for sale any CED in or for delivery into this State  
24 unless:

25 (1) the CED is labeled with a brand, and the label is

1 permanently affixed and readily visible; and

2 (2) the manufacturer is registered with the Agency at  
3 the time the retailer purchases the CED.

4 (b) A retailer shall be considered to have complied with  
5 paragraphs (1) and (2) of subsection (a) if:

6 (1) a manufacturer registers with the Agency ~~agency~~  
7 within 30 days of a retailer taking possession of the  
8 manufacturer's CED;

9 (2) a manufacturer's registration expires and the  
10 retailer ordered the CED prior to the expiration, in which  
11 case the retailer may sell the CED, but only if the sale  
12 takes place within 180 days of the expiration; or

13 (3) a manufacturer is no longer conducting business and  
14 has no successor in interest, in which case the retailer  
15 may sell any orphan CED ordered prior to the  
16 discontinuation of business.

17 (c) Retailers shall not be considered collectors under the  
18 convenience standard and retail collection sites shall not be  
19 considered a collection site for the purposes of the  
20 convenience standard pursuant to Sections 1-10, 1-15, and 1-25  
21 unless otherwise agreed to in writing by the (i) retailer, (ii)  
22 operators of the manufacturer manufacture e-waste program, and  
23 (iii) the applicable county, municipal joint action agency, or  
24 municipality coordinator. If retailers agree to participate in  
25 a county program collection site, then the retailer collection  
26 site does not have to collect all CEDs or register as a



1 collector.

2 (d) Manufacturers may use retail collection sites for  
3 satisfying some or all of their obligations pursuant to  
4 Sections 1-10, 1-15 and 1-25.

5 (e) Nothing in this Act shall prohibit a retailer from  
6 collecting a fee for each CED collected.

7 (Source: 100SB1417enr.)

8 (100SB1417enr., Sec. 1-40)

9 Sec. 1-40. Recycler responsibilities.

10 (a) By January 1, 2019, and by January 1 of each year  
11 thereafter for that program year, beginning with program year  
12 2019, each recycler must register with the Agency by (i)  
13 submitting to the Agency a \$3,000 registration fee and (ii)  
14 completing and submitting to the Agency the registration form  
15 prescribed by the Agency. The registration form prescribed by  
16 the Agency shall include, without limitation, the address of  
17 each location where the recycler manages residential CEDs  
18 collected through a manufacturer e-waste program and the  
19 certification required under subsection (d) of this Section.  
20 All registration fees collected by the Agency pursuant to this  
21 Section shall be deposited into the Solid Waste Management  
22 Fund.

23 (a-5) The Agency may deny a registration under this Section  
24 if the recycler or any employee or officer of the recycler has  
25 a history of:

1           (1) repeated violations of federal, State, or local  
2           laws, regulations, standards, or ordinances related to the  
3           collection, recycling, or other management of CEDs;

4           (2) conviction in this State or another state of any  
5           crime which is a felony under the laws of this State, or  
6           conviction of a felony in a federal court; or conviction in  
7           this State or another state or federal court of any of the  
8           following crimes: forgery, official misconduct, bribery,  
9           perjury, or knowingly submitting false information under  
10           any environmental law, regulation, or permit term or  
11           condition; or

12           (3) gross carelessness or incompetence in handling,  
13           storing, processing, transporting, disposing, or otherwise  
14           managing CEDs.

15           (b) The Agency shall post on the Agency's website a list of  
16 all registered recyclers ~~and the information requested by~~  
17 ~~subsection (d) of Section 1-40.~~

18           (c) Beginning in program year 2019, no person may act as a  
19 recycler of residential CEDs for a manufacturer's e-waste  
20 program unless the recycler is registered with the Agency as  
21 required under this Section.

22           (d) Beginning in program year 2019, recyclers must, as a  
23 part of their annual registration, certify compliance ~~at a~~  
24 ~~minimum, comply~~ with all of the following requirements:

25           (1) Recyclers must comply with federal, State, and  
26 local laws and regulations, including federal and State

1 minimum wage laws, specifically relevant to the handling,  
2 processing, and recycling of residential CEDs and must have  
3 proper authorization by all appropriate governing  
4 authorities to perform the handling, processing, and  
5 recycling.

6 (2) Recyclers must implement the appropriate measures  
7 to safeguard occupational and environmental health and  
8 safety, through the following:

9 (A) environmental health and safety training of  
10 personnel, including training with regard to material  
11 and equipment handling, worker exposure, controlling  
12 releases, and safety and emergency procedures;

13 (B) an up-to-date, written plan for the  
14 identification and management of hazardous materials;  
15 and

16 (C) an up-to-date, written plan for reporting and  
17 responding to exceptional pollutant releases,  
18 including emergencies such as accidents, spills,  
19 fires, and explosions.

20 (3) Recyclers must maintain (i) commercial general  
21 liability insurance or the equivalent corporate guarantee  
22 for accidents and other emergencies with limits of not less  
23 than \$1,000,000 per occurrence and \$1,000,000 aggregate  
24 and (ii) pollution legal liability insurance with limits  
25 not less than \$1,000,000 per occurrence for companies  
26 engaged solely in the dismantling activities and

1           \$5,000,000 per occurrence for companies engaged in  
2 recycling.

3           (4) Recyclers must maintain on file documentation that  
4 demonstrates the completion of an environmental health and  
5 safety audit completed and certified by a competent  
6 internal and external auditor annually. A competent  
7 auditor is an individual who, through professional  
8 training or work experience, is appropriately qualified to  
9 evaluate the environmental health and safety conditions,  
10 practices, and procedures of the facility. Documentation  
11 of auditors' qualifications must be available for  
12 inspection by Agency officials and third-party auditors.

13           (5) Recyclers must maintain on file proof of workers'  
14 compensation and employers' liability insurance.

15           (6) Recyclers must provide adequate assurance, such as  
16 bonds or corporate guarantees, to cover environmental and  
17 other costs of the closure of the recycler's facility,  
18 including cleanup of stockpiled equipment and materials.

19           (7) Recyclers must apply due diligence principles to  
20 the selection of facilities to which components and  
21 materials, such as plastics, metals, and circuit boards,  
22 from residential CEDs are sent for reuse and recycling.

23           (8) Recyclers must establish a documented  
24 environmental management system that is appropriate in  
25 level of detail and documentation to the scale and function  
26 of the facility, including documented regular self-audits

1 or inspections of the recycler's environmental compliance  
2 at the facility.

3 (9) Recyclers must use the appropriate equipment for  
4 the proper processing of incoming materials as well as  
5 controlling environmental releases to the environment. The  
6 dismantling operations and storage of residential CED  
7 components that contain hazardous substances must be  
8 conducted indoors and over impervious floors. Storage  
9 areas must be adequate to hold all processed and  
10 unprocessed inventory. When heat is used to soften solder  
11 and when residential CED components are shredded,  
12 operations must be designed to control indoor and outdoor  
13 hazardous air emissions.

14 (10) Recyclers must establish a system for identifying  
15 and properly managing components, such as circuit boards,  
16 batteries, cathode-ray tubes, and mercury phosphor lamps,  
17 that are removed from residential CEDs during disassembly.  
18 Recyclers must properly manage all hazardous and other  
19 components requiring special handling from residential  
20 CEDs consistent with federal, State, and local laws and  
21 regulations. Recyclers must provide visible tracking, such  
22 as hazardous waste manifests or bills of lading, of  
23 hazardous components and materials from the facility to the  
24 destination facilities and documentation, such as  
25 contracts, stating how the destination facility processes  
26 the materials received. No recycler may send, either

1 directly or through intermediaries, hazardous wastes to  
2 solid non-hazardous waste landfills or to non-hazardous  
3 waste incinerators for disposal or energy recovery. For the  
4 purpose of these guidelines, smelting of hazardous wastes  
5 to recover metals for reuse in conformance with all  
6 applicable laws and regulations is not considered disposal  
7 or energy recovery.

8 (11) Recyclers must use a regularly implemented and  
9 documented monitoring and record-keeping program that  
10 tracks total inbound residential CED material weights and  
11 total subsequent outbound weights to each destination,  
12 injury and illness rates, and compliance with applicable  
13 permit parameters including monitoring of effluents and  
14 emissions. Recyclers must maintain contracts or other  
15 documents, such as sales receipts, suitable to  
16 demonstrate: (i) the reasonable expectation that there is a  
17 downstream market or uses for designated electronics,  
18 which may include recycling or reclamation processes such  
19 as smelting to recover metals for reuse; and (ii) that any  
20 residuals from recycling or reclamation processes, or  
21 both, are properly handled and managed to maximize reuse  
22 and recycling of materials to the extent practical.

23 (12) Recyclers must employ industry-accepted  
24 procedures for the destruction or sanitization of data on  
25 hard drives and other data storage devices. Acceptable  
26 guidelines for the destruction or sanitization of data are

1 contained in the National Institute of Standards and  
2 Technology's Guidelines for Media Sanitation or those  
3 guidelines certified by the National Association for  
4 Information Destruction.

5 (13) No recycler may employ prison labor in any  
6 operation related to the collection, transportation, and  
7 recycling of CEDs. No recycler may employ any third party  
8 that uses or subcontracts for the use of prison labor.

9 (e) Each recycler shall, during each calendar year,  
10 transport from each site that the recycler uses to manage  
11 residential CEDs not less than 75% of the total weight of  
12 residential CEDs present at the site during the preceding  
13 calendar year. Each recycler shall maintain on-site records  
14 that demonstrate compliance with this requirement and shall  
15 make those records available to the Agency for inspection and  
16 copying.

17 (f) Nothing in this Act shall prevent a person from acting  
18 as a recycler independently of a manufacturer e-waste program.

19 (Source: 100SB1417enr.)

20 (100SB1417enr., Sec. 1-45)

21 Sec. 1-45. Collector responsibilities.

22 (a) By January 1, 2019, and by January 1 of each year  
23 thereafter for that program year, beginning with program year  
24 2019, a person acting as a collector under a manufacturer  
25 e-waste program shall register with the Agency by completing

1 and submitting to the Agency the registration form prescribed  
2 by the Agency. The registration form prescribed by the Agency  
3 must include, without limitation, the address of each location  
4 at which the collector accepts residential CEDs.

5 (a-5) The Agency may deny a registration under this Section  
6 if the collector or any employee or officer of the collector  
7 has a history of:

8 (1) repeated violations of federal, State, or local  
9 laws, regulations, standards, or ordinances related to the  
10 collection, recycling, or other management of CEDs;

11 (2) conviction in this State or another state of any  
12 crime which is a felony under the laws of this State, or  
13 conviction of a felony in a federal court; or conviction in  
14 this State or another state or federal court of any of the  
15 following crimes: forgery, official misconduct, bribery,  
16 perjury, or knowingly submitting false information under  
17 any environmental law, regulation, or permit term or  
18 condition; or

19 (3) gross carelessness or incompetence in handling,  
20 storing, processing, transporting, disposing, or otherwise  
21 managing CEDs.

22 (b) The Agency shall post on the Agency's website a list of  
23 all registered collectors.

24 (c) Manufacturers and recyclers acting as collectors shall  
25 so indicate on their registration under Section 1-30 or 1-40 of  
26 this Act.



1 (d) By March 1 ~~January 31~~, 2020 and every March 1 ~~January~~  
2 ~~31~~ thereafter, each collector that operates a program  
3 collection site or one-day collection event shall report, to  
4 the Agency and to the manufacturer e-waste program, the total  
5 weight, by CED category, of residential CEDs transported from  
6 the program collection site or one-day collection event during  
7 the previous program year ~~its previous program year data on~~  
8 ~~CEDs collected to the Agency and manufacturer clearinghouse to~~  
9 ~~assist in satisfying a manufacturer's obligation pursuant to~~  
10 ~~subsection (c) of Section 1-15.~~

11 (e) Each collector that operates a program collection site  
12 or one-day event shall ensure that the collected residential  
13 CEDs are sorted and loaded in compliance with local, State, and  
14 federal law ~~and in accordance with best practices recommended~~  
15 ~~by the recycler and Section 1-85 of this Act.~~ In addition, at a  
16 minimum, the collector shall also comply with the following  
17 requirements:

18 (1) residential ~~all~~ CEDs must be accepted at the  
19 program collection site or one-day collection event unless  
20 otherwise provided in this Act;

21 (2) residential CEDs shall be kept separate from other  
22 material and shall be:

23 (A) packaged in a manner to prevent breakage; and

24 (B) loaded onto pallets and secured with plastic  
25 wrap or in pallet-sized bulk containers prior to  
26 shipping; and

1 (C) on average per collection site 18,000 pounds  
2 per shipment, and if not then the recycler may charge  
3 the collector a prorated ~~prorate~~ charge on the  
4 shortfall in weight, not to exceed \$600; ~~+~~

5 (3) residential CEDs shall be sorted into the following  
6 categories:

7 (A) computer monitors and televisions containing a  
8 cathode-ray tube, other than televisions with wooden  
9 exteriors;

10 (B) computer monitors and televisions containing a  
11 flat panel screen;

12 (C) all ~~other~~ covered televisions that are  
13 residential CEDs;

14 (D) computers;

15 (E) all other residential CEDs; and

16 (F) any electronic device that is not part of the  
17 manufacturer program that the collector has arranged  
18 to have picked up with residential CEDs and for which a  
19 financial arrangement has been made to cover the  
20 recycling costs outside of the manufacturer program;  
21 ~~and~~

22 (4) containers holding the CEDs must be structurally  
23 sound for transportation; and ~~+~~

24 (5) each shipment of residential CEDs from a program  
25 collection site or one-day collection event shall include a  
26 collector-prepared bill of lading or similar manifest,

1       which describes the origin of the shipment and the number  
2       of pallets or bulk containers of residential CEDs in the  
3       shipment.

4       (f) ~~(e)~~ Except as provided in subsection (g) ~~(f)~~ of this  
5 Section, each collector that operates a program collection site  
6 or one-day collection event during a program year shall accept  
7 all residential CEDs that are delivered to the program  
8 collection site or one-day collection event during the program  
9 year.

10       (g) ~~(f)~~ No collector that operates a program collection  
11 site or one-day collection event shall:

12           (1) accept, at the program collection site or one-day  
13           collection event, more than 7 residential CEDs from an  
14           individual at any one time; -

15           (2) scrap, salvage, dismantle, or otherwise  
16           disassemble any residential CED collected at a program  
17           collection site or one-day collection event;

18           (3) deliver to a manufacturer e-waste program, through  
19           its recycler, any CED other than a residential CED  
20           collected at a program collection site or one-day  
21           collection event; or

22           (4) deliver to a person other than the manufacturer  
23           e-waste program or its recycler, a residential CED  
24           collected at a program collection site or one-day  
25           collection event.

26       (h) ~~(g)~~ Beginning in program year 2019, registered

1 collectors participating in county supervised collection  
2 programs may collect a fee for each desktop computer monitor or  
3 television accepted for recycling to cover costs for collection  
4 and preparation for bulk shipment or to cover costs associated  
5 with the requirements of ~~cost for~~ subsection (e) of Section  
6 1-45.

7 (i) ~~(h)~~ Nothing in this Act shall prevent a person ~~an~~  
8 ~~individual~~ from acting as a collector independently of a  
9 manufacturer e-waste program.

10 (Source: 100SB1417enr.)

11 (100SB1417enr., Sec. 1-50)

12 Sec. 1-50. Penalties.

13 (a) Except as otherwise provided in this Act, any person  
14 who violates any provision of this Act is liable for a civil  
15 penalty of \$7,000 per ~~\$1,000 for the~~ violation, provided that  
16 the penalty for failure to register or pay a fee under this Act  
17 shall be double the applicable registration fee.

18 (b) The penalties provided for in this Section may be  
19 recovered in a civil action brought in the name of the people  
20 of the State of Illinois by the State's Attorney of the county  
21 in which the violation occurred or by the Attorney General. Any  
22 penalties collected under this Section in an action in which  
23 the Attorney General has prevailed shall be deposited in the  
24 Environmental Protection Trust Fund, to be used in accordance  
25 with the provisions of the Environmental Protection Trust Fund

1 Act.

2 (c) The Attorney General or the State's Attorney of a  
3 county in which a violation occurs may institute a civil action  
4 for an injunction, prohibitory or mandatory, to restrain  
5 violations of this Act or to require such actions as may be  
6 necessary to address violations of this Act.

7 (d) A fine imposed by administrative citation pursuant to  
8 Section 1-55 of this Act shall be \$1,000 per violation, plus  
9 any hearing costs incurred by the Illinois Pollution Control  
10 Board and the Agency. Such fines shall be made payable to the  
11 Environmental Protection Trust Fund to be used in accordance  
12 with the Environmental Protection Trust Fund Act.

13 (e) The penalties and injunctions provided in this Act are  
14 in addition to any penalties, injunctions, or other relief  
15 provided under any other law. Nothing in this Act bars a cause  
16 of action by the State for any other penalty, injunction, or  
17 other relief provided by any other law.

18 (f) A knowing violation of subsections (a), (b), or (c) of  
19 Section 1-83 of this Act by anyone other than a residential  
20 consumer is a petty offense punishable by a fine of \$500. A  
21 knowing violation of subsections (a), (b), or (c) of Section  
22 1-83 by a residential consumer is a petty offense punishable by  
23 a fine of \$25 for a first violation; however, a subsequent  
24 violation by a residential consumer is a petty offense  
25 punishable by a fine of \$50.

26 (g) Any person who knowingly makes a false, fictitious, or

1 fraudulent material statement, orally or in writing, to the  
2 Agency, related to or required by this Act or any rule adopted  
3 under this Act commits a Class 4 felony, and each such  
4 statement or writing shall be considered a separate Class 4  
5 felony. A person who, after being convicted under this  
6 subsection (g), violates this subsection (g) a second or  
7 subsequent time, commits a Class 3 felony.

8 (Source: 10000SB1417enr.)

9 (100SB1417enr., Sec. 1-55)

10 Sec. 1-55. Administrative citations.

11 (a) Any violation of a registration requirement in Sections  
12 1-30, 1-40, or 1-45 of this Act, any violation of the reporting  
13 requirement in paragraph (4) of subsection (b) of Section 1-10  
14 of this Act, and any violation of a ~~the~~ plan submission  
15 requirement in ~~subsection (a) of~~ Section 1-25 of this Act shall  
16 be enforceable by administrative citation issued by the Agency.  
17 Whenever Agency personnel shall, on the basis of direct  
18 observation, determine that any person has violated any of  
19 those provisions, the Agency may issue and serve, within 60  
20 days after the observed violation, an administrative citation  
21 upon that person. Each citation shall be served upon the person  
22 named or the person's authorized agent for service of process  
23 and shall include the following:

24 (1) a statement specifying the provisions of this Act  
25 that the person has violated;

1           (2) the penalty imposed under subsection (d) of Section  
2           1-50 of this Act for that violation; and

3           (3) an affidavit by the personnel observing the  
4           violation, attesting to their material actions and  
5           observations.

6           (b) If the person named in the administrative citation  
7           fails to petition the Illinois Pollution Control Board for  
8           review within 35 days after the date of service, then the Board  
9           shall adopt a final order, which shall include the  
10          administrative citation and findings of violation as alleged in  
11          the citation and shall impose the penalty specified in  
12          subsection (d) of Section 1-50 of this Act.

13          (c) If a petition for review is filed with the Board to  
14          contest an administrative citation issued under this Section,  
15          then the Agency shall appear as a complainant at a hearing  
16          before the Board to be conducted pursuant to subsection (d) of  
17          this Section at a time not less than 21 days after notice of  
18          the hearing has been sent by the Board to the Agency and the  
19          person named in the citation. In those hearings, the burden of  
20          proof shall be on the Agency. If, based on the record, the  
21          Board finds that the alleged violation occurred, then the Board  
22          shall adopt a final order, which shall include the  
23          administrative citation and findings of violation as alleged in  
24          the citation, and shall impose the penalty specified in  
25          subsection (d) of Section 1-50 of this Act. However, if the  
26          Board finds that the person appealing the citation has shown

1 that the violation resulted from uncontrollable circumstances,  
2 then the Board shall adopt a final order that makes no finding  
3 of violation and imposes no penalty.

4 (d) All hearings under this Section shall be held before a  
5 qualified hearing officer, who may be attended by one or more  
6 members of the Board, designated by the Chairman. All of these  
7 hearings shall be open to the public, and any person may submit  
8 written statements to the Board in connection with the subject  
9 of these hearings. In addition, the Board may permit any person  
10 to offer oral testimony. Any party to a hearing under this  
11 Section may be represented by counsel, make oral or written  
12 argument, offer testimony, cross-examine witnesses, or take  
13 any combination of those actions. All testimony taken before  
14 the Board shall be recorded stenographically. The transcript so  
15 recorded and any additional matter accepted for the record  
16 shall be open to public inspection, and copies of those  
17 materials shall be made available to any person upon payment of  
18 the actual cost of reproducing the original.

19 (Source: 100SB1417enr.)

20 (S.B. 1417, 100th G.A., Sec. 1-84 new)

21 Section 1-84. Allocation of financial responsibilities  
22 among manufacturers.

23 (a) Within 9 months after its receipt of the rulemaking  
24 proposal described in subsection (b) of this Section, the  
25 Pollution Control Board shall adopt rules regarding the



1 allocation of financial responsibilities for the  
2 transportation and recycling of collected residential CEDs  
3 among manufacturers participating in a manufacturer e-waste  
4 program. To ensure the equitable and efficient allocation of  
5 those obligations, the rules adopted by the Pollution Control  
6 Board shall include a formula that shall be used by  
7 manufacturers to identify their proportional responsibility  
8 for the transportation and recycling of collected residential  
9 CEDs. The formula developed by the Pollution Control Board  
10 shall take into consideration each manufacturer's market and  
11 return shares and any other factors the Pollution Control Board  
12 deems relevant. The rules adopted by the Pollution Control  
13 Board under this Section shall also allow manufacturers to use  
14 retail collection sites to satisfy some or all of their  
15 responsibilities for the transportation and recycling of  
16 collected residential CEDs.

17 (b) To assist the Pollution Control Board, there is hereby  
18 created an Advisory Financial Responsibility Allocation Task  
19 Force, which shall consist of the following members, to be  
20 appointed by the Director of the Environmental Protection  
21 Agency:

22 (1) one individual who is a representative of a  
23 statewide association representing retailers;

24 (2) one individual who is a representative of a  
25 statewide association representing manufacturers;

26 (3) one individual who is a representative of a

1 national association representing manufacturers of  
2 consumer electronics; and

3 (4) one individual who is a representative of a  
4 national association representing the information  
5 technology industry.

6 As soon as practicable after the effective date of this  
7 amendatory Act of the 100th General Assembly, members of the  
8 Advisory Financial Responsibility Allocation Task Force shall  
9 be appointed and meet. The Advisory Financial Responsibility  
10 Allocation Task Force shall file with the Pollution Control  
11 Board, by no later than October 1, 2017, a rulemaking proposal,  
12 which sets forth a system for allocating financial  
13 responsibilities for the transportation and recycling of  
14 collected CEDs among manufacturers participating in a  
15 manufacturer e-waste program.

16 Members of the Advisory Financial Responsibility  
17 Allocation Task Force shall serve voluntarily and without  
18 compensation.

19 Members of the Advisory Financial Responsibility  
20 Allocation Task Force shall elect from their number a  
21 chairperson. The Task Force shall meet initially at the call of  
22 the Director of the Agency and thereafter at the call of the  
23 chairperson. A simple majority of the members of the Task Force  
24 shall constitute a quorum for the transaction of business, and  
25 all actions and recommendations of the Task Force must be  
26 approved by a simple majority of its members.

1       (c) The rulemaking required under this Section shall be  
2       conducted in accordance with Title VII of the Environmental  
3       Protection Act, except that no signed petitions for the  
4       rulemaking proposal shall be required.

5       (d) The Agency shall provide administrative support to the  
6       Task Force as needed.

7       (e) The Advisory Financial Responsibility Allocation Task  
8       Force is dissolved by operation of law on January 1, 2019.

9       (100SB1417enr., Sec. 1-85)

10       Sec. 1-85. Advisory Electronics Recycling Task Force Best  
11       practices.

12       (a) There is hereby created an Advisory Electronics  
13       Recycling Task Force, which shall consist of the following 10  
14       By November 1, 2018 and November 1 of each year thereafter, an  
15       advisory stakeholder group shall submit a document, to be  
16       approved annually by a majority of the stakeholder group, of  
17       agreed to best practices to be used in the following program  
18       year and made available on the Agency website. The best  
19       practices stakeholder group shall be made up of 8 members, to  
20       be appointed by the Director of the Agency:

21               (1) two individuals who are , including 2  
22       representatives of county recycling programs;i 7

23               (2) two individuals who are 2 representatives of  
24       recycling companies;i 7

25               (3) two individuals who are 2 representatives from the

1 manufacturing industry; τ

2 (4) one individual who is a ~~one~~ representative of ~~from~~  
3 a statewide trade association representing retailers; τ

4 (5) one individual who is a ~~one~~ representative of a  
5 statewide trade association representing manufacturers; τ

6 (6) one individual who is a one representative of a  
7 statewide trade association representing waste disposal  
8 companies; τ and

9 (7) one individual who is a ~~one~~ representative of a  
10 national trade association representing manufacturers.

11 Members of the Task Force shall be appointed as soon as  
12 practicable after the effective date of this amendatory Act of  
13 the 100th General Assembly, shall serve for 2-year terms, and  
14 may be reappointed. Vacancies shall be filled by the Director  
15 of the Agency for the remainder of the current term. Members  
16 shall serve voluntarily and without compensation.

17 Members shall elect from their number a chairperson, who  
18 shall also serve a 2-year term. The Task Force shall meet  
19 initially at the call of the Director of the Agency and  
20 thereafter at the call of the chairperson. A simple majority of  
21 the members of the Task Force shall constitute a quorum for the  
22 transaction of business, and all actions and recommendations of  
23 the Task Force must be approved by a simple majority of its  
24 members.

25 (b) By November 1, 2018, and each November 1 thereafter,  
26 the Task Force shall submit, to the Agency for posting on the

1 Agency's website, a list of agreed-to best practices to be used  
2 at program collection sites and one-day collection events in  
3 the following program year. When establishing best practices,  
4 the Task Force shall consider the desired intent to preserve  
5 existing collection programs and relationships when possible.

6 (c) The Agency shall provide the Task Force with  
7 administrative support as necessary.

8 (Source: 100SB1417enr.)

9 (100SB1417enr, Sec. 1-60 rep.)

10 Section 7. If and only if Senate Bill 1417 of the 100th  
11 General Assembly becomes law, then Section 1-60 of the Consumer  
12 Electronics Recycling Act is repealed.

13 Section 10. If and only if Senate Bill 1417 of the 100th  
14 General Assembly becomes law, then Section 100 of the  
15 Electronic Products Recycling and Reuse Act is amended as  
16 follows:

17 (415 ILCS 150/100)

18 Sec. 100. Repeal. This Act is repealed on January 1, 2020  
19 ~~2019~~.

20 (Source: 100SB1417enr.)

21 Section 99. Effective date. This Act takes effect upon  
22 becoming law or on the date the Consumer Electronics Recycling  
23 Act takes effect, whichever is later.