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SENATE RESOLUTION

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WHEREAS, On September 17, 2008, the Electronic Products Recycling and Reuse Act, Public Act 95-0959, was enacted, setting forth procedures for the recycling and reuse of covered electronic devices in Illinois; and

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WHEREAS, The Electronic Products Recycling and Reuse Act banned the disposal of covered electronic devices in landfills and incinerators beginning January 1, 2012; and

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WHEREAS, To provide adequate collection of discarded electronic devices and comply with the disposal ban, more than 500 collection sites statewide are currently registered with the Illinois Environmental Protection Agency (IEPA) to accept electronic wastes; and

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WHEREAS, Local governments statewide have contracted with electronic waste processors and recyclers for collection, reuse, and recycling of discarded electronics, providing a vital service to their residents; and

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WHEREAS, A significant component of the discarded electronic waste stream collected to date has been, and continues to be, cathode ray tube (CRT) devices, including televisions and computer monitors; and

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1 WHEREAS, CRT glass contains lead at a sufficiently high
2 concentration to meet the definition of hazardous waste,
3 necessitating handling the glass in a manner that protects
4 human health and the environment; and

5 WHEREAS, The principal recycling market for CRT glass was
6 historically the production of new CRTs; and

7 WHEREAS, Demand for new CRTs historically provided an
8 economic incentive to recycle CRT glass for use in the
9 manufacturing of new CRTs, and recyclers received revenue for
10 the CRT glass provided to CRT manufacturers; and

11 WHEREAS, New CRTs have essentially ceased to be purchased
12 in the United States, and there are no CRT manufacturing
13 facilities located in the United States; and

14 WHEREAS, All CRT glass used in the manufacturing of new
15 CRTs is now exported to India to the single remaining CRT
16 manufacturing facility in the world; and

17 WHEREAS, There exist limited additional available outlets
18 for the legitimate recycling of CRT glass in the United States;
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1 WHEREAS, The quantity of CRT glass collected far exceeds
2 current demand and available markets for the glass; and

3 WHEREAS, CRT glass processing and recycling now carries a
4 substantial cost, a significant change since the Electronic
5 Products Recycling and Reuse Act was enacted in 2008; and

6 WHEREAS, The increased cost to process CRT glass has caused
7 a number of electronic waste collection programs operated by
8 local governments in Illinois to bear the cost increases or to
9 be discontinued to avoid accumulation of CRTs; and

10 WHEREAS, Stockpiles of abandoned CRT glass have been
11 discovered at several former electronic waste processing
12 facilities across the United States, due to the lack of markets
13 for CRT glass and the high cost associated with existing
14 markets; and

15 WHEREAS, Kuusakoski Recycling and Peoria Disposal Company
16 (PDC), both Illinois-based businesses, developed and permitted
17 a CRT glass solution, the KleanKover Recycling Solution,
18 whereby CRT glass is treated to reduce the leachable lead
19 levels in the glass (the principal environmental concern
20 associated with CRTs) below stringent federal thresholds and
21 placed as Alternative Daily Cover (ADC) in a permitted
22 landfill; and

1 WHEREAS, Kuusakoski Recycling and PDC have successfully
2 operated the KleanKover Recycling Solution since November of
3 2013; and

4 WHEREAS, Given the lack of viable recycling markets, the
5 IEPA has determined that treated CRT glass used as ADC can be
6 counted towards manufacturer recycling goals under the
7 Electronic Products Recycling and Reuse Act, as documented in
8 IEPA correspondence to Kuusakoski Recycling on November 26,
9 2013; and

10 WHEREAS, Sustainable Electronics Recycling International
11 (SERI), administrators of the R2 Standard (a voluntary
12 certification standard for electronic waste recyclers) has
13 prohibited its certified recyclers from using the KleanKover
14 Recycling Solution or any other use of CRT glass as ADC; and

15 WHEREAS, At least 11 government jurisdictions in Illinois,
16 representing over 4.3 million people and with some of the most
17 effective e-waste recycling programs in the U.S., have
18 petitioned SERI to reconsider its position on CRT glass
19 management, citing the need for additional CRT glass management
20 options in the U.S.; and

21 WHEREAS, Basel Action Network (BAN), administrators of the

1 eStewards Standard (a separate voluntary certification
2 standard for electronic waste recyclers) has defined any use of
3 treated CRT glass within a disposal facility, including use as
4 ADC, as a "last resort" option, effectively prohibiting use of
5 the KleanKover Recycling Solution; and

6 WHEREAS, BAN has expressed interest in considering
7 retrievable storage of CRT glass in permitted, monitored, and
8 contained designated disposal sites as a preferred CRT glass
9 management method; and

10 WHEREAS, In response to BAN's interest, PDC has proposed to
11 develop a designated storage cell at its Indian Creek Landfill
12 to provide storage and future retrieval of CRT glass, should
13 markets develop to utilize the leaded glass; and

14 WHEREAS, The Indian Creek Landfill is fully permitted to
15 develop the retrievable storage cell and accept treated CRT
16 glass for placement in the cell, as confirmed by IEPA in a
17 letter to PDC dated January 26, 2015; and

18 WHEREAS, PDC has established a perpetual care fund for the
19 Indian Creek Landfill, consisting of a trust fund held by a
20 third-party and available to Tazewell County (the host
21 jurisdiction for the landfill), which provides funding to
22 monitor and maintain the landfill into perpetuity, an even

1 greater level of financial and environmental protection than is
2 required under state and federal regulations; and

3 WHEREAS, PDC hosted a tour at the Indian Creek Landfill on
4 October 23, 2014 for approximately 35 attendees of the annual
5 conference of the Illinois Counties Solid Waste Management
6 Association (ILCSWMA) to show attendees how CRT glass is
7 currently managed, present the plan for retrievable storage,
8 and answer questions; and

9 WHEREAS, ILCSWMA conference attendees were subsequently
10 polled to determine their support for allowing treated CRT
11 glass to be placed in a landfill regardless of whether it is
12 used as ADC or placed in a dedicated cell for retrievable
13 storage, and attendees voiced nearly unanimous support of this
14 option with only 2 of the approximately 60 participants
15 dissenting; and

16 WHEREAS, Kuusakoski Recycling and PDC formally petitioned
17 BAN on November 18, 2014 to modify its standard and allow, as
18 an additional preferred CRT glass management option, the
19 placement of treated CRT glass in a retrievable storage cell
20 within a permitted disposal site which has a perpetual care
21 fund established; and

22 WHEREAS, At least 10 government jurisdictions in Illinois

1 representing nearly 4 million people have sent letters to BAN
2 in support of Kuusakoski Recycling and PDC's petition and
3 urging BAN'S approval in order to maintain their vital
4 electronic waste collection and recycling programs for their
5 residents; and

6 WHEREAS, The option of retrievable storage of treated CRT
7 glass in a dedicated cell at a permitted disposal site will
8 provide needed environmentally protective, cost effective, and
9 immediately available capacity for CRT glass, resulting in
10 relief for residents, local governments, and recyclers across
11 Illinois and the United States to manage this problematic
12 material and reduce the potential for future discoveries of
13 stockpiled material that would pose a significant
14 environmental threat; therefore, be it

15 RESOLVED, BY THE SENATE OF THE ONE HUNDREDTH GENERAL
16 ASSEMBLY OF THE STATE OF ILLINOIS, that we urge the Basel
17 Action Network and the e-Stewards Leadership Council to approve
18 the pending petition submitted by Kuusakoski Recycling and
19 Peoria Disposal Company to allow the placement of treated CRT
20 glass into a dedicated retrievable storage cell in a permitted
21 disposal facility; and be it further

22 RESOLVED, That suitable copies of this resolution be
23 delivered to the Executive Director of the Basel Action Network

1 and the policy director of the Basel Action Network.