



HR0161

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HOUSE 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 300 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 of 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 sole 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;
19 and

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, which constitutes a significant change since
5 the Electronic Products Recycling and Reuse Act was enacted in
6 2008; and

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

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

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

1 Alternative Daily Cover (ADC) in a permitted landfill; and

2 WHEREAS, Kuusakoski Recycling and PDC have successfully
3 operated the KleanKover Recycling Solution since November,
4 2013; and

5 WHEREAS, Given the lack of viable recycling markets, the
6 IEPA has determined that treated CRT glass used as ADC can be
7 counted towards manufacturer recycling goals under the
8 Electronic Products Recycling and Reuse Act, as documented in
9 IEPA correspondence to Kuusakoski Recycling on November 26,
10 2013; and

11 WHEREAS, Basel Action Network (BAN), administrators of the
12 e-Stewards Standard (a voluntary certification standard for
13 electronic waste recyclers) had previously defined any use of
14 treated CRT glass within a disposal facility, including use as
15 ADC, as a "last resort" option, effectively prohibiting use of
16 the KleanKover Recycling Solution; and

17 WHEREAS, BAN had expressed interest in considering
18 retrievable storage of CRT glass in permitted, monitored, and
19 contained designated disposal sites as a preferred CRT glass
20 management method; and

21 WHEREAS, In response to BAN's interest, PDC developed a

1 designated retrievable storage cell at its permitted Indian
2 Creek Landfill No. 2 to provide storage and future retrieval of
3 CRT glass, should markets develop to utilize the leaded glass;
4 and

5 WHEREAS, PDC has established a perpetual care fund for
6 Indian Creek Landfill No. 2, consisting of a trust fund held by
7 a third-party and available to Tazewell County (the host
8 jurisdiction for the landfill), which provides funding to
9 monitor and maintain the landfill in perpetuity, imparting a
10 greater level of financial and environmental protection than is
11 required under State or federal laws or regulations; and

12 WHEREAS, Kuusakoski Recycling and PDC formally petitioned
13 BAN on November 18, 2014, to modify the e-Stewards Standard and
14 allow, as an additional preferred CRT glass management option,
15 the placement of treated CRT glass in a retrievable storage
16 cell within a permitted disposal site which has a perpetual
17 care fund established; and

18 WHEREAS, At least 10 units of local government in Illinois,
19 representing nearly four million people, sent letters to BAN in
20 support of the petition submitted by Kuusakoski Recycling and
21 PDC, and urging BAN's approval in order to maintain the
22 governmental units' vital electronic waste collection and
23 recycling programs for their residents; and

1 WHEREAS, On May 6, 2015, the House of Representatives of
2 the 99th General Assembly of the State of Illinois adopted
3 House Resolution 328 urging BAN to approve the petition
4 submitted by Kuusakoski Recycling and PDC and revise the
5 e-Stewards Standard to allow placement of treated CRT glass
6 into a dedicated retrievable storage cell at a permitted
7 disposal facility; and

8 WHEREAS, On July 10, 2015, Public Act 99-13 amended the
9 Electronics Products Recycling and Reuse Act to allow CRT glass
10 placed in retrievable storage cells at permitted landfills to
11 be counted towards manufacturer recycling goals; and

12 WHEREAS, BAN published Sanctioned Interpretation #5 to the
13 e-Stewards Standard V2.0 on April 1, 2016, recognizing
14 placement of treated CRT glass in lined, leachate-controlled,
15 and monitored solid waste landfills as a conditionally
16 allowable option for the management of CRT glass if all
17 preferred options have been ruled out based on established
18 criteria without requirement for further BAN approval; and

19 WHEREAS, Sustainable Electronics Recycling International
20 (SERI) , administrators of the R2 Standard (a separate
21 voluntary certification standard for electronic waste
22 recyclers) has prohibited its certified recyclers from

1 managing CRT glass in any form within a landfill, including as
2 ADC or in retrievable storage; and

3 WHEREAS, At least 15 units of local government in Illinois,
4 representing over five million people, some of which
5 governmental units maintain among the most effective e-waste
6 recycling programs in the United States, petitioned SERI in
7 2014, to reconsider its options on CRT glass management, citing
8 the need for additional CRT glass management options in the
9 United States; and

10 WHEREAS, In June, 2016, representatives of SERI and the R2
11 Technical Advisory Committee (TAC, a multi-stakeholder group
12 appointed by SERI to review and recommend revisions to the R2
13 Standard) toured the Kuusakoski Recycling and PDC facilities
14 and received additional information about their CRT glass
15 management process; and

16 WHEREAS, In September, 2016, Kuusakoski Recycling and PDC
17 announced a further enhancement to their CRT glass management
18 process which will segregate panel glass (which does not
19 include concentrations of hazardous materials in regulated
20 quantities) from leaded funnel glass; this enhancement will
21 permit Kuusakoski Recycling and PDC to utilize crushed panel
22 glass as construction aggregate at permitted landfills as a
23 replacement for washed gravel in the construction of leachate

1 recirculation wells and potentially landfill gas wells, while
2 continuing to treat leaded funnel glass and place it in
3 retrievable storage or utilize it as ADC at permitted
4 landfills; and

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

16 RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE ONE
17 HUNDREDTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we
18 urge SERI (Sustainable Electronics Recycling International)
19 and the TAC (the R2 Technical Advisory Committee) to amend the
20 R2 Standard to create an option for management of CRT glass
21 through beneficial use, including in uses such as landfill
22 construction aggregate and ADC, and placement of treated CRT
23 glass into a dedicated retrievable storage cell in a permitted
24 disposal facility; and be it further

1 RESOLVED, That suitable copies of this resolution be
2 delivered to the executive director, R2 technical director, and
3 the chair of the Board of Directors of SERI (Sustainable
4 Electronics Recycling International).