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HOUSE, No. 4716

By Mr. Carron of Southbridge, petition of Mark J. Carron relative to the disposal of cathode ray tubes. Natural Resources and Agriculture.



The Commonwealth of Massachusetts

In the Year Two Thousand and One.

AN ACT TO REQUIRE THE TAKE BACK USED CATHODE RAY TUBES.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1: Chapter 16 of the General Laws is hereby amended by inserting the following new sections:—

Section 19A. No product which includes a cathode ray tube shall be offered for final sale or use or distribution for promotional purposes in the Commonwealth of Massachusetts until such time as the manufacturer of said product either on its own or in concert with other persons has implemented a plan approved by the department of environmental protection for a convenient and accessible collection system for such products when the consumer is finished with them.

Where a cathode ray tube is a component of another product, the collection system must provide for removal and collection of the cathode ray tube component or collection of both the cathode ray tube component and the product containing it.

Section 19B. The collection system plan submitted to the department pursuant to section 19A shall include the following elements:

- (1) a public education program to inform the public about the purpose of the collection program and how to participate in it;
- (2) a targeted capture rate of ninety-five percent (95%) or more for the cathode ray tubes and/or the product containing it;
- (3) a plan for implementing and financing the collection system;
- (4) documentation of the willingness of all necessary parties to implement the proposed collection system;
- (5) a description of the performance measures to be utilized and reported by the manufacturer to demonstrate that the collection system is meeting capture rate targets and other measures of program effectiveness as required by the department; and
- (6) a description of additional or alternative actions that will be implemented to improve

the collection system and its operation in the event that the program targets are not met.

The collection system plan may utilize or expand on existing collection and recycling infrastructure where feasible and cost-effective. Any plan submitted which does not utilize existing collection and recycling infrastructure shall describe the reasons for establishing a separate collection system. Where establishing a separate system, manufacturers are required to develop, implement, and maintain the collection system, alone or in conjunction with other entities.

Section 19C. No later than two years following the implementation of the collection system plan required under section 19A and biennially thereafter, the manufacturer or entity that submitted the plan on behalf of the manufacturer and is implementing said plan shall be required to submit a report to the department on the effectiveness of the collection system. The report shall include an estimate of the numbers of cathode ray tubes that were collected, the capture rate for the cathode ray tubes or components, the results of the other performance measures included in the manufacturers collection system plan, and such other information as the department may require. Such reports shall be made available to the public by the department.

SECTION 2. Section 1 shall take effect one year following the effective date of this act.

WHEREAS: The Massachusetts Beyond 2000 Solid Waste Master Plan adopted December 20, 2000, commits the Executive Office of Environmental Affairs to develop a Product Stewardship Policy that will encourage or require producers to take greater responsibility for the costs of disposing of their discarded products, but this needed state policy has not yet been adopted; and

WHEREAS: Producer Take Back requirements, which have been adopted in many countries across the world, will shift the burden of disposal costs for electronic and household products from local taxpayers back to the producers, internalizing these cost and giving a market incentive to design products that are durable, less toxic and recyclable; and now therefore be it

RESOLVED: That the Cambridge City Council go on record as follows:

1. Urging the Cambridge delegation to the State House to support passage of H-4716, An Act To Require Manufacturers To Take Back Used Cathode Ray Tubes (attached); and
2. Urging the Legislature to develop and support legislation to require Producer Take Back for all consumer electronics products, computers, and household hazardous products; and
3. Urging Governor Jane Swift to support H-4716, to support Producer Take Back legislation for consumer electronics, computers, and household hazardous products, to adopt a statewide Producer Take Back policy, and to adopt statewide procurement guidelines to require vendors who provide products to state and local government to take back discarded electronics and household hazardous products; and be it further

RESOLVED: That the City Clerk be and hereby is requested to forward a suitably engrossed copy of this resolution to the Cambridge Legislative Delegation to the State House and Governor Swift on behalf of the entire City Council.

In City Council May 13, 2002.

Adopted by the affirmative vote of eight members.

Attest:- D. Margaret Drury, City Clerk.

A true copy;

ATTEST:- 

D. Margaret Drury
City Clerk



City of Cambridge

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IN CITY COUNCIL

May 13, 2002

COUNCILLOR DECKER
VICE MAYOR DAVIS
COUNCILLOR GALLUCIO
COUNCILLOR MAHER
COUNCILLOR MURPHY
COUNCILLOR REEVES
COUNCILLOR SIMMONS
MAYOR SULLIVAN
COUNCILLOR TOOMEY

- WHEREAS: Discarded electronic products, including computer monitors, televisions, computers and others, are an increasing problem for Massachusetts cities and towns, who have to deal with more than 75,000 tons of electronic waste each year, which is expected to increase to 300,000 tons each year by 2005; and
- WHEREAS: Discarded electronic products contain lead, cadmium, mercury, hexavalent chromium, polyvinyl chloride, brominated flame retardant and other toxic materials that can pose hazards to human health and the environment when landfilled or incinerated; and
- WHEREAS: The Commonwealth of Massachusetts, on April 1, 2000, because of the toxicity of this waste, prohibited the disposal of discarded cathode ray tubes (CRT's), such as those found in televisions and computer monitors, in municipal landfills or incinerators, which has increased local government costs for recycling discarded CRT's; and
- WHEREAS: Massachusetts residents generate an estimated 6 pounds per year of household hazardous products, such as paint, septic cleaners, pesticides, fingewr nail polish, and shoe polish, and Massachusetts cities and towns spend thousands of dollars each year for collection events to divert these household hazardous products from disposal; and
- WHEREAS: The costs incurred by Massachusetts cities and towns for disposal of products that contain toxic and are not easily recyclable, particularly electronic products and household hazardous products, are in effect unfunded mandates imposed by the production of such products on local taxpayers, which takes funds away from other needed local government programs, such as schools, fire protection, emergency services, and police; and

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Urging the Cambridge delegation to the State House to support passage of H-4716, to develop and support legislation to require Producer Take Back for all consumer electronics products, computers and household hazardous products and Governor Swift to support H-4716.
Councillor Decker

In City Council May 13, 2002

ORDER ADOPTED.