



Guidance for Completing the Rhode Island Registration Form for Manufacturers of Covered Electronic Products (CEPs)

Please use this guidance to complete the *Registration Form for Manufacturers of Covered Electronic Products for Calendar Year 2009*. This guidance document is not a substitute for the legal requirements of any applicable statutes or regulations and you should review all applicable laws prior to completing the registration form.

Introduction

In June 2008, the RI General Assembly passed Senate Bill 2631Baa/House Bill 7880A – *The Rhode Island Electronic Waste Prevention, Reuse and Recycling Act*. A similar bill, Senate Bill 2455aa, creates a landfill ban on electronic waste in RI effective January 31, 2009. These acts are codified in the RI General Laws as R.I.G.L. Chapter 23-24.10. Under RI's new electronic waste law, manufacturers of electronic products have individual financial responsibility to take back and recycle their products at the end of the product's useful life from both households and public/private elementary & secondary schools.

By January 1, 2009, each manufacturer of covered electronic products (CEPs) offered for sale for delivery in Rhode Island shall register with the Rhode Island Department of Environmental Management (RIDEM) and pay to the Department a registration fee of five thousand dollars (\$5,000). Electronics retailers are prohibited from offering covered electronic products for sale in Rhode Island from manufacturers not registered with RIDEM and not in compliance with RI's electronic waste law.

As part of the registration process, a manufacturer must inform RIDEM whether it intends to participate in the State Program for collection & recycling of CEPs as administered by the Rhode Island Resource Recovery Corporation (RIRRC) or administer its own manufacturer collection & recycling program, either alone or in coordination with other manufacturers, known as a Group Manufacturer Program. Please refer to R.I.G.L. 23-24.10-9 for specifics on which companies are allowed to form a Group Manufacturer Program. Under RI's electronic waste law, these collection & recycling programs are to be established for products discarded by households and public/private elementary & secondary schools.

Covered Electronic Products (CEPs)

Called "covered electronic products" in RI's electronic waste law, they include:

- *Computers (CPUs)*
- *Computer monitors (CRT and flat panel)*
- *Combination units (CPUs with monitors),*
- *Laptop/notebook computers (with a screen greater than 9 inches diagonally),*
- *Televisions (including CRT, LCD and plasma with a screen greater than 9 inches diagonally) or similar video display devices with a screen greater than 9 inches diagonally and that contains a circuit board.*

Please refer to R.I.G.L. 23-24.10-3 for a complete list of all applicable definitions.

Excluded Products

In accordance with RI's electronic waste law, CEPs do not mean a computer, television or video display device that is:

- *a part of a motor vehicle or any component part of a motor vehicle assembled by, or for, a vehicle manufacturer or franchised dealer, including replacement parts for use in a motor vehicle; or*
- *functionally or physically a part of, connected to or integrated within a larger piece of equipment designed and intended for use in an industrial, governmental, commercial, research and development, or medical setting, (including diagnostic, monitoring, or other medical products as that term is defined under the Federal Food, Drug, and Cosmetic Act) or equipment used for security, sensing, monitoring, or anti-terrorism purposes; or*

- *contained within a home appliance, clothes washer, clothes dryer, refrigerator, refrigerator and freezer, microwave oven, conventional oven or range, dishwasher, room air conditioner, dehumidifier, or air purifier; or*
- *a handheld device used to access commercial mobile radio service, as such service is defined in 47 CFR 20.3, or*
- *a printer.*

Please refer to R.I.G.L. 23-24.10-3 for a complete list of all applicable definitions.

Manufacturers

Under the law, manufacturer means a person or entity who:

- *Has a physical presence and legal assets in the United States of America; and*
 - *manufactures or manufactured a covered electronic product under a brand it owns; or is or was licensed to use;*
 - *sells or sold under a brand or label it owns or is or was licensed to use a covered electronic product produced by other suppliers; or*
 - *assumes the financial responsibility of manufacturer collection, transportation or recycling; or*
 - *imports or imported a covered electronic product into the United States that is manufactured by a person without a presence in the United States; or*
 - *sells at retail a covered electronic product acquired from an importer that is the manufacturer, and elects to register in lieu of the importer.*

Please refer to R.I.G.L. 23-24.10-3 for a complete list of all applicable definitions.

A manufacturer not in compliance with all financial and other requirements of RI's electronics waste law is prohibited from offering a CEP as defined above for sale in RI. Similarly, it is unlawful for any retailer to offer for sale in this state a new CEP from a manufacturer that is not in full compliance with the requirements of RI's electronic waste law.

RIDEM will maintain a list on its website of each manufacturer's compliance status. All manufacturers are considered to be in compliance with RI's electronic waste law until RIDEM publishes the first list in early 2009.

Who Must Register with RIDEM?

Any manufacturer of CEPs as defined in RI's electronic waste law must register with RIDEM. Any manufacturer to whom RIDEM provides notification of a return share, return share in weight or market share pursuant to R.I.G.L. 23-24.10-12 and who has not previously filed a registration shall, within thirty (30) days of receiving such notification, file a registration with RIDEM and shall pay the required registration fee.

When additional room is necessary to complete any part of the registration form, please attach additional pages at the end of the form. Label each page with the registrants name, along with the corresponding section number so RIDEM can clearly identify how to utilize the additional information.

Section 1: Registration and Fee Information

By January 1, 2009, each manufacturer of covered electronic products (CEPs) offered for sale for delivery in Rhode Island shall register with the Rhode Island Department of Environmental Management (RIDEM) and pay to the Department a registration fee of five thousand dollars (\$5,000). Thereafter, if a manufacturer has not previously filed a registration, the manufacturer shall file a registration with RIDEM prior to any offer for sale for delivery in Rhode Island of the manufacturer's new CEPs and shall pay to RIDEM the required registration fee. In accordance with R.I.G.L. Chapter 23-24.10, all manufacturers shall pay the same registration fee. A manufacturer's registration will not be processed without the fee.

The registration form must be submitted to RIDEM in both hard copy (along with the registration fee) and via email. All forms and documents submitted to RIDEM should be clearly marked with the registrant's name. You should retain a copy of all documents for your files. When additional room is necessary to complete any part of the registration form, please attach additional pages at the end of the form. Label each page with the registrants name, along with the corresponding section number so RIDEM can clearly identify how to utilize the additional information.

Section 2. Registrant Information

When completing this section, please abide by the following:

- In the “Manufacturer Information” section, please complete the entire table for the manufacturer being registered.
- In the “Administrative Contact Information” section, please provide all requested information for the individual RIDEM will use as the primary point of contact for the manufacturer.
- If the “Billing Contact Information” is not the same as the Administrative Contact Information, please complete this section.
- If the person preparing the form is someone other than the manufacturer as indicated on the form (e.g. a third-party organization, trade group, consultant), please provide the name of the person preparing the form.

Section 3. Recycling Plan Information

Manufacturers choosing to implement their own **Manufacturer Program** or participate in a **Group Manufacturer Program** with other manufacturers must submit a detailed implementation plan to RIDEM for approval with the registration form and fee.

A **Manufacturer Program** or a **Group Manufacturer Program** implementation plan as submitted to RIDEM must describe how the manufacturer will finance, manage and conduct a statewide program to collect CEPs from households and public & private elementary and secondary schools in RI; provide for environmentally sound management practices to collect, transport and recycle covered electronic products; provide for advertising and promotion of collection opportunities statewide and on a regular basis; and include convenient service statewide.

RIDEM expects manufacturers to begin implementation of the plan within 30 days of approval, with implementation beginning no later than March 15, 2009 for all approved plans. *Please include a proposed implementation schedule with your plan.*

Opportunities for manufacturers to combine together to implement **Group Manufacturer Programs** are not open to all manufacturers based upon adopted market share and return share information.

Note: In accordance with R.I.G.L. 23-24.10-9(c), all manufacturer plans must include a statement concerning exceedances and exemptions under the RoHS Directive.

For more information regarding specific requirements for implementing a **Manufacturer Program** or a **Group Manufacturer Program**, please consult R.I.G.L. 23-24.10-9 and R.I.G.L. 23-24.10-12.

Section 4. Brand/CEP Information

In the table provided in the registration form, list all the manufacturer’s brands for which the manufacturer has legal responsibility and is registering with this form. Also include in the table the corresponding type of CEP by manufacturer brand.

When additional room is necessary to complete any part of the registration form, please attach additional pages at the end of the form. Label each page with the registrants name, along with the corresponding section number so RIDEM can clearly identify how to utilize the additional information.

Section 5. Certification & Signature

After the registration form is completed, it must be signed by the manufacturer. By their signature, they certify that they are familiar with the information submitted in the registration form (including attachments), and that the information is true, accurate and complete.

The registration will be considered incomplete unless all signatures are provided. Signatures are only required on hard copies of registration forms as submitted to RIDEM along with the registration fee. For electronic copy submissions emailed to rielectronicwaste@dem.ri.gov, please type in your name & the date.

All documents/information relevant to RI’s electronic waste law can be found at: www.dem.ri.gov/ewaste/index.htm. Questions should be directed to Elizabeth Stone, RIDEM at rielectronicwaste@dem.ri.gov or 401-222-4700 x2422.