

**RESOLUTION NO. 2016-08
WEST PENNSBORO TOWNSHIP**

**A RESOLUTION OF THE BOARD OF SUPERVISORS
OF WEST PENNSBORO TOWNSHIP, CUMBERLAND COUNTY, PENNSYLVANIA,
SEEKING RELIEF FROM ACT 108 OF 2010**

WHEREAS, the Covered Device Recycling Act (CDRA), Act 108 of 2010, was adopted by the State Legislature in 2010 in order to assist local governments with managing the fast-growing electronics waste stream by requiring electronics manufacturers to fund a recycling infrastructure and relieve local governments from the recycling and end-of-life management costs; and

WHEREAS, the Act has succeeded in significantly increasing electronics recovery and recycling in the state, but the collection infrastructure is unstable and local governments and other collectors are faced with mounting fees in the absence of consistent manufacturer funding and limited markets for cathode ray tubes (CRTs); and

WHEREAS, while the Act intended to place the burden of electronics recycling on the manufacturers of electronic devices, the Act has failed to do so; and

WHEREAS, the Act created a ban on disposal of electronic waste in landfills, effective January 2013; and

WHEREAS, the Act requires electronics manufacturers to fund e-scrap recycling programs that are regular and ongoing to at least 85% of the state's population; and

WHEREAS, a 2014 Pennsylvania Department of Environmental Protections (PADEP) report to the General Assembly stated "the CDRA requires manufacturer programs to provide recycling access to 85 percent of the population; however, the landfill ban prohibiting the landfilling of covered devices applies to 100 percent of the population. These provisions in the CDRA result in a confounding situation for citizens that may have limited or no opportunities for recycling but are faced with a landfill ban on the material they wish to discard."; and

WHEREAS, once manufacturers have met their weight based performance standard (goal), which in a number of cases is midway through the year, they no longer provide financial support to continue their collection programs, thus shifting management costs to cash-strapped local governments; and

WHEREAS, the issue is exacerbated by the fact that electronics sold today weigh much less than the obsolete CRT devices that make up approximately 70 to 80 percent of the weight of e-scrap generated; and

WHEREAS, a 2014 PADEP report to the General Assembly stated "Televisions and computer monitors that contain cathode ray tubes (CRTs) are especially problematic for recycling due to the leaded glass in the CRTs, absence of low-cost recycling technology, and limited number of CRT processors."; and

WHEREAS, a 2014 PADEP report to the General Assembly stated "Nevertheless, the demand for opportunities to recycle old televisions continues to be high. ... As of August 2015, 43 percent of all calls received by the statewide recycling hotline pertained to access issues for recycling of televisions."; and

WHEREAS, a 2014 PADEP report to the General Assembly stated "After almost four years of implementation, the CDRA has not stimulated a dependable statewide infrastructure to ensure local governments, collectors, and recyclers are able to operate and provide recycling services on a continuing basis."; and

WHEREAS, this has resulted in many recyclers and local governments across the state having grappled with the burden to fund or cease e-scrap collection, which has been particularly difficult in rural communities that do not benefit from retail collectors or economies of scale; and

NOW, THEREFORE, BE IT RESOLVED, the Township of West Pennsboro calls on state lawmakers to improve the current law to create a more stable and comprehensive, manufacturer implemented electronics recycling infrastructure; and

BE IT FURTHER RESOLVED, that West Pennsboro Township calls on state lawmakers to implement actions to strengthen communication among stakeholders and promote the adoption of changes to the Act that will provide for year round collection of electronics, consistent with convenience standards for both rural and urban populations that help alleviate the immediate financial pressures faced by local governments; and

BE IT FURTHER RESOLVED, that West Pennsboro Township shall forward copies of this resolution to all Cumberland County state legislators, the Honorable Chris Ross (prime sponsor of the CDRA), and all others deemed necessary and proper.

Adopted at the regular monthly meeting of the Board of Supervisors of West Pennsboro Township held this 25th day of April, 2016.

Attest:

West Pennsboro Township Board of Supervisors

BY: *Evelyn M. Swartz*
Evelyn M. Swartz, Secretary

BY: *Gerald A. Barrick*
Gerald A. Barrick, Chairman

BY: *Richard E. Adler*
Richard E. Adler, Vice-Chairman

BY: *Daniel L. Martin*
Daniel L. Martin, Supervisor

CERTIFICATE

I, the undersigned, Secretary of the Board of Supervisors of West Pennsboro Township, Cumberland County, Pennsylvania, certify that the foregoing is a true and correct copy of a Resolution of the Board of Supervisors which was duly enacted by affirmative vote of a majority of the members of the Board at a meeting duly held on April 25th, 2016; at which meeting a quorum was present; that said Resolution has been duly recorded in the Minute Book of the Township Board of Supervisors; that said Resolution remains in full force and effect, without amendment, alteration or repeal, as of the date of this Certificate.

I further certify that the meeting at which the Board adopted said Resolution was a public meeting duly held after giving public notice of the date, time and place of such meeting by posting and publishing such notice at the time and in the manner required by Act No. 84 of the General Assembly of the Commonwealth of Pennsylvania, approved July 3, 1986.

IN WITNESS WHEREOF, I set my hand and affix the official seal of the Township, this 25th day of April, 2016.

Evelyn M. Swartz
Secretary

4/25/16
Date