

File Number: H.F. 3666
Version: As introduced

Date: March 18, 2018

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Subject: Electronic waste recycling; other PCA programs

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Overview

House File 3666 makes changes in the Pollution Control Agency's electronic waste recycling program and its small business environmental-improvement loan program, and requires a rule change regarding training for operators of certain waste disposal facilities.

Section

- 1 **[115A.1310] Subd. 12b. Phase II recycling credits.** Amends the definition of Phase II recycling credits by specifying that the number of pounds of covered electronic devices recycled by a manufacturer (which is used to calculate the number of credits) may include devices arranged by a manufacturer to be collected and recycled, not necessarily recycled by the manufacturer itself. The new definition also requires the manufacturer to assume all financial responsibility associated with the transporting and recycling of the devices, as required under section 115A.1310, subd. 1, par. (b).
- 2 **[115A.1314] Manufacturer's registration fee.**
 - Subd. 1. Registration fee.** Subjects manufacturers that sell fewer than 100 video display devices in the state annually to the variable portion of the recycling fee, but not the flat portion (\$2,500).
 - Subd. 2. Use of registration fees.** Authorizes the commissioner to distribute to counties any portion of registration fees the commissioner determines is not needed to implement the electronic waste recycling program, using the same distribution formula as is used for SCORE grants.

Section

3 [115A.1316.] Reporting requirements.

Subd. 1. Manufacturer's reporting requirements. Terminates a manufacturer's requirement to report certain information to the department of revenue. Adds the requirement to report to the agency annually the amount paid to each party assisting the manufacturer to meet its recycling obligation, and the names of any parties that recycling credits were purchased from or sold to, as well as any additional information requested by the agency to determine the manufacturer's compliance with the recycling program.

Subd. 2. Recycler's reporting requirements. Requires a recycler to report annually:

(1) the cost incurred per pound of covered electronic devices with respect to each party that contributed to satisfying a manufacturer's responsibilities under section 115A.1318, and a manufacturer's total recycling target set by the agency under section 115A.1320;

(2) the name of the manufacturers that paid the recycler; and

(3) any additional information requested by the agency to determine the compliance of any recycling program participant.

Subd. 3. Collector's reporting requirement. Requires a collector to report any additional information requested by the agency to determine the compliance of any recycling program participant.

4 [115A.1318] **Subd. 1. Manufacturer's responsibilities.** Specifies that a manufacturer's obligation under this subdivision means the obligation determined by the agency under section 115A.1320, i.e., the manufacturer's recycling target by weight.

5 [115A.1318] **Subd. 2. Recycler's responsibilities.** Requires a recycler to certify annually to the agency that facilities recycling covered electronic devices do not charge collectors for any necessary supplies, in addition to transportation and recycling costs.

6 [116.993] **Subd. 2. Eligible borrower.** Amends the eligibility requirements of the small business environmental-improvement loan program by requiring that the borrower have fewer than 100 FTE employees (the current requirement is fewer than 50 FTE) and eliminating the \$1,000,000 cap on a borrower's net worth.

7 [116.993] **Subd. 6. Loan conditions.** Amends the conditions of a small business environmental-improvement loan by requiring that the interest rate be at or below one-half the level of the prime interest rate, not to exceed five percent. (The current statute specifies the greater of four percent or one-half the prime rate.) The maximum loan amount is also increased from \$50,000 to \$75,000.

8 **Rulemaking; disposal facility certificates.** Requires the commissioner to amend Minnesota Rules to reduce from nine to six the number of contact hours of training necessary to renew a certificate for an operator of a facility that disposes on land sewage sludge or semisolid materials from a commercial or industrial process. Authorizes the commissioner to use the good cause exemption to amend the rule, allowing the process to be expedited.