

## **NEWMOA Hazardous Waste Conference Calls April 25 and May 9, 2017**

### **Topic: E-waste & CRT Stock Piles: Update on Outlets for Leaded Glass; Update on Piles & Results of State Inspections & Enforcement**

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#### **April 25, 2017**

**Participants:** CT DEEP (5 people); ME DEP (2 people); Mass DEP (8 people); NH DES (7 people); NJ DEP (2 people); NYS DEC (12 people); RI DEM (2 people); VT DEC (3 people); EPA HQ (2 people); EPA Region 1 (2 people); EPA Region 2 (2 people); NEWMOA (1 person)

#### **May 9, 2017**

**Participants:** CT DEEP (5 people); Mass DEP (2 people); NH DES (8 people); NJ DEP (3 person); NYS DEC (6 people); RI DEM (3 people); VT DEC (3 people); EPA Region 2 (1 person); NEWMOA (1 person)

Call leader: New Hampshire DES

Note-taker: Vermont DEC

#### **Introduction**

Cathode Ray Tubes (CRTs) are the glass tubes used to provide the visual display in televisions, computer monitors, and certain scientific instruments. TVs and color monitors contain an average of 4 pounds of lead (lead is found in the CRT funnel, and not the panel). Flat screen technology has resulted in the need to properly recycle and dispose of old and obsolete CRTs. New Hampshire, as well as other states, have had to deal with CRT stockpiles and abandonment as the outlets for proper recycling and disposal have become extremely limited. The purpose of this call was to discuss how CRT glass is regulated, CRT stockpiles, how states are addressing this problem, and results of inspection and enforcement activities.

Note: NEWMOA held a webinar on “CRT Regulation and Stockpiles” in June 2014, and a call on “CRT Glass Processing” in March 2013. Information from these are on the “Members Only” section of the NEWMOA Hazardous Waste Webpage.

Zach Lorch of NH DES led the discussion on NH’s experience and involvement with CRTs, as he has been heavily involved with one of the CRT handlers in NH.

- NH has had several sites that have played key roles in the management of CRTs. NH regulates crushed funnel glass and intact CRTs as universal waste.
  - RMG – a site that DES started working with in 2015 after RMG began to stockpile three million pounds of CRTs. The company attributed the stockpile to taking on more work than they could process, coupled with the market crash. By the time RMG metaphorically looked up, the business had a stockpile of many CRTs. A Letter of Decision was issued to RMG in 2014 with NH stating it was willing to work with the company to reduce the stockpile. NH currently has a process to allow RMG to operate while being subject to customized monthly reporting, frequent inspections, as well as having financial requirements. The company currently has 10 percent of what it started with (~340,000 lbs.) and plans to be in compliance by year’s end.
  - Atlas Property Management – Buried broken CRTs on its own site. These CRT pieces were a result of shuffling a large number of new CRTs to different warehouses after being unable to resell them to bowling alleys as score display screens. Atlas thought it would be lucrative to buy CRTs to resell to the bowling allies, but it was a bad investment. The result was that Atlas only transported and stored the CRTs in its warehouse.
  - URT – This company is a large quantity handler of universal waste. URT sent fines for CRT crushing that did not meet LDR requirements to a landfill. The company is still accepting CRTs.
  - E-Waste Recyclers – Improperly managed CRTs and was unable to remove stockpile. Unable to pay the fines associated with the inspection; thus, the site went bankrupt. The bank took over and removed the CRTs. The crushed leaded glass was shipped as hazardous waste, and the intact material went to URT, with a small amount of crushed glass also being sent there as universal waste.
- NH has worked with other states regarding improper management of CRTs. Recently NH and CT discussed RMG. RMG was still applying to be reimbursed by manufacturers through a CT program, while stockpiling the material that was supposed to be reimbursed. Evelyn Silva of CT DEEP has been key in helping to share the CT perspective on covered electronic devices. The site is in NH. Through this process, NH and CT shared information to get a better grasp of what caused RMG to stockpile. Also, NH could not enforce CT’s CRT incentive program but got the site into compliance with NH rules. NH ensured that the CRTs, which had claimed to be recycled, left the site destined for recycling. Therefore, it is important to understand what other states in the New England region are doing with these types of waste. Note: RMG has stopped taking CRTs from CT.
- Regarding enforcement, NH obtained over \$500,000 in penalties between 2015 and 2016, which were related to improper management of CRTs.

- In terms of destination facilities, there are only 10 registered exporters of CRTs in the U.S., out of which 4 are in New England (2 in NY, 1 in MA, 1 in NH). Therefore, either the CRTs are being recycled in the U.S., leaving via one of the registered companies, or going out without the proper documentation. At one point, Zach was made aware that there was a proposed recycler/processing plant on a crowd-funding site.

Question from CT – Is the financial assurance required by NH the only state requirement for RMG?

Answer – The current requirements for RMG now include a closure plan, more frequent inspections, as well as financial assurance and other “LQG Generator” requirements. NH DES is still working with the company on these requirements, but the goal is to have RMG in compliance by the end of 2017. If the company had had financial assurance, it could have avoided its stockpiles.

Question – Who is financial assurance imposed upon?

Answer – The NH handler requirement for universal (UW) waste is how much universal waste is on site. If > 44,000 pounds of CRTs, the facility must be in compliance with those requirements.

**Question 1: How does your state regulate CRTs? As hazardous waste, universal waste, or under the EPA CRT Rule at 40 CFR 261.4(a)(22)**

**NH** – Regulates CRTs (intact) as universal waste. For universal waste handlers that store more than 44,000 lbs. of universal waste, NH requires financial assurance, in addition to most of the regular LQG requirements, such as a contingency plan, training, proper labeling, etc. Less than 44,000 lbs. of universal waste and the requirements become less stringent.

**CT** – UW is designated for used electronics, including CRTs (whole to bare-stripped), but designation does not include the glass. There are provisions in CT regulations that require companies that physically dismantle CRTs to have a permit (does not allow crushing or heating, though). For companies that strip CRTs, they must have financial assurance to prevent stockpiles. CT does not have the CRT rule; if CRTs are crushed, it is hazardous waste. UW does not capture consumer-generated waste unless it is mixed with non-residential (i.e., if comingled with business waste, it is considered UW). CT has an Extended Producer Responsibility (EPR) program for consumer electronics – towns must provide locations for drop-offs, which must be approved by CT DEEP.

**ME** – Regulates as UW; have not adopted the CRT rule.

**MA** – Has an unusual set-up for CRTs because of negotiations and compromises with the EPA. There is a Universal Waste-type rule in the State’s Solid Waste regulations, so CRTs are regulated under Solid Waste if CRTs are intact. MA has proposed to adopt the Federal CRT Rule, but it’s currently on hold. If adopted, CRTs would no longer fall under the Solid Waste regulations.

**NJ** – Regulates intact CRTs as universal waste. Crushed CRTs are managed differently; they can be managed as hazardous or non-hazardous, depending on the circumstances.

**NY** – Has not adopted the CRT Rule yet, but State policy allows use of CRT Rule until adopted. Allows enforcement discretion (is somewhat parallel to EPA).

**RI** – Managed as universal waste.

**VT** – CRTs are regulated as universal waste.

**Question 2: Does your state regulate crushed CRT glass the same as intact CRTs?**

**NH** – Panel glass is managed as non-hazardous; funnel glass can be managed as universal waste.

**CT** – No. Intact CRTs are managed as UW, crushed are managed as HW. If the funnel is separated from the panel and if lead is not in the waste stream, it may be considered as a non-hazardous solid waste.

**ME** – Regulates crushed CRTs as UW. Anyone who wants to dismantle CRTs is required to apply for a license, which is also required for a company to ship for recycling or ship as hazardous waste.

**MA** – Crushed CRTs are regulated differently than intact. Most companies keep them intact versus crushing the glass. State must issue a permit for crushing and issue a waiver to manage under the Federal CRT Rule.

**NJ** – They are managed differently due to the lead content.

**NY** – No. Crushed or broken glass is managed as hazardous waste.

**RI** – Crushed CRTs are managed as RCRA hazardous waste.

**VT** – VT prohibits any crushers within the state. Requirements for broken CRTs fall under RCRA.

**Question 3: Are there any incentives (e.g., product take-back programs) in your state to recycle CRTs? Has it helped prevent stockpiling?**

**NH** – Does not offer any incentives to take CRTs. At least one NH handler takes advantage of other states' incentives. For example, RI's incentives.

**CT** – The EPR program is available in CT which incentivizes participating recyclers to collect and recycle qualifying devices at an approved price per pound which is paid by the OEMs. Also, enforcement actions and threat of penalties. Classifying CRTs as UW is an incentive. Not sure if it has helped prevent stockpiling. Recycling does prevent stockpiling, but there is little data to track CRTs as UW. But two recyclers have been found to be stockpiling, rather than recycling the CRTs, but has since been largely resolved.

**ME** – Product Stewardship Program is an incentive. There do not appear to be any major issues for stockpiling.

**MA** – Not aware of any incentives, other than the Solid Waste disposal ban (since 2000).

**NJ** – New rules are still being worked out. Manufacturers have obligations for recycling. One company was stockpiling leaded glass (speculatively), the market collapsed, and the company's plan backfired on them. Administrative Consent Order with a penalty was issued, and the company is disposing of all the glass as hazardous.

**NY** – Has had the Product Stewardship law since 2010. 400 million pounds have been recycled as of 2015. Recently developed a \$50,000 grant program for municipalities due to the high volume of CRTs coming through. The program offers 50 percent reimbursement to eligible municipalities. Annual reporting program has helped prevent stockpiling. All collection sites and recyclers must register. Manufacturers must report annually for their activity program efforts. NY is currently trying to verify data to cross-check by conducting annual inspections of facilities. State is trying to monitor the movements of CRTs.

**RI** – Incentives, yes - RI is currently revising its E-waste statutes and program.

**VT** – VT has a manufacturer-funded e-Cycle program for small businesses with <10 employees and non-profits, who may take all universal waste to collection points for free.

**Question 4: Do handlers/recyclers in your state do any dismantling, crushing or recycling of CRTs?**

**NH** – Has one site that dismantles the casings of CRTs and ships the bare tubes. At one point in the last three years, NH had at least two facilities that would dismantle and crush CRTs, sort the crushed glass, and then ship the leaded glass as a universal waste and the non-leaded glass as a solid waste.

**CT** – CT has no permitted CRT crushers, but there are six permitted dismantlers. CT requires these sites to have a closure plan and financial assurance. One of these sites is approved under CT's e-waste EPR as a recycler, but this site only engages in dismantling, and does not do any crushing of CRTs.

**ME** – One Maine facility is permitted for dismantling CRTs, which requires removal of all external components, including breaking the neck to release a vacuum. Parts are then separated out for recycling. A grinding process separates the funnel from the panel glass, which is placed in Gaylords for shipping and recycling (e.g. exported to Spain and Mexico to be made into tiles). The recycling company says that there is an issue complying with the CRT rule, but ME has not adopted the rule yet.

**MA** – State is aware of two businesses that dismantle CRTs.

**NJ** – Yes, there are currently some recyclers who dismantle, crush or recycle CRTs. There are different categories of handler that do crushing. There have been some problems in towns that are taking CRTs and having trouble getting rid of them. The new rules are supposed to help. If crushed glass goes to a TSDF it should be handled as hazardous waste. Clear glass can be recycled. For abandoned sites, it's the same. There was an administrative consent order signed about three years ago. They have been working on new rules for recyclers and manufactures for about two years. The new law is an improvement. They are working on getting firms into compliance. In the process of transitioning from the old law to the new one.

**NY** – Through reporting in 2016, there are 70 electronic waste recyclers in NY. Eight of these do more processing than just moving material through. Two of the eight are major recyclers and two separate glass and process funnel glass and extract the lead (i.e., extended processing). The “New Life” facility is still operating but wants to cease operation of its furnace unit. The facility is pursuing to move the furnace to another state.

**RI** – Recyclers do not do any dismantling or crushing of CRTs. The material would have to go to a TSDF.

**VT** – One electronic recycler registered in state, which might dismantle CRTs to the bare tube (at the most).

**Question 5: Has your state ever pursued the stricter requirements of speculative accumulation? For example, if a site had the funds to ship the waste out as a hazardous waste, then they wouldn’t have stockpiled them in the first place.**

**NH** – Has not required a site to manage intact CRTs as hazardous waste due to speculative accumulation. As part of enforcement, NH has seen broken CRTs managed as hazardous waste but not for reasons of speculative accumulation.

**CT** – CT has not picked up the CRT rule. Sites have up to one year to store whole CRTs. However, there have been no enforcement actions issued for storing CRT glass for too long. No sites are “splitting” CRTs.

**ME** – No. ME has not pursued cleaning up through a consent agreement. If companies do not clean up, then it is considered all hazardous waste, unless they test the panel glass to determine if lead levels are below regulatory level.

**MA** – No; state has not pursued any speculative accumulation requirements.

**NJ** – Do not have a big stockpile problem now. There are some small ones. DEP issues Class D permit approvals to recyclers of material. Under the new law, there is a change to how companies count the amount sold in NJ. They will use a market share approach in the future. There is an expanded definition of covered devices and clarifications of the definition of consumer to include state and local governments, including school districts. There is semi-annual reporting for collection sites and recyclers. The requirements are based on RCRA for leaded glass and cover speculative accumulation. DEP’s recycling group is handling compliance and the RCRA program is handling enforcement. Authorized recyclers must register.

**NY** – The “New Life” facility asked the state about speculative accumulation, but it needs financial assurance and a solid waste permit, as well.

**RI** – No, state has not pursued speculative accumulation.

**VT** – Allows up to one year of storage. e-Cycle program is currently being revised; may add additional requirements (e.g. closure plan, financial assurance).

**Question 6: Where do CRTs collected in your state reach end-of-life or are shipped to?**

**NH** – CRTs collected by handlers in NH go to Spain to make tiles, to the Netherlands to make concrete blocks, to CA or another NH processor to be further processed.

**CT** – CT has a residential EPR program. CRTs within the program are required to go to glass to glass recycling or smelting. Currently, the EPR program provides for the collection and recycling of residential used electronics, including CRTs. CT's EPR program only tacks the collection of residential devices.

**ME** – CRTs collected end up in Spain and/or Mexico.

**MA** – MA has one waived company where its CRT glass goes to Canada, but the business may not still be in operation due to a fire. CRTs are shipped to either OH, MD, or Mexico. MA no longer has any CRT crushers, but there are two handlers in the state. Companies are required to get a general permit for recycling CRTs; annual reporting is also required to ensure limit requirements.

**NJ** – Collected CRTs can end up at a TSD facility. May go to a recycler from there if intact, but if not, they are managed as hazardous waste.

**NY** – Most CRTs go to a couple of facilities for reuse. Most recyclers send whole CRTs to other places in other states. Bare tubes are sent to other facilities in neighboring states (e.g., NY).

**RI** – There are statewide e-waste collection sites with take-back programs. These include transfer stations and Salvation Army locations.

**VT** – CRTs may be shipped to TDM in Mexico. There is monthly reporting required for the state-centered program. There is an opt-out program for electronic recyclers.

**Question 7: Does your state have any abandonment cases that occurred because of the commodities market crash in 2014?**

**NH** – Has not come across any abandonment cases of CRTs. There have been a lot of problems with improper management, such as stockpiling, but not a lot of issues with abandonment.

**CT** – Has a couple abandonment/stockpiling-related cases. 1<sup>st</sup> - RMG had to report its stockpile potential on a 6-month basis as required by the EPR program. Coordinated with NH's work on CRT abandonment to bring resolution. 2<sup>nd</sup> – Creative Recycling had accumulated 30 million pounds of glass over six states. Had three different aggregate points within CT. 80,000 pounds of mainly intact CRTs were left behind. Approximately 20 percent of the 80,000 pounds were CRT monitors. Most of these were non-residential. CT received no response from company, which ended up filing Chapter 7 bankruptcy. Response fell on the property owner. Cost for removal of CRTs/glass was approximately \$8,000.

**ME** – No recyclers or businesses have been a problem regarding abandonment. ME has had cases with a couple of homeowner regarding issues with people wanting to get the metal out of CRTs. State has worked with hazardous waste contractors for cleaning up those private sites.

**MA** – One abandonment case in MA involved a semi-truck full of CRTs. Unsure if it will result in enforcement.

**NJ** – One case where an Administrative Order was issued three years ago. The case is still being worked out.

**NY** – Not currently. One abandonment case (Geneva) involving a recycling company which left a 50,000 ft<sup>2</sup> warehouse full of CRTs and monitors. Material was moved to a transfer station and was crushed and some material incorrectly ended up in a landfill. Enforcement action was taken to correct the misguided management. Intention was to be managed properly but material ended up in wrong place. NY didn't know it was accumulating for > 1 year. Material was supposed to be moved to a registered recycler. This situation would not be granted a variance.

Question from CT – Regarding the Geneva case, who is NY pursuing the enforcement against and who's to pay?

Answer – There is a criminal investigation ongoing for all involved. Since the transfer station illegally crushed the material, it is under a consent order to properly dispose of material and to pay for it. The station is a privately-operated facility.

**RI** – One case involved a local warehouse, owned by a MA company, storing CRT glass.

**VT** – No abandonment cases.

**Question 8: What actions, if any, is your state taking to address stockpiling/abandonment?**

**NH** – Has sent interns to all of the handlers that notified as accumulating over 44,000 lbs. NH is currently working with one site to reduce their stockpile of three million pounds of CRTs. NH requires handlers to notify if they have > 22,000 lbs. of universal waste on site. The state has had problems with improper management and stockpiling but not problems with abandonment.

Question from CT – Is financial assurance (FA) a state-only requirement in NH regarding universal waste handlers (e.g. RMG)?

Answer – With different UW handlers comes different requirements. Handlers with > 44,000 lbs. are subject to more requirements, such as having a closure plan, weekly inspections, and financial assurance. A lot of these requirements are the same as for LQGs. NH is still working with RMG for requirements to be met – the goal is by end of 2017 to be complying, including with FA.

Question to NH – Who is FA imposed upon?

Answer – FA is required for a UW handler in NH. It also depends on how much UW is on site. If there are > 44,000 lbs. of CRTs on site, the handler must be in compliance with all of the requirements.

**CT** – Incentivizing recyclers to get paid through the EPR program. Tracking the data CT receives from recyclers in a required six-month reporting requirements, and more recently they've added monthly glass reporting to the overall reporting requirements – data is just coming in, but they hope to identify trends or red flags. In the past, CT has tried to budget for the hiring of out-of-state contractors to evaluate compliance with EPR program.



CT requires permits for large quantity handlers who dismantle CRTs. There are different requirements for stockpile and abandonment sites. Reporting requirements are a quarterly report for permitted recyclers. Report must include total pounds collected by region and the category of the electronics. Recyclers must also report the amount of all components (after dismantling); i.e., total in must equal total out. 98.5 percent of materials collected are recycled, with 1.5 percent materials being disposed of.

RMG reported 400,000 lbs. of leaded and non-leaded glass six months after reporting period had ended - they made a conscious decision to start stockpiling versus recycling. The 400,000 lbs. became 3.5 million lbs. after an inspection of the facility. A monthly report requirement for CRTs was created in the permit, with the need to report the total CRT glass received and amount of material stockpiled in aggregate of all glass on site. CT thinks this is the best way to measure the material.

None of the stock-pilers are stockpiling anymore. The program compels recyclers to think about their regular and consistent activities. Though it will not eliminate lying and fraud but it is still an asset.

Question – Do any recyclers reuse the materials?

Answer – Reuse is allowed, but none are doing so. Most are recycling through the EPR program because of the reimbursement aspect.

Since CT has not adopted the CRT rule, if CRTs are crushed, the materials are hazardous waste. UW does not capture consumer-generated UW unless it is mixed with non-residential. If residential is comingled with business, it's a hazardous waste. EPR program for consumer electronics requires towns to provide locations for drop-offs; this must be approved by CT DEEP.

CT is moving to monthly CRT reporting to try to catch stockpiling sooner. In addition to semi-annual and monthly reporting, CT is starting to analyze trends and patterns. Reports ask for whole units received for tracking of all units downstream. The state is beginning to see where volumes are shifting to prevent further stockpiling.

**ME** – No proactive steps taken yet. State has not encountered any real stockpiling.

Question from CT – Since ME has not adopted the CRT rule, if CRTs are exported out of the country, when does the rule apply?

Answer – CRT glass does not need the export rule; the funnel glass is being sent as a commodity. In the EPA (Federal) Export Rule, if reuse is legitimate, CRTs would not be considered solid waste – the rule would not apply. Refer to Subpart H in the Export Rule for more information.

Question – If UW is exported to the Netherlands from Maine, when does UW rule cease?

Answer – In general, UW is subject to EPA import and export requirements – must go through Notice of Consent procedure, though. Situation came up where processed glass was going to be used as an ingredient for a company in Spain, and the company questioned Maine regarding needing a Notice of Consent. If bare tubes of CRTs are being shipped, the CRTs are subject to Import/Export requirements. If the CRT processed glass is being shipped to a lead smelter (glass to glass), not subject to export requirements. If CRTs are going to be used as an ingredient (e.g., concrete) per 40CFR 261.2(e), they are not considered to be solid waste. For example, if CRTs are exported and then crushed in the Netherlands and used in concrete, a Notice of Consent is needed. If CRTs are crushed in the U.S., a Notice of Consent is not required.

**MA** – Enforcement incentives.

**NJ** – New rule for recyclers and manufacturers responsible for what they sell. Currently working under old rule, since new rule is still being developed. It will be complicated shifting from the old rule to the new rule regarding enforcement. State currently has no big stockpiling problem.

Question from CT – Does NJ have an e-waste law?

Answer – Yes. There is a new law that changes how companies count CRTs, since an accurate count is hard to measure. The state's Recycling Section is handling compliance, and RCRA does the enforcement. The new law changes more of the compliance end versus enforcement. The new rule will require authorized recyclers to register, and there will be more reporting requirements for manufacturers. Collection sites are doing more reporting. Damaged CRTs are defined more clearly in the new law.

Question from NH – Is crushed CRT glass being sent to Spain for reuse?

Answer – NJ DEP just knows that it is going to a TSD facility. NJ has adopted the Federal CRT rule.

**NY** – Recyclers are required to be registered and report annually. State conducts regular facility inspections to monitor the movement of electronic waste. They try to follow volume of CRTs, and the efforts have been working well.

**RI** – No enforcement actions have been taken, but action has been taken with a recycler storing excess amounts of CRTs. Due to the market crash, there has been better reporting and more inspections conducted.

Question from NH – Do companies have to report where end-of-life for CRTs is?

Answer – Yes, RI has a hard time identifying where CRTs are shipped to. There is better reporting now; in previous years, reporting was non-existent. Reporting has also increased from annual to quarterly, and State is now seeing problems developing due to the increased reporting.

Question – How many take-back places are registered now?

Answer – Two manufacturing groups and one private company are registered. Another private company runs a state program. Can have a private plan or pay a resource recovery corporation to run the take-back program. A new statute in the legislature will add printers to the take-back program; this will include 3-D printers.

**VT** – Anyone with a state standard plan is required to have a closure plan and financial assurance. An out-of-state beneficiary is accepted. Recycler must be registered and report the monthly material flow and annual numbers. VT has an audit program. Also, manufacturers can come together and contract with a third party to run the recycling company. There is monthly reporting required for the state-centered program. There is an opt-out program for electronic recyclers.

**EPA** – One enforcement action taken ~two years ago in PA. The action was closed since all actions necessary were taken. There are currently no enforcement actions pending. Violations for the PA facility included speculative accumulation storing CRTs for more than one year. The

company's headquarters were in NY but moved to PA. This enforcement was similar to the "New Life" enforcement case in NY.

**Question 9: Does your state anticipate finding more actively struggling CRT handlers/recyclers/stockpilers?**

**NH** – As the market crash happened in 2014, NH has already taken enforcement on three cases of improperly managed CRTs. NH does not anticipate finding any more stockpiles but does not discount that they could exist. NH also requires handlers to notify if they have over 22,000 lbs. of universal waste on site. Inspections that interns conducted included both classes of 22,000 lbs. and 44,000 lbs. Some of the facilities visited were registered in the wrong class. More training is needed for generators and for inspectors to ask more questions while at facility.

**CT** – Hope not. Hope to continue to have recyclers register.

**ME** – Not present.

**MA** – No response.

**NJ** – No response.

**NY** – Hope not. Will keep an eye out.

**RI** – No.

**VT** – No.

**Question 10: Do your largest CRT handlers/recyclers do business in other states?**

**NH** – One of NH's recyclers receives waste from MA and RI and used to receive material from CT.

**CT** – Yes. Most authorized recyclers do. One of the largest in CT collects from hundreds of towns, but some are located out-of-state.

**ME** – Not present.

**MA** – Yes.

**NJ** – Yes.

**NY** – Yes. They also accept CRTs from about a dozen other states.

**RI** – Yes.

**VT** – Yes.

**Question 11: Does your state consider the use of crushed CRT glass as alternative daily cover at landfills to be a form of recycling or disposal?**

**NH** – Panel glass can be used as alternative daily cover if separated correctly. Since the panel glass is considered non-hazardous when separated whether it is recycled or not does not matter for the hazardous waste side of it.

Question – Do the NH interns have proper training to conduct RCRA inspections – is this an OSHA issue?

Answer – Interns conduct more of a survey versus an inspection at a facility. They ensure facility is registered and ask questions about quantity of CRTs on site.

**CT** – CT considers this as a form of disposal (alternate daily cover). This practice has not been approved as an outlet CRTs under CT's EPR program for e-waste.

**ME** – Not present.

**MA** – No response.

**NJ** – No response.

**NY** – A form of disposal. Panel glass would have to meet TCLP, LDRs, and beneficial use determination to use as an alternate daily cover.

**RI** – Have not had a request for use as a cover. There are so many other sources for a cover, it has not been brought up.

**VT** – Three years ago, VT allowed cover as an option (the only time). An e-Stewards certificate was issued. The one VT recycler is currently not certified, but other options are available now.