

## ADMINISTRATIVE RULES Fiscal Estimate & Economic Impact Analysis

<b>1. Type of Estimate and Analysis</b> <input checked="" type="checkbox"/> Original <input type="checkbox"/> Updated <input type="checkbox"/> Corrected	<b>2. Date</b> DRAFT 11/26/2025
<b>3. Administrative Rule Chapter, Title and Number (and Clearinghouse Number if applicable)</b> NR 530 – Electronic Waste Recycling Program Requirements	
<b>4. Subject</b> Revisions to ch. NR 530 relating to implementation of electronics recycling program requirements (WA-15-24)	
<b>5. Fund Sources Affected</b> <input type="checkbox"/> GPR <input type="checkbox"/> FED <input type="checkbox"/> PRO <input type="checkbox"/> PRS <input type="checkbox"/> SEG <input type="checkbox"/> SEG-S	<b>6. Chapter 20, Stats. Appropriations Affected</b> N/A
<b>7. Fiscal Effect of Implementing the Rule</b> <input checked="" type="checkbox"/> No Fiscal Effect <input type="checkbox"/> Increase Existing Revenues <input type="checkbox"/> Increase Costs <input type="checkbox"/> Decrease Costs <input type="checkbox"/> Indeterminate <input type="checkbox"/> Decrease Existing Revenues <input checked="" type="checkbox"/> Could Absorb Within Agency's Budget	
<b>8. The Rule Will Impact the Following (Check All That Apply)</b> <input type="checkbox"/> State's Economy <input checked="" type="checkbox"/> Specific Businesses/Sectors <input type="checkbox"/> Local Government Units <input type="checkbox"/> Public Utility Rate Payers <input checked="" type="checkbox"/> Small Businesses <b>(if checked, complete Attachment A)</b>	
<b>9. Estimate of Implementation and Compliance to Businesses, Local Governmental Units and Individuals, per s. 227.137(3)(b)(1).</b> \$0	
<b>10. Would Implementation and Compliance Costs to Businesses, Local Governmental Units and Individuals Be \$10 Million or more Over Any 2-year Period, per s. 227.137(3)(b)(2)?</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
<b>11. Policy Problem Addressed by the Rule</b> Wisconsin's electronics recycling law established a statewide product stewardship program, called E-Cycle Wisconsin, to collect and recycle certain electronics from Wisconsin households and schools (s. 287.17, Stats.). This recycling program is funded by manufacturers of televisions, computers, monitors, printers and video game consoles. These manufacturers must register annually with the Department of Natural Resources (department) in order to sell their products in the state.  Under the law, each registered manufacturer is assigned an annual target weight of electronics it must recycle from Wisconsin households and K-12 schools. Manufacturers work with registered collectors and recyclers to meet their targets. If a manufacturer fails to meet its target, it is assessed a shortfall fee of 30, 40 or 50 cents per pound of deficit, depending on how close it was to meeting the requirement. A manufacturer may request that the department waive its shortfall fee if it has made "good faith progress" toward meeting its target (s. 287.17(4)(g), Stats.).  The proposed rule seeks to address issues in three areas related to the state's electronics recycling law and E-Cycle Wisconsin program. First, the proposed rule would update ch. NR 530, Wis. Adm. Code, to reflect changes to s. 287.17, Stats., enacted in March 2024 from 2023 Wisconsin Act 108. Second, the department has identified problems with electronics collectors improperly reporting information about collection sites that they do not directly operate. Third, improper disposal of rechargeable batteries and battery-containing devices has caused dozens of fires in Wisconsin garbage and recycling trucks and facilities.	
<b>12. Summary of the Businesses, Business Sectors, Associations Representing Business, Local Governmental Units, and Individuals that may be Affected by the Proposed Rule that were Contacted for Comments.</b> Changes to ch. NR 530, Wis. Adm. Code, will affect entities covered by Wisconsin's electronics recycling program, created by s. 287.17, Stats., and referred to as E-Cycle Wisconsin. Affected types of entities include: <ul style="list-style-type: none"><li>• Electronics collectors as defined in s. 287.17(1)(mg), Stats.</li></ul>	

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- Electronics manufacturers as defined in s. 287.17(1)(i), Stats.
- Electronics recyclers as defined in s. 287.17(1)(mr), Stats.

During the solicitation period, the department contacted all participants registered with E-Cycle Wisconsin, along with more than 13,000 stakeholders on the department's electronics recycling email list.

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13. Identify the Local Governmental Units that Participated in the Development of this EIA.

Local government units will be contacted for comments during the solicitation period.

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14. Summary of Rule's Economic and Fiscal Impact on Specific Businesses, Business Sectors, Public Utility Rate Payers, Local Governmental Units and the State's Economy as a Whole (Include Implementation and Compliance Costs Expected to be Incurred)

The proposed rule does not impose new fees or regulatory requirements on any entities participating in E-Cycle Wisconsin. It clarifies or codifies existing requirements, guidance, and department procedures. Therefore, the department does not expect the proposed rule to impose additional one-time or annual costs to any regulated entities.

As of November 2025, there were 92 businesses registered as collectors, 26 registered as recyclers, and 149 registered as manufacturers (approximately two dozen of these were registered for multiple roles). The department does not anticipate the promulgation of this rule to increase costs for these businesses. The goal of the proposed rule language is to clarify requirements and make it easier for program participants, including businesses, to comply.

The department does not anticipate the promulgation of this rule to affect utility rate payers. The department does not anticipate the promulgation of this rule to increase local government costs. Including more electronics as eligible under E-Cycle Wisconsin could slightly decrease electronics recycling costs for local governments that collect these electronics. The department expects this rule to have minimal impact on the state economy.

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15. Benefits of Implementing the Rule and Alternative(s) to Implementing the Rule

The department believes this rule will bring more clarity to existing regulations and reduce confusion for affected parties and provide a more level playing field among electronics manufacturers required to register with the state's electronics recycling program.

Adding a small set of battery-powered household electronics as eligible under E-Cycle Wisconsin will make it easier for households and schools to recycle these devices, provide funding to off-set recycling costs, and reduce the risk of fires caused by improper disposal of these devices in trash or curbside recycling.

Without the rule, the department and regulated entities would need to continue to rely on guidance and existing rule language in ch. NR 530.

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16. Long Range Implications of Implementing the Rule

Adding additional clarity to the code will make it easier for regulated entities to comply with requirements.

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17. Compare With Approaches Being Used by Federal Government

There is no existing or proposed federal regulation for electronics recycling.

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18. Compare With Approaches Being Used by Neighboring States (Illinois, Iowa, Michigan and Minnesota)

Three adjacent states (Illinois, Michigan and Minnesota) have electronics take-back laws. Iowa does not have a similar law. Illinois and Michigan do not set weight-based targets for manufacturers under their laws, and so do not have comparable rules related to setting manufacturer targets or requesting shortfall fee waivers.

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Minnesota calculates manufacturer market share percentages and target weights using a formula similar to Wisconsin, but target weights for a given program year are calculated during the program year in which they will apply. If a manufacturer registers after targets are initially calculated, the state calculates a target for the newly registered manufacturer but does not adjust the targets for other manufacturers.

Minnesota also has a statutory provision for shortfall fees and an ability for a manufacturer to request a waiver that is similar to Wisconsin's. Minnesota's statute provides more detail than Wisconsin's about what such a waiver request should include. One requirement is that a manufacturer must have met at least 75% of its target recycling rate, compared with the 50% included in Wisconsin's proposed rule. Minnesota regulatory agency staff report that they have rarely received waiver requests under this provision.

In terms of eligible devices, most of the proposed additions are not covered in adjacent states' laws. Illinois' law covers digital music players.

19. Contact Name Sarah Murray	20. Contact Phone Number 608-234-0533
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### ATTACHMENT A

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1. Summary of Rule's Economic and Fiscal Impact on Small Businesses (Separately for each Small Business Sector, Include Implementation and Compliance Costs Expected to be Incurred)

Of the 92 businesses registered as E-Cycle Wisconsin collectors as of November 2025, the department estimates that approximately one-third were small businesses. Of the 26 registered E-Cycle Wisconsin recyclers, the department estimates approximately one-fifth were small businesses (all of these were also registered collectors). Of the 149 registered E-Cycle Wisconsin manufacturers, the department estimates approximately 10% were small businesses.

The department does not anticipate the promulgation of this rule to increase costs for these businesses. The goal of the proposed rule language is to clarify requirements and make it easier for program participants, including businesses, to comply.

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2. Summary of the data sources used to measure the Rule's impact on Small Businesses

The department used registration and annual report forms submitted by electronics collectors, recyclers, and manufacturers to inform its analysis.

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3. Did the agency consider the following methods to reduce the impact of the Rule on Small Businesses?

- Less Stringent Compliance or Reporting Requirements
- Less Stringent Schedules or Deadlines for Compliance or Reporting
- Consolidation or Simplification of Reporting Requirements
- Establishment of performance standards in lieu of Design or Operational Standards
- Exemption of Small Businesses from some or all requirements
- Other, describe: The department does not expect the proposed rule language to impose additional requirements on small businesses. The rule language is meant to clarify existing requirements and make compliance easier for all affected businesses.

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4. Describe the methods incorporated into the Rule that will reduce its impact on Small Businesses

The department does not expect the proposed rule language to impose additional requirements on small businesses. The rule language is meant to clarify existing requirements and make compliance easier for all affected businesses.

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5. Describe the Rule's Enforcement Provisions

N/A

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6. Did the Agency prepare a Cost Benefit Analysis (if Yes, attach to form)

- Yes     No
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