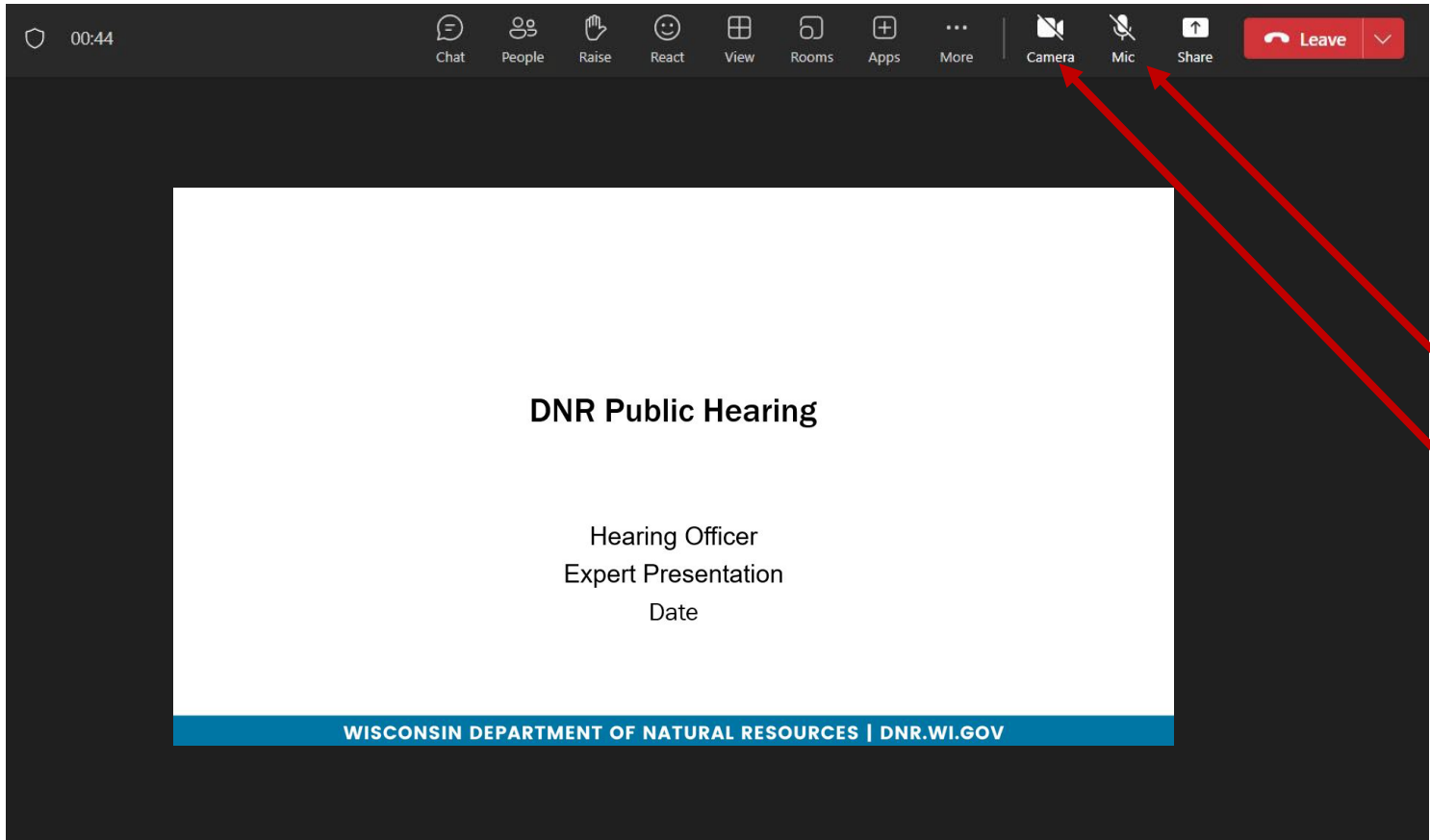


Public Hearing on WA-15-24, Proposed Electronics Recycling Rule

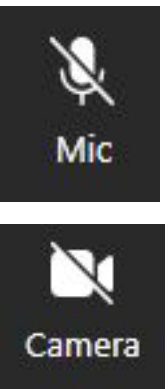
Hearing Officer: Malena Grimm
Presenter: Sarah Murray

May 28, 2026, 1 p.m.
Hearing will start at 1:03 p.m.

Attendees Using Teams

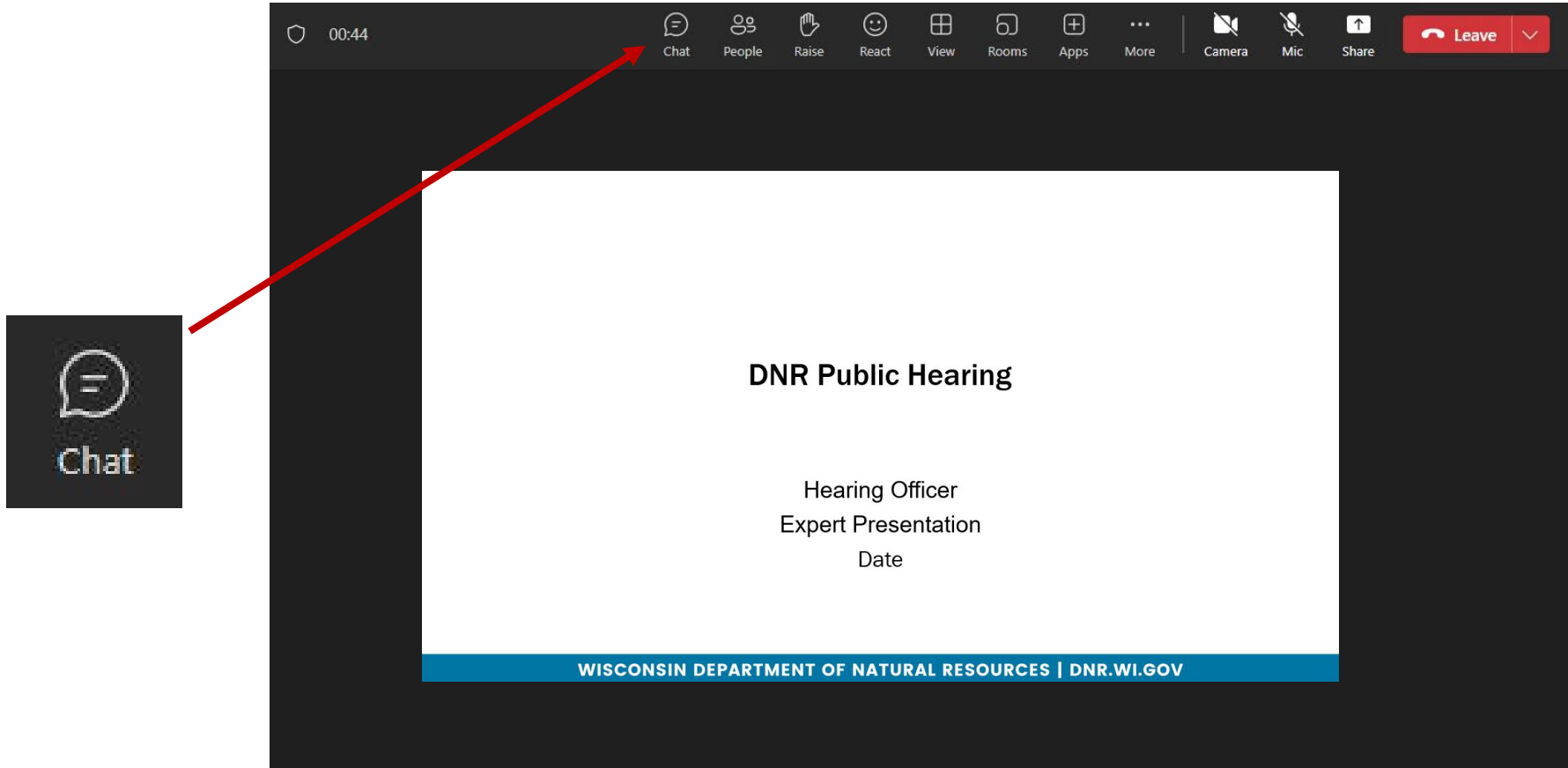


- You are currently muted
- You cannot share video



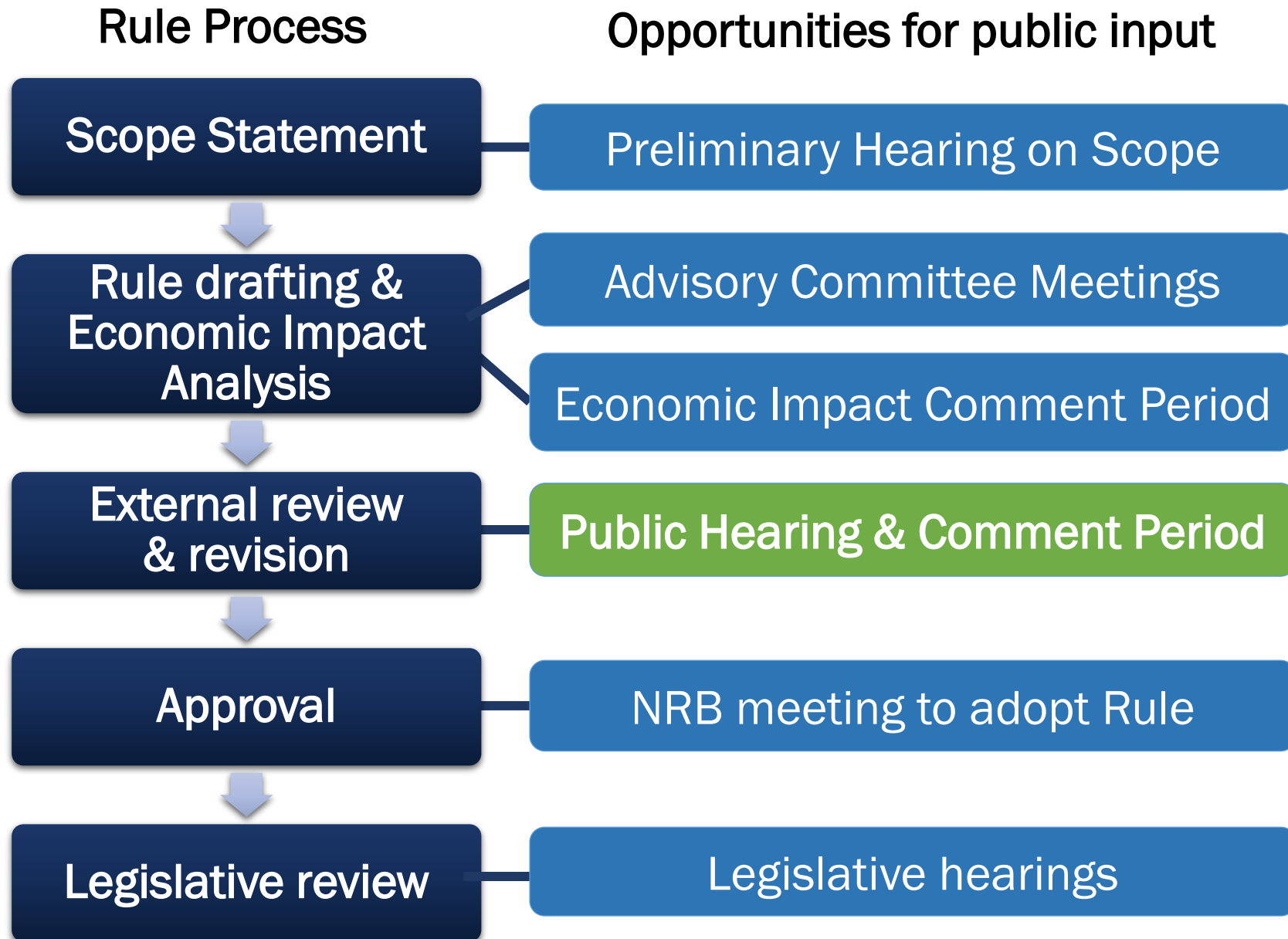
For Assistance with Teams

Use the **Chat** feature to contact the Teams Host with technical questions



Submitting Comments

- Comments due: June 5
 - Email: sarah.murray@wisconsin.gov
 - Mail: Sarah Murray
Wisconsin DNR WA/5
PO Box 7921
Madison, WI 53707
- Materials available at:
[https://dnr.wisconsin.gov/news/input/ProposedPermanen
t](https://dnr.wisconsin.gov/news/input/ProposedPermanen_t)



Rulemaking goals (changes to ch. NR 530)

1

Reflect changes to s. 287.17, Wis. Stats., from 2023 Wisconsin Act 108 (manufacturer targets and shortfall fees)

2

Clarify collector reporting and recordkeeping requirements to address frequent problems

3

Consider whether additional battery-containing devices could be recycled under E-Cycle Wisconsin

E-Cycle Wisconsin program basics

- ▶ Manufacturers of TVs, computers, monitors, printers and video game consoles must register and meet recycling targets based on weight of covered electronics sold in WI
- ▶ Collectors and recyclers can choose to participate; must meet program requirements
- ▶ Only weight of eligible electronics from registered collectors and recyclers count toward manufacturer targets
- ▶ Only includes electronics used by households and K-12 schools

E-Cycle Wisconsin process



Manufacturer's role



Manufacturers sell electronics through retailers, distributors and/or directly. Some of these products are sold into Wisconsin, which has a law covering electronics manufacturers.



The law assigns manufacturers annual "recycling targets" based on the weight of covered products the manufacturer sells in Wisconsin.



¢/lb.

Manufacturers make agreements with registered recyclers or with brokers that work with registered recyclers to pay a certain number of cents per pound to meet recycling targets.



Manufacturers fulfill their contracts with recyclers, keeping costs lower for the public.



2023 Wisconsin Act 108



Expanded the definition of “peripheral” to include devices used for input to/output from video display devices.



Increased manufacturer registration fees beginning with the registration due March 1, 2025.



Changed the formula used to set electronics manufacturers’ annual recycling targets.



Directed DNR to create rules for “good faith progress” toward meeting a manufacturer’s recycling target.

Manufacturer target calculation process

- Overall target based on weight collected 2 program years earlier (e.g., target for 2026 based on 2024 weight collected)
- DNR determines each manufacturer's market share percentage by devising their weight sold by total weight reported by all registered manufacturers
- Market share % rounded to nearest hundredth
- DNR applies market share % to overall target weight
- DNR provides each manufacturer with target weight for the following year by Aug. 1 (e.g., 2026 targets provided by Aug. 1, 2025)

Target formula implementation challenges

- No provision for manufacturers that come into compliance during a program year
 - 2026 initial registration requires 2025 sales data, but 2024 sales data needed to calculate 2025 target
- Need to specify when others' targets get updated if a manufacturer registers or amends its data after initial calculation

Proposed rule provisions: new/revised manufacturer registration between Aug. 1 and Jan. 31

- DNR will calculate the manufacturer's market share percentage and target recycling weight using new/revised sales data, and provide the assigned target to that manufacturer.
- If the change affects the market share percentage and recycling target assigned to any other manufacturers, the DNR will re-calculate targets and notify manufacturers by March 1 of the target year
- Example: a non-compliant manufacturer with sales during 2024 registers on Oct. 1, 2025. Based on its 2024 sales, its market share is .05%. By March , 2026, the DNR will notify that manufacturer or its target and notify any manufacturers whose 2026 targets have changed as a result.

Proposed rule provision: New or revised registrations submitted after Jan. 31 of the target year

- No revisions to previously submitted sales data allowed after Jan. 31 of the target year
 - E.g., No changes to 2024 sales data used to calculate 2026 recycling target after Jan. 31, 2026
- A manufacturer submitted an initial registration after Jan. 31 must provide sales data for each of the previous two calendar years, if it was selling during that time
 - E.g., if a manufacturer submits its registration June 1, 2026, must provide sales data for both 2024 and 2025 so DNR can assign a 2026 recycling target

Calculating/recalculating after Jan. 31 of target year

- For registrations submitted after Jan. 31 (e.g., a registration for 2026 submitted in June 2026 for a manufacturer that had sales during 2024), the DNR will calculate that manufacturer's market share percentage and assign it a target if the % is .01% or more.
- **If that manufacturer's market share % is >0.10%, the DNR may recalculate the market share % and target recycling weight for all registered manufacturers and notify affected manufacturers of changes**
 - Only **change** could be a lower market share % and target weight

Manufacturer shortfall fees

- Automatically assessed if weight recycled is less than target
 - 30, 40 or 50 cents/pound depending on how close to target
- Provision in statute to request a waiver from paying the fee
 - No requests before 2021
- Guidance published in 2023



Guidance on E-Cycle Wisconsin manufacturer shortfall fees and fee waivers

PUB-WA-2022 2023

Purpose

This document provides guidance to registered manufacturers on shortfall fees and lays out criteria and the process for reviewing requests for shortfall fee waivers from registered manufacturers.

Background

Under Wisconsin's electronics recycling law, manufacturers of consumer video display devices, consumer computers and desktop printers must register annually with the Department of Natural Resources to sell their products to Wisconsin households and schools. Each year, a registered manufacturer has a recycling target (in pounds) based on its sales of covered electronics to households and schools. Only eligible electronics collected by registered collectors and processed by registered recyclers count toward a manufacturer's recycling target.

Each registered manufacturer must annually complete the E-Cycle Wisconsin registration form and report the total weight recycled (or paid to recycle) during the previous program year. The manufacturer's reported weight is compared with its recycling target for that program year. If the manufacturer recycles less than its target weight, it must pay a shortfall fee of 30, 40 or 50 cents per pound, as shown in Table 1, to remain in compliance with program requirements. The DNR does not take additional enforcement action against a registered manufacturer that fails to meet its target but is otherwise complying with the law. The DNR does not publish a list of manufacturers that meet or fail to meet their targets.

E-Cycle Wisconsin covered devices

- Computers (desktop, laptop and tablet)
- Desktop printers (desktop printers, including those that scan, fax and/or copy and 3-D printers)
- Video display devices (TVs and monitors) with a screen size of at least 7"

E-Cycle Wisconsin eligible devices

- All covered devices
- Computer peripherals (mice, keyboards, scanners, etc.)
- Digital video players/recorders
- DVD players
- Fax machines
- VCRs

For complete definitions, refer to s. 287.17(1), Wis. Stats.

Table 1: Shortfall fee amounts per pound short of recycling target

% of recycling target met	Shortfall fee per pound
<50%	\$0.50
50 to 90%	\$0.40
>90%	\$0.30

Shortfall fees are used to help fund the DNR's administration of the E-Cycle Wisconsin program, including the E-Cycle Wisconsin Electronics Collection Grant program.

Proposed rule provisions: minimum requirements for shortfall fee waiver requests

- Manufacturer notifies DNR once it determines it may not meet its recycling target
- Manufacturer (not a third party) must submit waiver request in writing to the DNR
- Manufacturer must submit its request with its annual registration. If it did not learn of a shortfall until after submitting its registration, it must submit the request once it becomes aware of the shortfall and no later than April 30
- Waiver request must include all of the following:
 - Documentation demonstrating the manufacturer made good faith progress toward meeting its target
 - A description of any unexpected circumstances that prevented the manufacturer from meeting its target
 - A plan to address the issues that led to the shortfall and avoid a shortfall in the future

Proposed rule provision: Items needed to demonstrate good faith progress

- Manufacturer met at least 50% of its target recycling weight
- Manufacturer had a contract or other written agreement with one or more registered recycler(s) or authorized broker(s) before the end of the program year to meet the manufacturer's target
- Once it learned of the potential shortfall, manufacturer, or authorized broker or recycler working on its behalf, notified DNR and requested info about potential alternative methods of meeting its target
- Manufacturer, or authorized broker or recycler working on its behalf, took one or more of the following steps toward meeting its target during or after the program year:
 - 1. Established additional registered collection sites or events.
 - 2. Increased collection at existing sites and events through advertising, reducing fees or other methods.
 - 3. Purchased or attempted to purchase additional recycled weight from other recyclers or brokers.
 - 4. Purchased or attempted to purchase credits from other manufacturers.
 - 5. Similar, alternative or additional actions that it believes demonstrate good faith progress.
- If applicable, explanation of why manufacturer is unable to provide documentation of any of the above

Proposed rule provision: criteria for DNR evaluation of shortfall fee waiver requests

- Whether the manufacturer met all requirements and submitted all documentation listed on previous two slides
- Whether the total recycled weight available for manufacturers to purchase for the program year was less than the total recycling target
- Whether shortfall was the result of a recordkeeping or reporting error made by a collector, recycler or authorized broker, or the recycler or authorized broker did not notify the manufacturer of the shortfall until after the end of the program year
- Whether there were circumstances beyond a manufacturer's control such as a reduction in collection sites or events due to a local or statewide declared emergency

Covered vs. eligible devices



Covered devices require a manufacturer to register the devices they sell to WI households or K-12 schools. All covered devices are also eligible devices. Can only be changed in statute.



Eligible devices are a larger set of devices that can be collected and recycled to count toward manufacturers' recycling targets. Can be changed in statute or by rule.

Electronics eligible under E-Cycle Wisconsin

- Cellphones, other phones with a video display and battery-operated phone accessories (*added 2023*)
- **Computers (desktop, laptop and netbook computers)**
- **Desktop printers, 3D printers and fax machines**
- **Computer monitors**
- Other computer accessories (e.g., keyboards, mice, speakers, external hard drives)
- **Tablets and e-readers**
- **TVs**
- DVD players, VCRs and other video players
- Other TV/monitor accessories (*added 2024*)
- **Video game consoles**
- Battery-operated video game components and portable hand-held gaming devices (*added 2023*)

Which Electronics Can I Recycle Under E-Cycle Wisconsin?



Wisconsin households and K-12 schools may recycle electronics through E-Cycle Wisconsin. The following electronics are accepted under E-Cycle Wisconsin. Many collection sites also accept other items. To find a collection site or mail-back program, visit dnr.wi.gov and search "ecycle."

Computers: desktops, laptops, netbook, notebooks

Fax machines and desktop printers, including 3-D printers and multifunction printers

TVs and monitors

Cellphones, tablets and e-readers

DVD players, VCRs, DVRs and other video players

Battery-powered phone accessories

Computer accessories, including keyboards, mice, hard drives, scanners, speakers, flash drives and other devices

Other TV/monitor accessories, including antennas, cable/satellite equipment, cords and cables, home theater systems, security cameras and other devices

Video game consoles, hand-held video games and battery-powered accessories

dnr.wi.gov, search "e-cycle"

E-CYCLE WISCONSIN

Key devices NOT currently included under E-Cycle Wisconsin



Goals for adding eligible devices



Capture battery-containing devices that are similar to current eligible devices



Ensure registered recyclers can handle any added devices



Make it easier for consumers to recycle these devices and keep them out of recycling/trash bins

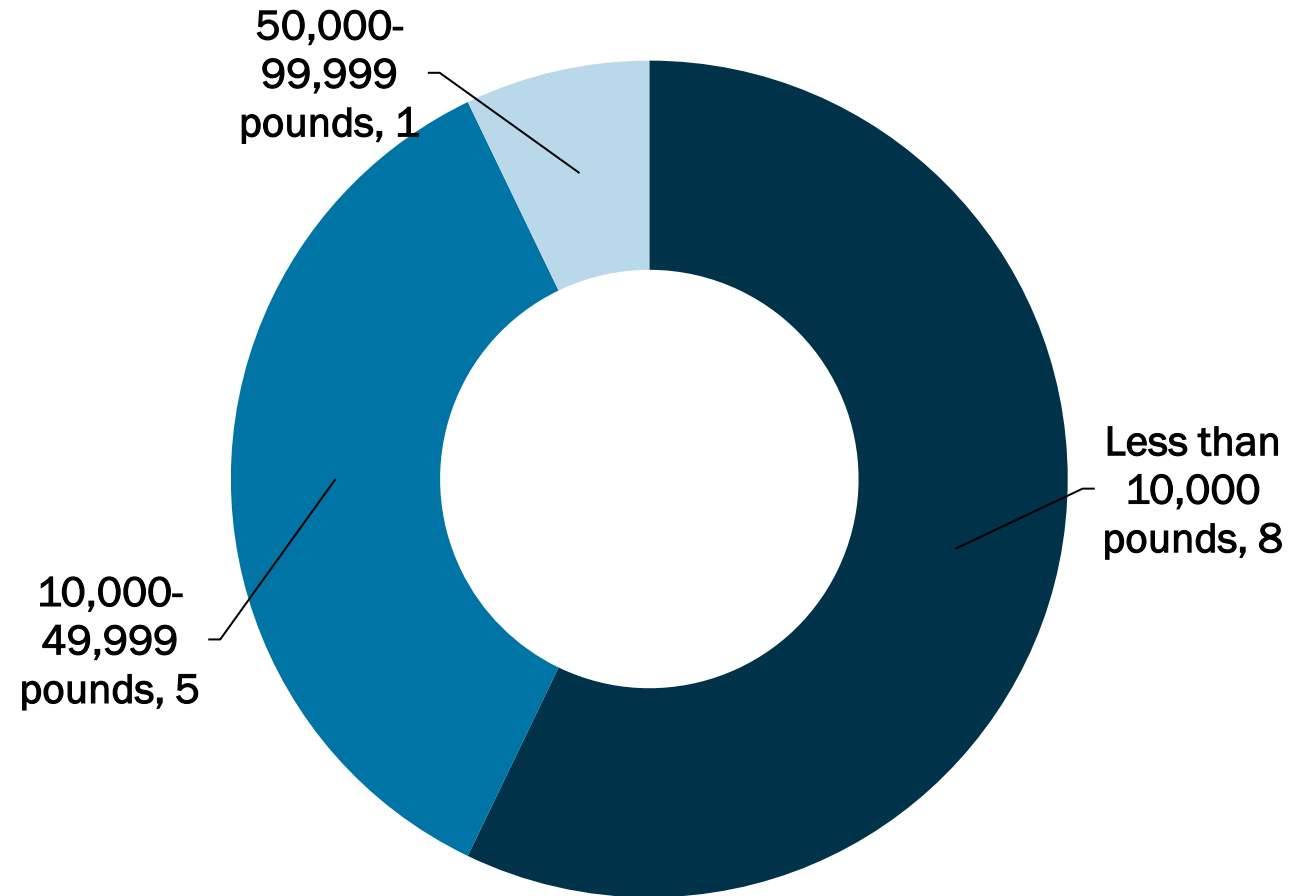
Proposed additional eligible devices

- Digital cameras
- Digital music players
- Radios
- Walkie-talkies or similar hand-held communication devices
- A wearable device with internet connectivity, such as a fitness tracker or smart watch, that is operated by a battery. This does not include a medical device inserted into the skin or an electronic device that is embedded in textiles or another wearable product and that is not easily removable from that product.

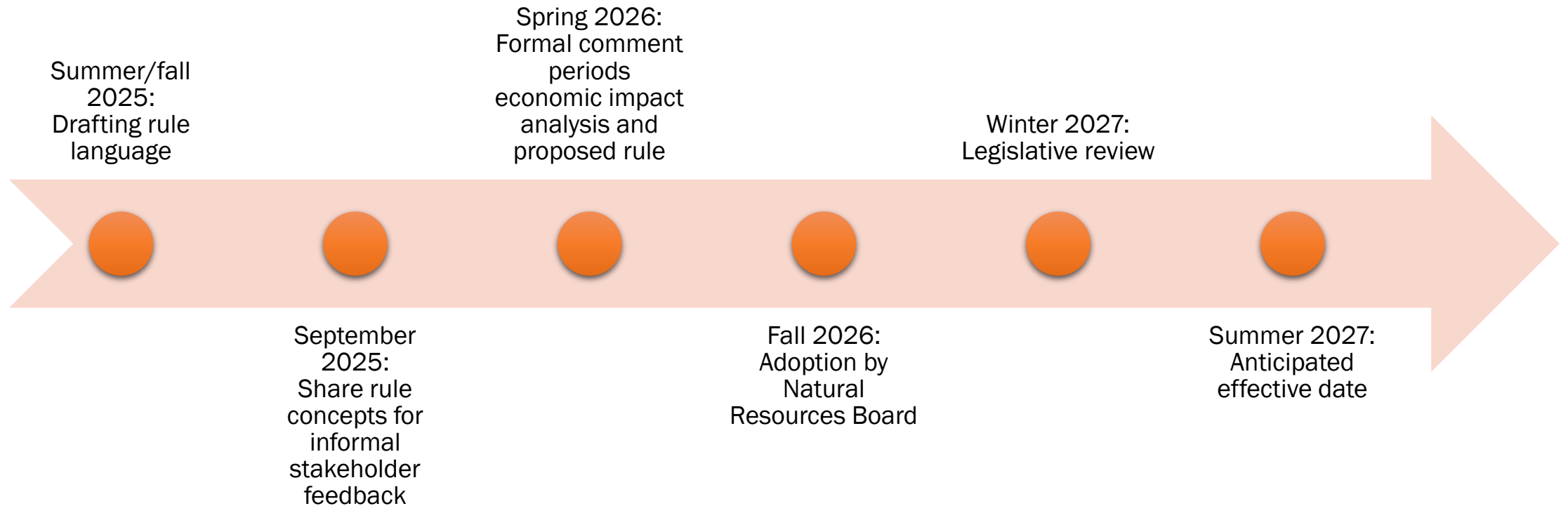
Recycler estimates of additional annual program weight

14 recyclers responded

Based on estimates, additional weight they would receive would be between 100,000 and 430,000 pounds annually

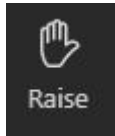



Rulemaking timeline

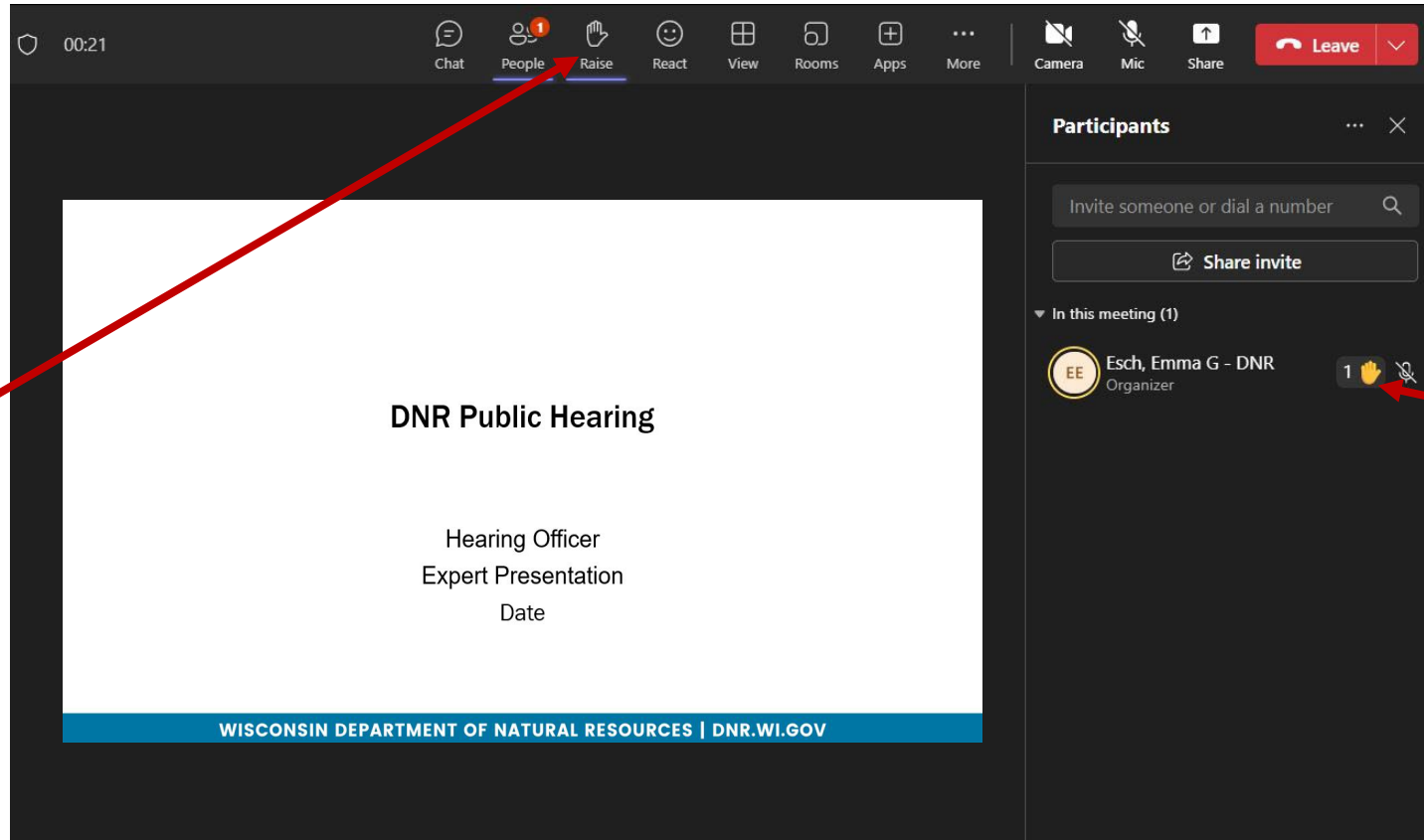


Teams: Raising Your Hand

If you'd like to comment, click **Raise Hand**.



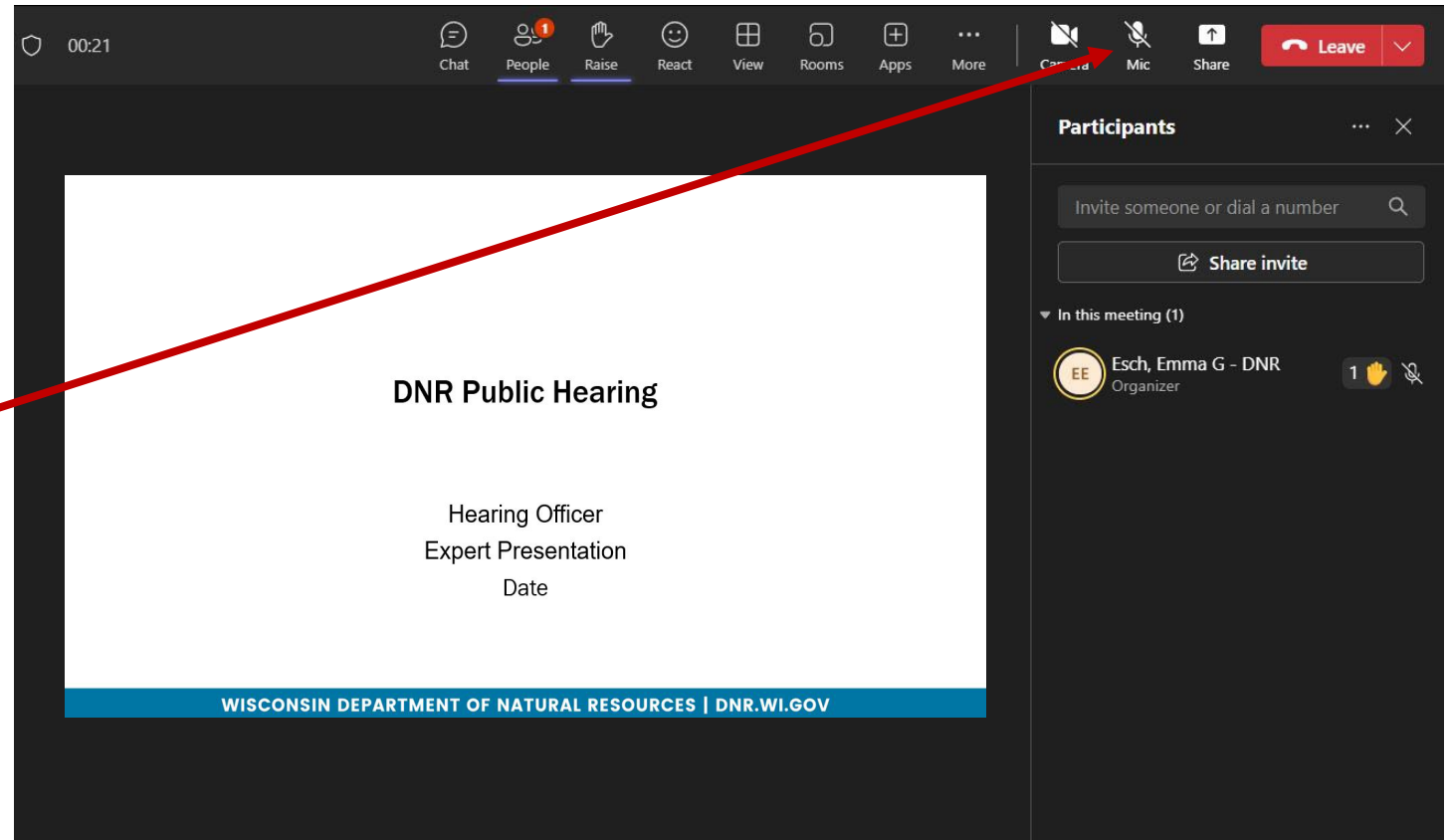
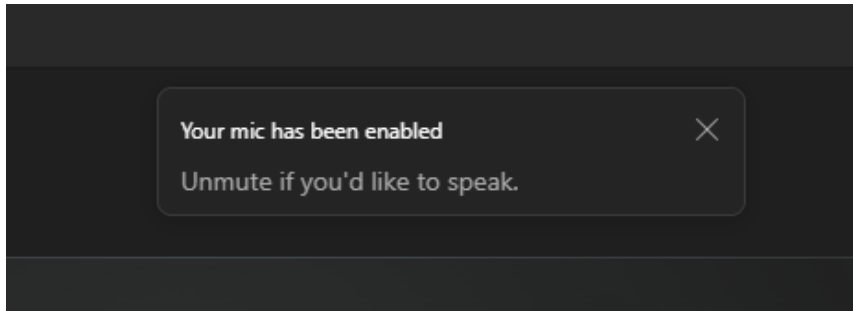
 By phone:
Dial *5 to raise hand.



A "Raised Hand" icon will appear next to your name in the "Participants" window.

Teams: Unmuting

You should receive a pop-up “*Your mic has been enabled*”, then *click Unmute*.

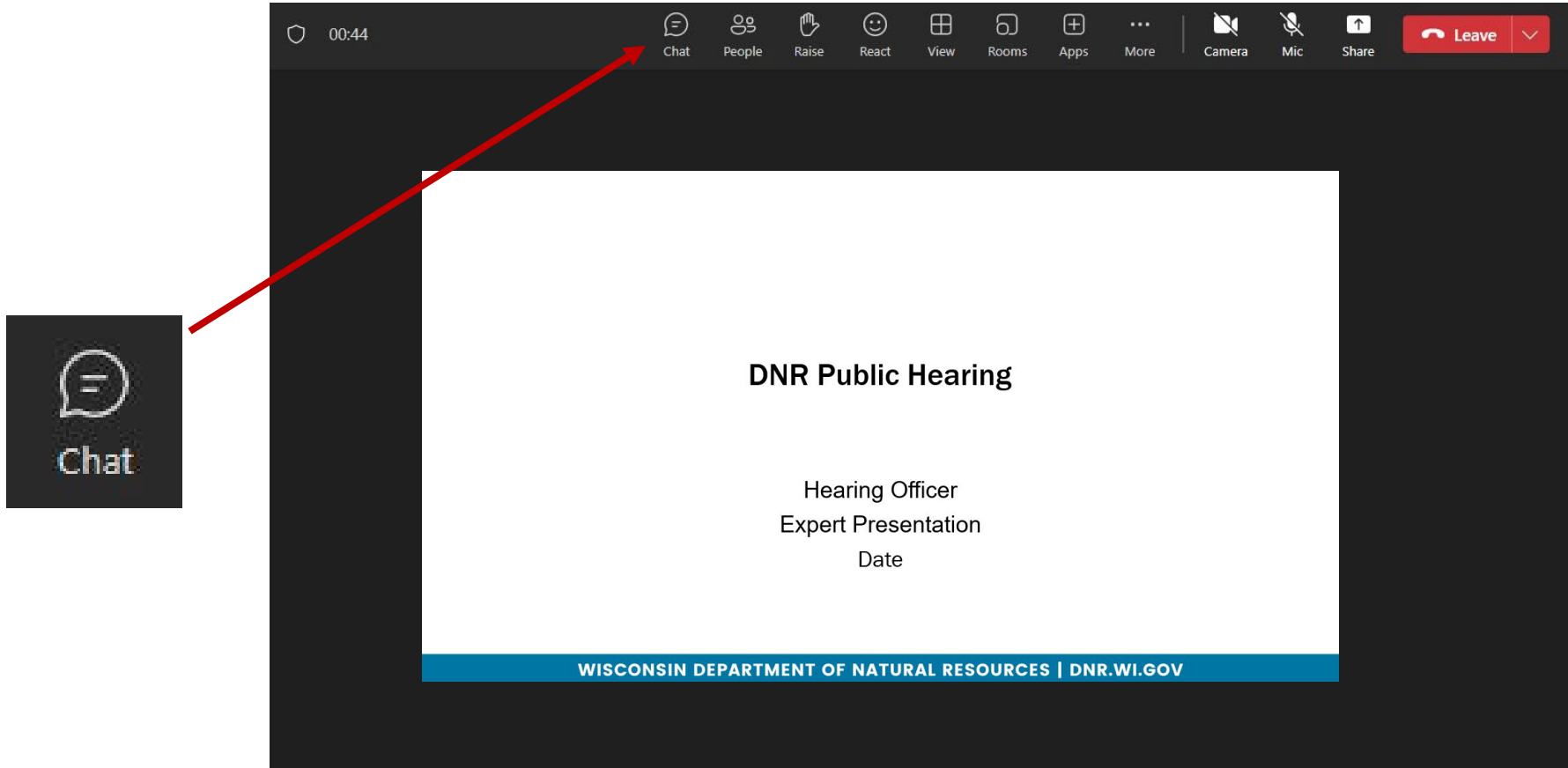


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You'll be prompted to unmute by dialing *6.

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If you would like to speak click the reactions button on the bottom of the Zoom window and then the “Raise Hand” button

**Please
keep to
3
minutes**

3 minutes left

2 minutes left

1 minute left

**Thank
you!**

Please wrap up your comment



Go to
test site

Wisconsin PEAS Action Council (WisPAC)