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SENATE RESOLUTION

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WHEREAS, On September 17, 2008, the Electronic Products Recycling and Reuse Act, Public Act 95-0959, was enacted, setting forth procedures for the recycling and reuse of covered electronic devices in Illinois; and

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WHEREAS, The Electronic Products Recycling and Reuse Act banned the disposal of covered electronic devices in landfills and incinerators beginning January 1, 2012; and

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WHEREAS, To provide adequate collection of discarded electronic devices and comply with the disposal ban, more than 300 collection sites statewide are currently registered with the Illinois Environmental Protection Agency (IEPA) to accept electronic wastes; and

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WHEREAS, Local governments statewide have contracted with electronic waste processors and recyclers for collection, reuse, and recycling of discarded electronics, providing a vital service to their residents; and

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WHEREAS, A significant component of the discarded electronic waste stream collected to date has been, and continues to be, cathode ray tube (CRT) devices, including televisions and computer monitors; and

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1 WHEREAS, CRT glass contains lead at a sufficiently high
2 concentration to meet the definition of hazardous waste,
3 necessitating handling of the glass in a manner that protects
4 human health and the environment; and

5 WHEREAS, The principal recycling market for CRT glass was
6 historically the production of new CRTs; and

7 WHEREAS, Demand for new CRTs historically provided an
8 economic incentive to recycle CRT glass for use in the
9 manufacturing of new CRTs, and recyclers received revenue for
10 the CRT glass provided to CRT manufacturers; and

11 WHEREAS, New CRTs have essentially ceased to be purchased
12 in the United States, and there are no CRT manufacturing
13 facilities located in the United States; and

14 WHEREAS, All CRT glass used in the manufacturing of new
15 CRTs is now exported to India, to the sole remaining CRT
16 manufacturing facility in the world; and

17 WHEREAS, There exist limited additional available outlets
18 for the legitimate recycling of CRT glass in the United States;
19 and

1 WHEREAS, The quantity of CRT glass collected far exceeds
2 current demand and available markets for the glass; and

3 WHEREAS, CRT glass processing and recycling now carries a
4 substantial cost, which constitutes a significant change since
5 the Electronic Products Recycling and Reuse Act was enacted in
6 2008; and

7 WHEREAS, The increased cost to process CRT glass has caused
8 electronic waste collection programs operated by local
9 governments in Illinois to either bear the cost increases or be
10 discontinued to avoid accumulation of CRTs; and

11 WHEREAS, Stockpiles of abandoned CRT glass have been
12 discovered at several former electronic waste processing
13 facilities across the United States, primarily due to the lack
14 of markets for CRT glass and the high cost associated with
15 existing markets; and

16 WHEREAS, Kuusakoski Glass Recycling LLC (Kuusakoski
17 Recycling) and Peoria Disposal Company (PDC), both
18 Illinois-based businesses, developed and permitted a CRT glass
19 solution, the KleanKover Recycling Solution, whereby CRT glass
20 is treated to reduce the leachable lead levels in the glass
21 (the principal environmental concern associated with CRTs)
22 below stringent federal thresholds, and is then placed as

1 Alternative Daily Cover (ADC) in a permitted landfill; and

2 WHEREAS, Kuusakoski Recycling and PDC have successfully
3 operated the KleanKover Recycling Solution since November,
4 2013; and

5 WHEREAS, Given the lack of viable recycling markets, the
6 IEPA has determined that treated CRT glass used as ADC can be
7 counted towards manufacturer recycling goals under the
8 Electronic Products Recycling and Reuse Act, as documented in
9 IEPA correspondence to Kuusakoski Recycling on November 26,
10 2013; and

11 WHEREAS, Basel Action Network (BAN), administrators of the
12 e-Stewards Standard (a voluntary certification standard for
13 electronic waste recyclers) had previously defined any use of
14 treated CRT glass within a disposal facility, including use as
15 ADC, as a "last resort" option, effectively prohibiting use of
16 the KleanKover Recycling Solution; and

17 WHEREAS, BAN had expressed interest in considering
18 retrievable storage of CRT glass in permitted, monitored, and
19 contained designated disposal sites as a preferred CRT glass
20 management method; and

21 WHEREAS, In response to BAN's interest, PDC developed a

1 designated retrievable storage cell at its permitted Indian
2 Creek Landfill No. 2 to provide storage and future retrieval of
3 CRT glass, should markets develop to utilize the leaded glass;
4 and

5 WHEREAS, PDC has established a perpetual care fund for
6 Indian Creek Landfill No. 2, consisting of a trust fund held by
7 a third-party and available to Tazewell County (the host
8 jurisdiction for the landfill), which provides funding to
9 monitor and maintain the landfill in perpetuity, imparting a
10 greater level of financial and environmental protection than is
11 required under state or federal laws or regulations; and

12 WHEREAS, Kuusakoski Recycling and PDC formally petitioned
13 BAN on November 18, 2014, to modify the e-Stewards Standard and
14 allow, as an additional preferred CRT glass management option,
15 the placement of treated CRT glass in a retrievable storage
16 cell within a permitted disposal site which has a perpetual
17 care fund established; and

18 WHEREAS, At least 10 units of local government in Illinois,
19 representing nearly four million people, sent letters to BAN in
20 support of the petition submitted by Kuusakoski Recycling and
21 PDC, and urging BAN's approval in order to maintain the
22 governmental units' vital electronic waste collection and
23 recycling programs for their residents; and

1 WHEREAS, On March 26, 2015, the Senate of the 99th General
2 Assembly of the State of Illinois adopted Senate Resolution 184
3 urging BAN to approve the petition submitted by Kuusakoski
4 Recycling and PDC and revise the e-Stewards Standard to allow
5 placement of treated CRT glass into a dedicated retrievable
6 storage cell at a permitted disposal facility; and

7 WHEREAS, On July 10, 2015, Public Act 99-13 amended the
8 Electronics Products Recycling and Reuse Act to allow CRT glass
9 placed in retrievable storage cells at permitted landfills to
10 be counted towards manufacturer recycling goals; and

11 WHEREAS, BAN published Sanctioned Interpretation #5 to the
12 e-Stewards Standard V2.0 on April 1, 2016, recognizing
13 placement of treated CRT glass in lined, leachate-controlled,
14 and monitored solid waste landfills as a conditionally
15 allowable option for the management of CRT glass if all
16 preferred options have been ruled out based on established
17 criteria without requirement for further BAN approval; and

18 WHEREAS, Sustainable Electronics Recycling International
19 (SERI), administrators of the R2 Standard (a separate voluntary
20 certification standard for electronic waste recyclers) has
21 prohibited its certified recyclers from managing CRT glass in
22 any form within a landfill, including as ADC or in retrievable

1 storage; and

2 WHEREAS, At least 15 units of local government in Illinois,
3 representing over five million people, some of which
4 governmental units maintain among the most effective e-waste
5 recycling programs in the United States, petitioned SERI in
6 2014, to reconsider its position on CRT glass management,
7 citing the need for additional CRT glass management options in
8 the United States; and

9 WHEREAS, In June of 2016, representatives of SERI and the
10 R2 Technical Advisory Committee (TAC; a multi-stakeholder
11 group appointed by SERI to review and recommend revisions to
12 the R2 Standard) toured the Kuusakoski Recycling and PDC
13 facilities and received additional information about their CRT
14 glass management process; and

15 WHEREAS, In September of 2016, Kuusakoski Recycling and PDC
16 announced a further enhancement to their CRT glass management
17 process which will segregate panel glass (which does not
18 include concentrations of hazardous materials in regulated
19 quantities) from leaded funnel glass; this enhancement will
20 permit Kuusakoski Recycling and PDC to utilize crushed panel
21 glass as construction aggregate at permitted landfills as a
22 replacement for washed gravel in the construction of leachate
23 recirculation wells and potentially landfill gas wells, while

1 continuing to treat leaded funnel glass and place it in
2 retrievable storage or utilize it as ADC at permitted
3 landfills; and

4 WHEREAS, The option of beneficial use of CRT panel glass as
5 construction aggregate, beneficial use of treated CRT glass as
6 ADC, and placement of treated CRT glass in retrievable storage
7 in a dedicated cell at a permitted disposal site provides
8 needed environmentally protective, cost effective, and
9 immediately available capacity for CRT glass, resulting in
10 relief for residents, local governments, and recyclers across
11 Illinois and the United States to manage this problematic
12 material and reduce the potential for future discoveries of
13 stockpiled material that would pose a significant
14 environmental threat; therefore, be it

15 RESOLVED, BY THE SENATE OF THE ONE HUNDREDTH GENERAL
16 ASSEMBLY OF THE STATE OF ILLINOIS, that we urge SERI
17 (Sustainable Electronics Recycling International) and the TAC
18 (the R2 Technical Advisory Committee) to amend the R2 Standard
19 to create an option for management of CRT glass through
20 beneficial use, including in uses such as landfill construction
21 aggregate and ADC, and placement of treated CRT glass into a
22 dedicated retrievable storage cell in a permitted disposal
23 facility; and be it further

1 RESOLVED, That suitable copies of this resolution be
2 delivered to the executive director, R2 technical director, and
3 the chair of the Board of Directors of SERI (Sustainable
4 Electronics Recycling International).