

**Department of Environmental Quality  
Office of Waste Management and Radiological Protection  
Part 173, Electronics, of 1994 PA 451, as Amended (Act 451)  
Frequently Asked Questions**

## **Sections**

### **[Part 173 – Michigan Electronic Takeback Law](#)**

#### **[General Information](#)**

#### **[Collectors](#)**

#### **[Consumers](#)**

#### **[Manufacturers](#)**

#### **[Recyclers](#)**

#### **[Retailers](#)**

## **QUESTIONS:**

### **Section 1.0 General Information**

- Where can I view the Michigan ewaste law?
- How is “consumer” defined in Michigan’s electronics takeback law?
- How is “small business” defined in Michigan’s electronics takeback law?
- What is a “covered computer,” a “covered electronic device,” a “covered video display device,” a “computer” and a “printer”?
- What electronics are covered by this law?
- When is a Tablet considered to be a computer?
- What is the difference between an E-reader and a Tablet?
- Does this law apply only to computers and televisions sold after the effective date of April 1, 2010?
- How are the registration fees used?
- What are the penalties if someone violates this law?

### **Section 2.0 Collector Question and Answers**

- How is “collector” defined in Michigan’s electronics takeback law?
- How does this law impact collection programs?
- Can we charge a fee for the collection of electronics?
- What is the difference between a collector and recycler?
- How many computers or televisions can I collect through a manufacturer takeback program in one day?
- As a collector of electronics do I have requirements under the law?

### **Section 3.0 Consumer Question and Answers**

- Where can I recycle my electronic equipment?
- How many computers or televisions can I recycle through a takeback program in one day?
- If I purchase a new computer or television from a manufacturer with a takeback program and my old computer or television is a different brand, does the manufacturer have to take back my old computer or television even though it is manufactured under a different brand name?
- I have computers from my business; do the manufacturers have to take them back?
- Do I have to pay to recycle my covered devices?
- Do I have to pay a fee to recycle a computer or television covered under the program?
- I have computers from my business; do the manufacturers have to take them back?
- How do I know the products I buy are green or environmentally friendly products?
- How can I make sure the data on my computer is destroyed?
- How does a manufacturer have to provide information about its takeback program?

### **Section 4.0 Manufacturer Question and Answers**

- How is “manufacturer” defined in Michigan’s electronics takeback law?
- What is considered “new” covered electronic devices?
- What is a brand?
- What does a manufacturer, selling its products in Michigan need to do to comply with the Michigan electronics takeback law?
- Does a manufacturer have to register separately for every brand it sells?
- Does a manufacturer have to take back computers or televisions in any special way?
- When does a manufacturer no longer need to register its brand under the Program?
- Is there a de minimus quantity of covered devices which would allow a manufacturer to stop registering under the Program?
- Does a manufacturer that sold covered electronic devices for only a portion of the fiscal year need to reregister in October (e.g., register by August 10th after beginning to sell covered electronic products in Michigan on August 1st)?
- We sold fewer than 50 computers last year does the exclusion from registering apply?
- Does a manufacturer that registered midway through the registration year need to reregister in October, e.g., registered on June 15<sup>th</sup>
- What materials count toward the Video Display 60% recycling goal?
- Does a manufacturer have to take back computers or televisions in any special way?
- Are takeback requirements different for computer and television manufacturers?
- How is the total weight of covered electronic devices measured? How are the funds used that are collected from manufacturers and recyclers?
- Do I count the pounds of material that are collected but not recycled (landfilled) towards the pounds reported in the annual recycling report in our registration?

## **Section 5.0 [Recycler](#) Question and Answers**

- How is “recycler” defined in Michigan’s electronic waste law?
- What is the difference between a recycler and a collector?
- What does a recycler need to do to comply with this law?
- Is a recycler who only manages e-waste other than “covered electronic devices” required to register?
- How are the funds used that are collected from manufacturers and recyclers?
- Are all e-waste recyclers required to comply with the law?
- How are haulers or transporters impacted by this law?
- What do I need to do to become an electronics recycler in Michigan?
- Do I count the pounds of material that are not recycled (landfilled) towards the pounds reported in the annual recycling report in our registration?

## **Section 6.0 [Retailer](#) Question and Answers**

- How is “retailer” defined in Michigan’s electronics takeback law?
- What does a retailer need to do to comply with this legislation?
- Does a retailer have to have a takeback program for its customers?

## **Questions and Answers**

### **Section 1.0 General Information Frequently Asked Questions**

Q: Where can I view the Michigan ewaste law?

A: A copy of the law can be found here: [Part 173](#).

Q: How is “[consumer](#)” defined in Michigan’s electronics takeback law?

A: A consumer is a person who used a computer or television primarily for personal or small business purposes in Michigan.

Q: How is “[small business](#)” defined in Michigan’s electronic takeback law?

A: A small business is a business with 10 or fewer employees.

Q: Under the law what is a “[covered computer](#),” a “[covered electronic device](#),” a “[covered video display device](#),” a “[computer](#),” and a “[printer](#)”?

A: [Section 17301](#) defines these terms as follows:

“Covered computer” means a computer that was or will be used primarily for personal or small business purposes in this state. Covered computer does not include a device that is functionally or physically a part of, or connected to, or integrated within a larger piece of equipment or system designed and intended for use in an industrial, governmental, commercial, research and development, or medical setting..

“Covered electronic device” means a covered computer or covered video display device.

“Covered video display device” means a video display device that was or will be used primarily for personal or small business purposes in this state. Covered video display device does not include a device that is functionally or physically a part of, or connected to, or integrated within a larger piece of equipment or system designed and intended for transportation or use in an industrial, governmental, commercial, research and development, or medical setting.

"Computer" means a desktop personal computer or laptop computer, a computer monitor a monitor or a printer. Computer does not include any of the following:

- (i) A personal digital assistant device or mobile telephone.
- (ii) A computer peripheral device, including a mouse or other similar pointing device, or a detachable or wireless keyboard.

"Printer" means a printer or a multifunction or "all-in-one" device that in addition to printing performs 1 or more other operations such as copying, scanning, or faxing, that is designed to be placed on a desk or other work surface, and that may use any of various print technologies, such as laser and LED (electrographic), ink jet, dot matrix, thermal, or digital sublimation. Printer does not include a floor-standing printer, a printer with an optional floor stand, a point of sale (POS) receipt printer, a household calculator with printing capabilities or a label maker, or a non-stand-alone printer that is embedded into a product other than a covered computer.

Q: What electronics are covered by this law?

A: “[Covered electronic devices](#)” used by individuals and small businesses (businesses with 10 or fewer employees) are the only electronics addressed in this law.

Q: When is a Tablet considered to be a computer?

A: In most cases a tablet would be considered to be a computer. Tablets are not specifically listed as a covered electronic device under the definition of a computer (324.17301), but function as a computer since they have an internal CPU processor and perform computing functions. They commonly have touch screen capabilities and functions that include but are not limited to an internal operating system, file storage, file manipulation, web browsing/internet access. That is in contrast to e-readers such as the original Kindle, the Nook, the Sony Reader and similar hardware which function by downloading, storing and providing a way to view electronic documents such as books or magazines.

Q: What is the primary difference between an E-Reader and a Tablet?

A: The difference is the function of the device. By accepted definition an E-reader is a portable, low-power, high-resolution device specifically designed to display digital versions of written material from books, magazines, newspapers, and other printed

sources. Text is loaded onto e-readers through wired or wireless connections, from a local computer or a source such as an online store or a publisher's website. E-readers generally do not have an internal microprocessors or operating system but function by displaying what is typically termed e-ink or electronic paper. In simple terms, an E-reader's primary function is to be a digital reader.

Q: Does this law apply only to computers and televisions sold after the effective date of April 1, 2010?

A: No. The law requires manufacturers selling new computers and televisions in Michigan to provide consumers with free and convenient recycling opportunities for computers and televisions by April 1, 2010, and printers by April 1, 2011. The takeback program is not limited to products sold after April 1, 2010.

Q: How are registration fees used?

A: The fees are deposited in the E-waste Recycling Fund and used by the Department of Environmental Quality (DEQ) to pay for the administration of the Part 173 program. Those activities include outreach and education activities targeted at retailers and consumers.

Q: What are the [penalties](#) if someone violates this law?

A: A first offense can result in a civil fine of up to \$500. A fine of up to \$2,500 can be levied for each violation thereafter. If a person knowingly fails to comply or knowingly submits false information under Part 173, a person can get charged with a misdemeanor and may have to pay a criminal fine of up to \$5,000 for each violation. Each day a violation occurs represents a separate violation for which a penalty could be charged.

## **Section 2.0 Collector Specific Frequently Asked Questions**

Q: How is "[collector](#)" defined in Michigan's electronics takeback law?

A: A collector is a person who receives but does not do any processing of computers and televisions (covered electronic devices) from consumers and small businesses and arranges for them to be delivered to a recycler. In many cases, collectors are community and nonprofit programs set up to provide recycling options for residents.

Q: How does this law impact collection programs?

A: Manufacturers are required to provide free and convenient takeback programs to consumers for covered electronic devices. Part of this responsibility can include partnering with collection programs. Collection programs that are not recyclers can operate without any additional requirement under the electronics takeback law. Collectors are not required to register under this law.

Q: Can we charge a fee for handling electronic devices collected for recycling?

A: The intent of the law is to require manufacturers to provide free and convenient Takeback Program. This is outlined in [Section 17309 of Part 173](#). If the manufacturer buys pounds through a recycler from a program that charges a collection fee to the

consumers then those pounds are ineligible to be reported as being recycled. It is not a violation of Part 173 if a collector or recycler sells or provides ineligible pounds to a manufacturer. That is a contractual issue between the recycler and the manufacturer. It is the manufacturer's responsibility to ensure the pounds they buy are eligible pounds and if not it could subject them to the penalties set forth in [Part 173 Section 17329](#).

Q: What is the difference between a collector and recycler?

A: A "collector" means a person who receives covered electronic devices from consumers and arranges for the delivery of the covered electronic devices to a recycler. A "[recycler](#)" means a person who, as a principal component of business operations, acquires covered electronic devices and sorts and processes the devices to facilitate recycling or resource recovery. "Recycler" does not include a collector, hauler, or electronics shop, unless the shops are also recycling.

Q: How many computers or televisions can I collect through a manufacturer takeback program in one day?

A: The law does not limit how many devices a collector can accept. According to the law, a manufacturer take back program must accept up to seven products from a single consumer in a single day. If the collection program is not associated with a manufacturer takeback program, there are no restrictions or requirements for accepting any specific number of electronic devices or from whom. However, a collection program still must comply with [solid and hazardous waste regulations](#) (depending on what, how much, and from whom the program is collecting) for issues such as storage of the material and the length of time the materials are on-site.

Q: As a collector of electronics do I have environmental requirements under the law?

A: Yes, but the primary environmental requirements for collectors of consumer electronics are found in the hazardous waste statute rules ([Part 111](#)) not [Part 173](#) electronics. The Part 111 rules identify that consumer electronics shall be handled and stored in a manner that prevents breakage and/or the release of any universal wastes during normal handling conditions. Materials containing leaded glass have been granted special exemptions and but must be stored in storage areas protected from release to the environment. If there is a release (breakage) the material released must be properly contained and any promptly cleaned up. The consumer electronics must be shipped to the recycling facility using a properly licensed waste handler. There is a storage limit of one year from the date of first accumulation. Seventy-five percent of the material collected must be recycled on an annual basis. Records must be kept concerning the source of the material and where the material was shipped for recycling.

### **Section 3.0 Consumer Specific Frequently Asked Questions**

Q: Where can I recycle my electronic equipment?

A: A consumer can get information on recycling electronic equipment in several ways:

1. Manufacturers selling new computers and televisions in Michigan are required to provide consumers with information on how and where to return them for recycling. This must include information on the manufacturer's collection,

recycling, and reuse program and the manufacturer's recycling web site. The manufacturer may also include this information in the packaging or in other materials that accompany the equipment when it is sold or the manufacturer may provide that information through a toll-free telephone number.

2. The DEQ maintains a manufacturer takeback program [Web site](#) that contains a list of registered manufacturers and links to each manufacturer Web page providing details on where covered electronic equipment can be recycled.
3. Households and small businesses with electronic equipment not covered by a manufacturer takeback program may be able to recycle electronic equipment at a [community electronics collection program](#) or by other profit or nonprofit groups promoting electronics recycling.

Q: How many computers or televisions can I recycle through a specific takeback program in one day?

A: A manufacturer takeback program is required to accept up to 7 products from a single consumer in a single day.

Q: If I purchase a new computer or television from a manufacturer with a takeback program and my old computer or television is a different brand, does the manufacturer have to take back my old computer or television even though it is manufactured under a different brand name?

A: Computer manufacturers are only required to take back computers they manufactured; whereas television manufacturers are required to take back all television brands, regardless of the manufacturer.

Q: Do I have to pay a fee to recycle a computer or television covered under the program?

A: The intent of the program is a free takeback system supported by the manufacturers of the covered electronic devices. It is possible that the collector or recycler may charge a fee for their services but those fees are not part of the state Electronics Takeback Program.

Q: I have computers from my business; do the manufacturers have to take them back?

A: If your business has 10 or fewer employees, you can contact the manufacturer or check their Web site and participate in the takeback program. Note: Manufacturer takeback programs do not preempt existing contracts for managing electronic equipment at the end of their useful lives, and all businesses are still required to meet disposal regulations that apply to the proper management of their waste.

Q: How do I know the products I buy are green or environmentally friendly products?

A: Many electronics manufacturers are producing greener equipment using less hazardous and more recyclable materials. Many electronics are being designed to use less energy. Check out the manufacturer's Web site for information about the product or look at the Green Electronics Council [Electronic Product Environmental Assessment Tool](#).

Q: How can I make sure the data on my computer is destroyed?

A: There are two ways; Use a Michigan registered recycler who under the law is required to wipe data from equipment before they recycle or reuse it. Also DEQ inspects each registered recycler that has a facility in Michigan to make sure that they are following these and other requirements of The Electronic Takeback program. The other way would be to use a data wiping program before you turn in the equipment for recycling. To see some options, go to the U.S. Environmental Protection Agency fact sheet, "[Do the PC Thing.](#)" Use one of these programs to wipe your hard drive before you donate your computer.

#### **Section 4.0 Manufacturer Specific Frequently Asked Questions**

Q: How is "manufacturer" defined in Michigan's electronics takeback law?

A: A manufacturer is defined as the brand owner of a computer or television. If the company is not a U.S. manufacturer, the manufacturer is whoever is responsible for importing the computer or television for sale in Michigan. Manufacturers are required to register and meet the takeback requirements if the manufacturer manufactured, sold, or imported more than 50 covered computers in calendar year 2000 or any subsequent calendar year or more than 50 covered video display devices in the previous calendar year.

Q: What is considered a "new" covered electronic device?

A: Part 173 does not define "new," however, as a general rule, "new" covered electronic devices are computers, printers or televisions made from 50 percent or more, by weight, new components. If the device is made from at least 50 percent new components, the device is a newly manufactured covered electronic device and the manufacturer selling the device or offering the device for sale is subject to this law and required to register.

Q: What is a brand?

A: The brand is the name labeled on the outer shell of the computer, tablet or video display. Examples of some common brands of computers include Acer, Apple, Commodore, Compaq, Dell, Epson, Galaxy, Gateway, HP, Hewlett Packard, iPad, Kindle, Nexus, Sony, Surface and Xerox. Examples of common brands of televisions include AKAI, BRAVIA, Element, JVC, LG, Magnavox, Mitsubishi, Phillips, Panasonic, RCA, Sharp, Samsung, Sony, Toshiba, Visio, Westinghouse and Zenith.

Q: What does a manufacturer, selling its products in Michigan, need to do to comply with the Michigan electronics takeback law?

A: The manufacturer must do all of the following:

1. [Register](#) with the DEQ by October 30<sup>th</sup> of each year, or within 10 business days after the manufacturer begins to sell or offer for sale in Michigan new covered electronic devices. Registration includes submitting a complete and accurate registration form along with a fee of \$3,000.
2. Establish a takeback program that is convenient and free for consumers and small businesses and make information on the takeback program available on the Internet for Michigan consumers. The DEQ maintains a [Web site](#) containing



a list of registered manufacturers with links to Web pages containing takeback program information for each manufacturer.

3. Label all of its products with its brand.
4. Recycle the electronic equipment collected through the takeback program.
5. Accept up to 7 covered electronic devices from a single consumer in a single day.

Q: Does a manufacturer have to register separately for every brand it sells?

A: When a manufacturer registers, the manufacturer registration must include the names of all the brands under which it sells computers and televisions in Michigan.

Q: Does a manufacturer have to take back computers or televisions in any special way?

A: A manufacturer can use a variety of ways to take back products. The key issue is that the programs must be convenient and free to consumers. Some examples that have been used around the country are drop-off sites, collection events, retail location take back programs, and mail-in programs.

Q: When does a manufacturer no longer need to register its brand under the program?

A: [Section 17305 of Part 173](#), Electronics, advises that a manufacturer shall not sell or offer for sale to any person in the state (Michigan) a new covered electronic device through sales outlets, catalogs, internet, mail order or other means, without the brand being registered. While there could be a time that a manufacturer is no longer shipping the registered product to wholesale or retail outlets that is not the sole factor for determining the need to register for the program. Other factors in the decision include if the product is available for purchase through other retail outlets, including brick and mortar locations and/or the internet. Bottom line, as long as the product is available for purchase by a consumer in Michigan, the manufacturer needs to register.

Q: Is there a de-minimus quantity that would exempt a manufacturer from the need to register under the program?

A: Under [Section 17301 \(k\)](#) a Manufacturer does not have to register if it has below 50 covered devices manufactured, sold or imported since year 2000 but there are two parts to this issue. One applies to computers and the other video display devices. To qualify for the exemption from registration for the Electronic Takeback program, the manufacturer of computers would have to document that it did not manufacture, sell or import over 50 computers in any year since 2000. For video display devices (televisions) a specific time period for items sold also applies to video display devices sold during the previous program year. Keep in mind that the number of devices sold is not specific to Michigan but is a company-wide figure.

Q: Does a manufacturer that sold covered electronic devices for only a portion of the fiscal year need to reregister in October (e.g., register by August 10<sup>th</sup> after beginning to sell covered electronic products in Michigan on August 1<sup>st</sup>)?

A: The initial registration filed on August 10<sup>th</sup> would be followed by a subsequent registration due by no later than October 30<sup>th</sup>. The registration would include information on the total weight of the covered electronic devices received by the takeback program from consumers for the period of the prior fiscal year (in this case, August 1<sup>st</sup> through September 30<sup>th</sup>) in which the manufacturer operated the takeback program.

Q: Does a manufacturer that Registered midway through the registration year need to reregister in October, e.g., registered on June 15<sup>th</sup>?

A: The initial registration filed on June 15 would be followed by a subsequent registration due by no later than October 30<sup>th</sup>. The registration would include information on the total weight of the covered electronic devices received by the takeback program from consumers for the period of the prior fiscal year (in this case, June 15 through September 30<sup>th</sup>) in which the manufacturer operated the takeback program.

Q: We sold fewer than 50 computers last year does the exclusion from registering apply?

A: The less than 50 items sold issue is related to the definition of a manufacturer as presented in Section 17301 (k) of Part 173. Specifically a manufacturer does not include a person (company) unless the person manufactured, sold or imported more than 50 covered computers in the year 2000 or any subsequent calendar year or more than 50 covered video display devices in the previous calendar year. This section of the law is not specific to manufacturing, selling, or importing only in the state of Michigan, therefore if the manufacturer manufactured more than 50 devices but sold less than 50 devices to Michigan consumers then they are still required to register. Also the issue of selling 50 covered electronic devices in a previous year is not the only measure for computer manufacturers to register for the program, therefore if a computer manufacturer manufactured more than 50 devices in any year from 2000 through today the manufacturer is required to register.

Q: What covered devices are to be counted toward the 60 percent recycling goal?

A: The 60 percent take back program non-binding goal only applies to Video Display Devices (VDDs) manufacturers ([Section 17311\(e\)](#)). By definition, a covered Video Display Devices does not include computer monitors and other covered devices that do not have a tuner and do not display a television signal or video programming through a broadcast signal. Therefore the goal is to be calculated using only on the weight of VDDs that are actually recycled; used in smelting, glass-to-glass or ceramics. The weight of the materials that is disposed or used in other manners such as for alternate daily cover or sent directly to a landfill should not be included in that calculation.

Q: Are takeback requirements different for computer and television manufacturers?

A: Computer manufacturers are required to take back their own brand(s). Television manufacturers are required to take back any brand of television with a voluntary goal of collecting, by weight, at least 60 percent of the weight of the televisions sold in the previous fiscal year.

Q: How is the total weight of covered electronic devices measured?

A: The weight of the entire unit such as the entire computer (central processing unit and monitor, attached or separate), television, printer, etc., should be measured using a large scale. Multiple devices weighed at the same time and the total weight of all devices should be reported at the time of registration.

Q: Do I count the pounds of material that are collected but not recycled (landfilled) towards the pounds reported in the annual recycling report in our registration?

A: [Section 17311](#) (Video Display Takeback Program) makes reference to recycling or arranging for recycling of materials collected. Michigan DEQ does not consider landfilling or using the material such as CRT glass for alternate daily cover (ADC) at any landfills as being material that qualifies as being recycled. CRT glass used as ADC or simply landfilled should not be counted towards meeting either the 60 recycling goal outlined in the law or reported in the annual report as being pounds that are recycled.

Q: Are the takeback requirements different for computer and television manufacturers?

A: Computer manufacturers are required to only take back their own brand(s). Television manufacturers are required to take back any brand of television with a voluntary goal of collecting, by weight, at least 60 percent of the weight of the televisions sold in the previous fiscal year.

Q: How are the funds used that are collected from manufacturers and recyclers?

A: The money is deposited into an E-waste Recycling Fund that is used by the DEQ to pay for the administration of the Part 173 e-waste program.

## **Section 5.0 Recycler Specific Frequently Asked Questions**

Q: How is “recycler” defined in Michigan’s electronic waste law?

A: A recycler is defined as a person who, as a principal component of business operations, acquires covered electronic devices and sorts and processes\* them to facilitate recycling or resource recovery. This does not include collectors, transporters, and electronic repair shops remanufacturing electronic equipment for resale. A recycler’s principal business is the recovery of the valuable components from collected covered electronic equipment for reuse as a raw material in manufacturing new products. A recycler is also a facility that sorts covered electronic equipment and processes it by changing the physical character of the covered electronic devices or a component of them to a usable raw material for use in the manufacture of new products.

*\*Note: Processing under [Part 111](#), Hazardous Waste Management, and [Part 115](#), Solid Waste Management, of Act 451, is defined differently than it is defined in [Part 173](#).*

Q: What is the difference between a recycler and a collector?

A: A “recycler” means a person who, as a principal component of business operations, acquires covered electronic devices and sorts and processes the devices to facilitate recycling or resource recovery. “Recycler” does not include a collector, hauler, or electronics repair shop, unless the shops are also recycling. A “collector” means a person who receives covered electronic devices from consumers and arranges for the delivery of the covered electronic devices to a registered recycler.

Q: What does a recycler need to do to comply with this law?

A: The recycler must do all of the following:

1. [Register](#) with the DEQ by October 30<sup>th</sup> of each year, beginning on October 30, 2009. Registration includes submitting an administratively complete and accurate registration form along with a fee of \$2,000.
2. A recycler must comply with all applicable federal and state rules and regulations.
3. A recycler must employ industry-accepted procedures substantially equivalent to those specified by the U.S. Department of Defense to destroy data on hard drives and other data storage devices.
4. A recycler cannot use prison labor.
5. A recycler must maintain records showing where materials from their facility are sent.

Q: A recycler must maintain a documented environmental, health, and safety management system that may be audited and is compliant with or equivalent to ISO 14001. What programs are considered equivalent to ISO 14001?

A: DEQ considers national certification programs such as [R2](#), [E-Stewards](#), and [RIOS](#) to be essentially equivalent to [ISO 14001](#) for purposes of [Part 173 section 17319 \(b\)](#).

Q: Are all e-waste recyclers required to comply with the law?

A: Only recyclers that recycle covered electronic devices are subject to this law. A recycler whose principal business is the recycling or reuse of electronics from businesses not covered by Part 173 are impacted by Part 173, electronics. Recyclers that process material regulated under universal waste rules found in Part 111 are required to comply with the rules set forth in Part 111, Hazardous Waste Management.

Q: How are haulers or transporters impacted by this law?

A: Haulers or transporters are only mentioned to clarify that they are not recyclers. Part 173 does not impose responsibilities to haulers or transporters.

Q: What do I need to do to become an electronics recycler in Michigan?

A: Recyclers of covered electronic devices must register with the DEQ and satisfy the other requirements under Part 173. Those requirements include registering for the program, paying the registration fee and meeting the associated environmental laws. Depending on your operations, your regulatory requirements will vary. A good first step is to use the permit checklist found on the [DEQ Environmental Permits, Licenses, and Certifications Web page](#) and then discuss your plans with [DEQ Program staff](#) responsible for the county in which you plan to site your facility. Do not forget the [Michigan Business One Stop](#) for establishing or growing your business.

Q: How is the total weight of covered electronic devices measured?

A: The weight of the entire unit such as the entire computer (central processing unit and monitor, attached or separate), television, printer, etc., should be measured using a large scale. Multiple devices weighed at the same time and the total weight of all devices should be reported at the time of registration.

Q: How are the funds used that are collected from manufacturers and recyclers?

A: The money is deposited into an E-waste Recycling Fund that is used by the DEQ to pay for the administration of the Part 173 e-waste program. Besides staffing, the funds are used to pay Outreach and Education programs designed to provide residents with information and opportunities to recycled unwanted electronics.

Q: What covered devices are counted toward the 60 percent recycling goal?

A: The 60 percent take back program non-binding goal applies to Video Display Devices (VDDs) manufacturers (Section 17311(e)). By definition, a covered Video Display Devices does not include computer monitors and other covered devices that do not have a tuner and generally do not display a television signal or video programming from a broadcast signal. Therefore goal is to be calculated using only on the weight of VDDs collected for recycling. The weight of other covered devices such as laptops, desktops and monitors should not be included in that calculation.

Q: Are all the e-waste collectors and recyclers participating in a takeback program handling a waste subject to any regulations in addition to Part 173?

A: Yes, [Part 111](#), Hazardous Waste Management, and [Part 115](#), Solid Waste Management, statutes and rules specify how any waste, including e-waste, is to be handled. Whether an e-waste is regulated as a hazardous waste or solid waste depends on the following:

1. Who generated the waste?
2. The type of waste being managed; and
3. How the waste is handled.

For an overview of the regulations that apply to e-waste, please see the DEQ guidance for [electronic equipment](#) or [universal waste](#).

Q: Does a manufacturer have a requirement to provide information about its takeback program?

A: The law requires manufacturers to maintain information or a link about their recycling program on their company Web site. There are other acceptable means of providing consumers takeback information such as maintaining a toll-free telephone number and providing printed information in the product packaging.

Q: Do I count the pounds of material that are collected but not recycled (landfilled) towards the pounds reported in the annual recycling report in our registration?

A: Section 17311 (Video Display Takeback Program) makes reference to recycling or arranging for recycling of materials collected. Michigan DEQ does not consider landfilling or using the material as alternate daily cover at any landfills as being material that qualifies as being recycled. This would impact the reporting of pounds of material that are landfilled or otherwise disposed and those pounds should not be counted towards the recycling volume reported in the annual recycling report in the registration.

### **Section 6.0 Retailer Specific Frequently Asked Questions**

Q: How is “[retailer](#)” defined in Michigan’s electronics takeback law?

A: A retailer is someone who sells a computer or television to a consumer. This includes, but is not limited to sales through stores, catalogs, mail orders, and the Internet.

Q: What does a retailer need to do to comply with this law?

A: After April 1, 2010, a retailer cannot sell a new computer or television in Michigan unless the brand manufacturer is registered with the DEQ. Currently registered brands are listed on the Electronic Takeback Program website.

Q: Does a retailer have to have a takeback program for its customers?

A: There is no obligation for a retailer to provide a takeback program for its customers. However, a retailer is encouraged to partner with a manufacturer to take back computers and televisions for recycling.