

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Department of Energy and Environment

October 31, 2019

eCYCLE DC Program FAQ- 2020

This FAQ document provides additional information to assist manufacturers registering for the eCYCLE DC Program for 2020 (due December 31, 2019). For more information, please see doee.dc.gov/ecycle.

1. Where are the sections of the D.C. Official Code and regulations that govern the eCYCLE DC program?

The associated sections of the D.C. Official Code can be found here: http://doee.dc.gov/sites/default/files/dc/sites/ddoe/page_content/attachments/DC%20E-Waste%20Statute%20%28in%20DC%20Code%3B%20Amended%29.pdf

Amendments to the program in the FY18 Budget Support Act can be found here: <http://lims.dccouncil.us/Legislation/B22-0244>

The regulations for the program can be found here: https://doee.dc.gov/sites/default/files/dc/sites/ddoe/service_content/attachments/Final%20Electronics%20Stewardship%20Rulemaking.11.18.16.pdf

2. When should manufacturers remit registration fees to DOEE?

The amount of the registration fee is determined by annual sales and registration type. To avoid checks that are mistakenly issued for the wrong amount, DOEE will electronically invoice the billing contact for the registration fee once DOEE has reviewed and approved the registration. The invoice will include payment instructions and the Department's W-9 form. If the manufacturer has additional forms that DOEE needs to complete, they may contact productstewardship@dc.gov.

3. What if a manufacturer is unable to determine past sales for Calendar Year 2014?

Manufacturers should, to the best of their ability, provide sales data for 2014. If a manufacturer, acting in good faith, is unable to provide sales data for 2014, it may leave them blank provided the manufacturer includes an explanation as to why it was unable to retrieve data for 2014. Data for Calendar Year 2015 and 2016 must be provided without exception as it is needed to calculate the collection target for manufacturers that register as Individuals or in a Partnership.

4. How does the term “covered entities” as defined in the statute affect reporting and collection requirements?

A covered entity is defined as a “District household or small nonprofit or small business entity that procures covered electronic equipment through retail channels.” The term “covered entities” is used to describe the requirements of Representative Organizations (see [D.C. Official Code § 8-1041.05\(a\)\(3\)\(C\)](#)). Representative Organizations have to accept, for free, covered electronic equipment from covered entities. Sales calculations, as reported in the registration forms, include all sales, not just those to covered entities.

5. Do manufacturers need to report sales to the federal and District governments?

Due to amendments to the program in the FY18 Budget Support Act, equipment sold to the federal and District governments are no longer considered CEE and do not need to be reported.

6. Can manufacturers purchase pounds from other manufacturers or recyclers during the year to meet their collection targets? Can manufacturers purchase pounds after the end of the year?

Manufacturers must collect or arrange for the collection of CEE (see [D.C. Official Code § 8-1041.05\(a\)\(1\)](#)). Accordingly, manufacturers may purchase pounds of CEE from other manufactures or recyclers during the year. Once the calendar year is complete, manufacturers may not purchase pounds to meet the previous year’s collection requirement.

7. A manufacturer collected CEE from the federal or District government in 2018. Can it count this weight towards its collection target for 2018?

No, starting in 2018, manufacturers will no longer be able to count collections from the federal and District governments towards collection targets because this equipment is no longer considered CEE.

8. What entities are considered part of the Government of the District of Columbia?

Manufacturers should consider sales to any of the entities, other than Regional Bodies and Residents, listed in the Government of the District of Columbia’s Organizational Chart as part of the District Government. This includes Executive, Legislative, and Judicial Branches, as well as Independent Agencies and Charter Independent Agencies. The current organizational chart can be found

here: <http://mayor.dc.gov/sites/default/files/dc/sites/mayormb/publication/attachments/D-C-Govt-Org-Chart11-03-2015.pdf>

Equipment sold to these entities are not considered CEE, per the FY18 Budget Support Act.

9. What sales data do manufacturers in a Representative Organization need to report regarding market share?

DOEE is waiving the reporting requirement that Representative Organizations need to report on market share. See [D.C. Official Code § 8-1041.03\(b\)\(9\)\(C\)](#). However, the Representative Organization will need to explain how it will allocate responsibility across member manufacturers. While market share information need not be included on a registration form, Representative Organizations must report on their member manufacturers' sales data. If a manufacturer, acting in good faith, finds it impossible to provide sales data for 2014, it may leave their response blank provided the manufacturer includes an explanation as to why the information was impossible to retrieve.

10. What if a manufacturer only sells covered electronic equipment to the federal or District Government?

Equipment sold to the federal and District government is no longer considered CEE. Manufacturers that sell to only these entities do not need to register with the eCYCLE DC program.

11. What should manufacturers report in their registration forms with regard to end markets?

[D.C. Official Code § 8-1041.03\(b\)\(4\)](#) requires manufacturers to report the location of anticipated recycling facilities and end markets. In their registration, manufacturers should provide the addresses of anticipated recycling facilities and, to the extent possible, an overview of the anticipated process flow of collected materials and/or downstream vendors.

12. [D.C. Official Code § 8-1041.05\(d\)](#) states, "Beginning January 1, 2017, a manufacturer shall accept, on a one-to-one basis with the purchase of the same type of covered electronic equipment, covered electronic equipment that is offered for return by a person in the District." What does a manufacturer need to do to be in compliance with this requirement?

When a person (either an individual, business, or non-profit) purchases a piece of covered electronic equipment, a manufacturer needs to make a process available for the return

(whether at the point of sale or by some other means) of the same type of covered electronic equipment. There is not a prohibition on charging for this service. De minimis manufacturers are exempted from D.C. Official Code § 8-1041.05(d).

13. How and when will manufacturers need to report their 2018 collection of covered electronic equipment?

The weight of covered electronic equipment collected to meet a manufacturer's obligation under eCYCLE DC should be reported with a breakdown by category of covered electronic equipment (TV, TV peripheral, computer, computer peripheral). 2018 collections will be reported on the annual registration form due December 31, 2019.

Additional questions? E-mail productstewardship@dc.gov