

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Department of Energy and Environment

eCYCLE DC Program FAQ - 2023

This document provides information to assist manufacturers in registering for the eCYCLE DC program for 2023. Registration applications are due December 31, 2022, with a strongly preferred deadline of October 7. Registrations must be reviewed and approved by Department of Energy & Environment (DOEE) by January 1, 2023 for manufacturers to be in compliance at the beginning of the new program year. For more information, please see doee.dc.gov/ecycle.

General

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

D.C. Official Code § 8-1041.01 *et seq.*:

<https://code.dccouncil.us/dc/council/code/titles/8/chapters/10B/>

D.C. Municipal Regulations, 20 DCMR § 4100 *et seq.*:

https://doee.dc.gov/sites/default/files/dc/sites/ddoe/service_content/attachments/20%20DCMR%204100%20-%20eCYCLE%20regulations_2022.pdf

Registration Applications

2. How can manufacturers comply with the registration deadline in the eCYCLE DC law?

The eCYCLE DC law establishes a deadline of December 31 for registration applications, including payment of registration fees. However, manufacturers' applications need to be fully approved by January 1 so that manufacturers are in compliance at the start of the next program year. DOEE strongly encourages each manufacturer to submit its application by October 7, 2022 so that there is enough time (1) for DOEE review and (2) for manufacturers to submit revised applications if DOEE review indicates that the application is deficient.

A registration application will not be considered complete without payment of the registration fee. The registration fee is determined by registration category and the past year's sales. See <https://doee.dc.gov/service/eCYCLE-DC-Manufacturers> for more details.

3. How is the application review process changing this year if an application item is missing or deficient (other than payment of the fee)?

DOEE will continue to provide compliance assistance, but if DOEE review indicates that there is a problem with an application, DOEE staff will disapprove the application and provide notice of the corrections needed. The manufacturer, partnership, or representative organization will need to make the corrections and resubmit the application for DOEE review and approval.

Last updated 9.8.2022

4. What sales data do manufacturers in a representative organization need to report regarding market share?

The members of representative organizations must report the units and weight of sales of covered electronic equipment (CEE) in the District. Representative organizations, in turn, must provide DOEE with the relative market share of each of its members based on the members' reported CEE sales. [D.C. Official Code § 8-1041.03\(b\)\(9\)\(C\)](#).

5. What should manufacturers report in their registration forms about end markets?

[D.C. Official Code § 8-1041.03\(b\)\(4\)](#) requires manufacturers to report the location of anticipated recycling facilities and end markets for their electronics recycling program in the upcoming calendar year. In their registration, manufacturers should provide the addresses of anticipated recycling facilities and anticipated end markets for raw materials or products created by the recycling of collected CEE. To the extent possible, manufacturers should also provide an overview of the anticipated process flow for collected materials and/or downstream vendors.

[D.C. Official Code § 8-1041.03\(b\)\(3\)\(F\)](#) requires manufacturers to report on the end markets and electronics recyclers that they used in the previous calendar year. [20 DCMR § 4100.9](#) also requires manufacturers to report contact information (name, address, and email or phone number) for these electronics recyclers.

6. How does the term “covered entity,” 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.” Representative organizations are required to accept CEE that covered entities bring to collection sites or events for free. However, sales reported in the registration forms include all sales to all people and entities in the District (except to the District and federal government), not just sales to covered entities.

7. [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.” How can a manufacturer comply with this requirement?

When a person or entity purchases an item of a manufacturer's CEE in the District, the manufacturer must make a process available for the return of any brand of the same type of CEE, on a one-to-one basis. A mail-back service or direct pickup service would satisfy this requirement. There is no prohibition on charging for this service. *De minimis* manufacturers are exempted from this requirement.

8. [D.C. Official Code § 8-1041.05\(e\)](#) states: “Beginning January 1, 2018, a manufacturer or retailer shall provide at the point of sale information on how a person can return

purchased covered electronic equipment for recycling.” How can a manufacturer comply with this requirement?

Recycling information may be provided through product manuals or guides, or on receipts. A manufacturer may propose another option and we will evaluate it on a case-by-case basis.

9. Can manufacturers purchase pounds from other manufacturers or recyclers to meet their minimum collection shares?

A manufacturer subject to a minimum collection share must either directly collect CEE and recycle it or arrange for the collection and recycling or reuse of the CEE (see [D.C. Official Code § 8-1041.05\(a\)\(1\)-\(2\)](#)). Accordingly, an individual manufacturer or partnership may purchase pounds of CEE from other manufacturers or recyclers, as long as the pounds are: (a) collected in the District, (b) collected and recycled or reused in the calendar year in which they are being applied to the minimum collection share, and (c) not claimed as collected, recycled, or reused in any other jurisdiction, for any other program years, or on behalf of any other manufacturers.

Recycling and Reuse Certifications

10. How did the requirement for e-Stewards certification come about and how can manufacturers find an e-Stewards certified recycler?

The DC Council amended the eCYCLE DC law through the [Fiscal Year 2022 Budget Support Act](#) to require manufacturers to certify in their registration applications, starting with calendar year 2022, that vendors who recycle or reuse CEE collected under the manufacturer’s waste management program have e-Stewards certification.

To find e-Stewards certified recyclers, visit <https://e-stewards.org/find-a-recycler/>.

Payment options

11. My company doesn’t issue paper checks anymore. How can I pay the registration fee?

DOEE is working to set up an online payment system to accept fees by credit card (including a small fee for the convenience of paying online). Once this system is available, instructions for paying online will be posted at <https://doee.dc.gov/service/eCYCLE-DC-Manufacturers>.

Sales to the Federal or District Government:

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

The DC Council amended the eCYCLE DC law through the FY18 Budget Support Act to exclude equipment sold to the federal and District governments from the definition of CEE, so those sales should not be reported on registration forms.

Manufacturers that sell to only the federal and District governments should not register with the eCYCLE DC program.

13. A manufacturer collected electronic equipment from the federal or District government. Can the manufacturer count this weight toward its minimum collection share?

No, as of 2018, manufacturers can no longer count collections from the federal and District governments towards minimum collection shares because this equipment is not CEE.

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

Other than regional bodies and residents, any entity shown in the Government of the District of Columbia's Organizational Chart is 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:

<https://mayor.dc.gov/sites/default/files/dc/sites/mayormb/publication/attachments/DCGovtOrgChart2019.pdf>

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

Have additional questions? E-mail productstewardship@dc.gov.