



# County of San Mateo

## Inter-Departmental Correspondence

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**Department:** COUNTY MANAGER: OFFICE OF SUSTAINABILITY

**File #:** 16-615

Board Meeting Date: 10/17/2017

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**Special Notice / Hearing:** None  
**Vote Required:** Majority

**To:** Honorable Board of Supervisors  
**From:** Jim Eggemeyer, Director, Office of Sustainability  
**Subject:** Introduction of an Ordinance amending the San Mateo County Ordinance Code by adding Chapter 5.77 establishing responsible recycling standards for electronic waste

**RECOMMENDATION:**

Introduction of an ordinance amending the San Mateo County Ordinance Code adding Chapter 5.77 of Title 5 of the San Mateo County Ordinance code, "Responsible Recycling of Electronic Waste," and waive the reading of the ordinance in its entirety.

**BACKGROUND:**

In 2003, the California Legislature passed Senate Bills 20 and 50, the Electronic Waste Recycling Act and Covered Electronic Waste Payment System. This legislation established a funding system for the collection and recycling of electronic waste (e-waste). The State's e-waste recycling program provides payment for the recycling of televisions and computer monitors, so non-profit organizations, schools, and churches often use e-waste recycling events as a means of fundraising. The recycling of other e-waste is not eligible for State payment, including items with a printed circuit board or a power source (e.g., a toaster or curling iron). However, e-waste that is ineligible for State payment still contains valuable components and is typically dismantled for metals and other materials.

Once e-waste has been collected by groups or individuals (collectors), it is then either self-hauled or transported by a contracted hauler to an e-waste recycler. Recyclers process the e-waste in different ways (disassembling, smelting, shredding) and may ship waste to a number of destinations depending upon market conditions. If improperly processed, e-waste can contaminate the solid waste stream; pollute the air, soil, and groundwater; and expose handlers to harmful working conditions. Because of low labor costs and lax health and safety regulations, much of the e-waste that is exported is sent to developing countries where it may be deposited into poorly maintained landfills, incinerated, or disassembled in a manner that threatens workers, public health, and the environment.

**DISCUSSION:**

This issue of e-waste stewardship was raised to the Office of Sustainability by Supervisor David J. Canepa and supported by Supervisor Dave Pine. The purpose of the proposed ordinance is to give the County a means to ensure all e-waste collected and/or recycled within County unincorporated areas is responsibly processed. The ordinance requires:

1. The recyclers of e-waste must be certified by a third-party organization approved by the County. Two third-party certifications the Office of Sustainability plans to accept under this ordinance are: the e-Stewards Initiative, a program created by the Basel Action Network, which is a 501(c)(3) non-profit, charitable organization; and R2 Solutions, a non-profit organization established to house the “Responsible Recycling Practices for Use in Accredited Certification Programs” (R2 Practices), which were developed through an EPA-convened multi-stakeholder process.
2. Collectors, whether an individual, partnership, or private business, must deliver e-waste to a certified recycler.
3. The County must be notified in advance of any public e-waste collection events. In all publicity for public e-waste events, collectors must indicate that all e-waste will be sent only to certified recyclers. The County may conduct inspections or review documentation to verify e-waste is being properly recycled. The ordinance gives the County authority to seek administrative and civil remedies, including fines for repeated violations.

The franchised haulers in San Mateo County currently send their e-waste to certified recyclers for processing. Additionally, the e-waste currently collected directly by the County (Surplus Property program) or through local collectors such as Goodwill Industries in North Fair Oaks complies with this new County ordinance. Companies that hold fundraising e-waste collection events will be required to send their e-waste to a certified recycler.

The Office of Sustainability will also use this ordinance as an opportunity to educate the public that any electronics with a power source or battery need to be safely recycled and should not be put into the trash.

County Counsel has reviewed and approved the ordinance as to form.

Adoption of this ordinance contributes to the Shared Vision 2025 of an Environmentally Conscious Community by ensuring that e-waste generated in the county is responsibly recycled.

**FISCAL IMPACT:**

There will be no fiscal impact to the County. Staff time to verify certifications will be funded by AB939 fees.