
APPLICATION FOR APPROVAL TO BE A CONSOLIDATOR FOR MAINE'S 2023 E-WASTE EXTENDED PRODUCER RESPONSIBILITY PROGRAM

The Maine Department of Environmental Protection (DEP) is soliciting applications from universal waste management and recycling companies for approval to perform consolidator services within Maine's extended producer responsibility program for the recycling of electronic waste (e-waste). Requirements for this work are described in DEP's Chapter 415 regulations, *Reasonable Costs for the Handling and Recycling of Electronic Wastes*, and 38 MRSA § 1610, both of which were updated during calendar year 2018. Applicants must complete this form and attach additional pages as needed to provide all requested information. **An electronic version of this form and information on the applicable laws and rules are available at <https://www.maine.gov/dep/waste/ewaste/comply.html>.**

Applications for approval to perform services for the 2023 calendar year are due no later than Monday, October 3, 2022. DEP will notify applicants whether they have been approved no later than Monday, November 28, 2022.

Approval is based upon the applicant demonstrating that they meet the standards for approval in Chapter 415, section 2, including the lowest cost schedule for allowable costs to be billed to the responsible manufacturers.

Instructions for completing and submitting an application:

1. Refer to Chapter 415, *Reasonable Costs for the Handling and Recycling of Electronic Wastes* and Chapter 858, Maine's *Universal Waste Rule*, to understand the responsibilities, standards and operational requirements for consolidators operating within Maine's household e-waste handling and recycling system. If you have any questions that arise at any point during the application or review process, please contact Elena Bertocci, Maine DEP Program Manager, at 207-557-3218 or at elena.bertocci@maine.gov.
2. Provide all required information organized as requested in Attachments A-K. The Applicant's name must be the "Legal Entity" name as it is recorded with the Maine Secretary of State. For information on filing with the Maine Secretary of State, go to the Division of Corporations web site at www.maine.gov/sos/cec/corp.
3. Submit two copies of the completed application, one electronically to elena.bertocci@maine.gov and one signed hard copy to:

E-Waste Recycling Program, Attn: Elena Bertocci
Maine Department of Environmental Protection 17
State House Station
Augusta, Maine 04333
4. Keep a copy of the completed application for your files. This copy will be helpful in speeding up communications with the DEP staff if any questions arise during the application review process and during the delivery of services (if approved).



APPLICATION TO BE AN APPROVED CONSOLIDATOR FOR ELECTRONIC WASTES IN MAINE in 2023

PLEASE TYPE OR PRINT

Company: _____

Name: _____

Contact person and title: _____

Email address: _____

Telephone: _____

Mailing address: _____

Street address: _____

Additional contact person and title: _____

Email address: _____

Telephone: _____

SIGNATURE OF APPLICANT

I certify under penalty of law that I have personally examined the information submitted in this document and all attachments thereto and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe the information is true, accurate, and complete. I, the property owner or lessee, authorize the Maine Department of Environmental Protection (DEP) to enter the property that is the subject of this application, including buildings, structures or conveyances on the property, at reasonable hours to determine the accuracy of any information provided herein and compliance with operational requirements, and upon request will provide the DEP with any records related to operations undertaken in accordance with this application within a reasonable timeframe. If this application is approved, I understand that I must notify the DEP whenever there is a significant change in any information provided in this application, including any change in responsible personnel and/or their contact information. I affirm that this company is registered and in good standing to do business in Maine. I am aware there are significant penalties for submitting false information, including the possibility of fine and imprisonment.

SIGNATURE: _____

DATE: _____

PRINTED NAME: _____

TITLE: _____

PROVIDE THE FOLLOWING REQUIRED INFORMATION AS ATTACHMENTS:

Attachment A -- Company Description. Submit a description of the company’s qualifications and experience in managing electronic waste and universal waste, including covered electronic devices. The description must include, but is not limited to:

- the number of years in the electronics consolidation and/or recycling business;
- the number of employees;
- the most recent date of filing with the Maine Secretary of State for authority to do business in Maine;
- documentation of an environmental health and safety plan, and any third-party certifications received;
- a description of the company’s services currently offered in Maine, and experience working in Maine, including the number of years performing Universal Waste consolidation and a list of any additional services the company offers or plans to offer to collection sites;
- a list of all environmental and transportation permits and registrations held by the company;
- a list of at least 5 recent contracts or service agreements representing the types of customers served; and
- 2 references from municipalities, including Maine municipalities if possible.

Attachment B – Financial capacity/Financial Assurance. Submit evidence that affirmatively demonstrates your financial solvency and financial ability to undertake consolidation of covered electronic devices in accordance with Chapter 415. This must include:

- The company’s balance sheets and income statements for the past 2 years.
- Evidence that funds are, or will be, available for operations for a minimum of one year, as shown through the most recent corporate annual report indicating availability of sufficient funds to finance the operation of the business through self-financing.
- If the applicant is a governmental entity, evidence that the entity has the bonding or other capacity to finance the operations of the facility.

The DEP may accept alternative documentation to demonstrate financial solvency, such as a bank letter of solvency, in lieu of the balance sheets, income statements, and corporate annual report.

Attachment C -- Key Personnel. Provide a listing of key personnel, their contact information, responsibilities in implementing the program, number of years in current positions, relevant training and experience, and documentation of training.

Attachment D -- Company Enforcement History. This must include:

- A listing and explanation of any adjudicated civil violations and criminal convictions of, and administrative agreements or consent decrees or administrative orders, for violations of state or federal laws in the last five years by the owner, officers, directors, partners; and the managerial person with operational responsibility for the facility or activity;
- The full name, business address, home address, date of birth, social security number (if requested) and Federal Employer Identification number of the persons listed above;
- A description and disclosure of all business relationships with electronic waste recycling and dismantling facilities and electronics manufacturers, including ownership of any electronic waste recycling and dismantling facilities or related companies, exclusive of any contractual relationships entered into to meet the requirements of Chapter 415; and
- A listing and explanation of any unresolved Notices of Violation or Notices of Non-Compliance from authorizing agencies (e.g., USEPA, OSHA, state environmental and health agencies, local jurisdictions).

Attachment E -- Transporter Identification. For each transporter used in the consolidation and recycling of covered electronic devices, the following information must be included:

- Business name;
- contact person name and contact information;
- physical address;
- fleet size; and
- permit number for each transporter.

Attachment F -- Facility Descriptions. Include a description of each facility used in the management of covered electronic devices, including the following:

- Business name;
- contact person and contact information;
- physical address;
- a diagram delineating the layout of the different work areas and e-waste processing flow;
- storage area in square feet;
- dismantling/processing capacity in throughput tons/day (if any);
- permit numbers of any licenses relevant to the managing of electronic wastes; and
- a brief description of any other business activities occurring in that facility.

Attachment G -- Processing and Waste Handling. Include detailed step-by-step procedures describing the process flow for handling of covered electronic devices. At a minimum include:

- Procedures for receiving and responding to request for pick up from collection sites. This must include:
 - Method for collection sites to request pick up,
 - Identification of staff responsible for responding to the requests,
 - the lead time needed to schedule pickups in each geographic service area,
 - procedures to verify collection site identification of covered devices from covered entities vs. receipts from non-covered entities, and
 - timeframes for providing required documentation to collection sites.
- Procedures for handling electronic waste in conformance with the requirements of 06-096 CMR 858 Universal Waste Rule.
- Procedures to track units that are identified as collected for recycling as part of Maine's extended producer responsibility program for e-waste separately from non-covered devices and devices obtained from non-covered entities. This includes procedures for ensuring that any covered electronic devices that consolidators manage outside the manufacturer funded program are tracked separately from those managed through the program. If this facility also performs recycling services for other entities approved as consolidators in Maine's E-waste Program, describe procedures to ensure that the material received from such consolidators is not identified as Maine program material.
- If applicable, procedures for identifying units with potential for refurbishment, tracking those units to an R2 Certified recycler, and obtaining information on the weight of devices of each waste type that are ultimately refurbished. Estimates of weight of each device type refurbished and the manner of obtaining those estimates are an acceptable alternative to exact weights.
- Procedures for measuring and tracking net weights for each waste type, including a sample form onto which this information is recorded.
- Procedures for recording the total weight of other electronic waste from Maine.
- A list of all waste materials generated (i.e., materials not sent for recycling), and disposal facilities utilized for each type of waste.

Attachment H -- Data Management and Billing. Include a description of the data management systems that will be used to meet the data tracking and billing requirements of Chapter 415. This must include:

- A description of all data management procedures;
- A description of the software utilized for data tracking and billing;
- Screen shots of critical electronic data entry and tracking forms;
- A sample manufacturer bill for a manufacturer with a recycling share for one waste type and a sample bill for a manufacturer with a recycling share for more than one waste type; and
- Procedures for billing manufacturers, including the contact information for the person responsible for overseeing invoicing for the Maine e-waste program.

Attachment I – Recycling Facilities. Provide the following information for **each** facility to which the program e-waste may be shipped for dismantling and recycling:

- company name;
- dismantling/recycling facility location;
- contact person and contact information;
- a brief description of the type of operations, and the waste streams sent to each facility;
- information on any third party audits performed on the facility, and any certifications applied for and/or earned by the facility, including ISO, R2, and eStewards certifications; and
- a copy of the sworn certification provided to you from the recycling and dismantling facility that it meets Maine's *Environmentally Sound Management Guidelines for the Recycling of Covered Electronic Devices*. (The *ESM Guidelines* and certification form are available at: www.maine.gov/dep/waste/ewaste/tvcomputerguidelines.html.) Recyclers holding E-Stewards or R2 certification are found to meet Maine's *ESM Guidelines*.

Note: The Maine DEP will ascertain the veracity of sworn certifications by recyclers as part of the application review process. Any program material that is being refurbished must be refurbished by a R2 Certified recycler.

Attachment J -- Evidence that Applicant Meets Insurance Requirements. Include evidence of commercial general liability insurance or equivalent corporate guarantee for accidents and other emergencies with limits of not less than \$1,000,000 per occurrence and \$1,000,000 aggregate.

Attachment K – Estimate of Storage Capacity & Closure cost estimate. Financial closure requires an amount sufficient for a third party to conduct removal of all e-waste material at the facility and all other closure activities required in accordance with 06-096CMR 858.9(G)(9), including decontamination of facilities. Provide an estimated closure cost for your facilities that will handle Maine e-waste. You may use your own submittal form or the Department's form, attached, however all of the following information must be included.

- An estimate of the expected maximum amount of storage for all categories of material at the facility. The sum of the maximum number of pallets for each material type shall be based on the maximum storage capacity of the facility.
- Cost estimates with unit pricing to include all work to remove all potential materials stored, assuming the facility is at full capacity. Please include the following considerations: equipment and materials to pack and haul material, labor, supervision, overhead, taxes, recycling costs for electronic devices and disposal fees. Recycling costs shall assume that the company's contracts for recycling or disposal are null and void and should be based on standard industry pricing. Inventory with positive value should be included but its value cannot be used to offset cost.
- Any anticipated decontamination/cleanup of residues or other possible discharges that might occur during operation.

Identify mechanisms of financial assurance such as a letter of credit from a financial institution, surety bond, insurance, irrevocable trust fund, property value of the place of business, or an escrow account or reserve accounts that could be used toward the anticipated costs of compliance with facility closure requirements.

Materials	Max. pallets stored	Ave. pallet weight	Total capacity	Est. unit pricing for cleanup	Labor – consolidation and packing	Shipping and transport	Total cost
Mixed electronics							
CRT TVs							
CRT mon							
Flat panel TVs							
Flat panel mon							
Printers							
Tablets							
Game consoles							
Laptops							
Low grade misc. electronics							
High grade misc. electronics							
Circuit boards							
Plastics							
Metal							
NiCad batteries							
Lithium batteries							
NiMH batteries							
Alkaline batteries							
Misc. solid waste							
Residual produced					3rd party cleanup cost		

Attachment L -- Cost Proposal. Include a proposed fee schedule for costs related to the handling, transportation and recycling of covered electronic devices, expressed as the price per pound for each type of device for each geographic service area. Allowable costs include:

- a transportation rate calculated assuming a minimum 16,000 pound shipment;
- handling costs, including data gathering, tracking and billing;
- the recycling cost for all covered electronic devices; and
- a reasonable rate of return on investment.

Proposed cost schedule for 2023

Geographic Service area	Region 1	Region 2	Region 3	Region 4
<i>Televisions</i>				
<i>Other video display devices</i>				
<i>Desktop printers</i>				
<i>Game consoles</i>				

Geographic service areas are delineated as:

Region 1 - Aroostook, Washington, and Hancock Counties; Region 2 –

Piscataquis and Penobscot Counties;

Region 3 – Sagadahoc, Kennebec, Somerset, Waldo, Knox and Lincoln Counties; and Region 4

– Franklin, Oxford, Cumberland, Androscoggin, and York Counties.

Proposed costs may not exceed \$.048 per pound.

Attachment L – Certification of no free or subsidized services to collection sites. By asserting that the above costs cover only those costs allowable under the Electronic Waste Law a consolidator is implying that all costs related to other business activities undertaken by the consolidator are covered by those activities and not by funds received from manufacturers for the consolidation and recycling of qualified electronic devices. I hereby certify that the net cost of all services other than the consolidation of qualified covered electronic devices provided by the applying business to collection sites are paid for by those sites and are not subsidized by money received through work as a consolidator under Maine's E-waste Law. Further, I can and will provide copies of contracts and agreements with collection sites if requested by the Department.

SIGNATURE OF APPLICANT: _____ DATE: _____

PRINTED NAME: _____ TITLE: _____

NOTE: The DEP's decision on this application is based in part on having costs competitive with other applicants. During the application review process, the DEP may request additional information and/or perform a limited audit to help assess the proposed costs and may allow technically and financially qualified applicants to submit a revised cost schedule in order to qualify for approval. Chapter 415 limits approval to ten consolidators each year. If more than ten applicants meet approval qualifications, the DEP may use its discretion in granting approval to those applicants with direct experience in Maine, and may give preference to applicants with management systems in geographic proximity to Maine.

By December 1, the Department must provide all manufacturers with the contact information of the approved consolidator(s) and approved cost schedule(s). The Department will notify all municipalities of the approved consolidator(s) contact information in January.

- END -