



Answers to Frequent Questions: Federally-Owned Electronics at End-of-Life

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PURPOSE

This document provides answers to frequently asked questions about federal electronics end-of-life management.

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FREQUENT QUESTIONS ABOUT ELECTRONICS AT END-OF-LIFE

What are the electronics reuse and recycling requirements in Executive Order 13423?

Executive Order (E.O.) 13423, *Strengthening Federal Environmental, Energy and Transportation Management*, and the Implementing Instructions, require agencies to:

- Strive to extend the useful lifetime of electronic equipment to four or more years.
- Ensure that all non-reusable electronic products are reused, donated, sold, or recycled using environmentally sound management practices at end of life.
- Implement procedures to ensure timely reuse and donation of equipment.



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- Comply with U.S. General Services Administration (GSA) procedures for the transfer, donation, sale and recycling of electronic equipment.
- Comply with GSA's Computers for Learning (CFL) program and Executive Order 12999, *Educational Technology: Ensuring Opportunity for All Children in the Next Century*.
- Use national standards, best management practices, or a national certification program for electronics recyclers. In the absence of these, agencies shall use the U.S. Environmental Protection Agency's (EPA) *Guidelines for Materials Management* for Plug-In To eCycling partners.
- Ensure applicable information technology contracts for leased equipment incorporate adequate language to require that, at the end of the lease period, the equipment is reused, donated, sold, or recycled using environmentally sound management practices.

What other legislation or regulations apply to electronics reuse and recycling?

Two resources provide information on federal regulations related to electronics reuse and recycling:

- EPA's eCycling Web site on Regulations/Standards:
<http://www.epa.gov/epawaste/consERVE/materials/ecycling/rules.htm>
- The Federal Electronics Challenge (FEC) resource, *Federal Legislation and Executive Orders Relevant to the FEC*, available at:
http://www.federalelectronicschallenge.net/resources/docs/fec_regs.pdf

There are also a growing number of State and local recycling laws which may apply to your agency or facility, depending on your location. The National Electronics Recycling Infrastructure Clearinghouse provides a list of electronics recycling laws in effect by State:
<http://www.ecyclingresource.org/ContentPage.aspx?Pageid=28&ParentID=0>.

Can my organization directly transfer computer equipment under Computers for Learning without putting the equipment in GSAXcess®?

Yes, federal entities may opt to directly transfer computer equipment to eligible schools and educational nonprofits. Direct transfers should be reported through the CFL Post Transaction Module. Certain restrictions and reporting requirements apply to direct transfers. See GSA's *Personal Property Disposal Guide* for more information.

Excess electronics that are entered into GSAXcess® may be automatically offered to eligible schools and educational nonprofits through the CFL program, as part of the personal property disposal process.



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What is the difference between transfer and donation?

“Transfer” refers to providing excess equipment for use by another federal entity, or for use by eligible schools and educational nonprofits. When a federal agency transfers equipment to another federal agency or to a school or educational nonprofit activity, the holding federal agency releases its ownership of the equipment and the recipient gains ownership of the property upon receipt.

“Donation” refers to providing surplus federal equipment for use outside of the federal government, including to eligible nonprofit organizations and state and local government agencies. When a federal agency donates electronic equipment through a State Agencies for Surplus Property (SASP), title to the equipment is vested with the United States Government until a one-year period of restriction is met. During the period of restriction, the recipient has conditional title to the equipment that allows them to take the electronic equipment into its custody and use it. After the period of restriction is met, the recipient gains title to the equipment.

Is all electronic waste hazardous waste?

No, not necessarily. Electronic equipment may contain some components that are considered hazardous and may require special handling such as cathode ray tubes, nickel-cadmium batteries, and mercury backlights on liquid crystal displays (LCD). Other components such as the plastic housings, metal parts, and non-lead glass are not hazardous and contain recyclable materials that can be recovered and reintroduced into commerce.

Federal regulatory requirements are described at EPA's eCycling Web site: <http://www.epa.gov/epawaste/conserves/materials/ecycling/rules.htm>. Federal agencies and facilities should also check with their state regulatory requirements, which might be different from federal regulatory requirements.

Does the EPA certify electronics recyclers as environmentally sound or responsible?

The EPA does not certify electronics recyclers. Some recyclers might claim to be “U.S. EPA approved” or “U.S. EPA certified” but these are not accurate claims since no EPA approval or certification programs exist.

EPA has defined preferred waste management practices for end-of-life electronics in its *Guidelines for Material Management*. The Guidelines encourage entities that handle used electronic equipment to maximize reuse, refurbishment, and recycling over disposal and incineration; ensure that exported electronic products are being sent for legitimate reuse, recycling, or refurbishment; and provide for special handling of components that may contain substances of concern. Currently there is no system in place to identify or certify electronics recyclers that adhere to these guidelines. It is the responsibility of the federal agency or facility to verify adherence to these guidelines.



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Does my facility need to go through GSA in order to recycle its electronics? At what point in the property disposal process can my organization use an electronics recycler?

Facilities do not need to go through the GSA in order to recycle electronics, but they do need to follow federal personal property management guidelines. Abandonment or destruction of property is generally considered only when reuse, transfer, donation, or sale has been found to be impractical or not cost effective. Obsolete and broken electronics declared for abandonment/destruction does not have to be reported to GSA and can be recycled through the Recycling Electronics and Asset Disposition (READ) services contract; UNICOR; manufacturer take-back; or another environmentally responsible electronics recycler.

What is "donation in lieu of abandonment"?

Donation in lieu of abandonment/destruction allows federal entities to donate used electronics to a public body without GSA approval. For example, federal agencies can donate their used electronics to UNICOR for environmentally sound reuse and recycling.

What is "due diligence"?

In the context of selecting an electronics recycler, due diligence refers to the act of ensuring that the recycler you select will handle and process your electronic equipment consistent with all federal, state and local regulations, and in an environmentally sound manner. Performing due diligence prior to using an electronics recycler ensures that you can meet the requirements of E.O. 13423 and the Implementing Instructions.

The following FEC tools can help federal organizations perform due diligence:

- *Checklist for Selection of Electronics Reuse and Recycling Services* provides a brief checklist to assist in the initial selection of an electronics recycler, and is available online at: <http://www.federalectronicchallenge.net/resources/docs/select.pdf>.
- *Guidelines for On-Site Reviews of Electronics Recyclers* provides in-depth guidance for completing an on-site review of electronic recycler to help ensure the selection of an environmentally responsible vendor, and is available online at: http://www.federalectronicchallenge.net/resources/docs/onsite_review.pdf.

Does my facility always have to perform due diligence when using an electronics recycler?

If a federal agency or facility opts to use the following recycling services, they do not need to perform additional due diligence to ensure compliance with E.O. 13423:

- *The READ services contract or UNICOR*: The EPA has already conducted due diligence activities for these electronics recyclers to ensure they follow environmentally sound recycling practices.



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- *Manufacturer's take-back service that is provided because the product being recycled is registered with the Electronic Product Environmental Assessment Tool (EPEAT):* Take-back programs for EPEAT-registered equipment are required to meet EPA's Guidelines for Materials Management for Plug-In To eCycling partners.

Federal agencies and facilities that choose not to use a READ contractor, UNICOR or an EPEAT-related manufacturer take-back program may choose and contract with a local recycler that meets their needs. When selecting a different recycler, federal agencies and facilities must practice due diligence to ensure that the electronics recycler they select utilizes environmentally sound practices, in accordance with E.O. 13423 and the Implementing Instructions.

How can my organization find another electronics recycler?

Agencies that choose not to use READ, UNICOR, or an EPEAT-related manufacturer take-back program may select and contract with a local recycler that meets their needs:

- Federal agencies and facilities may utilize GSA's Environmental Services Schedule (GSA 899-5), a multiple award schedule of electronic waste or hazardous material recycling contractors. Federal agencies and facilities should be aware that the selection of recyclers on this schedule was based on the business, not the environmental, practices of the recycler.
- The EPA's eCycling Web site includes links to manufacturer and retailer Plug-In program Web sites, and links to other organizations that provide assistance in finding local electronics recyclers:
<http://www.epa.gov/epawaste/consERVE/materials/ecycling/donate.htm>.
- Local or state environmental or solid waste agency may have local collection programs or databases of vendors who recycle obsolete electronics.

IMPORTANT NOTE: When not utilizing a READ contractor, UNICOR, or an EPEAT-related manufacturer take-back program, federal agencies and facilities must practice due diligence to ensure that the electronics recycler they select utilizes environmentally sound practices, in accordance with E.O. 13423.

Does my organization need to perform due diligence if we sell our surplus electronic equipment?

Yes, E.O. 13423 requires all federal agencies to use environmentally sound practices with respect to disposition of agency electronic equipment. Electronics sold to the public, including electronics sold to electronics recyclers, may not be disposed of in an environmentally sound manner. Federal agencies, therefore, should exercise due diligence when selling or otherwise disposing of used electronics.

While required by E.O. 13423, there is currently no guidance on how to perform due diligence on buyers of electronic equipment through public auctions.



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Can my organization do an exchange sale with electronic equipment?

Yes, when replacing personal property with similar items, the value of the old items may be used to reduce the cost of the replacement item either by exchange (trade-in) or sale. Certain restrictions and reporting requirements apply to exchange/sales. See GSA's *Personal Property Disposal Guide* for more information.

Can my organization use manufacturer take-back services?

Yes, federal agencies and facilities may use manufacturer take-back services through one of two methods: exchange/sales or abandonment/destruction.

- *Exchange/Sales*: When replacing personal property with similar items, the value of the old items may be used to reduce the cost of the replacement item either by exchange (trade-in) or sale with a manufacturer or vendor.
- *Abandonment/Destruction*: If the manufacturer is willing to take-back obsolete and/or broken equipment, federal agencies may declare the property for abandonment and destruction and use manufacturer take-back services.

IMPORTANT NOTE: Electronics taken-back by a manufacturer may not necessarily be reused, refurbished, recycled or disposed of in an environmentally sound manner. Federal agencies and facilities must exercise due diligence when returning used electronics to manufacturers.

TAKE-BACK OF EPEAT-REGISTERED PRODUCTS: If a federal agency or facility is using a manufacturer's take-back service that is provided because the product is registered with the EPEAT, there is no need for further due diligence. Take-back programs for EPEAT-registered equipment are required to meet EPA's *Guidelines for Materials Management* for Plug-In To eCycling partners, facilitating the environmentally sound management required by E.O. 13423.

Certain restrictions and reporting requirements apply to exchange/sales and abandonment/destruction declarations. See GSA's *Personal Property Disposal Guide* for more information.

What responsibilities does my organization have for leased equipment at end-of-life?

Equipment leased by federal agencies is included under the requirements of E.O. 13423. Agencies must ensure applicable information technology contracts for leased equipment incorporate adequate language to require that, at the end of the lease period, the equipment is reused, donated, sold, or recycled using environmentally sound management practices.



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What responsibilities does my organization have for seat management equipment at end-of-life?

Equipment provided under seat management contracts for federal agency use is not included under the requirements of E.O. 13423. The disposition of electronic equipment provided under a seat management contract is the responsibility of the vendor providing the service. The FEC encourages federal agencies and facilities to encourage seat management vendors to practice environmentally responsible disposition of used electronics; and obtain information about vendor's reuse, refurbishments, recycling and disposal practices.

Where can we get information on reusing or recycling non-federally owned electronic equipment (i.e., equipment collected from employees)?

For information on recycling non-federal equipment, please see the EPA's eCycling Web site: <http://www.epa.gov/ecycling/>.

REFERENCES

The text of Executive Order 13423 and the Implementing Instructions are available online at: http://ofee.gov/eo/eo13423_main.asp.

EPA's *Guidelines for Materials Management* for Plug-In To eCycling partners are available online at: <http://www.epa.gov/epawaste/partnerships/plugin/guide.htm>.

Information about GSA's guidelines and services for personal property disposal is available online at: <http://www.gsa.gov/property>.

GSA's *Personal Property Disposal Guide* is available online at: http://www.gsa.gov/gsa/cm_attachments/GSA_DOCUMENT/5-06-00389DisposalGuide_R2-yWCQ_0Z5RDZ-i34K-pR.pdf.

Information about Computer for Learning (CFL) is available online at: <http://computersforlearning.gov/>.

The text of Executive Order 12999 is available online at the CFL Web site: http://computersforlearning.gov/htm/hp_eo12999.htm.

EPA's *Guidelines for Materials Management* is available online at: <http://www.epa.gov/epawaste/partnerships/plugin/guide.htm>.

Information about GSAXcess® is available online at: <http://gsaccess.gov/>.

A list of State Agencies for Surplus Property, with contact information, is available online from the GSA at: <http://www.gsa.gov/sasp/>.

Information about the READ services contract is available online at: <http://www.epa.gov/oam/read>.



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Information regarding UNICOR's electronics recycling services is available online at:
<http://www.unicor.gov/recycling/>.

Information about the Electronic Product Environmental Assessment Tool (EPEAT), and the product criteria related to manufacturer take-back services, are available on the EPEAT Web site: <http://www.epeat.net/>.

Additional resources that address end-of-life issues are available online from the FEC, at: <http://www.federalelectronicchallenge.net/resources/eolmngt.htm>.

CONTACT INFORMATION

If you have questions related to this resource or need other assistance with the Federal Electronics Challenge, please contact your Regional Champion. The list of FEC Regional Champions is available at <http://www.federalelectronicchallenge.net/champions.htm>.

Partners may also request technical assistance via email to partner@electronicschallenge.net.

FEDERAL ELECTRONICS CHALLENGE

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