

(DEC USE ONLY)

Registration #: _____

Date Received: _____

Approved/Denied: _____

Date Approved/Denied: _____



**Department of
Environmental
Conservation**

Electronic Waste Recycling Surcharge Waiver Application Form

The NYS Electronic Equipment Recycling and Reuse Act (Act), Environmental Conservation Law (ECL), Article 27, Title 26, provides that any manufacturer who fails to meet its manufacturer's acceptance standard for the previous calendar year shall be subject to a per pound recycling surcharge for under-collection as prescribed in statute. In the event a manufacturer falls short of meeting its assigned acceptance standard minimum despite its clearly-demonstrated best efforts, a recycling surcharge waiver application may be submitted to the Department.

This recycling surcharge waiver form must be completed in its **entirety**, including a detailed description of all actions taken by the manufacturer and/or its representative to [increase electronic waste collection](#), as recommended by the Department. Additional pages may be attached to this form if needed. This form must then be electronically signed and uploaded to the manufacturer's online annual report for the prior program year by **March 1st**.

If, after Department review, the recycling surcharge waiver application is approved, the manufacturer will be notified in writing and payment of a recycling surcharge for the applicable program year will be waived. The approved recycling surcharge waiver application does not relieve a manufacturer from the obligation to comply with any other provision of the Act.

If, after Department review, the recycling surcharge waiver application is denied, any surcharge due must be paid within 30 days of the invoice date to avoid penalty charges. ECL Article 71, Title 27, Section 71-2729(1)(c)(i) sets forth that any manufacturer who fails to submit its surcharge, shall be liable for a civil penalty not to exceed \$1,000.00 for each day such surcharge is not submitted.

Contact Information

Manufacturer Name _____ Department-Issued Registration # _____

Authorized Primary Contact Name _____ Title _____

Mailing Address _____

Phone # _____ Email _____

Waiver Request Information

Program Year _____ Acceptance Standard _____ lbs.

E-waste Accepted _____ lbs. Deficit _____ lbs.

1. Provide a summary of the manufacturer's reason(s) for applying for a recycling surcharge waiver, citing any circumstances beyond its control, and/or any unforeseen circumstances that caused the acceptance shortfall despite the manufacturer's best efforts:

6. What specific steps are being taken *now* to improve the manufacturer's electronic waste acceptance and public education programs to avoid future acceptance shortfalls?

7. Does the manufacturer currently believe it is in compliance with all requirements of the Act aside from the meeting of its prior program year's acceptance standard?

Yes.

No. Please explain:

As the authorized representative for the manufacturer, I certify that the information provided on this form is accurate and complete, and that the applicant has acted in good faith in its performance to meet all obligations and requirements of the New York State Electronic Equipment Recycling and Reuse Act. I hereby affirm under penalty of law that the information provided in this form is true to the best of my knowledge and belief. False statements made herein are punishable as a Class A misdemeanor pursuant to Section 210.45 of the Penal Law. By typing my name below, I hereby indicate my intent to electronically sign and submit this form, and certify that I have the authority to electronically sign this form on behalf of the manufacturer.

Name: _____ Title: _____

Date: ____/____/____