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west virginia department of environmental protection

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### MEMORANDUM

**TO:** Solid Waste Landfill Owners and Operators

**CC:** Mark D. Holstine, Executive Director, Solid Waste Management Board  
Michael A. Albert, Chairman, Public Service Commission

**FROM:** Randy C. Huffman, Cabinet Secretary 

**RE:** Collection of Covered Electronic Devices

**DATE:** December 22, 2011

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As you are aware, on March 24, 2010, the Legislature passed Senate Bill 398, making it illegal to dispose of certain “covered electronic devices” (CEDs) in any West Virginia landfill. This addition to the A. James Manchin Rehabilitation Environmental Action Plan, which became effective on January 1, 2011, specifically states that any television, computer or video display device with a screen that is greater than four inches measured diagonally is not allowed to be placed in any West Virginia landfill. *See*, W. Va. Code § 22-15A-22.

This memo is to advise you that, while CEDs may not be deposited in landfills after January 1, landfill operators must continue to collect these items for recycling just as they would tires, white goods, and other special wastes. As defined in W. Va. Code § 22-15-2(17), a “landfill” is any solid waste facility for the disposal of solid waste on or in the land for the purpose of permanent disposal. CEDs are, by definition, solid waste. *See*, W. Va. Code §§ 22-15-2(31), 22-15A-2(6) and (8). Therefore, CEDs must be accepted at solid waste landfills, subject to a materials handling plan.

Please be further advised that the Solid Waste Management Board has prepared a Comprehensive Program to Provide for the Proper Handling of Covered Electronic Devices. This document contains recommendations on how these items may be handled, and it can be found at [www.state.wv.us/swmb/ewaste/index.html](http://www.state.wv.us/swmb/ewaste/index.html).