



## Federally-Owned Electronics at End-of-Life

Updated: 6/26/2012

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### PURPOSE

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

### FREQUENT QUESTIONS ABOUT FEDERAL ELECTRONICS AT END-OF-LIFE

#### **What are the electronics reuse and recycling requirements in Executive Order 13514?**

Executive Order (E.O.) 13514, *Federal Leadership in Environmental, Energy, and Economic Performance*, Section 2(i), requires agencies to “promote electronics stewardship, in particular by:...employing environmentally sound practices with respect to the agency’s disposition of all agency excess or surplus electronic products.”

Environmentally sound practices include reuse of new, used but working, and easily repairable electronic equipment; and recycling of broken, obsolete, scrap, or salvage electronic equipment.

Agency achievements related to electronics reuse and recycling are reported each year in their Strategic Sustainability Performance Plans (SSPP) and are measured in the Office of Management and Budget’s (OMB) Sustainability and Energy Scorecards. Federal Electronics Challenge (FEC) Facility Partners also report their reuse and recycling activities in the FEC Annual Reporting Form.

#### **What are the electronics reuse and recycling requirements in GSA FMR Bulletin B-34?**

The General Services Administration (GSA) Federal Management Regulation (FMR) Bulletin B-34 strongly encourages federal agencies and facilities to do the following with their used electronic equipment:

- Reuse and donate equipment that is new, used and working, or easily repairable through internal reuse within an agency; reuse among other federal agencies; transfers to schools and educational nonprofits; donations to states and eligible nonprofits; and sales to the public.
- Limit sales of repairable equipment to equipment that only require repairs which could reasonably be performed by a non-technical buyer. Repairable equipment should be sold as individual components or workstations (not in bulk) to promote examination by buyers.
- Limit use of manufacturer and vendor take-back programs to those that utilize third-party certified electronics recyclers.
- Utilize third-party certified electronics recyclers when recycling electronic equipment.
- Encourage recipients of used electronics to utilize third-party certified electronics recyclers when they dispose of received equipment.
- Follow the recommendations of National Institute of Standards and Technology (NIST) 800-88, *Guidelines for Media Sanitization*.
- Avoid disposal of electronic equipment and components in landfills or incinerators.

Agencies must report on all of the recipients of all federal electronic equipment through their annual report of personal property furnished to non-Federal recipients, which is submitted to GSA.

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

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

- The U.S. Environmental Protection Agency’s (EPA) eCycling webpage on Regulations/Standards: <http://www.epa.gov/epawaste/consERVE/materials/ecycling/rules.htm>
- The FEC resource, *Federal Legislation, Regulation and Executive Orders Relevant to Electronics Stewardship*, available at: <http://www2.epa.gov/fec/federal-legislation-regulation-and-executive-orders-relevant-federal-electronics-stewardship>

There are also State and local recycling laws which may apply to your agency or facility, depending on your location. The National Center for Electronics Recycling provides a list of electronics recycling laws in effect by State: <http://www.electronicrecycling.org/public/ContentPage.aspx?pageid=14>.



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### **Can my organization directly transfer computer equipment under Computers for Learning (CFL) 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*, available at: [http://www.gsa.gov/graphics/fas/5-06-00389\\_R2-yWC-w\\_0Z5RDZ-i34K-pR.pdf](http://www.gsa.gov/graphics/fas/5-06-00389_R2-yWC-w_0Z5RDZ-i34K-pR.pdf), 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.

### **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 specific time 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. 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 in liquid crystal displays (LCD). Other components such as the plastic housings, metal parts, and non-leaded 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 website:  
<http://www.epa.gov/epawaste/consERVE/materials/ecycling/rules.htm>.

Federal agencies and facilities should also check with their state regulatory requirements, which might be different from federal regulatory requirements. The National Center for Electronics Recycling provides a list of electronics recycling laws in effect by State:  
<http://www.electronicrecycling.org/public/ContentPage.aspx?pageid=14>.

### **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 supports and will continue to push for further safe and productive recycling efforts and encourage improvements in best management practices for recyclers. There are existing recycling certification programs, such as the Responsible Recycling (R2) Practices for Use in Accredited Certification Programs for Electronics Recyclers, or the e-Stewards Standard for Responsible Recycling and Reuse of Electronic Equipment®, which EPA believes advance environmentally safe practices and include standards for use in third party certification of such efforts.



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**IMPORTANT NOTE:** Recycling facilities are certified at the facility level. A multi-facility or national organization must independently certify each of their locations. Due to the length of time required for certification, these multi-facility or national organizations may have some facilities that are certified and some that are not yet certified. Check to determine which facility location will be used to recycle your electronics, and ensure that specific facility is certified.

To find an R2 certified recycler, please check the R2 Solutions website:  
<http://www.r2solutions.org/certified/electronic-recyclers-with-r2-certified-facilities/>.

To find an e-Stewards certified recycler, please check the e-Stewards website: <http://e-stewards.org/find-a-recycler/recycler-listing/>.

**IMPORTANT NOTE:** There may be a number of recyclers that are undergoing the certification process for these standards. These recyclers are NOT third-party certified and do not meet federal due diligence requirements until their certification is complete and they are listed on the applicable website as **certified**.

### **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 (with condition codes X and S) should be declared for abandonment/destruction and then directly recycled through a certified 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 reuse and recycling. All UNICOR electronics recycling facilities are R2 certified.

### **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. 13514.

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

- *Checklist for Selection of an Electronics Recycler* provides a brief checklist to assist in the initial selection of an electronics recycler, and is available at: <http://www2.epa.gov/fec/checklist-selection-electronics-recycler-722012>.
- *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 at: <http://www2.epa.gov/fec/guidelines-site-reviews-electronics-recyclers-722012>.

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

If a federal agency or facility opts to use an R2 or e-Stewards certified electronics recycler, they do not need to perform additional due diligence to ensure compliance with E.O. 13514. Due diligence activities have been performed through the third-party certification process to ensure these recyclers follow environmentally sound recycling practices.



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Federal agencies and facilities that choose not to use a third party certified recycler 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. 13514.

**IMPORTANT NOTE:** There may be a number of recyclers that are undergoing the certification process to a third-party standard. These recyclers are NOT third-party certified and do not meet federal due diligence requirements until their certification is complete and they are listed on the applicable website as **certified**.

### How can my organization find an electronics recycler?

In addition to the lists of certified electronics recyclers, federal organizations may also use the following sites when looking for a recycler. Electronics recyclers listed on these sites may or may not be certified. Always check the websites for the certification programs to confirm third-party certification:

- 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. GSA provides a list of Certified Contractors for Environmental Services Schedule 899: <http://www.gsa.gov/portal/content/104611>.
- The EPA's eCycling website includes links to manufacturer and retailer program websites, 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 electronics.

**IMPORTANT NOTE:** When not utilizing an R2 or e-Stewards certified 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. 13514.

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

Yes, E.O. 13514 requires all federal agencies to use environmentally sound practices with respect to disposition of all 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.

Under GSA FMR Bulletin B-34, federal agencies are strongly encouraged to limit sales of repairable equipment to equipment that only require repairs which could reasonably be performed by a non-technical buyer. Repairable equipment should be sold as individual components or workstations (not in bulk) to promote examination by buyers.

While required by E.O. 13514, there is currently no guidance on how to perform due diligence on buyers of electronic equipment through public auctions. The FEC encourages federal agencies and facilities to declare obsolete and broken electronics for abandonment and destruction, and send them to a third-party certified recycler, instead of offering them for public sale. GSA FMR Bulletin B-34 also includes language that should be included with any listing or advertisement for electronic equipment disposal, as well as any transfer documentation for this equipment.



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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*, available at: [http://www.gsa.gov/graphics/fas/5-06-00389\\_R2-yWC-w\\_0Z5RDZ-i34K-pR.pdf](http://www.gsa.gov/graphics/fas/5-06-00389_R2-yWC-w_0Z5RDZ-i34K-pR.pdf), 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.

Under GSA FMR Bulletin B-34, federal agencies are strongly encouraged to limit use of manufacturer and vendor take-back programs to those that utilize third-party certified electronics recyclers and refurbishers.

**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.

Other restrictions and reporting requirements apply to exchange/sales and abandonment/destruction declarations. See GSA's *Personal Property Disposal Guide*, available at: [http://www.gsa.gov/graphics/fas/5-06-00389\\_R2-yWC-w\\_0Z5RDZ-i34K-pR.pdf](http://www.gsa.gov/graphics/fas/5-06-00389_R2-yWC-w_0Z5RDZ-i34K-pR.pdf), for more information.

### What responsibilities does my organization have for leased equipment, or equipment provided through seat management, at end-of-life?

Equipment leased by federal agencies, or provided under seat management contracts, is included under the requirements of E.O. 13514. Agencies must ensure applicable information technology contracts incorporate adequate language to require that, at the end of the contract period, the equipment is reused, donated, sold, or recycled using environmentally sound management practices.

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

The FEC encourages use of third-party certified recyclers for employee collection events.

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

## REFERENCES

The text of Executive Order 13514 is available at: <http://www.fedcenter.gov/programs/eo13514/>.

GSA FMR Bulletin B-34, *Disposal of Federal Electronic Assets* is available at: [http://www.gsa.gov/graphics/ogp/FMR\\_Bulletin\\_B-34.pdf](http://www.gsa.gov/graphics/ogp/FMR_Bulletin_B-34.pdf).



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The National Institute of Standards and Technology *Guidelines for Media Sanitization* (NIST Special Publication 800-88) is available at: <http://csrc.nist.gov/publications/PubsSPs.html>.

Information about the R2 Practices is available at: <http://www.r2solutions.org/>.

Information about the e-Stewards Standard is available at: <http://e-stewards.org/>.

Information about GSA's guidelines and services for personal property disposal is available at: <http://www.gsa.gov/portal/category/21045>.

GSA's *Personal Property Disposal Guide* is available at: [http://www.gsa.gov/graphics/fas/5-06-00389\\_R2-yWC-w\\_OZ5RDZ-i34K-pR.pdf](http://www.gsa.gov/graphics/fas/5-06-00389_R2-yWC-w_OZ5RDZ-i34K-pR.pdf).

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

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

A list of State Agencies for Surplus Property, with contact information, is available at: <http://www.gsa.gov/portal/content/100851>.

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

Additional resources that address end-of-life disposition are available from the FEC, at: <http://www2.epa.gov/fec/publications-and-resources#eol>.

### CONTACT INFORMATION

If you have questions related to this resource or need other assistance with the Federal Electronics Challenge, please contact your Regional Champion: <http://www2.epa.gov/fec/technical-assistance>.

Visit the FEC online: <http://www2.epa.gov/fec/>

E-mail the FEC: [fec@epa.gov](mailto:fec@epa.gov)