

Cell Phone Take-Back Programs in New York City:

Compliance with the New York State Wireless Recycling Act and Voluntary Cell Phone Take-Back Programs



INFORM

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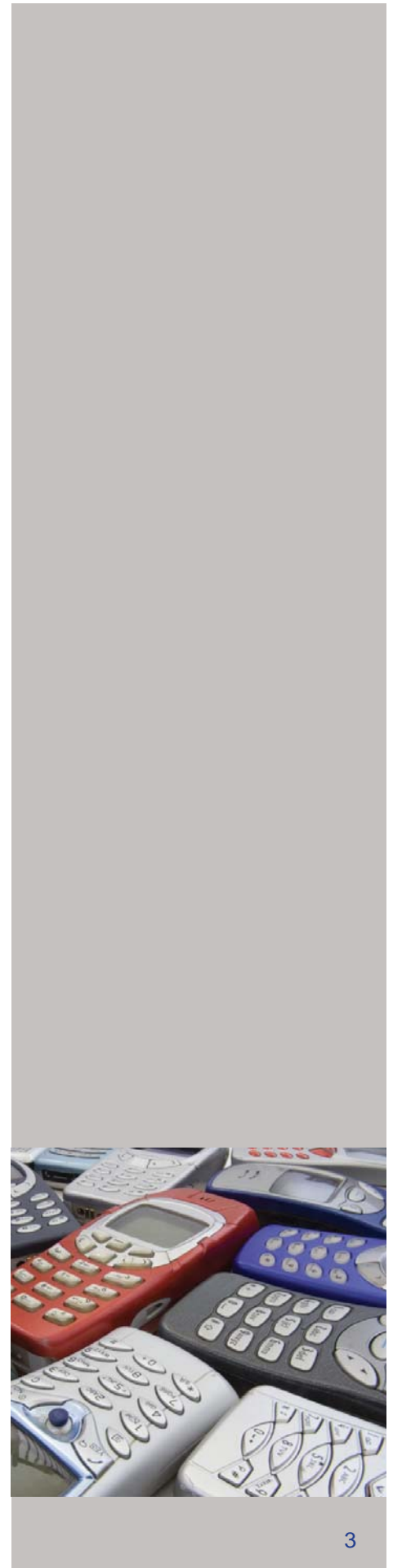
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INTRODUCTION

As a follow up to **The Secret Life of Cell Phones**, INFORM's recent video on cell phone recycling, and INFORM's 2005 report, **Wireless Waste: The Challenge of Cell Phone and Battery Recycling**, INFORM has repeated a survey of cell phone recycling in New York City. This survey report provides a brief overview of the problem of cell phone waste, a discussion of the New York State cell phone take-back legislation, and an in-depth look at compliance with such legislation in New York City based on our survey results. In addition, this survey report examines compliance with voluntary cell phone take-back programs in New York City such as the Rechargeable Battery Recycling Corporation (RBRC) program and programs offered by national chains such as Best Buy and Staples.



OVERVIEW OF PROBLEM

The average American uses his or her cell phone for approximately 18 months¹. With more than 260 million^{1a} cell phones in use in the United States, we estimate that at least 170 million cell phones are replaced each year.

Disposing of cell phones in the regular trash represents a real threat to public health and the environment. Cell phones contain toxic substances such as lead, chromium, and antimony. When cell phones are landfilled or incinerated, these toxic substances can be released into the environment².

Along with preventing the release of hazardous materials into our air, land, and water, cell phone refurbishment and recycling offers significant resource and economic benefits. Cell phones contain precious metals such as gold and silver, and recovering those metals reduces the need for additional mining. However, less than 20% of the 170 million cell phones replaced annually in the U.S are refurbished or recycled³.

“Disposing of cell phones in the regular trash represents a real threat to public health and the environment.”

¹ Waste in the Wireless World: The Challenge of Cell Phones, May 2002. Bette K. Fishbein

^{1a} CTIA The Wireless Association <http://www.ctia.org/> (July 8, 2008).

² California Department of Toxic Substances Control. Hazardous Material Laboratory. (January 2004). E-waste report: Determination of regulation of elements in seven types of discarded consumer electronic products. www.dtsc.ca.gov/HazardousWaste/Ewaste/upload/Consumer_Electronic_Products.pdf (August 20, 2008)

Townsend, T.G., Vann, K., Mutha, S., Pearson, B., Jang, Y-C, Mussen, S., & Jordan, A. (July 15, 2004). RCRA Toxicity Characterization of Computer CPUs and other Discarded Electronic Devices.

<http://www.ees.ufl.edu/homepp/townsend/Research/ElectronicLeaching/default>. (August 20, 2008)

³ EPA Fact Sheet: Recycle Your Cell Phone. It's An Easy Call. <http://www.epa.gov/epaoswer/osw/consERVE/plugin/cellphone/pdf/cell-fs.pdf> (July 8, 2008)



LEGISLATION

There is no federal legislation mandating cell phone recycling in the United States. California, Maine, Westchester County (New York), and the state of New York have each passed a law establishing mandatory cell phone recycling. Under the New York State Wireless Recycling Act, effective January 1, 2007,⁴ wireless telephone service providers⁵ must take back cell phones for reuse or recycling at no charge to the public. Providers also must post a visible sign indicating the availability of this service. The New York State Department of Environmental Conservation (DEC) is charged with enforcing this law.

In addition to the service providers this law covers, there are voluntary cell phone take-back programs offered by the Rechargeable Battery Recycling Corporation (RBRC), an industry organization, and by several national chains such as Best Buy, FedEx Kinko's and Staples. These programs advertise that they provide cell phone recycling at no charge to the consumer, and either collect phones in their stores or provide free mailers.

INFORM conducted a survey in all five boroughs of New York City to determine whether it is as easy for consumers to recycle their old cell phones as either the New York State Law or the RBRC intend it to be^{5a}. In a range of neighborhoods throughout the boroughs, we visited the stores of cell phone service providers as well as retail stores. We were interested in learning whether the service provider stores were in compliance with the New York State law. In particular, INFORM wanted to determine whether these stores:

- utilized required signs to provide information about the free take-back programs
- had boxes, prepaid mailers, or another method of take-back for cell phone reuse/recycling

In addition, we also wanted to determine whether the stores volunteering to take back cell phones were following through, including whether the retail sites listed on the RBRC website had the advertised collection boxes for cell phones.

⁴ See Appendix A

⁵ Service provider store locations are defined as stores that are directly owned and operated by cell phone service provider companies Verizon Wireless, AT&T, T-Mobile, and Sprint. These stores are covered under the New York State legislation. On the other hand, retail store locations (stores that are not directly owned by cell phone service provider companies) are not covered under the New York State legislation. Although retail stores are not covered under the Wireless Recycling Act, some do participate in voluntary take-back programs.

^{5a} In New York City, the Rechargeable Battery Recycling Local Law 97 of 2005 makes it illegal to dispose of rechargeable batteries in the regular trash. Rechargeable batteries in cell phones are covered under this law. www.nycouncil.info/pdf_files/bills/law05097.pdf (August 2008).

“Under the New York State Wireless Recycling Act, wireless telephone service providers must take back cell phones...”

METHODOLOGY

In March, April, and May 2008, INFORM staff and interns surveyed cell phone service provider stores and retail stores in the five boroughs of New York City. Survey team members made in-person visits to each of 105 stores⁶ in the following categories:

- Service provider stores: Verizon Wireless, AT&T, T-Mobile, and Sprint
- Retail stores that claimed to have a voluntary take-back program
- Service provider and retail stores that were listed on the RBRC website
- Authorized retail stores⁷

The 105 visited stores were distributed by borough as follows:

Manhattan: 27 stores
Brooklyn: 21 stores
Staten Island: 13 stores
Bronx: 16 stores
Queens: 28 stores

Table 1: Percentage of service provider versus retail stores⁸ visited

	Number of stores	Percent
Service Providers	54	51%
Retailers	51	49%

Of the service providers and retailers that we visited, 46 stores (44%) were listed on the RBRC website⁹.

⁶ See appendix B for store names and addresses.

⁷ Authorized retail stores have signs that identify their store as an “authorized retail” store. They are authorized to operate on behalf of a service provider company.

⁸ 5 stores (manager or sales representative) did not answer the survey; in these cases, we were only able to gather partial information such as was there a visible sign or box.

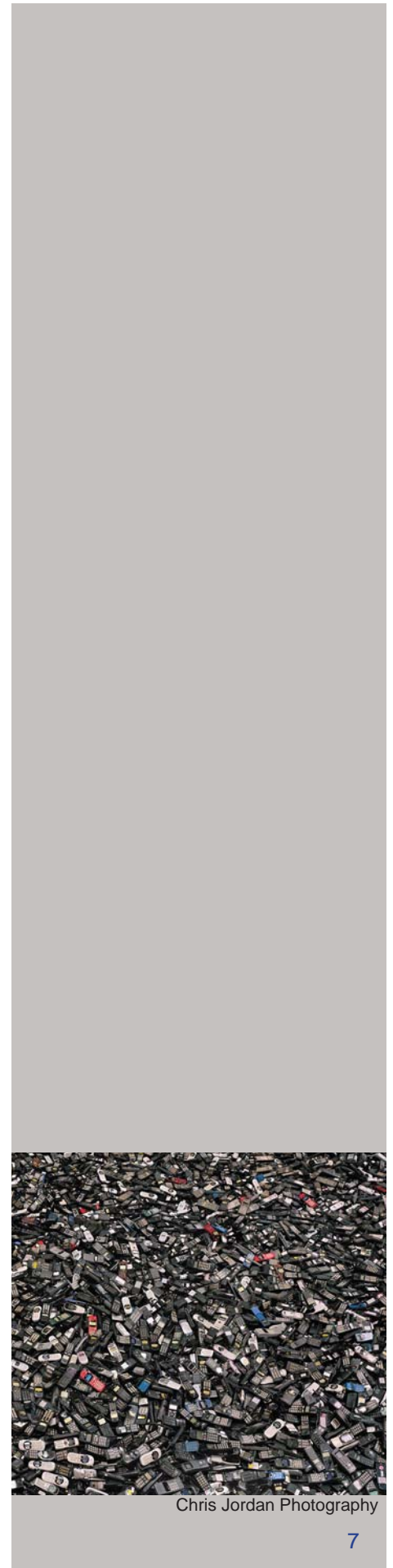
⁹ RBRC stores selected were listed by zip code under “find a drop off site near you” www.rbrc.org/call2recycle/ (March 2008).

Table 1a: Service Providers

	Number of stores (54)
T-Mobile	16
Verizon Wireless	14
AT&T	13
Sprint	11

Table 1b: Retailers

	Number of stores (51)
RadioShack	17
Staples	5
Circuit City	5
Best Buy	3
FedEx Kinko's	3
Other ⁶	18



Chris Jordan Photography

QUESTIONNAIRE

INFORM developed a survey¹⁰ form with directions on how to perform the survey and questions to answer. When visiting the selected stores, we looked for answers to the following questions:

- Was there a visible sign informing customers about free take-back programs for old cell phones?
- Was there a visible box for depositing old cell phones? If so, was the box specific to a provider, connected with a charity, or from RBRC?
- If there was no box, were prepaid mailers visible or at least available if requested?¹¹
- At what date did stores with boxes or mailers first have them available?
- How many cell phones tended to be recycled at the store, either weekly or monthly?
- If there were no boxes or prepaid mailers, did the store nonetheless accept cell phones back at no charge?
- How informed were employees about the recycling program offered in their store?

All questionnaires were filled out by survey team members, not store managers or employees. After completion, all forms were returned by the survey team members to INFORM where the data was analyzed and stored.

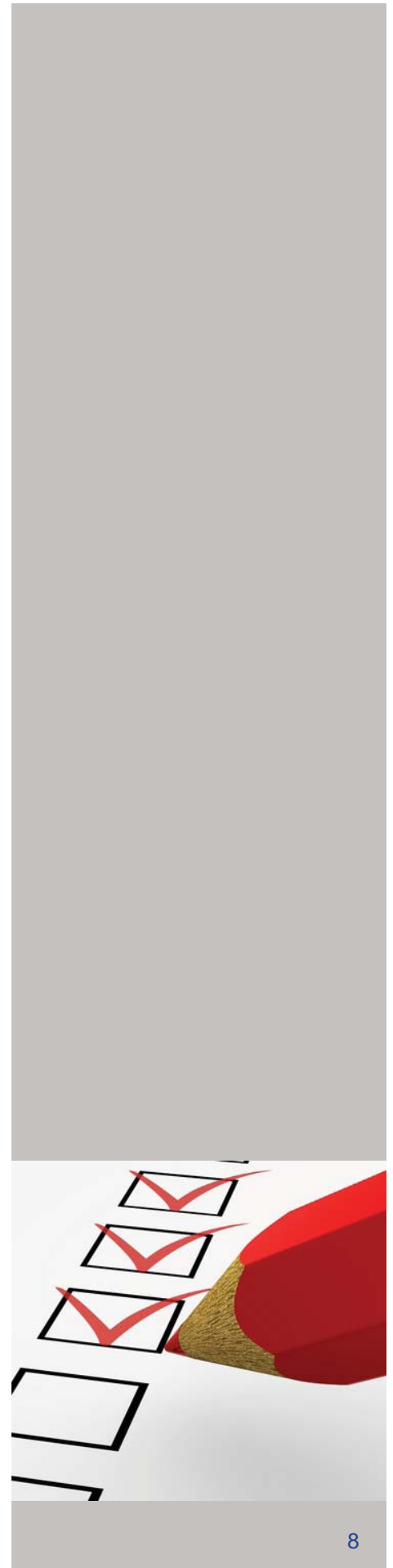
SCORING

INFORM developed a ranking system of 6 points to give an overall score to stores to reflect their commitment to cell phone take-back. We added 1 point for each of the following conditions:

1. Sign present
2. Box or prepaid mailer present
3. Good visibility for the sign or the box
4. Employees are informed and aware of the recycling program being used in their stores
5. Information on recycling old cell phones is easily accessible to customers on the website
6. Information about recycling is printed on customers' bills

¹⁰ See appendix C for a copy of the questionnaire used in the survey.

¹¹ If a box was present, then we did not ask if the store also had prepaid mailers.



KEY FINDINGS

Our survey results show that recycling is not a priority in either service provider or retail stores in New York City. Our survey found that:

- Employees lacked sufficient information about the recycling program being used in their stores with the exception of Verizon Wireless service provider stores
- Cell phones taken back were not tracked at the store level
- Verizon Wireless service provider stores were the only stores visited that consistently complied with the New York State Wireless Recycling Act
- Only 70% of the stores listed on the RBRC website had a cell phone take-back box
- The following table provides the percentage of stores with signs and boxes or prepaid mailers for their take-back programs:

Table 2: Presence of a sign/box or prepaid mailers

	Service Provider Stores	Retail Stores	All stores visited
Sign	52%	20%	36%
Either box or prepaid mailers	80%	51%	66%

Under the New York State Wireless Recycling Act (see Appendix A), all wireless telephone service providers must accept at no charge cell phones for reuse or recycling and must have a sign in public view indicating that they take back cell phones. While all but 3 service provider stores would accept cell phones for recycling, we found that only 52% of the service provider stores had a visible sign. Often, even when there was a sign, it was not easy to see because it was either too small or at the back of the store where customers rarely go. Furthermore, employees were not well informed about their store’s take-back programs.

Along with service provider stores, retail stores (members of the RBRC or part of national voluntary take-back programs) often failed to provide easily accessible information to customers and/or did not have boxes or prepaid mailers. The RBRC claims that stores listed on their website have cell phone take-back boxes. However, we found that 30% of the stores listed on the RBRC website did not have boxes. In addition, boxes were often out of sight or behind the checkout counter in stores that did have boxes and it was rare to see signs advertising the RBRC program.

Only Verizon Wireless service provider stores consistently met what is required by law¹². Program information and boxes were readily available to customers at Verizon Wireless service provider stores, and store employees at those locations generally had knowledge about their take-back program.

¹² While Verizon Wireless authorized retailer stores are not covered under the New York State Law, it should be noted that they generally did not meet the standards set forth in the law.

RESULTS

“ONLY 36% OF THE VISITED STORES HAD VISIBLE TAKE-BACK SIGNS.”

Overall, only 38 stores (36%) of the 105 INFORM surveyed had posted a sign or provided informational material to consumers on cell phone take back.

Of the three store types – provider, retailer, RBRC-listed – surveyed by INFORM, signs or informational materials were only present at:

- 52% of the service provider stores
- 20% of the retail stores
- 35% of the stores listed on RBRC website

The following information represents INFORM’s survey results on service providers’ compliance with the visible sign requirement of the New York State cell phone take-back law:

Table 3: Presence of a visible sign by service provider company

	T-Mobile	Verizon Wireless	AT&T	Sprint	Total
Sign	1 out of 16 (6%)	14 out of 14 (100%)	4 out of 13 (31%)	9 out of 11 (82%)	28 out of 54 (52%)

Table 3a: Sign location in the 38 stores with a sign

	Number of stores	Percent
Cardboard on collection box	23	61%
On store door/window	10	26%
Other location	5	13%

At the 61% of the stores that had a visible sign posted directly on the collection box, the sign consisted of a prominent piece of cardboard¹³. In Verizon Wireless stores, the sign was always located on the box. In addition, most Verizon Wireless stores carried informational fliers located in a pouch on the box. In Sprint stores, the sign was usually located on the front door or window.

¹³ If a store had a collection box and no additional notice, we did not count that as a sign

“ONLY 28% OF THE STORES VISITED HAD A VISIBLE DROP-OFF BOX.”

Table 4: Service provider and retail stores with visible box or prepaid mailer

	Service Provider Stores (54)	Retail Stores (51)	All 105 Stores Visited
Box visible	33%	22%	28%
Box, but not visible	17% ¹⁴	25%	21% ¹⁴
Total with Box	50%	47%	49%
Prepaid mailers if no box	30%	4%	17%
Total Box or Mailers	80%	51%	66%

Although 49% of all stores visited had a box, only 28% had a box that individuals could easily see. In addition, only 35% of the stores that did not have a box had prepaid mailers. In total, 34% of all stores visited did not have either a box or prepaid mailers.

Of the stores surveyed, 50% of the service provider stores had a box versus 47% of the retail stores. Boxes were more often visible in the service provider stores than in the retail stores. In total, 80% of the service provider stores had either a box or prepaid mailers versus 51% of the retail stores.

Table 4a: Service provider stores by company with either a visible box or prepaid mailer

	T-Mobile (16) ¹⁵	Verizon Wireless (14)	AT&T (13)	Sprint (11) ¹⁶
Box visible	0	12	6	0
Box, but not visible	2	2	5	0
Prepaid Mailers	7	0	0	9
Total with Box or Mailers	9 (56%)	14 (100%)	11 (85%)	9 (82%)

¹⁴ 3 stores that did not have a visible box did not answer the survey

¹⁵ At 2 T-Mobile stores with no visible box, the manager or sales representative did not want to answer the survey. Therefore we were not able to verify whether or not these stores had boxes that were not visible or prepaid mailers.

¹⁶ At 1 Sprint store with no visible box, the manager or sales representative did not want to answer the survey. Therefore we were not able to verify whether or not the store had a box that was not visible or prepaid mailers.

Table 4b: RBRC stores with either a box or prepaid mailer

	Out of 46 stores listed on RBRC website
Box visible	15
Box, but not visible	17
Prepaid Mailers if no box	0
Total with Box or Mailers	32

Only 32 stores (70%) of the 46 listed on the RBRC website had a box in their stores. Among the 14 stores without a box or prepaid mailers, only 2 would accept phones for recycling. *The employees in the 12 other stores commented that they did not have a recycling program or stated that their store had a recycling program in the past, but that program was discontinued.*

Among the 32 RBRC-listed stores that did have a box, only 14 of those had an actual RBRC program box; the other 18 RBRC-listed stores had different boxes. For instance, all 11 Verizon Wireless stores listed on the RBRC website had Hopeline Program boxes; 5 AT&T stores listed on the RBRC website had a “Cell Phones for Soldiers” box and 2 AT&T stores listed on the RBRC website had both an RBRC box and a “Cell Phones for Soldiers” box. Along with retail and service provider stores listed on the RBRC website, we found 5 Circuit City stores that carried an RBRC box, yet were not listed on the RBRC website.

“ONLY 25% OF THE BOXES WERE LOCATED AT THE ENTRANCE OF THE STORES.”

Table 4c: Box Locations

	Percent
Entrance	25%
End/Back of the store	17%
Back room	16%
Under a counter	14%
Middle of the store	10%
Behind a counter	10%
Other	8%

“NO STORE TRACKS THE NUMBER OF CELL PHONES RECYCLED.”

INFORM’s team found that of the 105 stores surveyed, none appeared to have established any method of record keeping to track the number of cell phones that had been recycled during a given period of time. The answers to the question: “How many cell phones tended to be recycled at the store, either weekly or monthly?” were always approximate and varied from “none at all” to “20 a month,” or even “50 a week.” The survey indicates that stores have not established any real record-keeping systems to track recycled phones.

“IN GENERAL, EMPLOYEES ARE UNAWARE OF THE PROGRAM OFFERED IN THEIR STORES, WITH THE EXCEPTION OF VERIZON WIRELESS SERVICE PROVIDER STORE EMPLOYEES.”

Employee Knowledge Among All Stores Visited:

Based on the survey question, “What do you know about the cell phone recycling program offered in your store” and dialogue that followed, employee knowledge was evaluated on the following four points:

- the name of their store’s program
- additional information about their program
- the location of their box or prepaid mailers if their box was not visible
- the location of their sign if present

The majority of employees among all 105 visited stores knew little about their store’s take-back programs and generally did not know numbers 1 through 4 above.

Verizon Wireless service provider employees were the exception as they were often knowledgeable about the program their stores offered, and were able to provide information on numbers 1 through 4 above. AT&T service provider employees generally knew the name of the program (number 1 above).

Employee Knowledge Among Service Provider Stores:

Verizon Wireless

Verizon service provider store employees were often knowledgeable about the cell phone recycling program in their stores, called the “Hopeline” program and were able to provide information on numbers 1 through 4 above. This program collects cell phones to assist victims of domestic violence. Collected cell phones are either refurbished or recycled and earnings are donated to “Hopeline.” All Verizon service provider stores surveyed by the INFORM team had a “Hopeline” box.

AT&T

AT&T service provider stores participate in the “Cell Phones for Soldiers” program, which sells collected phones to the recycling company ReCellular. 9 AT&T stores visited had a “Cell Phones for Soldiers” box and employees were generally aware of the program’s name (number 1 above). Employees were less knowledgeable for numbers 3 through 4 above. “Cell Phones for Soldiers” uses the proceeds from each sale, to purchase calling cards for United States Soldiers around the globe. AT&T is featured as a sponsor on the Cell Phones for Soldiers website which states,

“AT&T has donated more than \$500,000 worth of prepaid phone cards to Cell Phones for Soldiers and is now offering all 1,800 company-owned wireless store locations across the country as drop-off sites to help recycle used cell phones for the program, through July 2008!”¹⁷

“The majority of employees among all 105 visited stores knew little about their store’s take-back programs...”

¹⁷ <http://www.cellphonesforsoldiers.com/> (July 8, 2008).

Along with the Cell Phones for Soldiers boxes, some stores had an additional RBRC box.

Sprint

Sprint service provider stores did not have recycling boxes, but they did have prepaid mailers. Their take-back program “Sprint Project Connect” supports Internet safety for kids, but none of the Sprint employees mentioned or seemed to be familiar with the program. If a consumer recycles his or her phone at a Sprint location, they may be eligible to receive a credit on their Sprint account¹⁸. However, only one employee mentioned this offer. Store employees were often knowledgeable about 3 and 4, but not 1 and 2 above.

T-Mobile

T-mobile service provider stores also generally did not have recycling boxes (only 2 had boxes). The stores tended to carry prepaid mailers instead, although, only 5 stores out of 11 had prepaid mailers available. The T-Mobile take-back program is called “T-Mobile’s Handset Recycling Program,” and all benefits go to their charitable program “T-Mobile Huddle Up.” “T-Mobile Huddle Up” is a scholarship program connecting kids, “*primarily from single-parent families, in high-need urban communities, to positive people, places and programs*¹⁹.” The program’s name was never mentioned by store employees. Store employees were not knowledgeable about 1 through 4 above.

“The survey indicates that stores have not established any real record-keeping systems to track recycled phones.”

¹⁸ Additional information about Sprint buyback program: “Sprint customers may return their used Sprint PCS or Nextel wireless phones, if eligible, to our “buy back” program. Eligible models may be exchangeable for an account credit.” http://www.sprint.com/citizenship/communities_across/index.html (July 8, 2008).

¹⁹ http://www.t-mobile.com/Company/Community.aspx?tp=Abt_Tab_CommunitySupport&tsp=Abt_Sub_CommunitySupport (July 8, 2008).

Scoring for Provider Stores

As explained in the methodology section, the ranking system used for service provider stores was based on the following conditions:

1. Sign present
2. Box or prepaid mailer present
3. Good visibility for the sign or the box
4. Employees are informed and aware of the recycling program being used in their stores
5. Information on recycling old cell phones is easily accessible to customers on the website
6. Information about recycling is printed on customers' bills

A higher score out of six represents a stronger commitment to cell phone take-back.

Verizon Wireless service provider stores scored 3.4 out of 6, receiving the highest rating out of all four service provider store groupings for take-back program effectiveness. Sprint received the second highest score with a rating of 2.4, followed by AT&T with a rating of 2.0, and T-Mobile with a rating of 1.1.

All service providers failed to meet the “easily accessible information on website” condition (number 5 above). Currently, to find take-back program information on service provider websites, it is necessary to go to the community service or company information pages²⁰. There are no direct links on the service provider websites to the recycling pages from the homepages. Likewise, no service provider offers information about recycling on customer's bills (condition number 6 above).

Table 5: Scoring for service provider stores

	Ranking ²¹
Verizon Wireless	3.4
Sprint	2.4
AT&T	2.0
T-Mobile	1.1

²⁰ http://www.t-mobile.com/Company/Community.aspx?tp=Abt_Tab_CommunitySupport&tsp=Abt_Sub_CommunitySupport (T-Mobile July 8, 2008)
<http://aboutus.vzw.com/communityservice/hopeLineRecycling.html> (Verizon Wireless July 8, 2008)
<http://www.wireless.att.com/about/community-support/recycling.jsp?wtSlotClick=1-001534-0-1&WT.svl=calltoaction> (AT&T July 8, 2008)
http://www.sprint.com/citizenship/communities_across/index.html (Sprint July 8, 2008)

²¹ 2 Verizon Wireless Stores, 1 Sprint store and 2 T-Mobile stores did not answer the survey, therefore we were only able to gather partial information.

“Verizon Wireless service provider stores scored 3.4 out of 6, receiving the highest rating of all four service provider store groupings for take-back program effectiveness.”

RECOMMENDATIONS

1. The New York State law needs to be enforced and adhered to by service provider stores²².
2. The law should cover all “authorized retailers” as well as service provider-owned stores. Even better, all retail stores that sell cell phones should be required to take them back, at least by providing prepaid mailers.
3. Entities covered by the law should provide clear, comprehensive educational material about their take-back programs, including that they take-back cell phones free of charge for reuse, refurbishment, or recycling. This could be done in both advertisements and on monthly bills. Additionally, stores covered under the law should provide clear and easily accessible information about their take-back programs on their websites.
4. It is important to track the number of cell phones that are collected and refurbished or recycled. Without data on the number of cell phones collected through take-back, it is difficult to evaluate the effectiveness of these programs.
5. As stated in INFORM’s 2005 report, *Wireless Waste: The Challenge of Cell Phone and Battery Recycling*, the RBRC should have a protocol to verify that all stores listed on their website are supplied with a recycling box. In addition, all RBRC recycling boxes should be placed in a prominent position within the store for ease of consumer recognition, all employees should be properly trained and given appropriate information about the RBRC program, and a recycling tracking system should be put in place, and used, by all stores in the RBRC program.

“...all retail stores that sell cell phones should be required to take them back...”

“It is important to track the number of cell phones that are collected and refurbished or recycled.”

²² See Appendix A: Enforcement of the Law

Appendix A

Appendix A: New York State Wireless Recycling Act

(Passed September 13, 2006; Effective January 1, 2007)

Source: <http://www.dec.ny.gov/chemical/29501.html> (July 8, 2008)

Chapter 730, Laws of 2006

AN ACT to amend the environmental conservation law, in relation to wireless telephone recycling

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Article 27 of the environmental conservation law is amended by adding a new title 23 to read as follows:

Title 23 Wireless Telephone Recycling

Section 27-2301. Definitions.

27-2303. Wireless telephone collection.

27-2305. Preemption and severability.

Section 27-2301. Definitions.

For the purposes of this section:

1. "Wireless telephone service supplier" means a person or entity which provides wireless telephone service, as defined in paragraph (b) of subdivision one of section twelve hundred twenty-five-c of the vehicle and traffic law.

2. "Wireless telephone" shall have the same meaning as "mobile telephone" as defined in paragraph (a) of subdivision one of section twelve hundred twenty-five-c of the vehicle and traffic law.

Section 27-2303. Wireless telephone collection.

1. (a) Every wireless telephone service supplier engaged in the retail sale of wireless telephones shall:

(i) accept, at no charge, up to ten used wireless telephones from any person during the normal business hours of such business; or

(ii) offer to any person at no charge, the shipping of used wireless telephones to a recycling program conducted by such business. Information about such a program shall be readily available at such business locations and on its website.

(b) Every wireless telephone service supplier required to accept used wireless telephones or provide shipping at no charge for used wireless telephones pursuant to paragraph (a) of this subdivision shall conspicuously post a sign open to public view, clearly indicating that used wireless telephones are accepted or shipping is provided at no charge. Such signs may also state that used wireless telephones shall only be accepted during normal business hours, and may state such hours.

2. Every wireless telephone service supplier required to accept or pay for the shipment of used wireless telephones shall take reasonable steps to ensure each used wireless telephone accepted or shipped pursuant to this section shall either be recycled, reused or disposed of in an environmentally sound manner.

§27-2305. Preemption and Severability.

1. Any provision of any local law or ordinance, or any rule or regulation promulgated thereto, governing the collection, return or recycling of wireless telephones shall upon the effective date of this title be preempted.

2. The provisions of this title shall be severable and if any portion thereof or the applicability thereof to any person or circumstances shall be held invalid, the remainder of this title and the application thereof shall not be affected thereby.

Section 2. This act shall take effect on the first of January next succeeding the date on which it shall have become a law.

Enforcement:

The enforcement of this law falls under the Environmental Conservation Law, section 71-4001 and 71-4003

http://law.justia.com/newyork/codes/environmental-conservation/env071-4001_71-4001.html

§ 71-4001. General criminal penalty.

Except as otherwise specifically provided elsewhere in the environmental conservation law or in the penal law, (a) a person who violates any provision of the environmental conservation law, or any rule, regulation or order promulgated pursuant thereto, or the terms or conditions of any permit issued thereunder, shall be guilty of a violation; (b) each day on which such violation occurs shall constitute a separate violation; and (c) for each such violation the person shall be subject upon conviction to imprisonment for not more than fifteen days or to a fine of not more than two hundred fifty dollars, or to both such imprisonment and such fine.

http://law.justia.com/newyork/codes/environmental-conservation/env071-4003_71-4003.html

§ 71-4003. General civil penalty.

Except as otherwise specifically provided elsewhere in the environmental conservation law, a person who violates any provision of the environmental conservation law, or any rule, regulation or order promulgated pursuant thereto, or the terms or conditions of any permit issued thereunder, shall be liable to a civil penalty of not more than five hundred dollars, and an additional civil penalty of not more than five hundred dollars for each day during which each such violation continues. Any civil penalty provided for by this chapter may be assessed following a hearing or opportunity to be heard.

Appendix B

Appendix B: List of Stores visited

Manhattan STORES

Name of store	Address
J&R Movie and Computer World	19 Park Row New York, NY 10038
Verizon Wireless	859 Broadway New York, NY 10003
RadioShack	280 Broadway New York, NY 10007
Verizon Wireless	581 Broadway New York, NY. 10012
Bondy Export Co.	40 Canal St New York, NY 10002
Best Buy	529 5th Ave New York, NY 10017-4608
Office Depot	41ST ST. & Broadway New York, NY 10018
AT&T	3 Times Square New York, NY 10119
Staples	16 East 34th Street New York, NY 10016
Fedex Kinko's	221 W 72nd St New York, NY 10023-2703
Circuit City	2232 Broadway New York, NY 10024
Verizon Wireless	2268 Broadway New York, NY 10024
Golden Sound Electronics	2206 Broadway New York, NY 10024
T Mobile	2181 Broadway New York, NY 10024
Verizon Wireless	1266 3rd Avenue, New York NY 10021-4302
RadioShack	1668 1ST AVE New York, NY 10128
AT&T	1103 Third AVE New York, NY 10021
Sprint	169 E. 86th Street New York, NY 10028
T-Mobile*	228 E 86th St NEW YORK, NY 10028
AT&T	81 W. 125th Street New York, NY 10119
Sprint	209 W. 125th Street New York, NY 10027

Name of store	Address
RadioShack	319 W. 125th Street New York, NY 10027
T-Mobile	320 W 125th St New York, NY 10027
Verizon Wireless*	166 W 125th St New York, NY 10027
T-Mobile	3410 Broadway New York, NY 10031
Rite Aid	3539 Broadway New York, NY,10031
RadioShack	3806 Broadway New York, NY,10031

* Stores that did not answer the survey

Staten Island

Name of store	Address
Verizon Wireless	2505 Richmond Ave # 2535 Staten Island, NY 10314
Circuit City	2505 Richmond Ave # 2535 Staten Island, NY. 10314
Costco	2975 Richmond Ave Staten Island, NY 10314
Best Buy	2795 Richmond Ave Staten Island, NY. 10314
A&T	2655 Richmond Ave Staten Island, NY, 10314
T-Mobile	2655 Richmond Ave Staten Island, NY 10314
Sprint Store*	2375 Richmond Avenue Staten Island, NY 10314
Fedex Kinko's	2456 Richmond Ave, Ste C Staten Island, NY 10314
Sears	283 Platinum Ave Staten Island, NY 10314
RadioShack	2655 Richmond Ave, Staten Island, NY 10314
Staples	2535 Richmond Ave. Staten Island, NY 10314
RadioShack	2409 Richmond Avenue Staten Island, NY 10314
Verizon Wireless*	2791 Richmond Ave Pergament Mall Staten Island, NY. 10314

* Stores that did not answer the survey

Brooklyn

Name of store	Address
Circuit City	625 Atlantic Ave Brooklyn, NY. 11217
Verizon Wireless	139 Flatbush Ave Atlantic Terminal Mall Brooklyn, NY. 11217
Office Max	625 Atlantic Avenue, Suite 103 Brooklyn, NY 11217
RadioShack	122 Flatbush avenue Brooklyn, NY
T-Mobile	76 Court Street Brooklyn, NY 11201
AT&T	211 Montague St Brooklyn, NY 11201
Sprint	456 Fulton Street Brooklyn, NY 11201
Sprint	147 Montague St Brooklyn, NY 11201
T-Mobile	1224 Fulton Street Brooklyn, NY 11216
RadioShack	1232 Fulton Street Brooklyn, NY 11216
AT&T	841 Flatbush Avenue Brooklyn, NY, 11201
T-Mobile	935 Flatbush Avenue Brooklyn, NY 11226
Verizon Wireless	8524 5th Avenue Brooklyn, 11209
T-Mobile	440 86th Street Brooklyn 11209
Circuit City	502-12 86th Street Brooklyn, NY 11209
RadioShack	531 86th Street Brooklyn NY 11209
Sprint	465 86th Street Brooklyn, NY 11209
AT&T	453 86th Street Brooklyn NY 11209
RadioShack	2041 86th Street Brooklyn, NY 11214
Verizon Wireless	2141 86th Street Brooklyn, NY 11214
T-Mobile	2165 86th Street Brooklyn, NY 11214

Queens

Name of store	Address
Verizon Wireless	2370 Bell Blvd Bayside, NY. 11360
RadioShack	39-07 Bell Blvd Bayside, NY,11361
Cingular Wireless - Authorized Retailer	42-28 Bell Blvd Bayside, NY 11361
Rite Aid	3920 Bell Blvd Bayside, NY 11361
AT&T	3909 Main Street Flushing, NY, 11354
T-Mobile	136- 16 Roosevelt Ave. Queens, NY 11354
Sprint	136-57 Roosevelt Ave. Flushing, NY 11354
Office Depot	3010 Whitestone Expressway (Flushing) College Point, NY 11356
Verizon Wireless authorized retailer	208-10 Cross Island Pkwy Bayside, NY 11360
Home Depot	College Point #1277 124-04 31st Avenue Flushing, NY 11354
Verizon Wireless	7034 Austin St Forest Hills, NY. 11375
AT&T	107-24 Continental Avenue Forest Hills, NY, 11375
Staples	107-16 Continental Avenue Forest Hills, NY 11375
Circuit City	9605 Queens Blvd Rego Park, NY. 11374
Verizon Wireless - Premium retailer	90-15 Queens Blvd Elmhurst, NY. 11373
AT&T	90-15 Queens Blvd Elmhurst, NY. 11373
T-Mobile*	91-31 Queens Blvd Elmhurst, NY 11373
Best Buy	8801 Queens Blvd Elmhurst, NY 11373
Target	8801 Queens Blvd Elmhurst, NY 11373
Sprint	90-15 Queens Blvd Elmhurst, NY. 11373
T-Mobile	37-44 82nd St Jackson Heights, NY 11372
Verizon Wireless (authorized retailer)	8202 Roosevelt Ave Jackson Heights, NY 11372
Staples	93-18 Roosevelt Avenue Jackson Heights, NY 11372

Name of store	Address
RadioShack	37-62 82nd Street Jackson Heights NY 11372
Verizon Wireless	3125 Steinway St Astoria, NY. 11103
Sprint	3030 Steinway Street Astoria, NY 11103
RadioShack	28-54 Steinway Street Astoria, NY 11103
FedEx Kinko's	3146 Steinway St Astoria, NY 11103

Bronx

Name of store	Address
AT&T	2882C 3RD Avenue Bronx, NY 10455
T-Mobile	2883 Third Ave Bronx, NY 10455
RadioShack	2935 THIRD AVE Bronx, NY 10455
Verizon Wireless	153 E Fordham Rd Bronx, NY. 10468
AT&T	381 East Fordham Road Bronx, NY 10458
T-Mobile	314 E Fordham Rd Bronx, NY 10458
RadioShack	2476 Grand Concourse Bronx, NY 10458
Sprint	305 East Fordham Rd. Bronx, NY 10458
Staples	2488 Grand Concourse Bronx, NY 10458
AT&T	1443 Metropolitan Avenue SUITE C2 Bronx, NY, 10462
RadioShack	1382 Metropolitan Ave Bronx, NY 10462
United Telecom Verizon Wireless	1274 Castle Hill Avenue Bronx, NY 10462
T-Mobile	880 White Plains Rd Bronx, NY 10473
Sprint	92 W. 225th St. Bronx, NY 10463
RadioShack	88 W 225TH ST BRONX, NY 10463
Target	40 W 225th St #50 Bronx, NY 10463

* Stores that did not answer the survey

Appendix C

Appendix C: Questionnaire



5 Hanover Square, 19th Floor
New York, NY 10004
(212) 361-2400
www.informinc.org

Cell phone recycling survey guidelines

Please read the guidelines below before conducting the survey.

Dress

- Casual, but nice (For example: Khakis/slacks, closed-toe shoes).
- No shorts, jeans, strappy camis or plunging necklines, please!



The store

- Look around on your own. Answer all the questions that you can without talking to a store employee (ideally, a customer won't need to talk to an employee in order to locate the cell phone recycling boxes).
- Record your observations on your own before speaking to an employee.

Talking to an employee or manager

- Tell them your name and identify yourself as doing a survey on cell phone recycling opportunities for INFORM, a New York-based environmental organization.
- Ask their name and position (request a business card if possible).
- Explain that you just have a few questions, and go ahead with the questions on the survey form. They may want to tell you the manager's name or have you talk with the manager. If so, that's great. Get the manager's name and ask him/her your questions.
- Be courteous, clear and firm.
- Thank the employee or manager for their time.

Before leaving the store

- Take a minute to go over the survey questions and the information you have recorded before you leave.

IMPORTANT: If you've missed anything or something you wrote down is unclear, don't hesitate to go back to the manager and/or employee with a follow-up question. Better to follow up and fill in any missing information right away, than have to return later.

Name of Store: _____

Address: _____

(Please read all the questions before filling the form. Tick/circle the correct option where applicable).



1-1. Is there a sign or any other promotional or informational material on cell phone recycling in the store? Yes No

1-2. If Yes, where is the material located? _____

1-3. Please describe the material (sign, flier, etc.) _____

2-1 Is a cell phone recycling box visible? Yes No

2-2 If no box is visible, ask an employee if they have a box

Yes No

2-3. If they have a box, where in the store is it located? _____

2-4. Is it an RBRC box (call 2recycle)? _____

Yes No Other (Specify) _____

2-5 If there is no box, are there prepaid mailers?

Yes No

3. If they have material or a box, then ask an employee: When did your store begin displaying materials about cell phone recycling? And what led to that? (e.g., new law, RBRC material, customer requests, other?)

4. Does s/he know how many cell phones are recycled at the store on a weekly or monthly basis?

5. If there is no recycling box visible and/or no visible material about recycling in the store, ask an employee if the store will recycle someone's old cell phone at no charge and note his/her response.

6. What does s/he know about the cell phone recycling program being used in the store?

**7. What is the employee's title, his/her name? _____
Or if the employee is uncomfortable giving out his/her name, please ask the store manager's name.**

8. Record any comments made by the employee.

9. Any other observations.

ABOUT US

For over 30 years, INFORM's reports have played a seminal role in guiding businesses and government to adopt innovative technologies, products and practices that protect the environment and preserve human health. INFORM's research has addressed a broad range of environmental issues over the decades and has been widely used by decision makers in the public and private sectors. For example, INFORM was among the first to recognize the challenges posed by e-waste. In 2002, we drew national and international attention to the environmental and health impacts caused by the millions of cell phones discarded annually with our ground-breaking report entitled *Waste in the Wireless World*.

Today INFORM is building on the legacy of its research by using visual media to broaden its audience. The strategic use of video and the web represents the latest approach to its mission of educating the public about the effects of human activity on the environment and public health. Our goal is to empower citizens, businesses and government to adopt practices and policies that will sustain our planet for future generations.

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