

IN THE
UNITED STATES DISTRICT COURT FOR
THE SOUTHERN DISTRICT OF NEW YORK

CASE NO. 09-6583 (WHP)

CONSUMER ELECTRONICS ASSOCIATION;)
INFORMATION TECHNOLOGY INDUSTRY)
COUNCIL; and ITAC SYSTEMS, INC.,)
)
Plaintiffs,)
)
v.)
)
CITY OF NEW YORK;)
et al,)
)
Defendants.)
)

Declaration of Carole Cifrino

I, Carole Cifrino, hereby declare under penalty of perjury that the following is true and correct:

1. I am over 18 years of age and have personal knowledge of the information provided in this declaration.

2. I am employed by the State of Maine Department of Environmental Protection (MDEP) as an Environmental Specialist IV. A significant part of my job duties entails responsibility for Maine's electronic waste program. I have been employed by MDEP for 20 years and I have worked on E-waste issues for 7 years. I am fully familiar with Maine's E-waste law and program, and I have some familiarity with other states' E-waste programs.

3. I obtained a Bachelors of Science Degree in Education from the University of Connecticut in 1978, and Masters of Science in Adult Education from the University of Southern Maine in 1985.

4. Maine's Electronic Waste Law, 38 M.R.S. § 1610, a copy of which is attached as Exhibit 1, was enacted by the Maine Legislature and signed into law by the Governor of Maine in 2004. I was greatly involved in drafting the bill that led to this legislation, and I am aware of testimony before the Maine Legislature pertaining to this legislation. The Maine E-Waste Law was the first of its kind in the country.

5. 38 M.R.S. § 1610 (5)(A), states, in part, as follows:

Municipalities, consolidators, manufacturers and the State share responsibility for the disposal of covered electronic devices as provided in this subsection.

A. Each municipality that chooses to participate in the state collection and recycling system shall ensure that computer monitors and televisions generated as waste from households within that municipality's jurisdiction are delivered to a consolidation facility in this State. A municipality may meet this requirement through collection at and transportation from a local or regional solid waste transfer station or recycling facility, by contracting with a disposal facility to accept waste directly from the municipality's residents or through curbside pickup or other convenient collection and transportation system.

6. As each municipality determines the collection system for e-waste, the collection of e-waste varies by municipality. In drafting the proposed bill, DEP and the Maine Legislature considered the existing model of waste collection and built upon that existing model. In Maine, municipalities are responsible for collection of household waste and other waste, and the method of collection varies, depending upon the municipality's size, population density, budget and preferences. In the vast majority of

municipalities in Maine, residents bring their household waste, or pay a service to bring their household waste, to a transfer station. In almost all municipalities that require residents to bring, or arrange for transportation of, their household trash to transfer stations, e-waste is also collected at the same transfer stations.

7. In a handful of urban communities in Maine, household waste is collected at curbside, either by the municipality, or by a private service for which residents pay individually. These urban communities collect e-waste in different ways. Some urban communities collect e-waste at centers where other large items, such as furniture and construction debris, are also collected. In other urban communities, e-waste is collected on a semi-annual basis at central collection centers. This is based on the model of household hazardous waste disposal.

8. In summary, the collection of e-waste in Maine is based upon existing structures for collection of other waste, and takes into account the habits and patterns of Maine residents. For example, even in urban communities, the vast majority of residents own or have access to vehicles, and it is within a resident's normal routine to travel to a collection center to dispose of a large waste item, such as furniture, or e-waste such as a television or computer monitor.

9. The State of Maine has a population of over 1.2 million people. The population density is an average of 41.3 people per square mile, with a total size of 33,125 square miles. (See http://www.maine.gov/portal/facts_history/facts.html).

10. There are 180 collection centers, as described in paragraphs 6 and 7, throughout the state.

11. In addition to the municipal collection centers, Goodwill Industries of Maine has partnered with Dell, a computer manufacturer, to establish additional collection centers for unwanted computers and computer equipment. Most of the centers are at pre-existing Goodwill stores or centers where residents drop off other used items, such as clothing and furniture. There are 22 Goodwill collection centers in Maine that accept this e-waste.

Executed on September 2, 2009 in Augusta, Maine


Carole Cifrino

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