



GUIDANCE DOCUMENT FOR MANUFACTURERS

Am I an electronics Manufacturer?

You are a **MANUFACTURER** under the [electronics waste law](#) (10 V.S.A. Chapter 166) if you:

- manufacture or have manufactured a covered electronic device under its own brand or label for sale in the State;
- sell in the State under its own brand or label covered electronic devices produced by another supplier;
- own a brand that is or was licensed to another person for use on a covered electronic device sold in the State;
- import into the United States for sale in the State a covered electronic device manufactured by a person without a presence in the United States;
- manufacture covered electronic devices for sale in the State without affixing a brand name; or
- assume the responsibilities, obligations, and liabilities of a manufacturer as defined under subdivisions (A) through (E) of this subdivision (11), provided that the Secretary may enforce the requirements of this chapter against a manufacturer if a person who assumes the manufacturer's responsibilities fails to comply with the requirements of this chapter.

What must I do if I am a manufacturer of a covered electronic device?

On or before July 1 of each year, manufacturers of covered electronic devices (CEDs) sold to covered entities in Vermont will be required to register with the Agency of Natural Resources (Agency) and pay fees. CEDs are computers, monitors, printers, and televisions. Covered entities are consumers, charities, school districts, and small businesses that employ 10 or fewer individuals.

Exemptions:

Manufacturers that sell less than 20 covered electronic devices (CEDs) to covered entities are exempt from Vermont's e-waste law.

Manufacturers that fall under this exemption are not required to register or pay any fees, but are required to provide documentation to the Agency that supports their exempt status determination. The Agency recommends that those manufacturers fulfill this obligation by documenting their exempt status through the online registration form. This is a simple way to provide the information, while allowing manufacturers to be automatically placed on our list of manufacturers that are in compliance with Vermont's program. This list is available to retailers so that they know which manufacturers have not been prohibited from selling covered electronic devices in Vermont.

Registration:

Manufacturers that sell CEDs to covered entities in Vermont must register annually by July 1 to report their market share data, and to certify whether they are seeking coverage under the State Standard Plan or an approved opt-out plan. Manufacturers are also required to update their registration information if there are changes to the previously reported information, and to register new devices prior to sale in or into the state.

Registration must be [completed online](#) in order for the manufacturer to be in compliance, and it will not be considered complete or effective until the registrant has received a confirmation email. This email will include copy of the information reported in the registration, for record purposes, and will also contain unique login credentials to allow re-entry into the system.

Failure to complete the registration may result in a penalty under 10 V.S.A. §8003(a) and §8010(c)(1). It will also result in Vermont retailers being prohibited under 10 V.S.A. §7553(a) from selling your covered electronic devices.

Device Information:

Manufacturers will be required to provide national sales data and weight in pounds on all brands of covered electronic devices currently sold or offered for sale in Vermont to covered entities. The data should include internet as well as retail sales.

In accordance with 10 V.S.A. §7553(b)(1)(D), the sales data submitted is considered a trade secret for the purposes of 1 V.S.A. §317(c)(9).

Please see the links below to begin your registration or view a list of manufacturers who have registered. If you have questions about completing the form, please contact VT DEC Waste Management & Prevention Division at (802) 522-5771.

[Register your e-manufacturing company](#)

[View list of registered e-manufacturers](#)

Fees:

Manufacturers are responsible for paying two fees:

1. The first is a **Registration fee**, which will cover the Agency administrative costs of the Vermont program. This invoice will be billed annually in January.
2. The second fee is an **Implementation fee**, which covers the costs of collection and recycling of the electronic waste under the State Standard Plan. This fee is billed quarterly (in April, July, and October, and January) only to those manufacturers participating in the State Standard Plan.

Both fees will be based on the manufacturer's market share by weight of devices sold during the prior program year. Payments will be due within 45 days of the invoice date. No fees will be assessed or due at the time of registration.

Opt-Out Plans:

A manufacturer or group of manufacturers may elect to seek coverage under an Opt-Out Plan (in lieu of the State Standard Plan) provided they are compliant with all Vermont e-law requirements, and submit and receive Agency approval for the Opt-Out Plan.

Any manufacturer that chooses to opt-out of the State Standard Program for a program year would need to submit a draft plan to the Agency no later than June 1 of the previous year, in order to allow time for the Agency to review the plan for completeness, post it for public comment, and to allow enough time for the manufacturer to implement their program by January 1.

Please note that if the Agency does not receive any opt-out plans for a particular program year, by default all manufacturers will be required to participate in the State Standard Plan for that program year.

Schedules

Program Year	PY Dates	Based on market share data from	Which was reported and registered by
Pre-program	July 2010 – June 2011	July 2008 – June 2009 (tiered flat fees)	July 1, 2010
PY1	July 2011 – June 2012	July 2009 – June 2010	July 1, 2011
Interim Quarter	July – Sept 2012		
PY2	Oct 2012 – Sept 2013	Oct 2010 – Sept 2011	July 1, 2012
PY3	Oct 2013 – Sept 2014	Oct 2011 – Sept 2012	July 1, 2013
PY4	Oct 2014 – Sept 2015	Oct 2012 – Sept 2013	July 1, 2014
PY5	Oct 2015 – Sept 2016	Oct 2013 – Sept 2014	July 1, 2015
Interim Quarter 2016	Oct – Dec 2016	Calendar Year 2015	July 1, 2016
PY6	Calendar Year 2017	Calendar Year 2015	July 1, 2016
PY7	Calendar Year 2018	Calendar Year 2016	July 1, 2017

Registration Fee Invoicing Schedule:

<i>ALL</i> Manufacturers will be billed annually in:	for program year:
January	January 1 to December 30

Implementation Fee Invoicing Schedule:

Manufacturers <i>participating in the State Standard Plan</i> will be billed quarterly in:	for program year quarter:
April	Q1 - January to March
July	Q2 - April to June
October	Q3 - July to September
January	Q4 - October to December

For more information about requirements for manufacturers, please contact:
[Rebecca Webber](#) at (802) 522-3658 or call 1-855-6ECYCLE.