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California Integrated Waste Management Board

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Arnold Schwarzenegger
Governor

March 31, 2006

Lester Cornelius, Chairman
International Imaging Technology Council
47- 00 33rd Street
Long Island City, NY 11101

Dear Mr. Cornelius:

Thank you for your e-mail dated March 3, 2006, regarding an effort by the California Integrated Waste Management Board (CIWMB) and the Department of General Services (DGS) to establish an environmentally preferable product (EPP) standard for printer and duplication cartridges. Your comments and suggestions were informative and helpful. In your e-mail you offered a number of suggestions. In an effort to continue our dialogue, I have the following responses.

I. Incorrect and Biased Definitions

Some of the definitions were developed as a result of feedback from our interested parties and up to this point have not been the subject of much discussion leading us to believe we are on the right path. However, if you feel that there are some definitions that are either incorrect or biased or both, please clarify and provide us with your suggestions.

II. Standard Set Too Low To Achieve 100 Points

While the standard has not been finalized, our intent from the beginning of this process was to set the standard at a place that is both achievable by the industry and results in a significant reduction in the impact to the environment that cartridges could have. We remain very committed to the process of establishing the best standard we can and are open to suggestions from our interested parties with respect to optimization of the standard.

III. If 10 Percent Postconsumer Content Achieved 100 points, 50 Percent or Higher Should Be Preferable

Our preference is to divert as many cartridges from the landfill as possible by increasing the postconsumer content in a cartridge. However, the feedback from our interested parties indicated that 10 percent postconsumer content in a cartridges casing was a high level that could not be achieved with current technology. Therefore, increasing the requirement of postconsumer content in a cartridge may not be realistic. If you feel otherwise, please provide us with your suggestions and reasoning.

California Environmental Protection Agency

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IV. Reuse Should Be the Step before Recycling

We wholeheartedly agree that reuse comes before recycling in waste management hierarchy. If you have a specific proposal to better reflect that in the standard, please suggest that language.

V. Every OEM Product Will Qualify As EPP

It is our intent that the EPP standard be a leadership standard. We want to raise the bar and set a high standard so that it results in a significant degree of environmental protection we can all be proud of. It is not our intent to favor OEM over remanufacturers or visa versa. It is interesting to note that most OEMs feel that the standard in its present form will be difficult for them to meet. We welcome your concrete proposals in this area.

VI. Institute a Sliding Scale in the Point System to Create Incentive to Improve Environmental Impact

We invite your specific suggestions in this area.

VII. Rating System Must Be Based On Environmental Impact Hierarchy

We have based the standard on current statutory requirements and definitions. While we feel the hierarchy is important, we are not sure that organizing the standard strictly around the hierarchy will result in the best standard possible. However, we invite your specific suggestions in this area.

VIII. This Effort Should Be about Environmental Impact Not Quality Which Is Best Left To the Purchaser

We agree that the purchasers will ultimately determine whether a cartridge model is commercially successful or not and whether or not products they purchase meet and continue to meet their own quality requirements. However, we can not overlook the important role that the quality plays in environmental impact. We do believe that quality has a role to play in this standard, but obviously are still considering how and where quality is best considered.

I would like to thank you again for your valuable contribution to this effort. I look forward to continuing our dialogue and working together towards establishing an environmentally preferable standard for printer and duplication cartridges that has a significant positive contribution to environmental protection and of which we can all be proud.

If you have any questions, please contact Mr. Ferhut at fferhut@ciwmb.ca.gov or (916) 341-6482. Thank you for your support of this effort to protect the health and improve the environmental quality of our lives by creating a standard for an EPP cartridge.

Sincerely,

Original Signed by

Jerry Hart, Supervisor
Buy Recycled Section

cc: Bill Orr, CIWMB
Fareed Ferhut, CIWMB