

As BAN has learned, the debate over how best to dispose of CRT glass is a complex one and open to legitimate disagreement by even those that care first and foremost about the environment and human health. Indeed, BAN, as thought leaders in the field of electronic waste were the first to propose using dedicated storage cells for CRT glass. In our view, there are no ideal solutions, and meanwhile rash and dangerous export, disposal and abandonment are all too common. In light of this we proposed, as a wise course of action, precisely what Peoria Disposal in Illinois is providing. That is, an interim solution of safe, monitored, retrievable storage. E-Stewards stakeholders had this debate and chose to allow this option (e.g. at Peoria Disposal) in our standard, but only under certain conditions.

BAN's concern with the Illinois law therefore is not about the state's seeming endorsement of this disposition method, but rather their method of doing so. Voluntary industry certifications should be allowed be stricter and more rigorous than the law. That is a major role and purpose of Certifications. For example while export of e-waste is often legal in the US, we decided as e-Stewards to abide by international law and go further than domestic law. That is the right of citizens and voluntary certification programs. As long as our members are not breaking laws they should be allowed to choose among legal options. If Illinois had wanted to require one method for managing CRT glass, and outlaw all others, that is one thing, but if Illinois law allows two or more legal options, it should be the right of anybody, including industry associations, to voluntarily decide to freely choose between legal options.

In sum, we are happy with the environmental method of waste management being referred to, but are not happy that the state is denying the free choice of its citizens. This seems to us to be a dangerous precedent of government overstepping the rights of citizens. Indeed, used in other ways in future and by other governments, such infringement of rights could seriously harm the use of Certifications to improve the environment, human rights, education, labor rights and a whole host of other issues.