

The Mid-Atlantic Grid

E-waste and data destruction law, PA · NJ · DE · MD

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Four states, four rulebooks, as they stand in September 2026 — and the one program that satisfies all of them.

01 · THE GRID

Four rule sets, side by side

	Pennsylvania	New Jersey	Delaware	Maryland
E-waste disposal	Covered Device Recycling Act: landfill ban since Jan 2013; free programs only for consumers and businesses under 50 employees; generators and haulers liable	Electronic Waste Management Act: covered devices banned from disposal; manufacturer-funded recycling	No covered-device program or ban; universal-recycling framework; DNREC guidance; RCRA	Statewide Computer Recycling Program (manufacturer-funded); no blanket ban; some county restrictions; RCRA
Data-destruction statute	None of general application — breach law, sector rules, FTC Disposal Rule govern	N.J.S.A. 56:8-162: destroy by shredding, erasing, or making unreadable, undecipherable, nonreconstructable	6 Del. C. Ch. 50C (since 2015): reasonable steps to destroy; private right of action; Title 19 §736 for employee records	Com. Law §14-3502: reasonable steps against unauthorized access when destroying customer/employee records
Breach notification	Residents without unreasonable delay; AG when >500 residents (Acts 151/2022, 33/2024)	Residents; Division of State Police BEFORE customers; credentials in scope since Sept 2019	Residents within 60 days; AG when >500 residents; Personal Data Privacy Act since Jan 2025	Residents within 45 days; AG BEFORE individuals; CRAs when >1,000 (Com. Law §14-3504)
State universal-waste additions	Oil-based finishes (25 Pa. Code Ch. 266b)	Consumer electronics; oil-based finishes (N.J.A.C. 7:26A-7)	Federal list	Federal list

02 · THE FEDERAL FLOOR

Identical in all four states

FTC Disposal Rule (16 CFR 682) for consumer report information · RCRA cradle-to-grave generator responsibility (household exemption does not apply to a business) · federal universal waste (40 CFR 273) for batteries, lamps, mercury devices, pesticides, aerosols · sector overlays by industry: HIPAA, GLBA/Interagency Guidelines, FERPA, FTC Safeguards Rule.

03 · ONE PROGRAM

Build to the strictest rule; apply it everywhere

- Disposal: treat every covered electronic device as banned from disposal (PA/NJ standard); route all of it to an R2v3-certified recycler with an audited downstream (Appendix A). Discharges RCRA generator responsibility everywhere.
- Destruction: every data-bearing device sanitized or destroyed to NIST SP 800-88 Rev. 2 with a serialized certificate before it leaves your control — meets NJ's "unreadable" standard, DE's and MD's reasonable steps, and the FTC rule in one act.
- Breach: a device with a certificate never enters a notification analysis — not the AG's, not the State Police's.
- Universal waste: lamps and batteries labeled, dated, shipped to a handler or destination facility; electronics on a separate truck to certified ITAD.

Sources: 35 P.S. §6031.101 et seq. (PA CDRA); 73 P.S. §2301 et seq. as amended by Acts 151 of 2022 and 33 of 2024; 25 Pa. Code Ch. 266b; N.J.S.A. 13:1E-99.94 et seq., 56:8-162, 56:8-163; N.J.A.C. 7:26A-7; 6 Del. C. Ch. 50C, 19 Del. C. §736, 6 Del. C. §12B-101 et seq.; Md. Code, Envir. §9-1727 et seq., Com. Law §§14-3502, 14-3504; 16 CFR 682; 40 CFR 273. Pattern-level summary, no penalty figures. Informational only — not legal advice; confirm with counsel. Full recap: promo.ccr cyber.com/articles/mid-atlantic-e-waste-data-destruction-laws