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RL: 2195

SB 2843 SD2 HD1
RELATING TO ELECTRONIC DEVICE RECYCLING

House Committee on Economic Development and Business Concerns
House Committee on Labor and Public Employment

Public Hearing – March 18, 2008
8:45 a.m., State Capitol, Conference Room 325

by

Mary Tiles, Department of Philosophy and Chair of the UH Sustainability Council
Peter Rappa, Environmental Center

SB 2843SD2 HD1 establishes a state program for collection, recycling, enforcement, and monitoring of covered electronic devices and establishes program funding through the electronic device recycling fund. We emphasize that our testimony on this measure does not represent an official position of the University of Hawaii.

We believe that something must be done to encourage and to require the recycling of covered electronic devices. Currently on Oahu, the e-waste is collected by the City and County of Honolulu and disposed of in the landfill. This practice not only takes up space in our rapidly filling landfill, it also leads to additional problems of these devices leaching lead and other toxic substances into the surrounding area.

To give an idea of the size of the problem, an Apple computer sponsored event held at the University of Hawaii at Manoa last year, collected e-waste from university campuses, Department of Education, private schools and individuals in the community. The total collected amounted to 45 shipping containers. Each container has a volume of 2,700 cubic feet. Apple estimates the total to be approximately 24,545 large garbage cans of e-Waste.

This was a one-time event. We need something systematic and user friendly that will keep electronic waste out of landfills, prevent it being illegally dumped and prevent it from being shipped to countries where the recycling is conducted using child labor, a practice with an appalling lack of safety conditions.

Recently Bose offered customers a purchase discount on a new sound system with conditions that they bring in their old one in for recycling. Retailers and producers need to create these types of incentives for consumers so that recycling is linked to new purchases and becomes an exchange - this is readily understandable and creates a single transaction for ease of use.

Thank you for the opportunity to comment on this bill.

LATE TESTIMONY

GOODSILL ANDERSON QUINN & STIFEL

A LIMITED LIABILITY LAW PARTNERSHIP LLP

GOVERNMENT RELATIONS TEAM:

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March 15, 2008

TO: Representative Kyle T. Yamashita
Chair, Committee on Economic Development & Business Concerns
Via Email: EDBtestimony@capitol.hawaii.gov

FROM: Christopher G. Pablo

RE: S.B. No. 2843 SD2 HD1 – Relating to Electronic Device Recycling
Hearing: Tuesday, March 18, 2008 at 8:45 a.m., Conf. Room 325

*****AMENDED TESTIMONY*****

Dear Chair Yamashita and Members of the Committee on Economic Development & Business Concerns:

I am Chris Pablo testifying on behalf of Covanta Energy Group, the operator of the HPOWER waste-to-energy facility at Campbell Industry Park.

S.B. 2843 SD2 HD1 establishes a state program for collection, recycling, enforcement, and monitoring of covered electronic devices, and establishes program funding through the electronic device recycling fund. Section 10 of this measure also prohibits any person from placing or disposing of any covered electronic device in any solid waste disposal facility.

Covanta believes that the appropriate handling of electronic devices is a product stewardship issue. As such, those who make or who dispose of the product should play the primary role in managing this product as waste. Although that issue is addressed by the electronic device recycling program to be established by S.B. 2843 SD2 HD1, the bill's disposal ban at facilities like HPOWER does not promote product stewardship.

Covanta does not want this material at HPower and does its best to keep it out. But Covanta is not in a position to keep the material out if it is disposed of in the waste delivered to HPower.

Covanta supports the creation of an electronic device recycling program pursuant to SB 2843 SD2 HD1, but requests an amendment to relieve the facility of liability should such devices enter the facility in the normal course of operations and not be disposed of in the manner provided by the proposed Electronic Waste Recycling Act. It is not feasible to separate materials

LINDA LINGLE
GOVERNOR OF HAWAII



STATE OF HAWAII
DEPARTMENT OF HEALTH
P.O. Box 3378
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LATE TESTIMONY

CHIYOME LEINAALA FUKINO, M.D.
DIRECTOR OF HEALTH

In reply, please refer to
File:

COMMITTEE ON ECONOMIC DEVELOPMENT AND BUSINESS CONCERNS

SB 2843, SD2, HD1 Relating to Electronic Device Recycling

Testimony of Chiyome Leinaala Fukino, M.D.
Director of Health

March 18, 2008
8:45 a.m.

1 **Department's Position:** The Department has concerns regarding SB2843, SD2, HD1 and prefers a
2 program that is privately run.

3 **Fiscal Implications:** The Department has not budgeted for startup costs of the program. This bill
4 establishes an Electronic Device Recycling Fund to collect manufacturer fees, payments, and penalties
5 to be administered by the Department.

6 **Purpose and Justification:** SB2843, SD2, HD1 establishes a state program for collection, recycling,
7 enforcement and monitoring of covered electronic devices.

8 The Department concurs with reducing the pollution due to electronic devices and believes that
9 product stewardship and manufacturer responsibility is a proactive approach in handling our waste
10 electronic devices. It is especially encouraging to have manufacturers and retailers supportive of this
11 concept. The department appreciates the intended self-sufficiency of the proposed program and its
12 positive environmental impact. However, we have serious concerns about funding and prefer a program
13 that is privately run and does not require the establishment of a new state program.

1 In light of the need for additional personnel to establish and implement the program, the
2 department requests that any provision of resources not adversely affect the priorities in our executive
3 supplemental budget request.

4 Thank you for the opportunity to testify.

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that are in the waste stream that is delivered to HPower once it enters the premises. Furthermore, Covanta does not believe it is good public policy to have its employees picking through large quantities of mixed municipal solid waste for electronic devices. It would place its employees at great risk. The health and safety of HPower's employees should not be compromised.

Therefore, we request the following amendment to Section 10, as follows:

§ -10 Disposal ban; recycler responsibility. (a) Beginning January 1, 2011, no person shall knowingly place or dispose of any covered electronic device in any solid waste disposal facility.

(b) A person shall not be considered to have knowingly placed or disposed of any covered electronic device in any solid waste disposal facility if the owner or operator of the facility provides written notice as follows:

- (1) Post signs at the entrance to the facility clearly indicating that disposal of electronic devices is prohibited by Chapter _____; and
- (2) By a contract in writing or letter to haulers that the placing or disposing of any covered electronic device in any solid waste disposal facility is prohibited by Chapter _____.

(c) Recyclers shall comply with applicable federal, state, and county laws, regulations, and rules in recycling covered electronic devices collected pursuant to this chapter.

Thank you for providing us with the opportunity to provide testimony on SB 2843 SD2 HD1.