

Sierra Club Hawai'i Chapter

PO Box 2577, Honolulu, HI 96803
808.537.9019 hawaii.chapter@sierraclub.org

LATE

SENATE COMMITTEE ON WAYS AND MEANS February 21st, 2008, 9:30 A.M.

(Testimony is 1 page long)

TESTIMONY IN SUPPORT OF SB 2843 SD1

Chair Baker and members of the Committee:

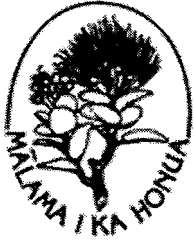
The Sierra Club, Hawai'i Chapter, with 5500 dues paying members statewide, supports SB 2843 SD1, establishing an electronic waste (or e-waste) recycling program.

E-waste from computers, televisions, and other high-tech devices is an increasing problem. This type of waste frequently contains toxic materials, such as lead in the circuit board soldering or in the cathode ray tube. Moreover, with landfill issues on nearly every island, policies to divert waste from landfills should be encouraged.

Starting the process to establish and fund a state e-waste recycling program is critical now as more and more residents purchase high definition televisions and decide to scrap their older sets.

The Sierra Club supports the amendments in Senate Draft 1, but we would prefer that telephones be included in the program.

Thank you for the opportunity to testify.



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LATE

SENATE COMMITTEE ON WAYS AND MEANS

February 21st, 2008, 9:30 A.M.

(Testimony is 4 pages long)

TESTIMONY IN SUPPORT OF SB 2850 SD1

Chair Baker and members of the Committee:

The Sierra Club, Hawai'i Chapter, with 5500 dues paying members statewide, supports SB 2850 SD1, providing funding for the Department of Agriculture's biosecurity program.

We believe that the adequate funding for the control and prevention of invasive species has been lacking for too long. As a result, Hawaii's residents, businesses, and agricultural operations are footing the bill. Estimates by one state biologist show that alien pests cost residents and the agriculture industry upwards of \$400 million annually.

Hawai'i is losing the war on alien species. Some alien species, such as miconia, threaten to destroy watersheds and native ecosystems, jeopardizing freshwater supplies and pushing species to extinction. Other alien species, such as the coqui frog and dengue and its carriers, threaten our health, tourist industry, and our quality of life. Of particular concern is the introduction of the brown tree snake—a snake that nearly wiped out the native bird population on Guam.

Invasive pests from the Asia and the US mainland wreck havoc on native ecosystems. The cost—both economic and environmental—of introduced species in Hawai'i is astronomical. Tourism, agriculture, native species, and citizens' way of life are threatened with each new introduction. Sufficient funding to reduce introductions is clearly warranted; this is one area where an ounce of prevention is worth many pounds of cure.

The following pages contain articles highlighting the magnitude of Hawaii's invasive species problem. The first, from the February 7th, 2001 *Honolulu Advertiser*, describes the failure of the current mitigation methods efforts at the Kahului airport. The second, from the December 15th, 2005 *Honolulu Advertiser*, explains the dire situation with a recently introduced pest, the erythrina gall wasp, and the native wiliwili tree. Both make the case for expanded invasive species funding.

Thank you for the opportunity to testify.

Airport inspectors find plenty of trouble

By Timothy Hurley

Advertiser Maui Bureau

February 7, 2001

KAHULUI, Maui — A trial period of beefed-up agricultural inspections under way at Kahului Airport has turned up hundreds of insects and diseases, many not known to occur in Hawai'i.

State agriculture officials said yesterday that inspectors have returned contaminated shipments to the Mainland and have destroyed others as part of an effort to see exactly what's needed to intercept alien species at an airport that is soon expected to be accepting international flights.

At the same time, they said, the project may shed some light on weaknesses that may exist at inspection points at other ports of entry across the state.

Agriculture officials described their pest risk assessment study last night at a meeting sponsored by the Maui Invasive Species Committee and the Maui Farm Bureau.

The effort, they said, is being financed by \$300,000 in Federal Aviation Administration money and features more inspectors and dog teams, a doubling of the staff at Kahului Airport. The project was launched in late September and will continue during intermittent three- and four-week periods for a year.

Lyle Wong, Plant Industry Division administrator, said workers are conducting a 100 percent inspection of all incoming domestic flights and air cargo containers of agricultural products such as fresh fruits and vegetables and also are looking at aircraft cabin cargo and wheel wells.

Specifically, inspectors are looking for plant materials, insects, animals and other organisms that could wreak havoc on Maui's environment and crops.

Entomologist Neil Reimer said that Kahului Airport inspectors intercepted 90 plant diseases and 844 insects, mites, snails and other pests from Sept. 25 to Dec. 15. That compares to typical results of 1,200 interceptions a year islandwide.

Of the 844 pests, nearly 200 of them are not known to occur in Hawai'i, Reimer said, and about 200 more were too immature to be identified. The rest already are established in the Islands.

Lloyd Loope, U.S. Geological Survey scientist stationed at Haleakala National Park, said the numbers indicate the inspection system is "a leaky sieve."

"We're finding out just how leaky it is," Loope said.

The best solution for Hawai'i seems to be to push for pre-inspections before goods leave the Mainland, he said.

"Otherwise, Hawai'i will continue to accumulate a host of pests that impact all aspects of life and business in Hawai'i," Loope said.

When state officials announced plans to expand Kahului Airport 10 years ago, some critics questioned the wisdom of accommodating international flights and even more Mainland flights without a more serious quarantine effort to prevent invasive alien pests.

The critics complained that the existing inspection system was inadequate and getting less effective over time because of budget cuts.

More than two years ago, state and federal authorities signed an agreement on preventing introduction of alien species at Kahului Airport. A team of representatives from state and federal agencies, the airline industry and the Maui tourism industry was formed to look at the issue, and an Alien Species Action Plan was formulated.

Reimer said preliminary data show plants present a higher risk of bringing in pests, while passengers and baggage are a lower risk.

Fred Kraus, the state's alien species coordinator, said increased port-of-entry inspections statewide would help filter out many pests, including an increasing number of snakes.

Scientists have said more than 15 new pest species become established in Hawai'i each year.

Honolulu Advertiser

Thursday, December 15, 2005

Scientists step up battle to save wiliwili

By Jan TenBruggencate

Hawai'i researchers and plant experts are working in laboratories, gardens, native forests and soon even in Africa toward a common goal of saving the embattled Hawaiian wiliwili tree, which is being threatened across the state by a mysterious bug called the erythrina gall wasp.

The almost microscopic wasps appeared in Hawai'i only this year and have invaded all the main islands. They are soon expected to be everywhere wiliwili is found in the wild landscape.

"They're so tiny and they're spread on winds, so it just seems they're going to reach every population," said Honolulu botanist Maya LeGrande, who specializes in wiliwili. She said wiliwili is the only native dryland tree species that is still widespread.

The urban landscape is suffering, too. Native wiliwili and its relatives, sometimes known as coral trees, are popular landscaping plants that belong to the genus *erythrina*. Many of trees in parks and along streets in Honolulu and across the state are now bare, their branch tips overtaken by misshapen lumps, or galls, that are unformed leaves, swollen in reaction to eggs injected by the female wasps.

Scientists, foresters, landscapers and natural-resources managers launched a statewide multi-agency response soon after the bug was first noticed on O'ahu in April. But the wasp has spread so rapidly and its impacts are so severe that saving the wiliwili in the Hawaiian dry forest is in doubt.

Some botanists say a biological control — a disease or another insect that attacks the wasp — is the wiliwili's best hope, but state entomologists say it could be years before such a remedy could be approved for release, even if one is found soon.

The next best hope is that something already in the Hawaiian environment will identify the wasp as prey and begin attacking it.

But scientists wonder if there's time, and they are leading a complex series of efforts to bring living plant material into storage, to protect plants still in the wild and to find the magic biological bullet as soon as possible.

Alvin Yoshinaga, who runs the Center for Conservation Research and Training at the University of Hawai'i's Lyon Arboretum, is taking delivery of tens of thousands of seeds from hundreds of populations of wiliwili around the state as part of an effort to preserve the genetic diversity of the wild plants.

"We're refrigerating or freezing them. We're splitting the collections into three different locations," said Lauren Weisenberger, who oversees the arboretum's seed conservation lab. Wiliwili seeds germinate at a high rate and should survive for several years in cold storage, she said.

Scientists at the National Tropical Botanical Garden's new tissue culture laboratory in Lawa'i Valley on Kaua'i are trying a different tack. They are growing rare relatives of wiliwili in a sterile lab, then clipping off bits of leaf and placing them on agar in test tubes and petri dishes. If they can develop

techniques to grow erythrina from sterile plant tissue in the lab, they can keep species alive indefinitely in bug-proof rooms.

"If we can do this, we can keep it safe until the gall wasp is controlled in the wild," said Ellen Coulombe, administrative assistant in the garden's conservation department.

The National Tropical Botanical Garden and the Waimea Valley Audubon Center on O'ahu together have the world's largest collection of wiliwili and other erythrina. Each garden has more than 80 species, and both are working hard to protect their collections.

Waimea botanist David Orr said his gardeners drenched their plants with an insecticide called imidacloprid, which enters the plant's tissues and may protect it against the wasps.

"I'm really amazed at our results. Our plants are doing pretty well," he said.

State foresters with the Department of Land and Natural Resources are experimentally treating wild trees at Kekaha, Kaua'i, and Wai'anae, O'ahu, with applications of imidacloprid. Similar treatments at the National Tropical Botanical Garden, however, have not been that successful.

It is clear that some wiliwili cousins, notably some thick-leaved species from Africa, appear to be naturally resistant.

On Dec. 24, state Department of Agriculture entomologist Mohsen Ramadan will fly to Tanzania in Africa, where there are known to be relatives of the erythrina gall wasp. His goal is to find other insects that naturally attack the gall wasp and might be effective in controlling the pest in Hawai'i. Other insect experts are looking in Kenya and elsewhere in Africa.

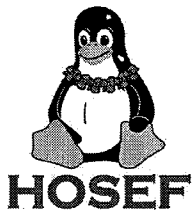
"The rainy season will be starting there and plants will be beginning to flush. That will be a good time to be looking for the wasps," said Neil Reimer, plant pest control branch manager at the Department of Agriculture.

"I am confident that there are parasites in Africa and that we can get them."

But that's just the first step. Reimer said it could take several years to completely test any parasites to be sure they don't threaten native Hawaiian insects.

University of Hawai'i entomologist Russell Messing said scientists still don't clearly understand the interaction between the gall wasp and the wiliwili plant.

"The thing that's tricky about the project is you can have entire communities of things living within a gall. There's a lot of biology that needs to be done," Messing said.



The Hawai`i Open Source Education Foundation
P.O. Box 2644
Ewa Beach, HI 96706
808.689.6518 phone/fax
scott@hosef.org

COMMITTEE ON WAYS AND MEANS
Senator Rosalyn H. Baker, Chair
Senator Shan S. Tsutsui, Vice Chair

Thursday, February 21, 2008
9:30 a.m.
Conference Room 211

Re: SB 2843, SD1 RELATING TO ELECTRONIC DEVICE RECYCLING.

Esteemed Chairs

I am wholeheartedly concerned that this legislation, as currently written, will destroy the opportunity for thousands of our citizens to have access to affordable technology. The take-back nature of SB 2843 means that we send computers away from Hawaii never to be re-used again. The computers that my charity was able to take from MECO on the island of Maui and place in Kailua Intermediate would not be available to us if SB 2843 passes without some friendly amendments.

I apologize to the honorable chairs for making this request at such a late hour. I have been busy trying to build learning opportunities around previously discarded but still usable computers. All the talk about STEM is pointless if the weakest amongst us don't have the kind of access to technology that HOSEF enables.

While it would still be fundamentally flawed, the bill could be improved if the following occurred:

Page 1

*Line 13 read as "to encourage recycling and **reusing** discarded electronics."*

*Line 15 read as "The purpose of this act is to encourage recycling **and reusing***

Page 2

Line 5 read as "Electronic Waste Recycling and Reusing Act"

Adding a definition for reusing. "Reusing" means extending the life of covered electronic devices or their components by re-purposing them or using them again.

Change relevant "recycling" references to "recycling and reusing."

Mandating that manufacturers work with recyclers and reusers.

Requiring the Department of Health to report on the approximate number of

computers now serving the communities of Hawaii instead of being stripped for precious materials.

In conclusion, I strongly encourage you to put SB2843 to rest for this session. It is not ready. It merits no money and no further consideration.

It is tragic that those of us who have been trying to handle ewaste in a manner consistent with our Hawaiian values were not even consulted in the drafting of this legislation. I have not seen any of the other testifiers favoring this legislation serving Hawaii's tech future on the proverbial front line. Looking forward I encourage the Legislature to model the California initiative for ewaste. It leverages the innovative private sector by facilitating an ewaste fund sustained by charging a disposal fee with each new computer and television.

With Good and Noble Intent

A handwritten signature in black ink, appearing to read "R. Scott Belford". The signature is written in a cursive, flowing style.

R. Scott Belford
Founder and Executive Director

State of Hawaii
Committee on Ways and Means
Hearing on Hawaii Senate Bill 2843, Relating to Electronic Device Recycling
February 21, 2008

A statement for the record submitted by Mark Small, Vice President of Environmental Health and Safety, on behalf of Sony Electronics Inc. ("Sony").

Chairwoman Baker and distinguished Members of the Committee, thank you for the opportunity to present information about Sony's environmental stewardship program and commentary with respect to Senate Bill ("SB") 2843.

For over forty-five years Sony has been one of the leading consumer electronic manufacturers in the United States. Sony is particularly proud to say that Sony Hawaii was founded in 1968, generates hundreds of millions of dollars in annual revenue (75 percent of which comes from discounted Sony products sold directly to United States military personnel around the world), and is headquartered right here in Honolulu on Mapunapuna Street.

Sony's Environmental Stewardship Program

Sony has long been an industry leader in the environmentally-friendly design of our consumer electronics and information technology products and our cooperative efforts to recycle those products. But now, *Sony has made an even stronger commitment to our environmental stewardship and has implemented a voluntary electronics recycling program under which Sony takes full manufacturer responsibility for all of the products that bare the Sony brand name and will recycle those products at no cost to the consumer.*

In carrying out this program, Sony has teamed up with Waste Management Inc. to establish a nationwide "e-waste" take-back and recycling program with at least 150 locations throughout the United States, with one plant in every state by September 2008. Our goal is to have a collection location within 20 miles of 95% of the United States population at which consumers, retailers and municipalities can have any product from any consumer electronic manufacturer recycled and be assured that that product is recycled using the highest environmental standards. *In short, Sony seeks to make the recycling of our products (as well as the products of other consumer electronic manufacturers) as easy for consumers as the purchase was for those products.*

In addition to voluntarily tackling the issue of e-waste, Sony has also been a leader in the effort to address global climate change. Just this past week at an event co-sponsored by Sony and the World Wildlife Fund ("WWF"), Sony reiterated its commitment to fighting global warming by signing the Tokyo Declaration, a strict, self-imposed commitment to not only reduce Sony's own greenhouse gas emissions, but to also pledge to reach out to other companies in an effort to urge them to take similar steps. At the Sony-WWF event, held on the eve of the third

anniversary of the Kyoto Protocol's enactment, Sony Chairman and Chief Executive Officer Sir Howard Stringer noted:

At Sony, we believe that it is impossible for a business to flourish in a degraded environment. For this reason we are committed to using our technological ability and know-how to reduce our impact on the planet, and to help our customers reduce their impact at home. We have always recognized that we have an obligation to act responsibly in all of our business activities to help minimize our environmental impact, and at the same time utilize our unique talents to help solve environmental problems together with our peers and our partners.

Sony's Comments on SB 2843

Briefly summarized, Sony urges you to adopt legislation that supports our efforts and extends the environmental stewardship we have demonstrated to all electronic manufacturers and retailers. While we are confident that Sony's voluntary e-waste recycling program will make great strides forward, only a truly comprehensive and consistent program will allow all interested parties to achieve our shared electronics recycling goals. Sony, therefore, respectfully requests that any bill be drafted or modified so as to reflect the following:

- **Producer Responsibility**

Sony believes that it is the individual manufacturer's responsibility to assure that any product that it puts its name on is properly recycled using the highest standards possible at the end of that product's life. We encourage SB 2843 to reflect this type of responsibility for all manufacturers of electronic products.

- **Market Share**

In order to create a level playing field where no manufacturer can gain a competitive market advantage by shirking its recycling responsibilities, it is necessary that *any manufacturer obligation be based upon present market share* and not on historical activities or the amount of waste collected. Systems based upon the amount of waste collected will give a cost advantage to those companies that are new to the market. Such companies can avoid any recycling cost by simply staying in business and changing their brand or company name every year. Many of these "no name" brands are made of lower quality materials, which can contain higher levels of toxic chemicals and are often more difficult to recycle. Any mandate not based upon today's market share will give those companies a "free ride" on recycling which will in turn help lower their costs when compared to responsible companies like Sony. Such a mandate would reward manufacturers who avoid their environmental obligations and penalize Sony and put our more environmental-advanced products at a competitive cost disadvantage.

- **Products Covered**

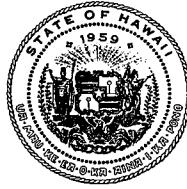
Our recycling program covers all of our branded products from the movies we make (*i.e.*, DVDs), to the professional equipment that is used to project movies in theaters, to the laptops or televisions you can use to watch the movies at home. We encourage the State of Hawaii to

support our efforts by adopting one program with one set of requirements which will require full producer responsibility for all products manufactured.

- **Cost**

Sony internalizes the cost of recycling and requests that any mandate require the same. Currently, it costs Sony money to recycle our old products. While there are several financing mechanisms that allow for recovery of this cost, Sony believes that internalizing the cost is the most effective and fair method for funding a comprehensive electronics recycling program. Such a funding mechanism necessarily creates market incentives for manufacturers to *ex ante* design and produce the most environmentally-friendly products possible and to develop and implement the most efficient, and cost-effective recycling procedures. Indeed, it is Sony's ultimate goal through design improvements, the growth of the recycling industry, and efficiencies of scale to drive these recycling costs down toward zero, thus, making recycling cost effective. Until that time, Sony considers the cost of recycling as part of the cost of doing business.

Thank you again for allowing Sony the opportunity to submit testimony for the record. We look forward to working with you in developing a successful e-waste recycling program.



STATE OF HAWAII
DEPARTMENT OF HEALTH
P.O. Box 3378
HONOLULU, HAWAII 96801-3378

In reply, please refer to:
File:

COMMITTEE ON WAYS AND MEANS

S.B. 2843 S.D. 1, Relating to Electronic Device Recycling

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

**February 21, 2008
9:30am**

1 **Department's Position:** The Department of Health has serious concerns regarding S.B. 2843, SD1
2 because of the bill's potential impact on small business and the funding that would be required for
3 implementation.

4 **Fiscal Implications:** The measure requires increased funding and staffing not accounted for in the
5 Executive Supplemental Budget proposal.

6 **Purpose and Justification:** The Department concurs with reducing the pollution due to electronic
7 devices and believes that product stewardship and manufacturer responsibility is a proactive approach in
8 handling our waste electronic devices. We should have a system that helps consumers to do the right
9 thing.

10 SB 2843, SD1 increases the scope of the original bill by including computers. Its major impact
11 is on small, local computer companies that assemble computers for sale in Hawaii. The annual
12 registration fee of \$5,000 may create a hardship for the smaller local companies. As written, the bill is
13 most similar to the Oregon law. However, it does not provide a graduated registration fee based on
14 product sales.

1 Two states provide relief for companies that sell less than 100 devices per year. The Connecticut
2 law exempts them from the registration fee while the Minnesota law requires a reduced fee of
3 \$1,200/year.

4 Given the comprehensive nature of the bill, the many stakeholders involved, and the intensive
5 pre-planning and outreach required, the department would not be able to implement a program in the
6 proposed timeline. A program of this magnitude requires at least a minimum of one year planning and
7 coordination with stakeholders in order to be successful. Implementation of the bill, if passed, will
8 require significant resources. The first year cost to develop this program would be at least \$75,000 of
9 general funds. Succeeding yearly costs would be approximately \$210,000 taken from the fees generated
10 from the registration program.

11 In conclusion, the Department reiterates its commitment to recycling and allowing for
12 manufacturers to participate in the proper handling and recycling of their products. However, any
13 appropriation should not displace the priorities in the executive supplemental budget proposal.

14 Thank you for the opportunity to testify on this measure.

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THE UNIVERSITY OF HAWAII ENVIRONMENTAL CENTER IS PLEASED TO SUBMIT THIS TESTIMONY IN ACCORDANCE WITH ACT 132 OF 1970 WHICH CREATED THE CENTER. AUTHORS ARE MEMBERS OF THE UNIVERSITY COMMUNITY.

RL: 2172

SB 2843 SD1
RELATING TO ELECTRONIC DEVICE RECYCLING

LATE

Senate Committee on Ways and Means

Public Hearing – February 21, 2008
9:30 a.m., State Capitol, Conference Room 211

By

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

SB 2843 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/require the recycling of covered electronic devices. Right now on Oahu they are collected by the City and County of Honolulu and disposed of in the landfill. Not only does this take up space in our rapidly filling landfill but these devices leach lead and other toxic substances into the surrounding area.

Just to give an idea of the size of the problem, at the Apple computer sponsored event held at the University of Hawaii at Manoa last year, e-waste was collected 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 eWaste.

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 with child labor 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.

Thank you for the opportunity to comment on this bill.