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GOVERNOR OF HAWAII



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In reply, please refer to:  
File:

**HOUSE COMMITTEE ON ENERGY AND ENVIRONMENTAL PROTECTION  
HOUSE COMMITTEE ON ECONOMIC REVITALIZATION, BUSINESS &  
MILITARY AFFAIRS**

**H.B. 1809 , RELATING TO RECYCLING**

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

**February 5, 2009**

1 **Department's Position:** The Department of Health appreciates the intent of this measure but  
2 respectfully opposes it because in the state's current fiscal difficulties, it is not prudent to establish new  
3 programs.

4 **Fiscal Implications:** If the department is intended to have a serious enforcement role, it estimates that  
5 additional resources required to administer this program would be \$150,000 to \$200,000 annually  
6 including 2.0 FTEs.

7 **Purpose and Justification:** This bill proposes the creation of a statewide program for the recycling of  
8 televisions and is the television industries' response to requirements set forth in Act 13 of the 2008 First  
9 Special Session. It uses a "market share" approach generally favored by many manufacturers and starts  
10 actual recycling on January 1, 2011.

11 DOH supports recycling and efforts by manufacturers to assume responsibility for the waste that  
12 results when their products are no longer used. We have serious concerns about the how the bill will  
13 work, the department's role, and needed resources.

1           If the department is to administer the law in a traditional fashion, we estimate between \$150,000  
2   and \$200,000 in expenditures are needed. This total includes 2.0 FTE to conduct clerical support,  
3   accounting activities, and enforcement. We also estimate \$50,000 annually for the purchase of TV sales  
4   data to determine manufacturer's market share. The department estimates receiving \$125,000 in  
5   revenue given the \$2,500 manufacturer initial registration fee. There is also a yearly \$2,500 registration  
6   fee. A renewable registration fee to \$5,000 and/or requiring manufacturers to provide sales data directly  
7   to the department would be closer to our needs under a traditional administration approach. None of  
8   these expenditures are provided in the Executive's proposed biennium budget.

9           The bill needs to clarify whether the proposed recycling approach is basically voluntary or  
10   mandatory. The bill has manufacturer duties for using labels, selling only TVs with labels, and  
11   submitting reports, and has an enforcement section and penalties, but manufacturer responsibilities for  
12   actual recycling are "non-binding." Page 9, lines 20-21. We understand that industry favors incentives  
13   over enforcement. The bill could set forth the framework for a voluntary program by industry with  
14   requested or required reports, so that the legislature can evaluate industry efforts later. The department  
15   need not be involved.

16           Alternatively, if the legislature wants government oversight and enforcement to accomplish  
17   recycling, then the bill should be clarified to accomplish that end, but we would then confront the lack of  
18   resources.

19           In addition to seeking clarification of the basic approach, we have questions and concerns about  
20   the specifics of implementation. For example, the proposed formula to determine each manufacturer's  
21   recovery responsibilities needs improvement. The bill does not ban manufacturers from charging for  
22   recycling TVs, and charging would probably discourage the public. The bill also does not cover  
23   commercial TVs, as might be generated by a hotel replacing its TVs. We are interested in discussing the  
24   issues further.

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Thank you for the opportunity to testify on this measure.



# Sierra Club Hawai'i Chapter

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## HOUSE COMMITTEE ON ENERGY & ENVIRONMENTAL PROTECTION HOUSE COMMITTEE OF ECONOMIC REVITALIZATION, BUSINESS, & MILITARY AFFAIRS

February 5, 2009, 8:35 A.M.

**(Testimony is 1 page long)**

### TESTIMONY IN SUPPORT OF HB 1809

Chair Morita, Chair McKelvey, and members of the Committees:

The Sierra Club, Hawai'i Chapter, with 5500 dues paying members statewide, supports HB 1809, establishing a television recycling and recovery program. This bill is a logical continuation of last year's important e-waste statute (Haw. Rev. Stat. Ch. 339D-1 (Supp. 2008)).

As the Sierra Club testified last year, 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.

Incorporating televisions into the current legislation is critical now as more and more residents purchase high definition televisions. The Sierra Club frequently receives calls from members asking for advice on how to dispose of their old TV sets – unfortunately, there is no good answer.

We ask that this timely measure be forwarded for further discussion.

Thank you for the opportunity to testify.