

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

In reply, please refer to:  
File:

## HOUSE COMMITTEE ON ENERGY & ENVIRONMENTAL PROTECTION

### SB 2857, SD2, RELATING TO ELECTRONIC WASTE RECYCLING

Testimony of Linda Rosen, M.D., M.P.H.  
Director of Health

March 11, 2014  
8:30 a.m.

1 **Department's Position:** The Department of Health strongly supports this administration bill.

2 **Fiscal Implications:** Undetermined.

3 **Purpose and Justification:** This bill proposes to amend and strengthen the Electronic Waste and  
4 Television Recycling and Recovery Program. This version of the bill addresses areas of concern to the  
5 department: 1) create recycling goals to ensure adequate performance from each manufacturer's  
6 program; 2) create requirements for those programs to ensure reasonably convenient recycling options  
7 for the public; and 3) institute penalties for under-performing (or non-performing) recycling programs.

8 This version of the bill proposes new approaches to manufacturer recycling goals and recycling program  
9 convenience requirements.

10 We appreciate the work of the Senate Committees on Energy and Environment and Ways and  
11 Means to improve the bill. Should this committee consider reinstating the blanked out penalty amounts  
12 within the bill, we ask that you consider amounts high enough to act as an effective deterrent to offering  
13 under-performing recycling programs. This is important in that setting the penalties too low may result  
14 in manufacturers choosing to pay the penalty in lieu of making real efforts to offer convenient recycling  
15 options to the public.

1           The department has had many discussions with major stakeholders in the E-Waste Recycling  
2 program and will continue to work with them on this bill in order to improve the program.

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

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DEPARTMENT OF ENVIRONMENTAL SERVICES  
**CITY AND COUNTY OF HONOLULU**

1000 ULUOHIA STREET, SUITE 308, KAPOLEI, HAWAII 96707  
TELEPHONE: (808) 768-3486 • FAX: (808) 768-3487 • WEBSITE: <http://envhonolulu.org>

KIRK CALDWELL  
MAYOR



LORI M.K. KAHIKINA, P.E.  
DIRECTOR

TIMOTHY A. HOUGHTON  
DEPUTY DIRECTOR

ROSS S. TANIMOTO, P.E.  
DEPUTY DIRECTOR

IN REPLY REFER TO:  
WAS 14-36

March 10, 2014

The Honorable Chris Lee, Chair  
and Members of the Committee on  
Energy & Environmental Protection  
House of Representatives  
State Capitol  
Honolulu, Hawaii 96813

Dear Chair Lee and Members:

SUBJECT: Senate Bill 2857, SD2, Relating to Electronic Waste Recycling

The City and County of Honolulu's Department of Environmental Services (ENV) supports Senate Bill (SB) 2857, SD2, which amends the current statute to further define the minimum requirements for and penalties related to the manufacturer-financed electronic waste recycling program.

ENV believes that these new measures would go a long way to strengthen the program by defining clear recovery goals and requiring the manufacturers to provide greater convenience to the consumer. Under the existing law, manufacturers can submit a simple mail-back program, which is inadequate to address any significant diversion of electronic waste from county landfills, and leaves the neighbor islands particularly under serviced. E-waste collection has been concentrated on Oahu, and even here recycling companies have complained that manufacturers do not provide adequate financial support.

Manufacturers should be required to provide on-island collection sites and to be accountable for capturing a specified portion, or market share, of the electronics sold within the state.

We believe that the responsibilities for collecting and recycling electronic waste are best managed by the industry, and support the evolution of this law to strengthen those requirements.

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Lori M.K. Kahikina".

Lori M.K. Kahikina, P.E.  
Director

**William P. Kenoi**  
*Mayor*

**Walter K.M. Lau**  
*Managing Director*



**BJ Leithead Todd**  
*Director*

**John A. Medeiros**  
*Deputy Director*

**County of Hawai'i**  
**DEPARTMENT OF ENVIRONMENTAL MANAGEMENT**  
345 Kekūanāo'a Street, Suite 41 • Hilo, Hawai'i 96720  
(808) 961-8083 • Fax (808) 961-8086  
<http://www.hawaiicounty.gov/environmental-management/>

March 10, 2014

COMMITTEE ON ENERGY & ENVIRONMENTAL PROTECTION  
Rep. Chris Lee, Chair  
Rep. Cynthia Thielen, Vice Chair  
Hawai'i State Capitol, Room 325  
Honolulu, HI 96813

NOTICE OF HEARING

DATE: Tuesday, March 11, 2014  
TIME: 8:30 A.M.  
PLACE: Conference Room 325  
State Capitol  
415 South Beretania Street

**Re: Testimony in Support of Senate Bill (SB) 2857 SD 2 Relating to Electronic Waste Recycling, which establishes goals for covered electronic recycling, penalties for manufacturers not meeting goals and convenience requirements for Neighbor Island electronic recycling.**

Dear Chair Lee and Vice Chair Thielen and EEP Committee Members,

The County of Hawai'i Department of Environmental Management is pleased to submit testimony in **support of Senate Bill 2857** that strengthens the current Electronic Waste and Television Recycling and Recovery Act.

Senate Bill (SB) 2857 would 1) establish electronics recovery goals based on prior sales of the manufacturer's products in the State; 2) establish penalties based on weights for those manufacturers that do not meet their goals; 3) establish certification requirements to meet environmental standards; and 4) most importantly require minimum convenience levels for Neighbor Island electronics recycling.

The County of Hawai'i would prefer that the goals for recovery on the Neighbor Islands be set higher than the 25% level in the bill and that the minimum frequency of collection services be increased to monthly for §339D-B (d)(3). We look forward to working with the legislature and all interested parties to strengthen our electronics recycling law, protecting our environment and enhancing recycling options for our Hawai'i Island residents.

Thank you for your consideration.

Best Regards,

A handwritten signature in black ink that reads "BJ Leithead Todd". The signature is written in a cursive, flowing style.

BJ Leithead Todd  
DIRECTOR

cc: Mayor William Kenoi  
Greg Goodale, Hawai'i County Solid Waste Division Chief  
Linda Peters, Hawai'i County Recycling Coordinator



Consumer Electronics Association  
1919 South Eads Street  
Arlington, VA  
22202 USA  
(866) 858-1555 toll free  
(703) 907-7600 main  
(703) 907-7601 fax  
www.CE.org

March 11, 2014

Via email: [EEPttestimony@capiol.hawaii.gov](mailto:EEPttestimony@capiol.hawaii.gov)

Representative Lee, Chair, House Committee on Energy and Environmental Protection  
Hawaii State Capitol, Room 325  
415 South Beretania Street Honolulu, HI 96813

**Re: SB 2857 SD2; Relating to Electronic Waste Recycling**

Dear Chair Lee and Members of the Committee on Energy and Environmental Protection:

On behalf of the Consumer Electronics Association® (CEA), I am writing to **oppose** S.B. 2857, S.D. 2, which proposes to amend the existing statutes relating to the electric device recycling program.

CEA represents more than 2,100 companies involved in the design, development, manufacturing, distribution and integration of audio, video, in-vehicle electronics, wireless and landline communications, information technology, home networking, multimedia and accessory products, as well as related services that are sold through consumer channels.

S.B. 2857, S.D. 2 amends Hawaii's existing law that provides for recycling of electronic devices and televisions. CEA appreciates its discussions with the Department of Health and believes that fixes to the current law can and should be made (such as eliminating mail-back programs as a compliance option). However, CEA has serious concerns that this measure as drafted is overly burdensome, will be costly to the businesses it affects, and will not achieve the desired outcome of more recycling in the state of Hawaii.

**CEA strongly opposes a 50% pounds sold requirement.** Under this measure, at §339D-A (c) (page 1, Section 1, lines 14-18), manufacturers would be required to meet a 50% pounds-sold recycling target. This would be onerous on computer manufacturers, because much of their sales in Hawaii are to commercial or government customers who already have well-established systems in place to recycle their old computer equipment. The current law already requires manufacturers to offer take-back services to business. Computers already are recycled in very high rates from business institutions due to high value recovery, data security, leasing take-back, technology refresh with local companies, and other B2B arrangements. It is not reasonable to expect that manufacturers would break those existing, entrenched, and well-functioning business arrangements to pry away material just to meet targets. Nor would such activity add any environmental value. Furthermore, with CRT TVs soon phasing out of the recycling stream, a 50% target will become untenable and extremely difficult to sustain due to declining weight of products recycled.

**Convenience requirements are not practical.** Under the bill at §339D-B (b) (Page 2, Section 2, lines 20-22), the convenience obligations would require that each of the more than a dozen different recycling plans submitted to the Department of Health (DOH) provide for at least one collection service at various frequencies on each island. While CEA appreciates the attempt in the S.D. 1 to create a formula for the frequency of collection, it would simply not be reasonable or practical to require each of those 12-20 different manufacturer-financed recycling programs (some of the 50+ registered manufacturers work together in small groups) to each have collection service that would provide for at least one collection service on every inhabited island with a population greater than one thousand. We think this would be overkill.

**CEA opposes eliminating limitations on the Department to assess fees.** Finally, CEA strongly objects to the changes proposed to §339D-9 (b) (Page 11, Section 5, lines 8-12), which removes the limitation on DOH's authority to assess fees, including an advanced recycling fee, registration fee, or other fee, on consumers, television manufacturers, or retailers for recovery of covered televisions.

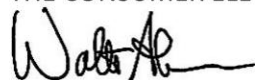
**Manufacturer recycling initiatives have made improvements to the existing collections system.** CEA believes that, rather than proposing legislation that is unworkable, more attention and resources should be focused on the actual collection and recycling of used electronics. CEA and our members have voluntarily worked to increase manufacture-financed collection opportunities and public awareness about these opportunities throughout the State on several fronts. First, CEA is working with representatives of the retail industry on a pilot program to utilize empty shipping containers to take e-waste from Hawaii to the mainland for recycling. Second, CEA is promoting a new web page on CEA's recycling website, [www.greenergadgets.org/hawaii](http://www.greenergadgets.org/hawaii), which shows the locations of all manufacturer-sponsored electronics collection events in the State. Third, CEA has been promoting manufacturer-financed events and other collections through media, advertisements and social media in Hawaii.

CEA notes that the target for TV recycling increased by more than 40% from 2012 to 2013. Based on an informal survey of several TV recycling programs, CEA expects this target to increase again in 2014 based on 2013 collections in excess of the target.

CEA notes that it is willing to work on fixes to the existing law; however, the onerous requirements in the current draft of the bill are not something that CEA can agree to. With the increased collections and consumer education under the existing law, CEA is not yet convinced that amending the law is necessary. However, CEA remains open to continuing to work with the Legislature and DOH to improve consumer electronics recycling in the State.

Thank you for the opportunity to submit testimony.

Sincerely,  
THE CONSUMER ELECTRONICS ASSOCIATION



Walter Alcorn  
Vice President, Environmental Affairs and Industry Sustainability



Chamber of Commerce HAWAII  
*The Voice of Business*

**Testimony to the House Committee on Energy and Environmental Protection  
Tuesday, March 11, 2014 at 8:30 A.M.  
Conference Room 325, State Capitol**

**RE: SENATE BILL 2857, SD2 RELATING TO ELECTRONIC WASTE RECYCLING**

Chair Lee, Vice Chair Thielen, and Members of the Committee:

The Chamber of Commerce of Hawaii ("The Chamber") **opposes** SB 2857, SD2 Relating to Electronic Waste Recycling.

The Chamber is the largest business organization in Hawaii, representing more than 1,000 businesses. Approximately 80% of our members are small businesses with less than 20 employees. As the "Voice of Business" in Hawaii, the organization works on behalf of its members, which employ more than 200,000 individuals, to improve the state's economic climate and to foster positive action on issues of common concern.

We oppose SB 2857 SD2 for the following reasons. We strongly oppose the 50% pounds sold requirement. Seeing as much of computer sales are for commercial and government customers, this requirement would be onerous and could hurt the existing systems and take back currently existing programs. We also oppose the convenience requirements as they are not practical and would increase cost to business and consumers. Additionally, we oppose eliminating limitations on the Department to assess fees. We believe that there should be reasonable caps and see no reason to remove them.

We believe that manufacturer recycling initiatives have made improvements to the existing collections system and ask that you continue to allow businesses to improve on the existing infrastructure to help recycle electronic items.

We ask that this bill be held. Thank you for this opportunity to express our views.



March 8, 2014

The Honorable Chris Lee  
Chair, House Committee on Energy & Environmental Protection  
Hawaii State Capitol, Room 436  
Honolulu, Hawaii 96813

The Honorable Cynthia Thielen  
Vice Chair, House Committee on Energy & Environmental Protection  
Hawaii State Capitol, Room 443  
Honolulu, Hawaii 96813



HEARING        Tuesday, March 11, 2014  
                     8:30 a.m.  
                     Conference Room 325  
                     State Capitol, Honolulu, HI 96813

**RE:     SB 2857, SD2 – Relating to Electronic Waste Recycling**

Dear Chair Lee, Vice Chair Thielen and Members of the EEP Committee:

On behalf of the Retail Merchants of Hawaii (RMH), thank you for the opportunity to provide testimony in opposition to S.B. 2857, SD2 which proposes to amend and expand the Hawaii electronic recycling law.

Retail Merchants of Hawaii (RMH) is a not-for-profit trade organization representing 200 members and over 2,000 storefronts, and is committed to support the retail industry and business in general in Hawaii. The retail industry is one of the largest employers in the state, employing 25% of the labor force.

RMH has specific concerns of the current language in SB 2857, SD2 which we hope will be reviewed and further dialogue will be implemented with multi-agency partners prior to moving this measure forward. RMH's concerns include the following:

- The proposed collection convenience requirements would be difficult to implement.
- Combining the TV and IT laws in the way proposed would result in unintended consequences.
- The quantified recycling targets and collection convenience mandates would be extremely difficult to meet.

In addition, RMH is currently working with the Consumer Electronics Association (CEA) to establish a pilot project in order to reduce the cost of e-waste recycling from Hawaii which in turn may help to obtain better stats on this waste stream.

With the increased collection and consumer education under the existing law, RMH believes new mandates are not yet needed.

Thank you for your consideration and the opportunity to comment. Should you have any questions, please feel free to contact Sheri Sakamoto at (808) 592-4200 or [ssakamoto@rmhawaii.org](mailto:ssakamoto@rmhawaii.org).

Sincerely;

*Sheri N. Sakamoto*

Sheri N. Sakamoto  
President



HOUSE COMMITTEE ON ENERGY & ENVIRONMENTAL PROTECTION  
Tuesday, March 11, 2014 – 8:30 a.m. – Room 225

**Ulupono Initiative Strongly Supports SB 2857 SD 2, Relating to Electronic Waste Recycling**

Dear Chair Lee, Vice Chair Thielen and Members of the Committee:

My name is Brandon Lee, associate at the Ulupono Initiative, a Hawai'i-based impact investment firm that strives to improve the quality of life for the people of Hawai'i by working toward solutions that create more locally grown food, increase renewable energy, and reduce/recycle waste. Ulupono invests in projects that have the potential to create large-scale, innovative change. I was also a member of the Electronic Waste Task Force that provided input on the original language for this bill.

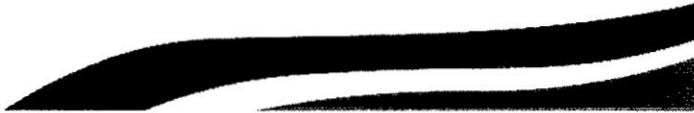
**Ulupono strongly supports SB 2857 SD 2**, which strengthens the Electronic Waste and Television Recycling and Recovery Act. SB 2857 SD 2 is the culmination of input from a wide variety of stakeholders to update a statewide policy to handle the ever-growing stream of electronic waste in Hawai'i. In 2011, an estimated 7,000 tons of electronic waste were generated on O'ahu. This quantity is expected to grow as more electronic products are consumed by the public, and as the pace of technological change and obsolescence continues at an extremely high rate. One trend that will drive quantities in the near-term is the transition from cathode ray tube (CRT) monitors to LCD flat panel monitors, resulting in large quantities of CRT material in the short-term and eventual increases in LCD material. In addition, LCD monitors are expected to have a shorter lifespan than CRT monitors, leading to a higher long-term waste generation rate.

Ultimately, as electronic waste grows as a share of our total waste stream, governmental and/or private entities will have to collect and dispose of this material and will likely pass those costs onto the residents of Hawai'i. Therefore, setting up an efficient recycling collection system will help the people of Hawai'i both economically and environmentally over the long term. Currently, there are few timely options for residents to dispose of electronic waste.

Ulupono Initiative invests in projects that include recycling. However, for Ulupono or any investor to put money into a project, we need to have accurate numbers to drive our funding decisions. Currently, it is challenging to obtain accurate electronic waste numbers, particularly on the neighbor islands. A large part of the problem is that much of the data is self-reported or not reported at all. This skews the accuracy of the data and is not helpful to both policymakers and government administrators. Furthermore, this is not fair to the businesses within the industry that do accurately report their data. This bill gives the Department of Health the ability to verify data via audits. Having accurate data allows the public and private sectors to be proactive in finding feasible solutions to a growing electronic waste problem.

Pacific Guardian Center, Mauka Tower  
737 Bishop Street, Suite 2350, Honolulu, HI 96813

808 544 8960 o | 808 544 8961 f  
[www.ulupono.com](http://www.ulupono.com)



In the current system, many businesses were allowed to create a mail-back only option to recycle their electronic products. Mail-back only programs involve shipping electronic goods back to the original manufacturer located outside of Hawai'i. The effect of this was that many residents ended up not recycling. In particular, this mail-back only policy was detrimental on the neighbor islands where some companies implemented a mail-back only policy and nothing else. The program is prohibitively expensive and time consuming for both the resident and business. The challenging experience of the neighbor islanders with mail-back only programs was one of the reasons why having a convenience requirement was important to the county governments. This bill includes a much-needed provision to remove the mail-back only option.

I have also attached a document that includes the top lessons learned from other states that have implemented various forms of electronic waste laws. One lesson is that without mandates for rural area collection, most recycling efforts will focus on urban areas, particularly O'ahu, and not the neighbor islands.

We believe that by working together, we can help reduce electronic waste and improve the quality of life for Hawai'i's residents. Thank you for this opportunity to testify.

Respectfully,

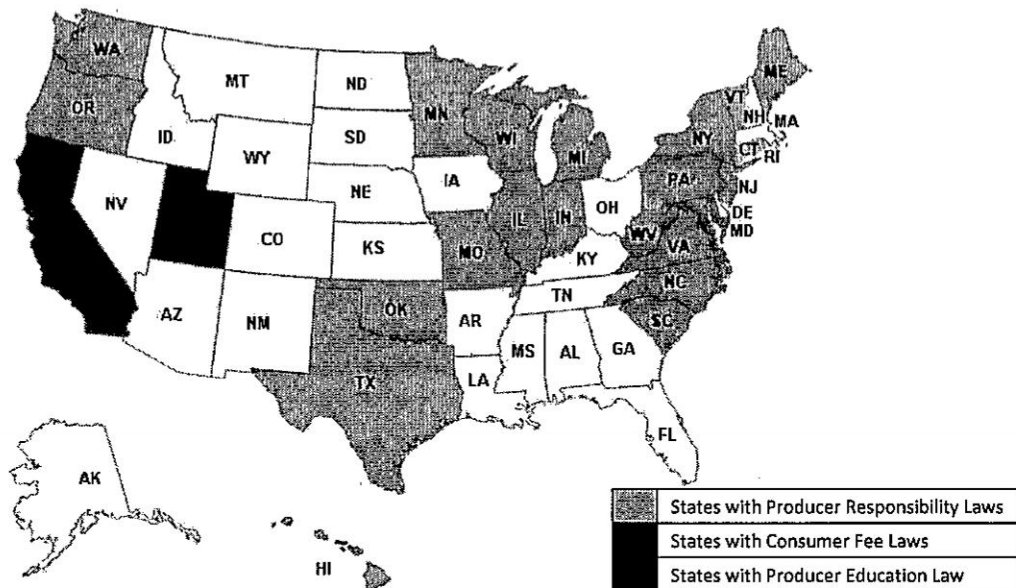
Brandon Lee  
Associate

Email: [communications@ulupono.com](mailto:communications@ulupono.com)



## Ten Lessons Learned From State E-Waste Laws

What have we learned from the 25 states that have passed e-waste laws?



Twenty five states have passed laws that mandate recycling programs for electronic waste. Twenty three of the 25 laws use some form of the “producer responsibility” approach (whereby manufacturers have financial responsibility for recycling their old products), although they do this in a few different ways, and with different details.

### What have we learned from these state laws? What approach works best?

While some of these state programs are still getting underway, we now have enough data from different states to draw some conclusions about what’s working best, and what elements should be included in state bills. Of course, we will learn more as the existing programs mature, and as other states launch new programs. But we can already glean some important lessons.

### What results in high collection volumes?

Let’s start with the most basic question – are any of the state programs actually getting people to bring back their products for recycling? We have long heard the manufacturers complain, “We can’t go into their houses and make consumers give us their old products.” But some states are seeing very high volumes even in the first year of their programs. Why?

The states with the highest volumes of e-waste (on a per capita basis) are Minnesota, Washington, and Oregon. States with very low per capita collection volumes are TX, VA, OK and WV.

	State	Year	Total Lbs Collected	Pounds Per Person in State
Highest volumes	Oregon	2010	21,119,774	6.31
	Washington	2010	18,724,111	5.08
	Minnesota	2010	10,711,681	3.17
Lowest volumes	Texas	2010	24,370,894	0.97
	Virginia	2010	4,439,446	0.56
	West Virginia	2009	1,646,155	0.51
	Oklahoma	2009	817,277	0.22

See a full list of all state programs and volumes collected starting on page 8.

The logical question is: What's working in MN, WA, and OR, that's not happening in the other states? Why are MN, WA, and OR collecting six times the volume of the others? Even if you "adjust" the data in these states to compare results on the same product categories (removing the data on TV's collected in MN, WA, and OR since the TX, VA, and OK programs don't collect TVs), the leading states numbers are still much higher.

We have learned several lessons from these state programs about collection volumes. The first six lessons below relate to collection volumes, and the remaining address other issues in the programs.

## Lesson 1:

### States see high collection volumes when laws either make the collection very convenient, or they establish collection goals

All of the states with good results have laws that either make the e-waste collection infrastructure very convenient, or they actually establish specific goals that manufacturers must meet.

**Convenient Collection:** In Washington and Oregon, the laws establish convenience requirements: there must be a collection site in every county and in every city over 10,000 people. In Washington, 92% of residents now have a convenient collection site within 10 miles of their home. (Source: Northwest Product Stewardship Council.)

**Collection Goals:** In Minnesota, the manufacturers have specific collection goals each year, which are tied to how much they sold in the state in the previous year. In Year 1, the goal was 60% by weight, rising to 80% by weight in Year 2. (Other states have adopted this model, but we don't have data yet.) If the manufacturers collect less than their goals, they must pay a fairly high price per pound for each pound they fell short (a higher price than they'd pay by actually doing it).

#### **Policy conclusion:**

**Bills should include some kind of driver for high collection – either convenience requirements or collection goals or a combination of both.**

## **Lesson 2:**

### **Some states with higher collection numbers have a variety of collector types because their laws cover collection costs.**

States (like WA and OR) with some of the highest collection numbers also generally have a variety of types of collectors – municipal governments, private companies (includes recyclers, retailers), and non-profits. (They have a fairly small number of government collection sites.) Both of these state laws require the manufacturers to cover the costs of collecting e-waste as well as the cost of recycling it. The Washington law states that manufacturer plans must, “Fairly compensate collectors for providing collection services.” While some local governments in other states will do e-waste collection without being compensated (they use taxpayer funds to cover those costs), other collector types are unlikely to participate if the law doesn’t cover their collection costs.

#### **Policy conclusion:**

**Bills should encourage diversity of collector types: government, private (recyclers, retailers), non-profits by covering the costs of collection**

## **Lesson 3:**

### **Most manufacturers will only do what the law requires them to do and not more**

We have been disappointed to learn this lesson. But it’s becoming clear that if states don’t spell out clear convenience requirements or establish collection goals, most of the manufacturers won’t make any significant effort to collect used electronics. Texas, Oklahoma, Virginia, and Missouri passed laws that require the computer companies to operate takeback programs, but the laws don’t specify any particular level of performance. Companies are free to do whatever they want (including not doing much at all). We now have two years of data from Texas, analyzed by the Texas Campaign for the Environment (which they had to obtain by FOIA requests – another lesson here – put public reporting in the law). In Year 1 (2009), Dell was the only company that took the law seriously, collecting about 15 of the 18 million lbs collected statewide. In Year 2, the volumes increased, but still only a handful of companies, notably Dell, Samsung, Sony, and a small San Antonio company called Altex, collected 92% percent of the volume. Of the 78 companies selling computers in Texas in 2010, 36 of them collected zero pounds. Computer giant HP collected only 45,931 pounds. By comparison, Dell collected 10 million pounds.

#### **Policy conclusion:**

**Bills should include clear and high expectations for performance, or your program will underperform.**

## Lesson 4:

### **Many manufacturers will stop collecting when they hit their goals, so goals should be high and set as minimums, not ceilings.**

In the first year of Minnesota's program, we saw that once manufacturers hit their collection goals, they put the brakes on collecting. Many collectors over-collected e-waste there, thinking they could sell it to the manufacturers who would need it to meet their goals. But some were left holding onto those pounds, once manufacturers reached their marks and didn't want to go over. This was a problem for those collectors, but it was also a problem for consumers. Collection programs that were free (to consumers) as long as the manufacturers were paying for the collection would suddenly have to start charging collection fees once the manufacturers hit their goals. This is disruptive to these programs, and we know that for some consumers, if they must pay to recycle, they won't recycle.

Oregon's program was so successful in its first year that it became clear about half way through the year that companies were on track to exceed the statewide targets. One group of manufacturers put the brakes on their recycling efforts, dropping some recyclers from their program, and telling Goodwill to stop participating in some collection events. [See "Oregon's electronics recycling too successful for some manufacturers," *The Oregonian*, May 12, 2009.]

Some states now allow manufacturers to accrue credit for "over-collecting" (beyond their goal), which can be sold to other companies, or which can be carried over to the following year (up to 25%).

Illinois is a good example of what happens if you set your goal too low. In Year 1 (2010), companies had to meet a goal of 2.5 pounds per person, and the idea was that the goal would slowly increase over time, based on the volumes collected. But the first year goal was not mandatory, and if it turned out that their actual collection numbers were below this level, then the goal would be reduced by up to 10%. This created a clear incentive for the companies to do little in Year 1, and in fact they did little – collecting only 2.12 lbs per person, despite having a very large scope of products covered for free recycling. Now, the Illinois bill sponsor is seeking to amend the law to set the goal higher.

#### **Policy conclusion:**

- **Set your collection goals high enough to generate real collection activity**
- **Don't link your initial goal setting to the manufacturers' collection activity (or inactivity) or you will start off with a very low goal**
- **Set minimum recycling goals, not goals that act as "ceilings"**
- **Because manufacturers will stop collection when they hit their goal, consider bills that combine both collection goals and convenience requirements. New York State did this, and it seems like a good solution to make sure there is ongoing collection year round. (Program began collecting in 2011, so no data yet.)**

## Lesson 5:

### **Manufacturers will focus efforts on urban areas, not rural ones**

This is an obvious one but it's worth mentioning. It costs less for manufacturers to collect e-waste in densely populated areas, than in rural ones. This is one reason why some states (WA, OR, NY) have included some convenience language that requires collection in every county. Minnesota used a different approach – they allowed manufacturers to earn extra credit (1.5 times) for products collected in their rural counties towards their annual goal.

**Policy conclusion:**

**States with large rural areas need to include a strategy that (like convenience measures or rural collection credits) that will make sure that your rural constituents are not neglected.**

**Lesson 6:**

**Landfill bans boost recycling levels.**

Many states laws enact landfill bans, sometimes to coincide with the beginning of their collection program, sometime phased in a year or two later. But States see a spike in volumes when the bans go into effect. Maine began its collection program in January of 2006, but the landfill ban didn't take effect until July 2006. In the first six months they collected 1,291,202 lbs, but in the six months after the landfill ban took effect they collected 2,869,372 lbs. Some of that increase may have been due to maturing of the program, but since it was largely based on an existing infrastructure, they believe that the landfill ban had a big impact.

**Policy conclusion:**

**Include in your e-waste law a disposal ban that prevents e-waste from being discarded into the municipal waste stream (landfills or incinerators)**

**Lesson 7:**

**States need to be proactive to make sure e-waste is handled responsibly.**

The recycling industry has a history of "bad actors" – companies who use various low-road strategies to manage the products they collect. Some export them to developing countries. Some have stockpiled e-waste in warehouses and then disappeared, leaving behind a toxic waste dump. Some send it to processors using prison labor (particularly the federal prison UNICOR program). Some basically dump it here in the U.S. (such as the collector that loaded computers from a university in Minnesota onto a barge on a lake and then sank it). Some processors are not stooping to those measures, but they run operations that are not as safe for their workers or the environment as they should be.

We don't have federal laws that adequately regulate this industry. Some states have created their own recycling standards that recyclers must adhere to. But for most states, this step is simply too challenging – particularly for verifying compliance. Fortunately we now have two new voluntary standards and certification programs that can help here: e-Stewards and R2. While we believe that e-Stewards is a far superior standard (the R2 standard still allows exporting to developing countries and use of prison labor), states want to provide options. States can, however, show a preference for the much higher e-Stewards standard.

**Policy conclusion:**

- **Include language in your bill that requires all processors and refurbishment vendors handling e-waste collected in your state programs to be certified to either the R2 or e-Stewards Standards, showing a preference for e-Stewards.**
- **Include language that forbids the use of prison labor for e-waste collected in your state program.**



## Lesson 8:

### **We want to encourage reuse, but e-waste laws can inadvertently discourage reuse if we are not careful**

The last thing we want to do is to create laws that discourage legitimate reuse of products here in the U.S. (We do not support exporting non-working or untested products to developing countries, as this is usually a cover for e-waste dumping.) But there are many entities – from large commercial recyclers to small, locally based non-profits – who will reuse and refurbish used equipment for resale or sometimes for placement in non-profits or needy communities. Lawmakers need to be sure that programs don't reward recycling units more than reusing them. (This is the situation in the California program, where recyclers are only reimbursed for units recycled, but not reused. So reusable units are mostly diverted for recycling.)

Illinois has created an incentive for reuse by awarding extra credit to manufacturers toward their goals for units reused instead of recycled. Washington awards a bonus for equipment collected through charities whose main role is reuse. Washington State's law initially inadvertently disadvantaged small reuse entities that do very "light" refurbishment and local resale by including them in the restriction that collectors doing refurbishment must register as processors. They later modified their law to exempt these small guys.

#### **Policy conclusion:**

**Analyze your bill language to make sure reuse is not discouraged, and include language to award extra credit toward goals for units that are actually reused.**

## Lesson 9:

### **Consumers want to be able to bring back everything – including televisions and printers**

State laws must specify the "scope of products" that can be returned for free recycling. The first states to pass e-waste laws specified very narrow scopes of products, typically just computers, monitors, laptops and sometimes TVs (but some didn't even include TVs). This was often because that's politically as much as they could get passed at the time. States passing bills more recently (like New York) have been able to establish much larger scopes of products, including a wide range of computer and television peripherals, as well as basic consumer devices. Anecdotal reports from collectors show that consumers want to be able to bring back all the used electronics they have, not just a few of them, especially the larger ones (like TVs and printers). People are more likely to use programs that allow them to bring back all the items they have ready for recycling or disposal. In some states, the highest proportion of e-waste coming back (by weight) is in televisions (over 60% in WA and OR). Some states have already gone back to the legislature to amend their laws to expand their scope of products. See our [list of which products are covered by each state law](#).

#### **Policy conclusion:**

- **Include a broad scope of products for free recycling.**
- **Since new products emerge all the time, use more general terms to describe these products.**
- **If possible, create an administrative procedure for adding to the scope of products, without going back to the legislature.**

## **Lesson 10:**

### **Transparency and reporting helps us to understand better what's happening in the programs**

Currently, most companies do not voluntarily report (publicly) the volumes they collect in each state. The companies will promise legislators that they will operate robust takeback programs, but the only way we will know how successful they are is if we get clear reporting by each company, available to the public. For instance, in Texas, the companies report their volumes to the State, but the Texas law does not require the State to make this collection information public, so the State does not do so. An NGO there must file a Freedom of Information Act (FOIA) request each year to get that information and release it publicly. And the 2009 and 2010 numbers revealed that companies were making vastly different levels of effort. In some states, the manufacturers lobby to get this information exempted from FOIA requests.

Because these programs are still fairly new, reporting is an important way for us to evaluate the effectiveness of the programs, and to compare the different approaches between states.

The State should put out a report at least annually (but quarterly is better) on the volumes that each manufacturer has collected.

In some states companies must submit plans for approval. In Washington, the plans are made public only after they are approved. So local residents, businesses, or governments have no opportunity to comment or make suggestions on the plans before they are approved.

#### **Policy recommendation:**

##### **Include language that requires**

- **quarterly reporting from manufacturers to the State on collection volumes, by category and not exempt from FOIA disclosures**
- **quarterly public reporting by the State on the volumes collected by manufacturers**
- **making manufacturer plans (if required) public – both when they are submitted (draft plans) and after they are approved**
- **manufacturers to hold a public meeting on their proposed plans or at least provide opportunities for comments, that the State could view in its approval process**

Find more information on state e-waste laws on our [website](#).

Last updated: May 10, 2011



TAKE IT BACK. MAKE IT GREEN. RECYCLE RESPONSIBLY.

# How much e-waste is collected in states with electronics recycling laws?

Twenty five states have passed e-waste recycling laws, and all but two are based on "Producer Responsibility." Many programs are only just getting started. Only a few states report breakdowns by product type. This chart is updated regularly as data becomes available.

means the item is collected for free recycling but the state doesn't provide collection data by category. (Figures in purple estimated or annualized.)

**KEY to Other Products:** C = Cell phone, CB = Converter box for TV, D = DVD player, DPF = Digital Picture Frames; F=Fax, G = Game console, K=Keyboard, M = Mouse, MP= MP3 player, S = Scanner, Sat = Satellite receiver or cable receiver, V= VCR

Last updated: Sept 26, 2011

State	Year	Monitors	TVs	Computers	Laptops	Printers	Other Products See key above	TOTAL LBS COLLECTED	Notes	# Reg. Mfgs	Population <sup>1</sup>	Disposal Ban Effective Date	# sites	People per site <sup>2</sup>	Lbs per capita <sup>3</sup>
California	Year 1	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	not covered	<input checked="" type="checkbox"/>	not covered		64,809,498		None	35,797,255	In 2002 & 2006			1.81
	Year 2	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	not covered	<input checked="" type="checkbox"/>	not covered		127,979,144		Mfgs don't partic-	35,979,208				3.58
	Year 3	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	not covered	<input checked="" type="checkbox"/>	not covered	Portable DVD players with LCD screens added	185,190,929		rate	36,226,122				5.17
	Year 4	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	not covered	<input checked="" type="checkbox"/>	not covered		216,062,591			36,580,371				5.91
	Year 5	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	not covered	<input checked="" type="checkbox"/>	not covered		167,375,682			36,961,664				4.54
	Year 6	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	not covered	<input checked="" type="checkbox"/>	not covered		172,570,839			37,253,956			580 collectors	
Hawaii	Year 1	<input checked="" type="checkbox"/>	Not until 2011	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		3,235,432	Only IT in 2010	49	1,360,301				2.38
Illinois	Year 1	332,947	4,674,585	2,771,516	Reported under Computers	1,689,124	1,159,071	30,183,168		52	12,830,632	2012	144	89,102	2.95
	Year 2	24%	34%	20%		12%	GD, F, G, K, M, MP, S, V								
	Year 1	1,205,726	2,954,848	not covered	Laptops reported under "monitors"	not covered		4,160,574			1,317,308	7/20/06			3.16
	Year 2	1,393,775	3,290,682	not covered		not covered	4095 unk	4,688,552			1,314,963				3.57
	Year 3	1,421,399	3,853,020	not covered		not covered		5,274,419	Printers, DPF, Games added for 2010		1,319,691				4.00
Maine	Year 4	2,145,256	5,767,036	not covered		not covered		7,912,292			1,318,301				6.00
	Year 5	1,203,511	3,935,723	not covered		198,895	158 games	5,338,287			1,328,361				4.02
	Year 1	Was a pilot program with limited funding. Permanent program established Oct 2007.													
	Year 2	Volumes reported are from municipal (mostly county) collection programs that go beyond products covered by law (computers and displays).													
	Year 3	Manufacturer registration fees used as grants to reimburse some municipal costs (see box to right of total lbs).													
Maryland	Year 1	FY 07-08 Total includes 2.2 Million lbs. pd by producers													
	Year 2	5,634,242													
	Year 3	5,658,655													
New York	Year 1	FY 09-10 Total includes 9 million lbs paid for by producers													
	Year 2	5,699,478													
	Year 3	3,005													

State	Year	Monitors	TVs	Computers	Laptops	Printers	Other Products See key above	TOTAL LBS COLLECTED	Notes	# Reg. Mfgs	Population <sup>1</sup>	Disposal Ban Effective Date	# sites	People per site <sup>2</sup>	Lbs per capita <sup>3</sup>
Minnesota	Year 1							17,042,374		60	5,773,352		30		2.95
	Year 2	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Fax, DVD, K,	33,600,000		79	5,191,206	7/1/06			6.47
	Year 3	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		30,293,194		72	5,230,567				5.84
	Year 4	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		33,082,679		71	5,266,214				6.37
North Carolina	Year 1	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	K, M, S as of July 2010	9,148,000		78	9,535,483	7/1/2011			0.96
	Year 2	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		817,277			3,687,050	No ban			0.22
Oklahoma	Year 1	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		2,554,632		36	3,751,351				1.47
	Year 2	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		16,993,738			3,825,657				2.96
Oregon	Year 1	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		24,349,774			3,825,657	1/1/2010			6.31
	Year 2	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		2,823,369		46	1,053,209	1/1/08			2.68
Rhode Island	Year 1	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		Not available			1,052,567				
	Year 2	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		15,247,207			24,782,302				0.62
Texas	Year 1	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		24,370,884			25,145,561				0.97
	Year 2	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		3,782,500	Actual 2Qs	37	7,882,590				0.96
Virginia	Year 1	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		7,565,000 <sup>4</sup>	Annualized		7,882,590				0.56
	Year 2	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		4,439,446 <sup>5</sup>			7,882,590				
Washington	Year 1	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		38,549,674			6,664,195				5.78
	Year 2	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		39,467,798			6,664,195	NA <sup>6</sup>	280	23,801	5.92
West Virginia	Year 1	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	724,435 lbs by producer mfgs 2009	1,646,155	For 2009 Prelim data.		1,819,777	1/1/2011			0.51
	Year 2	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>			No data yet.						
Wisconsin	Year 1	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	D, F, K, M, V	10,328,779	Only 6 months	69	5,685,986	9/1/10	329	17,286	3.63
	Year 2	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	D, F, K, M, V	35,470,000	First full year	82	5,685,986		400	14,217	6.24
<b>Other States Which Began Collection in 2010 or scheduled to begin collection in 2011 or later. (No data available yet)</b>															
Connecticut	Year 1	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>			Data in 2012	60	3,518,288	1/1/2011	123	28,604	

State	Year	Monitors	TVs	Computers	Laptops	Printers	Other Products See key above	TOTAL LBS COLLECTED	Notes	# Reg. Mfgs	Population <sup>1</sup>	Disposal Ban Effective Date	# sites	People per site <sup>2</sup>	Lbs per capita <sup>3</sup>
Indiana	Year 1 Apr 2010 – Mar 2011	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	not covered	F, X, DVD, V		Later in 2011			1/1/2011			
Michigan	Year 1 Apr 2010 – Mar 2011	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Added in year 2			Later in 2011	27					
Missouri	Year 2010-11	<input checked="" type="checkbox"/>	not covered	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	not covered			Later in 2011						
New Jersey	Year 1 2011	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	not covered			Data in 2012			1/1/2011			
New York	Year 1 Apr 2011 – Mar 2012	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	C, CB, D,F, G, K, M, MP, S, Sat, V		Data in 2012			4/1/11 and 1/1/12			
Pennsylvania	Year 1 2012	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	K		Data in 2013			1/1/2013			
South Carolina	Year 1 July 2011 – Jun 2012	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>			Data in 2012			7/1/2011			
Vermont	Year 1 July 2011 – Jun 2012	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	K, M		Data in 2012			1/1/2011			

### Comparing data between the states.

To make fair comparisons, it's important to know that these programs are not all accepting the same products, and some collect from more than just households. (See whose products are covered on our [chart summarizing laws](#).) For instance, the California program accepts e-waste from all entities – business, consumers, etc. CA experts estimate that at least half the volume there comes from business. So those numbers should be expected to be higher than states that are only collecting from residents.

For more information on state laws: <http://www.electronicstakeback.com/promote-good-laws/state-legislation/>

<sup>1</sup> Population stats through 2009 from US Census annual July estimates: <http://www.census.gov/popest/states/NST-ann-est.html>.  
2010 Census data: <http://2010.census.gov/2010census/data/>

<sup>2</sup> 2011 Census information not yet available.

<sup>3</sup> We divide total population by the number of regular collection sites (meaning those operating year round). Of course, one would need to look at the location of the sites to assess whether all areas of the state are covered, but this statistic provides a very general metric for comparing the number of sites offered between states.

<sup>4</sup> Pounds per capita (pounds per person in the state) is used to compare collection volumes between states with different populations.

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<sup>4</sup> Program went into effect mid-year, so manufacturers were required to report only July – Dec 2009 collection totals. Because this was only 6 months of collection, we multiplied the volumes time 2 to estimate an annual amount (for comparison's sake). However, according to the Virginia Dept of Environmental Quality, some companies reported annual totals in their 2009 numbers. So our annualized 2009 number was likely overstated.

<sup>5</sup> According to the VA DEQ, some companies have still not reported their 2010 numbers. We will revise this total, if these manufacturers report any volumes.

<sup>6</sup> Washington did not include a statewide disposal ban in its law, but some counties have established disposal bans (including King County).



**Testimony of Hawai'i Green Growth  
In Support of SB 2857 SD2 Relating to Electronic Waste Recycling**

**House Committee on Energy & Environmental Protection**

11 March 2014, 8:30am in Conference Room 325

Audrey Newman  
Hawai'i Green Growth  
P.O. Box 535  
Ho'olehua, Hawai'i 96729

Aloha Chair Lee, Vice Chair Thielen, and Members of the Committee:

I am writing on behalf of Hawai'i Green Growth (HGG) **in support of SB 2857 SD2**, which proposes to amend and strengthen the Electronic Device and Television Recycling Program.

HGG is a multi-sector partnership committed to achieving a resilient, sustainable Hawai'i. We bring leaders from the energy, food and environmental sectors together to achieve Hawai'i's sustainability goals and to be a model for building a green economy. HGG's members include more than 80 leaders and advisors from government, business and non-profit organizations.

HGG members agreed on the top legislative actions for 2014 that will significantly advance sustainability in Hawai'i and already have widespread support across sectors. Electronic waste recycling is one of HGG's top priorities because it will help to advance HGG's target of 50% reduction from the solid waste stream by 2030 through diversion and recycling.

Waste is one of the most tangible indicators of sustainability, especially for islands. In 2011, an estimated 7,000 tons of electronic waste were generated on Oahu, and this figure is predicted to continually increase and incur collection and disposal costs that will ultimately be transferred to Hawai'i's people. The Department of Health's experience, input from major stakeholders, and lessons learned from state e-waste laws across the country has resulted in SB 2857 SD2. It proposes important amendments to statewide policy to increase the efficiency of our state e-waste recycling collection program. This bill requests stronger recycling goals to ensure adequate performance from each manufacturer's program, creates requirements to ensure reasonably convenient recycling options for the public, and institutes penalties for under performance or non-compliance with recycling programs.

As a partnership representing Hawai'i's leaders in environment, food and energy, HGG asks for your support of **SB 2857 SD2** to strengthen electronic recycling programs and take important steps towards overall waste reduction in Hawai'i.

Mahalo nui for your time and consideration,

A handwritten signature in black ink that reads "Audrey Newman". The signature is fluid and cursive, written over a light grey rectangular background.

**Audrey Newman**

Senior Advisor, Hawai'i Green Growth (HGG)

*Bringing leaders together to achieve sustainability in Hawai'i & be a model for a green economy.*

**Bernard P. Carvalho, Jr.**  
Mayor



**Larry Dill, P.E.**  
County Engineer

**Nadine K. Nakamura**  
Managing Director

**Lyle Tabata**  
Deputy County Engineer

**LATE**

**DEPARTMENT OF PUBLIC WORKS**  
**County of Kaua'i, State of Hawai'i**  
4444 Rice Street, Suite 275, Lihue, Hawai'i 96766  
TEL (808) 241-4992 FAX (808) 241-6604

March 10, 2014

Testimony of **Larry Dill**, County Engineer, County of Kaua'i

Before the House Committee on Energy & Environmental Protection  
Rep. Chris Lee, Chair  
Rep. Cynthia Thielen, Vice Chair

Tuesday, March 11, 2014  
8:30 am  
Conference Room 325  
State Capitol  
415 South Beretania Street

In consideration of  
**SB 2857, SD 2**  
**RELATING TO ELECTRONIC WASTE RECYCLING**

Dear Chair, Vice-Chair, and Members:

The Dept of Public Works, County of Kaua'i **supports** the intent of SB 2857, as it would strengthen the existing Electronic Waste and Television Recovery law. The bill would create recycling goals for manufacturers, establish convenient recycling options for the public, and institute penalties for inadequate programs. These revisions are vital in developing a more functional law to manage this toxic and ever growing waste stream.

While we support the bill, we have major concerns about amendments which reduce the manufacturer's mandated recycling collection frequency on Kaua'i. The original version of SB 2857 required manufacturers to provide recycling collection service in every county with a population greater than thirty thousand. The Senate Energy and Environment Committee modified the language to state that recycling collection shall be at a minimum frequency of "once per quarter on the fourth-most populous island".

The County of Kaua'i currently contracts for collection events at a frequency of two consecutive days per month. Mandating once per quarter collection on Kaua'i would be a big step

*An Equal Opportunity Employer*



backwards, and would be inconvenient for businesses and residents. There are no ongoing electronics recycling opportunities on Kaua'i, so legislative requirements will dictate recycling opportunities for our island. We urge the House to revise the bill as follows:

Modify Section 339D-B Manufacturer recycling plan requirements under paragraph (d) (4) to state "Once per month on the third and fourth-most populous islands", and delete section (d) (5).

We thank the Committee for the opportunity to testify on this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Larry Dill", is written over the typed name and title.

Larry Dill, P.E.  
County Engineer



**Mission : To advocate, educate, and promote the benefits of zero waste to community and leaders to achieve island-wide zero waste management which conserves and diverts from the landfill.**

**LATE**

Testimony From Pat Gegen – **Representing Zero Waste Kauai**

House Committee on Energy & Environmental Protection  
Rep. Chris Lee, Chair  
Rep. Cynthia Thielen, Vice Chair  
**SB 2857, SD 2**

**RELATING TO ELECTRONIC WASTE RECYCLING**

**LATE**

Aloha Representatives,

Zero Waste Kaua'i supports the intent of SB 2857, as it would strengthen the existing Electronic Waste and Television Recovery law. Zero Waste Kauai is fully behind trying to manage this toxic and increasing waste stream.

Currently Kaua'i Public Works – Waste and Recycling Division currently holds collection events at a frequency of two consecutive days per month. Currently SB 2857, SD2 only mandates once per quarter collection on Kaua'i, which would decrease what we currently have and would be more inconvenient for businesses and residents. Convenience is a KEY component to increasing and maintaining our current recycling and diversion rates

Please do not pass a bill that decreases our convenience and is moving away from what we have finally achieved in regards to E-Waste recycling. Please Help us – don't hinder us.

Zero Waste Kauai is asking the committee to modify Section 339D-B Manufacturer recycling plan requirements (d) (4) to state "A minimum of once per month on the third and fourth-most populous islands", and omit section (d) (5)

We thank the Committee for the opportunity to testify on this matter.

Sincerely,

*PS Gegen*

Pat Gegen  
Chair – Zero Waste Kauai

**Kauai's  
Zero Waste Authority**



**ZeroWasteKauai.org**

**Mission : To advocate, educate, and promote the benefits of zero waste to our community and leaders to achieve an Island-wide zero waste management system which conserves and diverts waste from the landfill.**