

**STATE OF HAWAII**  
**DEPARTMENT OF HEALTH**  
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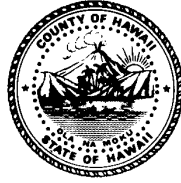
**Testimony in SUPPORT of HB1640 HD1  
RELATING TO RECYCLING**

REPRESENTATIVE AARON LING JOHANSON, CHAIR  
HOUSE COMMITTEE ON CONSUMER PROTECTION & COMMERCE  
Hearing Date: 2/11/2022 Room Number: Videoconference

- 1 **Fiscal Implications:** This measure will not impact the priorities identified in the Governor's
- 2 Executive Budget Request for the Department of Health's (Department) appropriations and
- 3 personnel priorities.
  
- 4 **Department Testimony:** The Department supports this measure as it aims to improve the
- 5 current electronic waste recycling program by creating recycling goals for all covered electronics
- 6 manufacturers, sets convenience requirements for manufacturers' recycling plans, combines the
- 7 covered electronic device and covered television programs into one comprehensive program, and
- 8 requires manufacturers to fully fund their recycling plan including the collection, transportation,
- 9 and recycling of their electronic devices.
  
- 10 **Offered Amendments:** None
  
- 11 Thank you for the opportunity to testify on this measure.

**Mitchell D. Roth**  
*Mayor*

**Lee Lord**  
*Managing Director*



**Ramzi I. Mansour**  
*Director*

**Brenda Iokepa-Moses**  
*Deputy Director*

# County of Hawai'i

## DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

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February 9, 2022

### COMMITTEE ON CONSUMER PROTECTION & COMMERCE

Rep. Aaron Ling Johanson, Chair

Rep. Lisa Kitagawa, Vice Chair

Hawai'i State Capitol

Honolulu, HI 96813

**Re: Testimony in Support of House Bill (HB) 1640 HD1 Relating to Recycling, which expands definition of electronic devices to be recycled, establishes goals for covered electronic recycling, penalties for manufacturers not meeting goals and convenience requirements for electronic recycling.**

Dear Chair Johanson, Vice Chair Kitagawa and Committee Members,

The County of Hawai'i Department of Environmental Management is pleased to submit testimony **in support of House Bill 1640 HD1** that strengthens and expands the current Electronic Waste and Television Recycling and Recovery Act.

House Bill (HB) 1640 HD1 would 1) expand the definition of electronic devices to be recycled under the amended law; 2) establish electronics recovery goals based on prior sales of the manufacturer's products in the State; 3) establish financial incentives based on weights for those manufacturers that do not meet their goals; 4) establish certification requirements to meet environmental standards; and 5) most importantly require minimum convenience levels for Neighbor Island electronics recycling.

The County of Hawai'i supports HD1 which included a sufficient manufacturer collection goal to ensure a sustainable recovery rate that keeps up with rapid obsolescence in electronic devices and a requirement for monthly collections. The County of Hawai'i urges the Committee to include more entertainment electronics (game consoles & sound systems) and networking electronics in the definition of an electronic device. We look forward to working with the legislature and all interested parties to strengthen our electronics recycling law to increase diversion from our limited landfill space, 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, appearing to be 'Mike Kaha', written in a cursive style.

cc: Mayor Mitchell Roth  
Mike Kaha, Hawai'i County Solid Waste Division Chief TA  
Sanne Berrig, Hawai'i County Recycling Coordinator

**HB-1640-HD-1**

Submitted on: 2/9/2022 10:40:42 PM

Testimony for CPC on 2/11/2022 2:00:00 PM

| Submitted By | Organization | Testifier Position | Remote Testimony Requested |
|--------------|--------------|--------------------|----------------------------|
| chris c.     | Individual   | Support            | No                         |

Comments:

Dear Chair Johanson, Vice Chair Kitagawa and Committee Members,

**I support House Bill 1640 HD1** which improves the current flawed Electronic Waste and Television Recycling and Recovery Act.

This bill establishes good electronics recovery goals, establishes financial incentives for manufacturers that do not meet their goals and requires minimum convenience levels for Neighbor Island electronics recycling.

The State of Hawai‘i needs to strengthen our electronics recycling law to increase diversion from our limited landfill space, protecting our environment and compel manufacturers to enhance recycling options for our Hawai‘i Island residents.

Thank you for your consideration.

February 10, 2022

Rep. Aaron Ling Johanson, Chair  
Rep. Lisa Kitagawa, Vice Chair  
Committee on Consumer Protection and Commerce  
Hawaii State Legislature  
415 S Beretania St  
Honolulu, HI 96813

**Re: Oppose HB 1640 HD1**

Dear Chair Johanson:

On behalf of the Consumer Technology Association (CTA), thank you for opportunity to provide testimony in **opposition** to HB 1640 HD1. CTA is the trade association representing the U.S. consumer technology industry – including manufacturers of televisions and computer equipment which are the primary targets of this legislation. We also represent retailers of these and other consumer technology products.

CTA is very familiar with the current Extended Producer Responsibility (EPR) laws in that require television and computer manufacturers to recycle old electronics in Hawaii. Under these EPR programs that have been in effect for more than a decade, electronics manufacturers have spent more than \$25 million to safely recycle old televisions and to fund the Hawaii Department of Health's (DOH) oversight of the recycling system.

As shown in Table 1 below, the combined amounts of televisions and computer equipment recycled peaked about 2015. This is not unique to Hawaii and is the result of light-weighting of televisions and computers by manufacturers starting in the early/mid-2000s. You may recall the old, heavy cathode ray tube televisions and monitors that sat on the floor in the family room – today a much larger television using better and lighter technology can be hung on the wall like a mirror. These dramatic changes are reflected in weight of electronics coming through the system as Table 1 shows.

Note that the light-weighting trend has driven lower overall “sales weights” of televisions and computers sold until the past couple years when weights per unit generally bottomed out and many consumers bought more of these devices to help communicate, be entertained, and do remote work during the pandemic. Based on sales weights calculated under other states’

EPR electronics recycling programs, CTA expects the decline in overall recycling weights to decline for the next 6-8 years, then bottom out or even creep back up slightly starting in 2030 consistent with product use and lifespans of these devices.

**Table 1**

| <b>Year</b> | <b>Combined Amounts of Hawaii TVs/Computers Recycled by Manufacturers (lbs. per capita)</b> | <b>Change from Previous Year</b> |
|-------------|---|----------------------------------|
| 2010        | 2.38  |                                  |
| 2011        | 2.55  | 8%                               |
| 2012        | 2.79  | 10%                              |
| 2013        | 2.95  | 6%                               |
| 2014        | 2.98  | 1%                               |
| 2015        | 2.95  | -1%                              |
| 2016        | 2.85  | -4%                              |
| 2017        | 2.45  | -14%                             |
| 2018        | 2.32  | -5%                              |
| 2019        | 2.22  | -4%                              |
| 2020        | 2.02  | -9%                              |

Note that HB 1640 HD1 requires increasing recycling rates from 2023-2025, which is not consistent with the background decline in weights coming during the next decade. **Simply put, there will not be enough pounds of electronics in Hawaii to meet this proposed mandate.** As CTA uncovered in New Jersey in 2019, and has strong circumstantial evidence in Illinois from their law structured similar to HB 1640 (which has since been replaced), the only entities who benefit from unreachable targets are recyclers who sell pounds that either do not exist or are outside the scope of the program.

Note also that the “split” between pounds recycled by television manufacturers verses pounds recycled by computer manufacturers as reported by DOH has been reasonably close, even though TV manufacturers have a pounds recycling target currently and computer manufacturers do not. For example, according to DOH data in 2020 computer manufacturers recycled about 600,000 lbs. of computer equipment while television manufacturers recycled just over 2 million pounds. While this does not reflect the exact proportions of current TV sales weights compared to computer weights, in jurisdictions where these products are regulated identically it is common for more computers to appear in lower amounts and be recycled outside the state-mandated system as many computer devices typically have a positive economic value in the recycling stream.

With that in mind CTA opposes HB 1640 HD1. CTA has worked in other states to find consensus approaches to solving the e-waste problem without unreachable targets, and we would be happy to work with DOH and other stakeholders to develop such a plan and modernize the Hawaii electronics recycling system.

Thank you again for the opportunity to testify and provide our comments. If you have any questions, please do not hesitate to contact me at [walcorn@cta.tech](mailto:walcorn@cta.tech).

Sincerely,

A handwritten signature in black ink, appearing to read "Walter Alcorn", with a long horizontal flourish extending to the right.

Walter Alcorn  
Vice President, Environmental Affairs and Industry Sustainability  
Consumer Technology Association