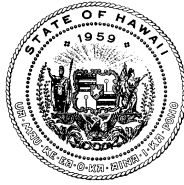


JOSH GREEN, M.D.
GOVERNOR OF HAWAII
KE KIA'ĀINA O KA MOKU'ĀINA 'O HAWAII'



KENNETH S. FINK, MD, MGA, MPH
DIRECTOR OF HEALTH
KA LUNA HO'OKELE

STATE OF HAWAII
DEPARTMENT OF HEALTH
KA 'OIHANA OLAKINO
P. O. Box 3378
Honolulu, HI 96801-3378
doh.testimony@doh.hawaii.gov

WRITTEN
TESTIMONY ONLY

**Testimony COMMENTING on SB1298 SD1
RELATING TO RECYCLING**

SENATOR JARRETT KEOHOKALO, CHAIR
SENATE COMMITTEE ON COMMERCE AND CONSUMER PROTECTION

1 February 25, 2025; 9:32 AM; Room Number: 229

2

3 **Fiscal Implications:** Undetermined

4 **Department Position:** The Department of Health (Department) offers the following comments.

5 **Department Testimony:** The Environmental Management Division, Solid and Hazardous Waste
6 Branch (EMD-SHWB) provides the following testimony on behalf of the Department.

7 This measure proposes to: (1) allow electronic device manufacturers or a "coordinating
8 body" to collaborate and coordinate collection activities or otherwise conduct business with
9 each other; (2) revise the term "electronic device" to "covered electronic device" and expand
10 the scope of "covered electronic device" to include electronic device peripherals and certain
11 legacy devices; and (3) add language that considers manufacturers to have satisfied their
12 recycling obligation if their manufacturer plan meets the requirements of Hawaii Revised
13 Statutes (HRS) §339D-23(b)2 and provide free on-site collection services for residents of every
14 zip code containing twenty-five thousand or more residents, one on-site collection service
15 location on Molokai, and at least four collection events annually on the county of Hawaii
16 outside of Kona and Hilo. The Department notes that collaboration and coordination of
17 collection activities already occurs under the current statute but acknowledges that a single
18 coordinating body could provide greater efficiencies for manufacturer's collection efforts.

1 Additionally the Department supports opportunities to expand recycling services, such
2 as the proposed inclusion of electronic device peripherals and certain legacy devices.

3 However, the Department does not support the proposed language regarding
4 manufacturer recycling obligations. Specifically, we object to to the provision that would deem
5 manufacturers compliant if their plan meets the requirements of HRS §339D-23(b)2 by: (1)
6 providing free on-site collection services for residents of every zip code containing twenty-five
7 thousand or more residents; (2) providing one on-site collection service location on Molokai;
8 and (3) providing at least four collection events annually on the county of Hawaii outside of
9 Kona and Hilo. While the Department recognizes the need for more collection sites and
10 increased collection activity, we disagree that a manufacturer's recycling obligation is satisfied
11 by simply meeting their plan requirements.

12 The Department notes that prior to the change in this law in 2022, recycling rates of
13 electronic devices steadily decreased from a high of 4.2 million pounds in 2014 to 2.8 million
14 pounds in 2022. However after the law change in 2022 that implemented an incentive on
15 manufacturers to recycle 50% of the weight of electronics sold two years prior, we saw an
16 immediate increase to 4.3 million pounds in 2023. Thus, based on this information, it appears
17 that some sort of incentive is appropriate.

18 Finally, we note that we are in discussions with the Consumer Technology Association
19 (CTA) to reach a compromise on our points of disagreement. In doing so, and we are using the
20 proposal to partially suspend manufacturer penalties for two (2) years as as suggested by
21 Mr. Roy Kadota of Mr. K's Recycle and Redemption in testimony to the Joint Committees on
22 Agriculture and Environment and Health and Human Services, as the basis for these discussions.
23 We therefore respectfully request that this committee pass this measure so that we may
24 continue our discussions with CTA.

25 **Offered Amendments:** None

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



1919 S. Eads St.
Arlington, VA 22202
703-907-7600
CTA.tech

February 23, 2025

Senator Jarrett Keohokalole, Chair
Senator Carol Fukunaga, Vice Chair
and Members of the
Committee on Commerce and Consumer Protection

Conference Room 229
State Capitol
415 South Beretania Street
Honolulu, HI 96813

Re: Strong Support of SB 1298 SD1; Relating to Recycling

Dear Chairperson Keohokalole, Vice Chair Fukunaga, and Committee Members:

The Consumer Technology Association (CTA), writes in **STRONG SUPPORT of SB 1298 SD1**. The bill seeks to increase the number of permanent recycling collection sites and recycling collection events across the State of Hawaii as an alternative to electronic manufacturers meeting unachievable and arbitrary weight targets under the current electronic waste recycling law ("Chapter 339D"). Under Chapter 339D, electronic manufactures will be penalized for failing to collect electronic waste to meet an unattainable 70% of product weight sold in Hawaii. These penalties are likely to be passed down as added costs to consumers in the long run. SB 1298 SD1 provides manufacturers an alternative to these weight goals by increasing collection sites and events that should help reach the State's recycling goals. Importantly, the added electronic waste collection sites and events will be paid for by electronic manufacturers and not by taxpayers. **CTA is continuing to work with the Department of Health on additional amendments to the bill based on concerns raised and respectfully requests for the Committees to pass SB 1298 SD1.**

A. About CTA

CTA is the trade association representing the U.S. consumer technology industry – including manufacturers of televisions and computer equipment who pay for the electronics recycling program which is the subject of this legislation. CTA also represent retailers of these and other consumer technology products.

B. Unachievable Targets Under Existing E-Waste Recycling Law

Our member companies have stepped up collections of electronic waste (“e-waste”) in Hawaii through a combination of new permanent drop-off sites and new collection events since enactment of Chapter 339D in 2020. Our members are now spending more than \$5 million annually to provide comprehensive collection and recycling services for scrap electronic devices.

However, CTA is very concerned about the escalating weight targets under Chapter 339D. Starting this year, manufacturers are required to collect and recycle 70% of the weight of new products they sell in Hawaii. This arbitrary increase follows targets of 50% of pounds sold in 2023 and 60% of pounds sold in 2024. Simply put, there are not enough scrap electronics for every manufacturer to collect/recycle 70% of pounds sold in the State due to, amongst other factors, the lightening of newer electronic devices.

The 70% weight target is arbitrary and unachievable and will likely result in either (1) imposition of a \$1.50/pound shortfall fee on manufactures (one of the highest in the country), potentially driving up the cost of products for consumers, or (2) collectors/recyclers falsifying their manufacturer billing and state reports¹. Additionally, we are concerned that raising the weight targets will create an unintended consequence whereby consumers will be incentivized to dispose of their electronic products prematurely, well in advance of the product’s lifespan, so that targets are met.

None of the foregoing results will increase e-waste recycling in Hawaii or the broader goal of diverting products from the waste stream.

C. SB 1298 SD1 Provides Practical Alternative to Increase E-Waste Recycling in our Communities

Fortunately, the provisions in SB 1298 SD1 offer a win-win solution that should result in increased e-waste recycling throughout Hawaii while providing an alternative to the arbitrary weight targets. Currently there are only 11 ongoing “no-charge” drop off locations across the State according to the Department of Health’s program website. SB 1298 SD1 provides an alternative for companies who cannot reach the 70% weight target to instead arrange for at least 25 no-charge collection sites around the State. Under this bill, every zip code with at least 25,000 residents would have a free collection sites including the Island of Molokai. Additionally, there will be a minimum of four collection events outside Kona and Hilo on Hawaii Island. Importantly, these locations

¹ CTA discovered that collectors/recyclers in New Jersey falsified their manufacturer billing and state reports in 2019, and reported to the incident to government authorities

will be paid for by manufacturers, not by taxpayers. The result of this bill, if enacted, will significantly expand the collection opportunities currently available under the program.

SB 1298 SD1 would additionally expand the scope of the definition of electronics allowing for electronic device peripherals such as keyboards, mice, cords, power supplies and adapters, speakers, sound bars, and video game consoles to also be recycled under the law.

CTA is aware that some stakeholders have expressed concerns with certain parts of 1298 SD1. We are engaged in discussions with stakeholders and are working with the Department of Health on compromise language to address these concerns. We respectfully request the Committees keep the bill moving so we can continue discussions on this important measure.

Thank you again for the opportunity to testify and provide our testimony. If you have any questions, please do not hesitate to contact me at kreilly@cta.tech.

Sincerely,

A handwritten signature in black ink, appearing to read 'Katie Reilly', with a long horizontal line extending from the end of the signature.

Katie Reilly

Vice President, Environmental Affairs and Industry Sustainability

kreilly@cta.tech

(703) 907-5224



**TESTIMONY OF TINA YAMAKI, PRESIDENT
RETAIL MERCHANTS OF HAWAII
February 25, 2025
Re: SB 1298 SD1 RELATED TO RECYCLING**

Aloha, Chair Keohokalole and members of the Senate Committee on Commerce and Consumer Affairs. I am Tina Yamaki, President of the Retail Merchants of Hawaii and I appreciate this opportunity to testify.

The Retail Merchants of Hawaii was founded in 1901 and is a statewide, not for profit trade organization committed to supporting the growth and development of the retail industry in Hawaii. Our membership includes small mom & pop stores, large box stores, resellers, luxury retail, department stores, shopping malls, on-line sellers, local, national, and international retailers, chains, and everyone in between.

We support SB 1298 SD1. This measure allows manufacturers to coordinate activities directly related to the recycling of covered electronic devices; expands the scope of covered electronic devices to include electronic device peripherals and certain legacy devices; requires manufacturers to provide free collection service locations and collection events.

Retailers continue to be concerned about our aina and have supported many initiatives that preserve and protect our environment. We are seeing more retailers having takeback recycling type of E-Waste programs for electronics albeit old, broken or just being replaced with an upgrade.

We appreciate the intent of Act 151, SLH 2022 to address e-waste recycling in our islands. We support efforts to ensure that e-waste collection remains convenient for consumers, as accessibility is key to increasing participation in the recycling program. Since the implementation of the law, manufacturers have complied with the requirement to establish collection sites across the state, significantly expanding recycling opportunities for consumers. We also appreciate that the manufacturers are willing to pay to establish additional collection sites or events as proposed in this bill.

However, as electronic devices continue to evolve, we are seeing significant shifts in their weight. Modern technology has led to lighter and more compact electronics, meaning that the total weight of collected e-waste is expected to continue declining over time. The Department of Health's own data confirms this trend, demonstrating that weight-based recycling targets will soon become unrealistic. Increasing these targets by weight is impractical and unachievable. This bill helps provide manufacturers with relief from the targets in exchange for ramping up e-waste collection.

Unlike other states, Hawai'i lacks an in-state e-waste recycling facility. All electronic waste collected must be shipped off-island for proper recycling. Unlike the mainland, where items can be transported efficiently via truck or rail, Hawai'i businesses must rely on increasingly expensive shipping options. The cost of shipping e-waste from the neighbor islands to O'ahu, and then out of state for recycling, has surged in recent years.

We strongly urge the committee to support this measure to ensure a more balanced, effective, and sustainable e-waste recycling program for Hawai'i.

Mahalo again for this opportunity to testify.

SB-1298-SD-1

Submitted on: 2/21/2025 8:38:38 AM

Testimony for CPN on 2/25/2025 9:32:00 AM

Submitted By	Organization	Testifier Position	Testify
chris c.	Individual	Oppose	Written Testimony Only

Comments:

OPPOSE.

The proposed legislation does not include sufficient minimum convenience requirements (days of operation/hours of operation) for neighbor island communities in ZCTA >25K in exchange for evading the recycling goals in the current law. Current law obligates the manufacturers to provide collection service of "a minimum of once per month," **totally insufficient**. The current required recycling goals encouraged the current registered collector to increase their days of operation to 5 days per week in Kona. The proposed legislation essentially eliminates the financial incentives for the manufacturers to responsibly recycle their products and would likely result in a **decrease of service to the County of Hawai'i**. We are still awaiting the DOH 2024 Manufacturer Recycling Goals vs Pounds Collected report; if the report shows that the manufacturers are having difficulty obtaining pounds collected perhaps the recycling goals can be reduced based on the data.

SB-1298-SD-1

Submitted on: 2/21/2025 2:01:54 PM

Testimony for CPN on 2/25/2025 9:32:00 AM

Submitted By	Organization	Testifier Position	Testify
Samuel Lee	Individual	Support	Written Testimony Only

Comments:

Aloha,

I am in support of SB1298 to increase the number of types of electronic devices which can be responsibly disposed of and taken out of our environment. The risks of legacy devices and accompanying electronics like computer mice and other covered electronic devices being left in garages or other storage facilities is dangerous for our environment. Potential leaks and runoff from electronic waste that is poorly stored and exposed to the elements can be disastrous for our waterways and the plants and animals in a neighborhood. Increasing the number of available collection sites that are free of charge can reduce the amount of electronic waste that remains in residential areas, and discourage illegal dumping of said devices in potentially dangerous locations. Please pass the bill for the betterment of our environment.

C. Kimo Alameda, Ph.D.
Mayor

William V. Brillhante, Jr.
Managing Director



Wesley R. Segawa
Director

Craig Kawaguchi
Deputy Director

County of Hawai'i

DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

345 Kekūanāo'a Street, Suite 41 · Hilo, Hawai'i 96720 · cohdem@hawaiicounty.gov

Ph: (808) 961-8083 · Fax: (808) 961-8086

February 18, 2025

LATE

COMMITTEE ON COMMERCE AND CONSUMER PROTECTION

Sen. Jarrett Keohokalole, Chair

Sen. Carol Fukunaga, Vice Chair

Re: Testimony in Opposition of Senate Bill (SB) 1298 SD1 Relating to Recycling, which modifies the Electronic Device Recycling & Recovery Act to bypass the originally established recycling goals.

Dear Chair Keohokalole, Vice Chair Fukunaga and Committee Members,

The County of Hawai'i Department of Environmental Management submits testimony **in opposition of Senate Bill 1298 SD1**, which modifies the Electronic Device Recycling & Recovery Act to allow manufacturers to bypass the recycling goals established in the law.

The residents and businesses of the County of Hawai'i have benefitted from the current incentive structure of the law's recycling goals. The manufacturer's registered collection company in the County of Hawai'i has expanded service to a new permanent site in Kailua-Kona and has recently increased the days/hours of operation in Kailua-Kona to five days per week which provides added convenience for customers. Hilo currently has convenient daily service. With the new changes to the law proposed in SB 1298 SD1 there is no incentive for the manufacturers to provide more than the minimum of once per month collections in Hilo & Kailua-Kona, which would be a severe reduction in convenience.

The County is awaiting the State Department of Health's report on 2024 Manufacturer Recycling Goals versus Pounds Collected. If there was a significant shortfall in the weight collected perhaps the recycling goals can be modified lower based on the report's findings. Until then we oppose this legislation.

Thank you for your consideration.

Best Regards,


Craig Kawaguchi
DEPUTY DIRECTOR

cc: Mayor Kimo Alameda
Gene Quiamas, Acting Hawai'i County Solid Waste Division Chief
Tanya Buckley, Acting Hawai'i County Recycling Coordinator

LATE

Date: February 23th, 2025



To: Chair Jarrett Keohokalole, Vice Chair Carol Fukunaga, and Members of the House Committee on Commerce and Consumer Protection,
From: Hawaii Environmental Change Agents (HECA) - Solid Waste Reduction Task Force
Re: Testimony in Opposition to SB1298 SD1

Aloha Chair Jarrett Keohokalole, Vice Chair Carol Fukunaga, and Members of the Committee,

I am writing **to express my strong opposition to SB1298 SD1**. This bill undermines Hawai'i's existing extended producer responsibility (EPR) framework for electronic waste by exempting manufacturers from established recycling targets and penalties. Instead, it proposes a system where manufacturers offer collection sites at no cost through collaborations—an approach that already exists and does not adequately ensure accountability or improved recycling outcomes.

The current EPR structure holds producers responsible for meeting recycling benchmarks, encouraging innovation and investment in sustainable materials management. By removing these requirements, SB1298 SD1 weakens the fundamental principle that producers should bear responsibility for the end-of-life management of their products. Without enforceable targets, there is little incentive for manufacturers to enhance collection, invest in more sustainable packaging, or increase actual recycling rates.

DOH, Hawai'i County, and Maui County have all opposed this measure, highlighting the necessity of maintaining recycling targets to ensure that waste reduction goals are met. Additionally, we supported prior efforts to expand the scope of what counts toward recycling goals while introducing positive incentives—such as credits for exceeding benchmarks. Unfortunately, SB1298 SD1 remains unchanged and fails to address these critical concerns.

Rather than rolling back producer obligations, we should be strengthening our EPR policies to drive real progress toward waste reduction and circular economy principles. I urge the committee to reject SB1298 SD1 and instead support measures that hold manufacturers accountable for the materials they introduce into our communities.

Mahalo for your time and consideration.

~HECA Solid Waste Reduction Task Force
Jennifer Navarra



Mr. K's Recycle and Redemption Center

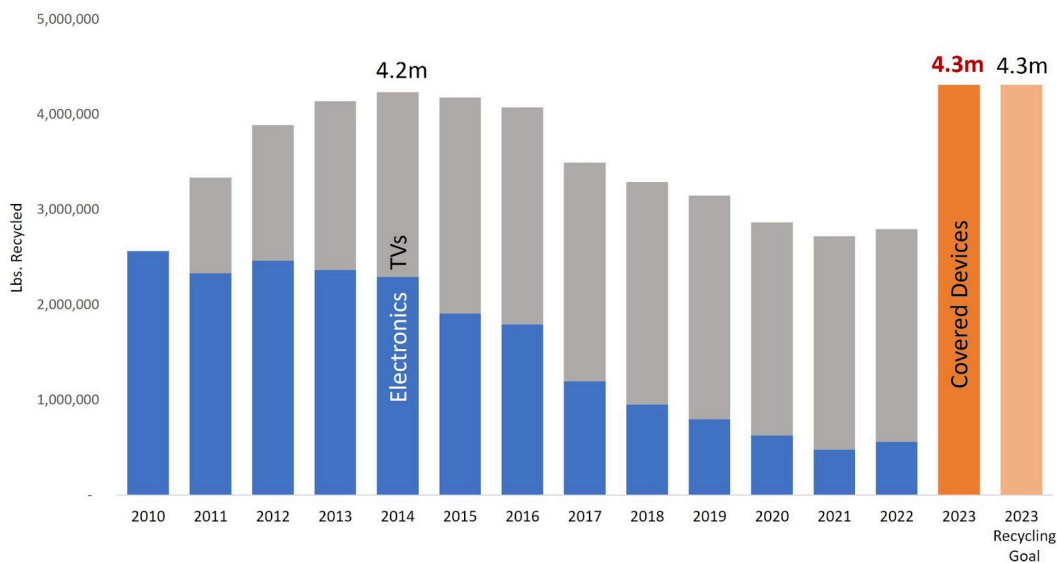
815 Kinoole St., Hilo, HI 96720 · www.mrksrecyclehawaii.com

Tel: (808) 969-1222 · office@mrksrecyclehawaii.com · Fax: (808) 769-4023

LATE

Aloha Committee Chair Keohokalole, Vice Chair Fukunaga, and Members of the Committee on Commerce and Consumer Protection,

As the owner and president of Mr. K's Recycle and Redemption Center on the Big Island, I appreciate the opportunity to **STRONGLY OPPOSE SB1298, SD1**, which allows manufacturers to coordinate activities directly related to the recycling of covered electronic devices; expands the scope of covered electronic devices to include electronic device peripherals and certain legacy devices; and requires manufacturers to provide free collection service locations and collection events.



Year 1 Success:

In 2023 under Act 151, Hawai'i recycled the most electronic weight in the history of the law.

1) Act 151's Electronic Device Recycling Goals have proven effective in driving landfill diversion and responsible recycling.

- Recycling goals resulted in the most electronic device recycling** since the law was implemented in 2010. 2023, the first year of the amended Act 151, resulted in an increase of 1.5 million lbs. (54%) over the prior year's collection. Recycling goals also contributed to 2022's slight increase as manufacturers like Dell began building collection capacity in preparation.
- Recycling goals drove collection:** of the 53 manufacturers registered in 2023, 74% hit their goals with 0% variance, and 17% exceeded their goals. The 5 (9%) that missed their goals comprised less than 1% of total weight, and have paid less than \$16,000 in total penalties (based on DOH's report).

Overall, manufacturers achieved **99.99% of the total 2023 recycling goal of 4,310,137 lbs.**

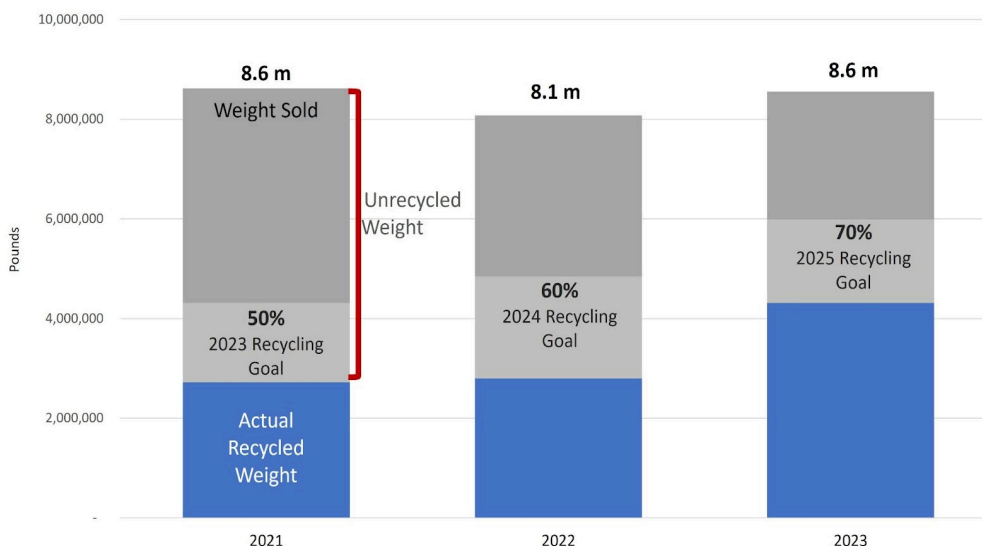
- c) **Recycling goals expanded collection:** Prior to the 2022 amendment, Mr. K's was able to offer only a monthly collection in West Hawai'i at the County's Kealahou transfer station. Today, under the current program, we have expanded to 5 days a week at our own facility in Kailua-Kona, where we also collect other items such as solar panels and UPS batteries to increase the convenience factor for West Hawai'i residents. Mr. K's has already organized collection events in Waimea, and provides pick-up service.

Compared to this reality, SB1298, SD1 actually proposes a **reduction** of collection opportunities for our County.

- d) **SB1298 proposes to exempt manufacturers from these incentivized recycling goals.**

- i) Enhanced manufacturer collaboration proposed in SB1298 means that manufacturers of any size can, as a member of a collaboration, meet the requirement of providing on-site collection locations and collection events at no cost in required areas (Section 5(g)).
- ii) SB1298 SD1's proposed Section 5(f) enables manufacturers who have provided collection opportunities to have "satisfied [their] recycling obligations under subsection c," which are the recycling goals by weight, even without any weight actually being collected.
- iii) For this reason, Mr. K's will only support a recycling program with mandatory recycling goals and incentives for all manufacturers.

2) The problem is not a lack of recyclable weight.



DOH 2021-2023
Data: Weight sold in Hawai'i is stable, while increasing recycling goals based on weight sold 2 years prior aim to catch up with accumulated unrecycled weight.

- a) SB1298 contends recycling goals by weight should be discontinued because individual electronic devices are getting lighter. However, **total electronic device weight sold in Hawai'i has been relatively stable over the 3 years** of data available from the Dept. of Health (DOH): 8.6 million lbs. in 2021, 8.1 million lbs. in 2022, and 8.5 million lbs. in 2023.
- b) Further, unrecycled weight from prior years accumulates, year on year.
- c) Data for Year 2 (calendar year 2024) will be released by the Dept. of Health in a few months. This data will confirm any hardships experienced by manufacturers in meeting targets, as well as whether total weight sold in Hawai'i is significantly falling.

3) The measure exempts manufacturer coordination from federal antitrust laws and recycling plan activities from state oversight.

- a) Section 2 of SB1298 SD1 proposes that manufacturer collaborations “shall not be subject to damages, liability, or scrutiny under federal antitrust law or chapter 480, regardless of the effects of their actions upon competition.” The measure further proposes that the supervisory activities of manufacturers and manufacturer coordinating bodies over themselves are “sufficient” to confirm that their recycling plan activities are “authorized and actively supervised by the State.”
- b) Mr. K's opposes SB1298 SD1's language that provides exemption from the law, and affirm the value of and need for State supervision of the State's Electronic Device Recycling Program.

Mr. K's has productively worked with manufacturer collaborations for years, and 2023 data has shown the remarkable effectiveness of the amended Electronic Device Recycling Program. Rather than make such significant changes to the program proposed by SB1298 SD1, we **urge the Committee to maintain the program unchanged at least until 2024 performance data is released by the Department of Health** to confirm manufacturer difficulties in achieving targets and any decrease in the total weight sold in 2024.

Thank you for the opportunity to submit testimony in **strong opposition to SB1298 SD1**, and for your leadership in helping Hawai'i divert landfill, retain valuable resources, and mālama ka 'āina.

Roy Kadota
Owner and President

LATE

SB-1298-SD-1

Submitted on: 2/23/2025 4:38:27 PM

Testimony for CPN on 2/25/2025 9:32:00 AM

Submitted By	Organization	Testifier Position	Testify
Michele Mitsumori	Testifying for IT Reuse Hawai'i	Oppose	Written Testimony Only

Comments:

Aloha Committee Chair Keohokalole, Vice Chair Fukunaga, and Members of the Committee on Commerce and Consumer Protection,

I'm writing in strong OPPOSITION to SB1298 SD1, which relates to the recycling of electronic devices.

I am the project coordinator of IT Reuse Hawai'i, a small project which refurbishes functioning computers and distributes them at no cost to low-income individuals and families on the Big Island. We work with business technology majors at Hawai'i Community College and others as volunteers, providing them with hands-on practical experience and the knowledge that their skills are directly benefiting our community.

We know the **precious materials** contained in electronic devices, and that responsibly recycling them -- which includes reuse through initiatives such as ours -- not only provides lower cost devices. Responsible recycling reduces our dependence on the destructive mining of precious minerals, including copper, gold, palladium, platinum, and silver.

Electronic devices also contain steel and aluminum, which will reduce our dependence on imported steel and aluminum whose prices will increase due to recent tariffs.

Further, electronic devices contain toxic materials which, when thrown into the landfill or the gully, will leach toxic materials into our soil, water, and eventually our bodies. Many contain lithium-ion batteries which are highly flammable and need to be safely stored and transported. **The risk of fires combined with more weight instead going into our landfills should be enough to deter passing this measure.**

In the first year of the amended Electronic Device Recycling Program, 2023, Dept. of Health data shows the **most weight recycled in the history of the program**. This is because of the **program's recycling goals for manufacturers together with incentives**. SB1298 SD1 is essentially an attempt to undermine these goals and incentives.

For these and many more reasons, I urge to Committee to vote against SB1298 SD1.

Mahalo for the opportunity to submit testimony in **STRONG OPPOSITION to SB1298 SD1**.

Michele Mitsumori
Project Coordinator, IT Reuse Hawai'i
Hilo



TESTIMONY OF RECYCLE HAWAII
RE: OPPOSITION TO SB1298

LATE

As Hawaii's premier and longest standing environmental organization dedicated to minimizing waste and promoting responsible resource management, we take this opportunity to express our opposition to SB1298 due to the provision that would exempt manufacturers from existing recycling goals. While we do support the language that would expand the range of electronic equipment currently covered by Act 151, this is not an advantageous trade-off for exempting manufacturers from requirements that have proven effective in driving landfill diversion.

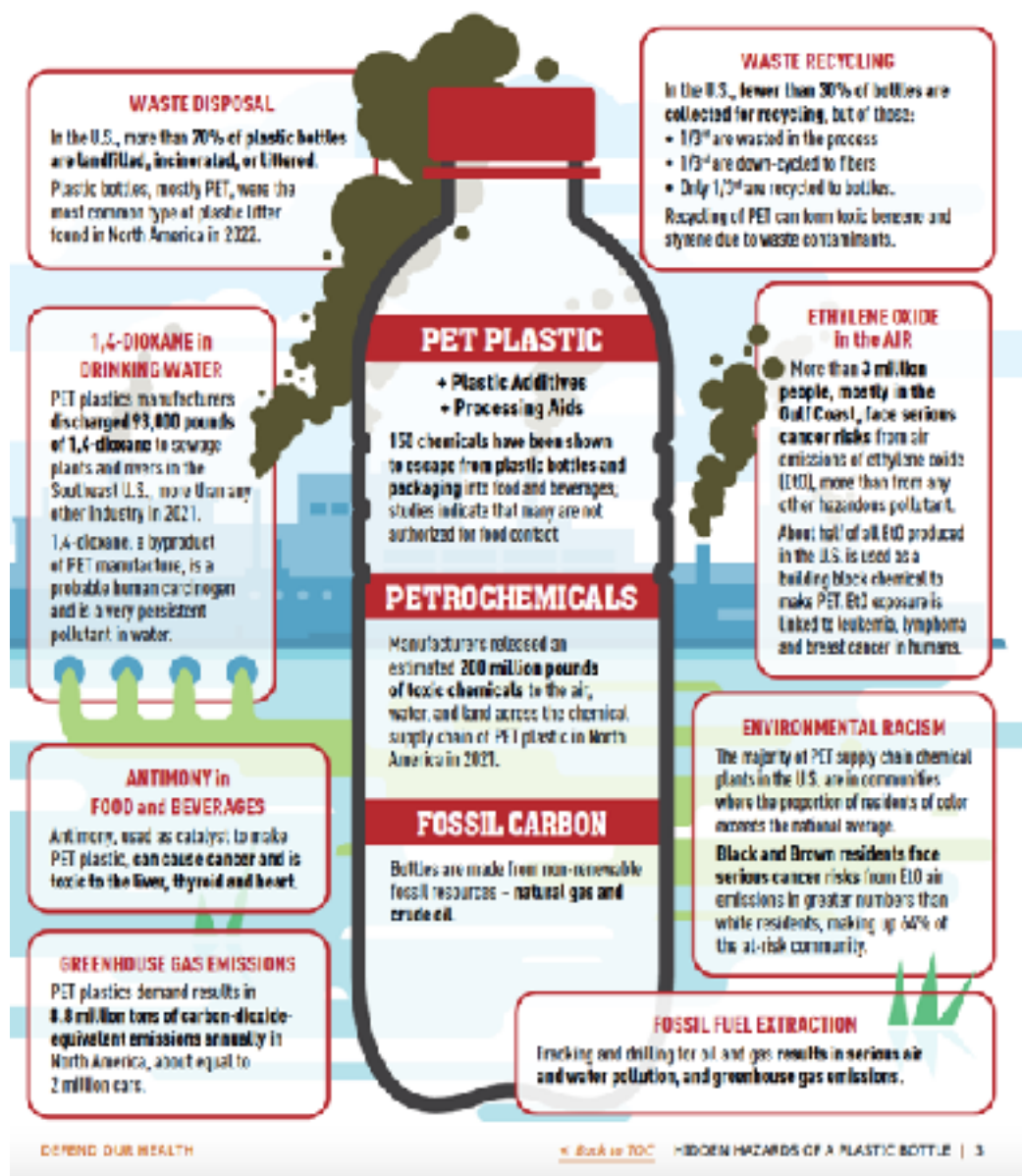
We take this position in support of Mr. K's Recycling and Redemption Center, a stalwart and reliable participant in the state's electronic recycling program that has been serving Hawaii Island for over 11 years. The suggestion that a two-year pause in the application of penalties for manufacturers who have made a good faith effort towards achieving at least 85% of their recycling goals represents a more than fair concession to the manufacturers who face challenges complying with Act 151. We also agree that using this two-year period as an opportunity to collect performance data will add great benefits to the state program.

Respectfully submitted,

Kristine Kubat
Executive Director
Recycle Hawai'i
808-747-4246

HIDDEN HAZARDS:

FIGURE 1. THE CHEMICAL FOOTPRINT OF A PLASTIC BOTTLE







LATE



To: The Honorable Chair Jarrett Keohokalole, the Honorable Vice Chair Carol Fukunaga, and Members of the Committee on Commerce and Consumer Protection.

From: Hawai'i Reef and Ocean Coalition and Climate Protectors Hawai'i (by Ted Bohlen)

Re: **Hearing on SB1298 SD1 RELATING TO RECYCLING**

February 25, 2025 9:32 am CR 229

Aloha Chair Keohokalole, Vice Chair Fukunaga, and Members of the Committee on Commerce and Consumer Protection.

The Hawai'i Reef and Ocean Coalition (HIROC) is a group of scientists, educators, filmmakers and environmental advocates who have been working since 2017 to protect Hawaii's coral reefs and ocean. HIROC is concerned about the impact electronic waste can have on Hawaii's public health and environment!

The Climate Protectors Hawai'i seeks to educate and engage the local community in climate change action, to help Hawai'i show the world the way back to a safe and stable climate. The Climate Protectors Hawai'i is very concerned that this bill will lead to less recycling of electronic waste.

Hawai'i Reef and Ocean Coalition and Climate Protectors Hawai'i respectfully
OPPOSE SB1298 SD1!

Electronic waste can contain hazardous material and so must be carefully recycled. The legislature addressed the recycling of electronic waste in Act 151 of 2022 and set recycling goals for manufacturers of electronic equipment. **This bill would negate the prior law by replacing the strict recycling goals in law based on the weight of recycled materials sold.** Instead, the bill would offer more recycling centers for customer convenience and a broader range of covered materials to include peripherals. It would allow manufacturers to coordinate their recycling activities and exempt them from anti-trust liability.

As indicated in the testimonies of the Department of Health, the counties of Hawaii and Maui, and Mr. K's Recycle and Redemption Center opposing this bill, **most manufacturers were able to meet the recycling goals in 2023.** While electronic equipment is getting lighter (possibly making achievement of goals challenging), there has been a countervailing expansion in sales. The bill's purported increase in amount collected by having more recycling centers appears to be exaggerated.

Eliminating the recycling weight goals at this time would be premature. As the County of Hawaii noted in testimony, if the DOH's 2024 report on Manufacturers Recycling goals versus Pounds Collected shows a significant shortfall, then perhaps the recycling goals could be lowered.

Please do not pass this bill!

Mahalo!

Hawai'i Reef and Ocean Coalition and Climate Protectors Hawai'i (by Ted Bohlen)

LATE

SB-1298-SD-1

Submitted on: 2/23/2025 2:49:40 PM

Testimony for CPN on 2/25/2025 9:32:00 AM

Submitted By	Organization	Testifier Position	Testify
Rosie F Davis	Individual	Support	Written Testimony Only

Comments:

Aloha Chair,

I am submitting support for SB1298.

mahalo nui, Rosie

SB-1298-SD-1

Submitted on: 2/23/2025 7:55:02 PM

Testimony for CPN on 2/25/2025 9:32:00 AM

LATE

Submitted By	Organization	Testifier Position	Testify
Monica Stone	Individual	Oppose	Written Testimony Only

Comments:

Mahalo for receiving my testimony in **opposition to SB1298 SD1**. I encourage legislators to support policies that strengthen and expand electronic waste recycling while holding manufacturers accountable.

Mahalo,

Monica Stone 96740

LATE

SB-1298-SD-1

Submitted on: 2/23/2025 10:04:45 PM

Testimony for CPN on 2/25/2025 9:32:00 AM

Submitted By	Organization	Testifier Position	Testify
Ruth Robison	Individual	Oppose	Written Testimony Only

Comments:

Dear Chair Keohokalole, Vice Chair Fukunaga, and Members of the Senate Committee on Commerce and Consumer Protection,

I am a voter who lives in Hilo. I strongly oppose SB1298 SD1. It weakens Hawai'i's Electronic Waste Recycling Program by removing manufacturer accountability and eliminating enforceable recycling targets.

I urge the committee to **oppose SB1298 SD1** and instead support policies that strengthen electronic waste recycling and hold manufacturers accountable.

Thank you for considering my testimony and thank you for your service to the people of Hawai'i.

LATE

SB-1298-SD-1

Submitted on: 2/23/2025 11:22:51 PM

Testimony for CPN on 2/25/2025 9:32:00 AM

Submitted By	Organization	Testifier Position	Testify
Terri R Markovich	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair Keohokalole, Vice Chair Fukunaga, and Members of the Senate Committee on Commerce and Consumer Protection,

I strongly oppose SB1298 SD1, which weakens Hawai‘i’s Electronic Waste Recycling Program by removing manufacturer accountability and eliminating enforceable recycling targets. Instead of requiring meaningful action, this bill allows manufacturers to avoid responsibility by offering collection sites through existing collaborations that have not proven effective.

Without strong recycling targets and penalties, Hawai‘i risks increasing electronic waste pollution, missing opportunities to improve collection systems, and failing to divert hazardous materials from our landfills. A robust EPR program is essential to ensure producers take responsibility for the electronic products they introduce into our communities.

I urge the committee to **oppose SB1298 SD1** and instead support policies that strengthen electronic waste recycling and hold manufacturers accountable.

Mahalo for your consideration,

Terri Markovich/Honokaa, Hi

LATE

SB-1298-SD-1

Submitted on: 2/23/2025 11:30:13 PM

Testimony for CPN on 2/25/2025 9:32:00 AM

Submitted By	Organization	Testifier Position	Testify
Claire C	Individual	Oppose	Written Testimony Only

Comments:

I am strongly opposed to SB 1298 and the potential impacts it will have on the current e-waste recycling efforts in Hawaii. It is good to add peripherals as covered devices since they are items compatible and necessary to use with the current definition of electronics. In adding peripherals, manufacturers will be able to easily reach the collection quotas set each year. The negative part of this bill is eliminating the penalties associated with manufacturers' quotas. If there are no penalties, there are no repercussions if a manufacturer that does not meet the weight they are expected to recycle and in turn, there is no incentive for manufacturers to comply with any part of the e-waste law. With the law changing to require at least one collection a month, there is a higher chance of collections reducing since most recyclers in the state offer collections most days of the week. It's counterintuitive to add peripherals to increase weight collected for quotas but decrease the number of collections and possibly decrease the weight collected for quotas. It would be best to leave the law the way it is to continue to measure the positive impacts it has on electronics recycling and avoid them from staying on island in the landfill. Mahalo for the opportunity to testify on this bill.

LATE

SB-1298-SD-1

Submitted on: 2/24/2025 6:48:05 AM

Testimony for CPN on 2/25/2025 9:32:00 AM

Submitted By	Organization	Testifier Position	Testify
Catarina Zaragoza-Dodge	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair Keohokalole, Vice Chair Fukunaga, and Members of the Senate Committee on Commerce and Consumer Protection,

I strongly oppose SB1298 SD1, which weakens Hawai‘i’s Electronic Waste Recycling Program by removing manufacturer accountability and eliminating enforceable recycling targets. Instead of requiring meaningful action, this bill allows manufacturers to avoid responsibility by offering collection sites through existing collaborations that have not proven effective.

Without strong recycling targets and penalties, Hawai‘i risks increasing electronic waste pollution, missing opportunities to improve collection systems, and failing to divert hazardous materials from our landfills. A robust EPR program is essential to ensure producers take responsibility for the electronic products they introduce into our communities.

I urge the committee to **oppose SB1298 SD1** and instead support policies that strengthen electronic waste recycling and hold manufacturers accountable.

Mahalo for your consideration,

Catarina Zaragoza-Dodge

SB-1298-SD-1

Submitted on: 2/24/2025 8:07:20 AM

Testimony for CPN on 2/25/2025 9:32:00 AM

LATE

Submitted By	Organization	Testifier Position	Testify
pamela burrell	Individual	Oppose	Written Testimony Only

Comments:

Aloha Senators,

I urge the committee to **oppose SB1298 SD1** and instead support policies that strengthen electronic waste recycling and hold manufacturers accountable.

Mahalo,

pamela burrell, Kalihiwai, Kaua'i, 96754

LATE

SB-1298-SD-1

Submitted on: 2/24/2025 8:13:26 AM

Testimony for CPN on 2/25/2025 9:32:00 AM

Submitted By	Organization	Testifier Position	Testify
Linda Morgan	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair Keohokalole, Vice Chair Fukunaga, and Members of the Senate Committee on Commerce and Consumer Protection,

I strongly oppose SB1298 SD1, which weakens Hawai‘i’s Electronic Waste Recycling Program by removing manufacturer accountability and eliminating enforceable recycling targets. Instead of requiring meaningful action, this bill allows manufacturers to avoid responsibility by offering collection sites through existing collaborations that have not proven effective.

Without strong recycling targets and penalties, Hawai‘i risks increasing electronic waste pollution, missing opportunities to improve collection systems, and failing to divert hazardous materials from our landfills. A robust EPR program is essential to ensure producers take responsibility for the electronic products they introduce into our communities.

I urge the committee to **oppose SB1298 SD1** and instead support policies that strengthen electronic waste recycling and hold manufacturers accountable.

Mahalo for your consideration,

LATE

SB-1298-SD-1

Submitted on: 2/24/2025 9:26:25 AM

Testimony for CPN on 2/25/2025 9:32:00 AM

Submitted By	Organization	Testifier Position	Testify
Julie and Thomas Pasquale	Individual	Oppose	Written Testimony Only

Comments:

We urge the committee to **oppose SB1298 SD1** and instead support policies that strengthen electronic waste recycling and hold manufacturers accountable.

Mahalo for your consideration,

LATE **LATE**

SB-1298-SD-1

Submitted on: 2/24/2025 10:50:49 AM
Testimony for CPN on 2/25/2025 9:32:00 AM

Submitted By	Organization	Testifier Position	Testify
Marsha Hee	Individual	Oppose	Written Testimony Only

Comments:

Please oppose this bill that weakens producer responsibilities for electronic device recycling.

Sincerely,

Marsha Hee, Hawaii Island resident

SB-1298-SD-1

Submitted on: 2/24/2025 1:04:45 PM

Testimony for CPN on 2/25/2025 9:32:00 AM

LATE

LATE

Submitted By	Organization	Testifier Position	Testify
Roy Kadota	Individual	Oppose	Written Testimony Only

Comments:

TO: Committee on Commerce and Consumer Protection

Senator Fukunaga and Senator Keohokalole

From: Roy Kadota

A. Those who are opposed to the Bill in the Environmental Committee

- Mayor of Maui, Richard T. Bissen, Jr.

-Director Of Transportation, Shayne Agawa

-Honolulu Department of Health, Environmental Management Division- Solida and Hazardous Waste Branch (EMD-SHWB)

-Four Individual Citizens

-Craig Kawaguchi, Deputy Director of Department of Environmental Management (County of Hawaii)

-Chris Chin- Chance, Recycling Specialist (County of Hawaii)

-Mr. K's Recycle and Redemption Center

-Four Private Citizens

B. Those who were in support of the Bill in the Environmental Committee

-The Consumer Technology Association (CTA)

-The Chamber of Commerce

-Individual Citizen

I am dumbfounded why an environmental committee would support a bill that would let the manufacturers off the hook. We have various people from the State, county offices, local businesses, and individuals that oppose the bill.

With the way the bill is written, the manufacturers could host collections one day a month in Kona and Hilo, as well as 4 collections a year in areas with 25,000 people. That would fulfill their recycling obligations regardless of the amount collected at those collections.

Currently Mr. K's Recycle and Redemption center is collecting electronic waste seven days in Hilo and five days in Kona from 10-3. Why would we have less collections on our island when we need to rid the electronic waste from the Island.

There is no landfill ban for electronics, and our transfer stations here on the Big Island are 10-15 years from capacity. Electronics in Honolulu are be burned if put out for curbside pickup. With all that being said, you and I are inhaling plastics and poisonous residue from the fallout.

Honolulu has an RFP (Request for proposal) to collect electronics from federal, state, and county which would add to the weight being collected. If I am not mistaken ½ a million lbs. will be collected in 2024 at 50%. And 1.2 million will be collected in 2025 at 70%.

I really hope that you can see the dilemma and not approve the bill unless there are amendments with some kind of penalties or quotas. We need to have these assessed after more than the one year of information collected.

Those in favor of the bill is The Consumer Technology Association who represent the OEMs. The Chamber of Commerce and a private citizen, who wants more permanent collecting sites on the other islands, which this bill would not support that.

No quotas and penalties =No accountability