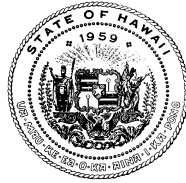


SB 1049



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

**Testimony in SUPPORT of S.B. 1049**  
**RELATING TO ELECTRONIC WASTE RECYCLING**

**SENATOR MIKE GABBARD, CHAIR**  
**SENATE COMMITTEE ON ENERGY AND ENVIRONMENT**

**SENATOR JOSH GREEN, CHAIR**  
**SENATE COMMITTEE ON HEALTH**

Hearing Date: February 17, 2015

Room Number: 225

1 **Fiscal Implications:** None.

2 **Department Testimony:** This measure would require covered electronic device (computers,  
3 monitors, printers, and portable computers) manufacturers to provide more than a mail-back  
4 option for the recycling of their covered electronic devices. However, a covered electronic  
5 device manufacturer may also include a mail-back option in addition to a collection location as  
6 part of their Hawaii recycling program.

7 The Department of Health supports this measure because we believe that the original intent of  
8 this law (HRS 339D), requiring manufacturers to take-back their electronics for recycling, was to  
9 have manufacturers sponsor on-island collections (either on-going or event based) of their  
10 electronics. However, many manufacturers have offered mail-back only recycling plans. By not  
11 allowing mail-back only recycling plans, Hawaii citizens should have more options to recycle  
12 their electronics. This will also create a level playing field for all manufacturers.

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

14

15



**Testimony of Hawai'i Green Growth In Support of SB1049  
Relating to Electronic Waste Recycling  
Senate Committee on Energy & Environment  
Senate Committee on Health  
17 February 2015, 3:45pm, Room 225**

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

---

*Hawai'i Green Growth is a voluntary partnership of more than 70 state, county, federal, business, and non-governmental leaders from energy, food production, natural resources, waste reduction, planning, green jobs, and other sectors who have come together to support a shared statewide commitment and tangible actions toward sustainability and a model green economy.*

---

Aloha Chairs Gabbard & Green, Vice Chairs Green & Wakai, and Members of the Committees:

**Hawai'i Green Growth (HGG) strongly supports SB1049**, which will aid electronic waste recycling by prohibiting electronic device manufacturers from only providing consumers with a mail-back recycling option. HGG identified electronic waste recycling as an important action to help advance action the *Aloha+ Challenge* waste reduction target to "reduce the solid waste stream prior to disposal by 70% through source reduction, recycling, bioconversion, and landfill diversion methods."

The *Aloha+ Challenge: A Culture of Sustainability – He Nohona 'Ae'oiā*, is a joint leadership commitment to achieve six sustainability targets by 2030 in the areas of clean energy, local food production, natural resource management, solid waste reduction, smart growth and climate resilience, green jobs and education. The *Aloha+ Challenge* was unanimously endorsed by the 2014 Legislature (SCR 69) and signed by Hawai'i's Governor, Mayors and Office of Hawaiian Affairs. It was also internationally recognized as a model of integrated sustainability at the UN Conference on Small Island Developing States in Samoa.

Waste is one of the most tangible indicators of sustainability, especially for an island state. In 2011, an estimated 7,000 tons of electronic waste were generated on O'ahu, and this figure is predicted to continually increase and incur collection and disposal costs that will ultimately be transferred to Hawai'i's people.

As a partnership representing Hawai'i's leaders in environment, food and energy, HGG asks for your support of **SB1049** to strengthen electronic recycling and take important steps towards overall waste reduction in Hawai'i.

Mahalo,

A handwritten signature in black ink that reads "Audrey Newman". The signature is fluid and cursive, with the first name "Audrey" being more prominent than the last name "Newman".

**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*

<http://www.hawaiigreengrowth.org>



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

SENATE COMMITTEES ON ENERGY & ENVIRONMENT AND HEALTH  
Tuesday, February 17, 2015 — 3:45 p.m. — Room 225

**UluPono Initiative Strongly Supports SB 1049, Relating to Electronic Waste Recycling**

Dear Chair Gabbard, Chair Green, Vice Chair Wakai, and Members of the Committee:

My name is Brandon Lee and I am the policy and public-private partnership associate at UluPono Initiative, a Hawai'i-based impact investment company 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 clean, renewable energy, and waste reduction. We believe that self-sufficiency is essential to our future prosperity, and will help shape a future where economic progress and mission-focused impact can work hand in hand.

**UluPono strongly supports SB 1049**, which bans the mail-back only option for an electronics manufacturer, because it aligns with our goal of reducing waste in Hawai'i. In 2011, UluPono conducted an internal waste analysis to identify opportunities to improve the waste system. One recommendation was to improve the collection, processing, and disposal of electronic waste. Electronic waste was chosen because it is one of the fastest growing waste streams as a share of the total waste flow.

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.

Therefore, in 2012, UluPono joined the legislatively mandated electronic waste task force to tackle electronic waste issues. The task force had many areas of disagreement amongst its members about various electronic waste strategies. Yet, one of the few areas of agreement was that the mail-back only option was not effective.

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

*Investing in a Sustainable Hawai'i*

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.

As Hawai'i's waste issues become more complex and challenging, we appreciate the committees' effort to look at policies that address these issues.

Thank you for this opportunity to testify.

Respectfully,

Brandon Lee  
Policy and Public-Private Partnership Associate



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](http://www.CE.org)

February 16, 2015

*Submitted Via E-mail: [ENEstestimony@capitol.hawaii.gov](mailto:ENEstestimony@capitol.hawaii.gov)*

Senator Mike Gabbard  
Chair, Senate Committee on Energy and Environment  
Hawaii State Capitol, Room 201  
415 South Beretania Street  
Honolulu, HI 96813

Senator Josh Green  
Chair, Senate Committee on Health  
Hawaii State Capitol, Room 407  
415 South Beretania Street  
Honolulu, HI 96813

**Re:** *S.B. 1049, Relating to Electronic Waste Recycling*  
**Hearing:** *Tuesday, February 17, 3:45 p.m., Room 225*

Dear Chairs Gabbard & Green and Members of the Joint Committees:

On behalf of the Consumer Electronics Association® (CEA), I thank you for the opportunity to provide testimony in **support with amendments** to S.B. 1049, which proposes to amend and clarify the Hawaii electronics recycling law.

CEA is the preeminent trade association promoting growth in the U.S. consumer electronics industry. CEA represents more than 2,000 corporate members 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. For many years, CEA has supported and advanced electronics recycling as part of the industry's broader commitment to environmental sustainability. CEA's comprehensive approach to electronics recycling includes industry initiatives related to public policy, consumer education, research and analysis, and industry standards.

CEA concurs with the basic idea of the bill – that manufacturers of products that need help being recycled should be required to do more than just operate a mail back program. Mail back (and its many variations) has become a viable collection strategy for certain smaller electronic devices. However, as the focus on the existing Hawaii electronics recycling law is on larger electronic devices, prohibiting mail back-only plans does make sense. CEA has two suggested amendments to implement this change most effectively.

First, we suggest a technical amendment that would replace the existing bill language and clarify that mail back-only plans submitted to the Department of Health (DOH or the Department) would not be approved. The language as currently written could be misinterpreted to mean that mail back could never be a viable

option for any resident anywhere in the state of Hawaii. Therefore, CEA suggests the following language to replace page 2, lines 3-6:

- “Any plan that provides exclusively a mail-back option for the collection, transportation and recycling of the manufacturers’ covered electronic devices sold in the state shall not be approved.”

Second, the existing recycling law places recycling requirements on one set of manufacturers whose products are the focus of voluntary, market-based collections in Hawaii for reuse and recycling – tablet manufacturers. The law is designed to get products recycled from Hawaii consumers that otherwise would not be recycled, and with the costs borne by current manufacturers. However, as with smart phones and numerous other consumer products, significant demand for reuse and/or recycling for used products exists outside of any legal mandate. This is true with tablet devices – a covered electronic device under current law.

While one way to acknowledge existing market demand for used tablets would be to simply exempt them from this statutory change, CEA suggests a performance-based approach. CEA recommends that the following language be inserted into the bill to address this situation for any used mobile covered electronic device that enjoys real market demand:

- “Manufacturers of exclusively mobile covered electronic devices whose products are accepted at no charge voluntarily by at least 50 retail locations in Hawaii may fulfill these requirements by submitting a recycling plan to the Department that documents these locations.”

With these issues addressed, CEA is happy to support S.B. 1049.

CEA appreciates your consideration of these comments. Please feel free to contact Walter Alcorn at 703-907-7765 or [walcorn@ce.org](mailto:walcorn@ce.org) or Allison Schumacher at 703-907-7631 or [aschumacher@ce.org](mailto:aschumacher@ce.org) should you have any questions.

Sincerely,  
THE CONSUMER ELECTRONICS ASSOCIATION



Walter Alcorn  
Vice President, Environmental Affairs and Industry Sustainability



Allison Schumacher  
Senior Manager, Environmental Policy and Sustainability



8855 Washington Boulevard  
Roseville, CA 95678  
USA

Telephone (916) 746-7300  
Facsimile (916) 772-5660  
info.sacramento@simsmm.com  
www.us.simsrecycling.com

Senator Mike Gabbard  
Chair, Senate Committee on Energy and Environment  
Hawaii State Capitol, Room 201  
415 South Beretania Street  
Honolulu, HI 96813

Senator Josh Green  
Chair, Senate Committee on Health  
Hawaii State Capitol, Room 407  
415 South Beretania Street  
Honolulu, HI 96813

**Re:** *S.B. 1049, Relating to Electronic Waste Recycling*  
**Hearing:** *Tuesday, February 17, 3:45 p.m., Room 225*

Dear Chairs Gabbard & Green and Members of the Joint Committees:

Sims Recycling Solutions would like to thank the Chairs and the committee members for the opportunity to comment on S.B. 1049, an act relating to electronic waste recycling. Sims Recycling Solutions is an active participant in providing the citizens of Hawaii with an electronic take back service under the current electronic device recycling law. Sims has partnered with Aiea-based Pacific Corporate Solutions to establish a convenient collection and recycling program for the consumers and businesses of Hawaii. In addition to our program in Hawaii, Sims provides similar services in many other states that have take back laws. As a result of being actively involved in the many different types of take back laws across the nation, Sims is uniquely able to see the strengths and weaknesses of the many approaches taken across the US. It is with this experience that Sims Recycling Solutions would like to state our support for S.B. 1049 and the improvement to the Hawaii Electronic Waste and Television Recycling and Recovery Law it will make.

The current law has a number of deficits and the law needs to be reworked. One of the largest flaws in the current law is addressed by S.B. 1049; prohibiting recycling plans that provide exclusively a mail back service to the citizens of Hawaii to meet the requirements of the law. Some products lend themselves quite well to a mail back service, and allowing manufacturers this option is important. However, it must be done in conjunction with other return options. It is unrealistic to expect entities that wish to return their larger unwanted electronic devices to the manufacturer to only have the option of returning the device via a mail back service.





8855 Washington Boulevard  
Roseville, CA 95678  
USA

Telephone (916) 746-7300  
Facsimile (916) 772-5660  
info.sacramento@simsmm.com  
www.us.simsrecycling.com

Sims supports S.B. 1049 because it addresses the major deficit in the current law, while continuing to allow mail back as one of a number of options to the consumer. There are other issues with the law as it is now written and these issues need to be addressed. However, S.B. 1049 is not the vehicle for those changes. S.B. 1049 should be limited to the mail back-only issue. Amending S.B. 1049 piece-meal is not the way to address other issues in the law. A comprehensive bill that has input from a diverse set of stakeholders is a much better approach.

Amendments that are of the technical nature that simply clarify or substitute different language, but do not change or add to the intent of S.B. 1049, are also acceptable to Sims and our support would continue. Beyond any technical changes, Sims would recommend no other modifications be made to S.B. 1049.

Sims Recycling Solutions appreciates the opportunity to make comments on S. B. 1049 and show our support for the improvements this change will make to the Hawaii Electronic Waste and Television Recycling and Recovery Law.

Kindest Regards,

A handwritten signature in black ink that reads "Larry King".

Larry King  
Legislative Analyst  
Sims Recycling Solutions