

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

WRITTEN
TESTIMONY ONLY

**Testimony COMMENTING on HB1640 HD2 SD1
RELATING TO RECYCLING**

SENATOR DONOVAN M. DELA CRUZ, CHAIR
SENATE COMMITTEE ON WAYS AND MEANS

SENATOR KARL RHOADS, CHAIR
SENATE COMMITTEE ON JUDICIARY

Hearing Date: 4/8/2022

Room Number: Via 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:** HB1640 HD2 SD1 requires the Department to convene an electronic
5 device working group; adds five new definitions to Hawaii Revised Statutes (HRS) Chapter
6 339D for "collector," "electronic device," "manufacturer," "recycler," and "reuse;" and adds
7 reporting requirements for manufacturers and collectors. The Department offers the following
8 comments on HB1640 HD2 SD1:

9 The Department opposes convening another working group. In 2012, the Department
10 facilitated the Electric Device Recycling Task Force, and recommendations from that working
11 group spurred the proposed changes to HRS Chapter 339D in HB1640 HD2. Conducting another
12 working group will further delay improvements to the existing law.

13 By removing the previous draft's improvements to HRS Chapter 339D, some of which
14 include: requiring recycling goals for all covered electronics manufacturers; including
15 convenience requirements in manufacturers' recycling plans to improve access for neighbor
16 island residents; consolidating covered electronic device and covered television programs into

1 one comprehensive program; and requiring manufacturers to fully fund their recycling plans
2 (including funds for the collection, transportation, and recycling of their own electronic devices),
3 the SD1 version now contains conflicting definitions, redundant manufacturer reporting
4 requirements, and unnecessary reporting obligations for collectors.

5 Based on over a decade of experience implementing of the Electronic Device Recycling
6 Program, the Department anticipates that the proposed revisions in the previous draft, HB1640
7 HD2, will increase the number of collection locations for Hawaii residents and increase the
8 amount of covered electronics that are recycled statewide.

9 **Offered Amendments:** The Department respectfully requests that the committees restore the
10 previous draft, HB1640 HD2.

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

SOLID WASTE MANAGEMENT DIVISION

DEPARTMENT OF PUBLIC WORKS

TROY TANIGAWA, ACTING COUNTY ENGINEER

BOYD GAYAGAS, DEPUTY COUNTY ENGINEER



DEREK S.K. KAWAKAMI, MAYOR
MICHAEL A. DAHLIG, MANAGING DIRECTOR

Testimony of Allison Fraley
Solid Waste Programs Coordinator
County of Kaua'i
Department of Public Works

Before the
Senate Committee on Judiciary
Senate Committee on Ways and Means
April 8, 2022 at 9:50 AM in
Conference Room 211 & Via Videoconference

In consideration of
House Bill 1640 HD2 SD1
Relating to Recycling

Honorable Chair Rhoads and Dela Cruz, Vice Chairs Keohokalole and Keith-Agaran, and Members of the Committees:

The County of Kaua'i Department of Public Works submits **comments** of House Bill 1640 HD2 SD1, as currently written, which changes the Electric Waste and Television Recycling and Recovery Act to the Electronic Device Recycling and Recovery Act, device reporting requirements for manufacturers and collectors, and establishes the electronic device recycling working group.

Due to staffing limitations, the County of Kaua'i has not previously testified on this bill as it embodied the goals that our administration envisioned for the program with updated criteria for manufacturers and collectors, as well as enhanced systems and improvements at every level of the process to ensure manufacturers are responsible for the proper disposal of the potentially toxic materials they import to Hawai'i. However, the latest amendment removed these improvements and initiated a working group that would prolong enhancements while muddying the focus of the program.

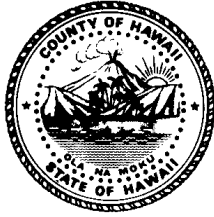
We respectfully ask that your committees **amend** the most recent draft and reinstate the version outlined in House Bill 1640 HD2. If that is not possible, we request that you defer the bill.

HEATHER L. KIMBALL

Council Member

*Chair, Committee on Governmental Operations,
Relations and Economic Development*

Council District 1



Contact Information

(808) 961-8828

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heather.kimball@hawaiiicounty.gov

HAWAII COUNTY COUNCIL

*County of Hawai'i
Hawai'i County Building
25 Aupuni Street, Suite 1402
Hilo, Hawai'i 96720*

April 7th, 2022

To: Sen. Rhoads, Chair of the Senate Committee on the Judiciary
and Sen. Dela Cruz, Chair of the Senate Committee on Ways and Means

RE: Comments on HB1640 HD2 SD1

Aloha Chair Rhoads, Chair Dela Cruz and honorable members of the Senate Committees on the Judiciary and Ways and Means,

Thank you for adjusting your busy schedules to accommodate a hearing of HB1640 HD2 SD1 that would strengthen and expand the current Electronic Waste and Television Recycling and Recovery Act. I am writing today to offer **comments on HB1640 HD2 SD1** and **support** for the original language proposed in **HB1640 HD2**.

Ensuring that electronic waste does not end up in our landfills, or worse tossed on the side of the road, is critical to protecting public health and safety and our delicate environment. Recycling electronic waste also allows for the recovery of valuable resources that could otherwise be hazardous to the environment. Under the current program, funding is insufficient, especially on the neighbor islands, and it does not adequately cover in an equitable way, the sheer volume of electronics being sold in the state.

HB1640, in HD2, would ensure a sustainable rate of electronic recycling that keeps pace with volume and more rapid obsolescence of electronic devices. It would expand the types of electronic devices that could be recycled and would establish clear electronics recycling goals based on prior sales. HB1640 HD2 would also create certification requirements to meet environmental standards and financial incentives for electronics manufactures to attain their recovery goals. One of the most important aspects for Hawai'i County is the requirement for minimum convenience levels for electronics recycling on the neighbor islands.

While I appreciate the desire to make well informed decisions, the studies have already been done to justify enacting revisions to our state's electronics waste program now and the urgency to address the issue is real. Hawai'i County just had to suspend its e-waste collection program this month because funds for the residential program ran out. HB1640 HD2 immediately provides a mechanism to

strengthen our electronics recycling law thereby protecting health and safety, the environment and returning valuable resources to the manufacturing cycle.

Thank you for the opportunity to testify in on **HB1640 HD2 SD1** and I urge the joint committee to consider revising this bill back to its previous language or at least passing it to conference for further negotiation. I look forward to working together to help address the waste reduction and resource recovery needs in our state.

Thank you in advance for your consideration,

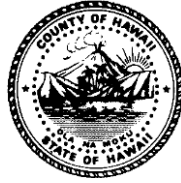
A handwritten signature in black ink that reads "Heather Kimball". The signature is written in a cursive, flowing style.

Heather Kimball

Hawaii County Council, District 1

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

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

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

April 7, 2022

Sen. Karl Rhoads, Chair, and
Members of the Committee on Judiciary

Sen. Donovan Dela Cruz, Chair, and
Members of the Committee on Ways and Means

Re: Testimony in Opposition to HB 1640 HD2 SD1 Relating to Recycling.

Dear Chair Rhoads, Chair Dela Cruz, and Committee Members,

The County of Hawai'i Department of Environmental Management is **opposed** to the amended House Bill 1640 HD2 SD1 that removed much needed provisions that would have improved the current Electronic Waste and Television Recycling and Recovery Act and lessened the burden on County taxpayers to fund electronics recycling.

In the County of Hawai'i, the annual volume of electronic waste currently exceeds the funding provided by the State of Hawai'i Department of Health (DOH) to manage the electronics collected, and County taxpayers are left to foot the bill in the absence of convenient manufacturer take-back offered on our island. The County of Hawai'i needs legislative action now to address the fiscal drain on County taxpayers. The County of Hawai'i does not need another working group; that is just prolonging the fiscal burden on taxpayers for two years or more. The success of the electronic waste collection program in FY 22-23 and beyond will depend on DOH procuring sufficient funding.

The County of Hawai'i supported HD2 which would have included a sufficient manufacturer collection goal to ensure a sustainable recovery rate that keeps up with rapid obsolescence in electronic devices, ensured manufacturers "fully fund" their take-back programs rather than relying on County taxpayers to cover manufacturers' external costs, and included a requirement for convenient monthly collections. **We respectfully ask that this joint committee amend the bill to reinstate the HB 1640 HD2 version.** If that is not possible, we request that you defer the bill. We look forward to working with the Legislature and all interested parties to improve 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 read 'Ramzi I. Mansour', with a long horizontal line extending to the right.

Ramzi I. Mansour, Director
County of Hawai'i Department of Environmental Management

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

HB-1640-SD-1

Submitted on: 4/6/2022 8:36:25 PM

Testimony for JDC on 4/8/2022 9:50:00 AM

Submitted By	Organization	Testifier Position	Testify
Ted Bohlen	Testifying for Hawai'i Reef and Ocean Coalition	Support	Written Testimony Only

Comments:

To: The Honorable Karl Rhoads, Chair, The Honorable Jarrett Keohokalole, Vice Chair, and Members of the Senate Committee on Judiciary, and

The Honorable Donovan Dela Cruz, Chair, The Honorable Gilbert Keith-Agaran, Vice Chair, and Members of the Senate Committee on Ways and Means

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

Re: Hearing HB1640 HD2 SD1 RELATING TO RECYCLING,

Friday April 8, 2022, 9:50 a.m., conference room 211 and by videoconference

Aloha Chairs Rhoads and Dela Cruz, Vice Chairs Keoholole and Keith-Agaran, and Members of the Senate Committee on Ways and Means

The Hawai'i Reef and Ocean Coalition strongly supports HB1640 HD2 SD1!

Recycling is a crucial component of the State's sustainability goals. It is essential that the State's recycling requirements reflect the conditions and types of waste produced in Hawai'i. Any e-waste not responsibly recovered or recycled contributes to toxic waste and fire hazards in the landfill.

This bill would bring important updates and improvements to the current Electronic Waste and Television Recycling and Recovery Act. HB1640 HD2 SD1 **improves the current electronic waste recycling program by creating recycling goals for all covered electronics manufacturers, and setting convenience requirements that would establish minimum collection sites around the islands.**

Most importantly, HB 1640 HD2 SD1 **requires manufacturers to fully fund their recycling plans, making them responsible for the waste they create** and push to overconsume. These plans would be based on prior sales of all electronic devices of the manufacturer in the State, with financial incentives for those who don't meet their goals.

Please pass this important bill!

Mahalo!

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



Date: April, 8th 2022

To: The Honorable Chair Donovan Dela Cruz and Karl Rhoads, Vice Chair Gilbert Keith-Agaran and Jarrett Keohokalole and members of the Senate Ways and Means and Judiciary Committees

From: Zero Waste Hawai'i Island

Re: Hearing HB1640 HD2 SD1 RELATING TO RECYCLING

Aloha Chair Dela Cruz and Roads, Vice Chair Keith-Agaran and Keohokalole, and members of the Senate Ways and Means and Judiciary Committees,

Thank you for scheduling a hearing for HB1640 HD2 SD1. The house version of the bill, was an update to an existing electronic waste recycling program. This program is vital to keep toxic substances, plastics, and batteries out of our landfill and for recycling of rare metals that are now in short supply leading to supply chain disruptions/shortages and increased prices.

Current state grant funding is insufficient to cover the costs of recycling e-waste. Hawai'i County just suspended its e-waste collection program for residents because funds ran out. Without these funds to support monthly collection in West Hawai'i, there is only a single e-waste recycling site for the entire island. Recycling goals for manufacturers are achievable and based on recent data that reflects the weight and sales volumes of current devices. Recycling goals will be calculated based on a manufacturer's sales from two years prior.

We ask the committees to please consider amending this bill to its previous form, HB1640 HD2, or pass it so it can be resolved in Conference. This bill was an attempt to update and improve an existing program, and there is no need to do a study which will only delay diversion of this toxic and valuable commodity from the waste stream.

Mahalo nui loa,

Jennifer Navarra
Coordinator
Zero Waste Hawai'i Island

Zero Waste Hawai'i Island (ZWHI), is a community group whose mission is to promote equitable waste reduction through education, advocacy and system (re)design.

Zero Waste Hawai'i Island • PO Box 1773, Hilo, HI 96721
808.657.5972 • zerowastebigisland@gmail.com

HB-1640-SD-1

Submitted on: 4/7/2022 12:09:23 PM

Testimony for JDC on 4/8/2022 9:50:00 AM

Submitted By	Organization	Testifier Position	Testify
Christopher Dean	Testifying for Recycle Hawaii and Clean the Pacific	Support	Written Testimony Only

Comments:

Please pass this legislation. We all want this. We all need this. We can't continue to let children make fires in dirt lots to melting down our E waste.

HB-1640-SD-1

Submitted on: 4/6/2022 9:27:25 PM

Testimony for JDC on 4/8/2022 9:50:00 AM

Submitted By	Organization	Testifier Position	Testify
laurel brier	Testifying for Kauai women's caucus	Comments	Written Testimony Only

Comments:

We support HB 1640 as it appeared in HB 1640 HD2. There needs to be established goals and incentives/penalties and manufactors need to be responsible and part of the solution. It has been shown this can be done. The people need an free and easy way to recycle, reuse or dispose of electronics or you will see it dumped by the reservoirs and back roads. Let's make good use of the surplus rather than giving \$100 to people making 100k a year.



**TESTIMONY OF TINA YAMAKI, PRESIDENT
RETAIL MERCHANTS OF HAWAII
April 8, 2022
Re: HB 1640 HD2 RELATING TO RECYCLING**

Good morning, Chairperson Dela Cruz and members of the Senate Committee on Ways and Means. 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, RMH is a statewide, not for profit trade organization committed to the growth and development of the retail industry in Hawaii. Our membership represents small mom & pop stores, large box stores, resellers, luxury retail, department stores, shopping malls, local, national, and international retailers, chains, and everyone in between.

HB 1640 Relating to Recycling changes the Electronic Waste and Television Recycling and Recovery Act to the Electronic Device Recycling and Recovery Act. Establishes electronic device reporting requirements for manufacturers and collectors. Establishes the electronic device recycling working group. Effective 1/1/2050.

We are very supportive of the formation of a task force as long as there is equal representation from the retailers and the manufactures whom this measure is aimed at. We would ask that the reporting be taken out until the task force has a chance to look into this issue. We would also like to point out that reporting by weight is an antiquated way of measuring devices especially as products are getting smaller and lighter.

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 take-back recycling type of E-Waste programs for electronics albeit old, broken or just being replaced with an upgrade. **And because Hawaii does not have a recycling facility here in the state, the retailers have to ship these items off island.** In the past couple of years, we have seen shipping cost increase significantly in the past couple of years, therefore adding onto their operational cost.

Electronics over the years have been changing and becoming much lighter. We are seeing more and more sales weight of newer electronic products are far less heavy than older ones. With new technology constantly being introduced, we are expecting in the next few years that the recycling rate will continue to decline. However, when the pandemic started and government mandates shut most businesses down, we did see an uptick in sales of computer devices as more people were working from home and students classes were online. However, most people and companies do not change out their televisions or computers every couple of years. Electronics have a longer lifespan. We therefore question, will Hawaii be able to meet the mandated weight of collected and recycled devices?

While we understand that many want this program to be fast tracked, we must also have realistic expectations and goals. We would also like to point out that the majority of the electronic products are NOT manufactured in the state of Hawaii and therefore this measure would put the burden on our local retailers, especially the small mom and pop type shops. If not we many see even more small businesses closing or companies bringing in the variety of electronics to our state. We would then have to order them online, most likely with companies with no ties to Hawaii.

Mahalo again for this opportunity to testify.

April 7, 2022

Senator Donovan Dela Cruz
Chair, Committee on Ways and Means
Hawaii State Legislature
415 S Beretania St
Honolulu, HI 96813

Re: Oppose HB 1640 HD2 SD1 Relating to Recycling

Dear Chair Dela Cruz:

On behalf of the Consumer Technology Association (CTA), thank you for opportunity to provide comments in opposition to HB 1640 HD2 SD1. 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 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 oversight of the recycling system.

We appreciate that the prior committees amended the bill to remove the increased weight targets for televisions and computers, and created an electronic device recycling working group to recommend additional requirements for the collection and recycling of electronic devices. **However, we would respectfully request that the Committee also delete section 2 of the bill, which provides for expanded electronic device definitions under the existing law. This should be something that the working group looks at in greater detail before being adopted.**

We note that currently, 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.

In addition, 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

Year	Combined Amounts of Hawaii TVs/Computers Recycled by Manufacturers (lbs. per capita)	Change from Previous Year
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%

The decline in weights coming during the next decade means there will not be enough pounds of electronics in Hawaii to meet increased weight targets, which is why CTA supports the working group looking at everything comprehensively before making policy changes.

For the above CTA opposes HB 1680 HD2, and requests that section 2 of the bill be deleted from the bill. 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.

Sincerely,

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

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

MICHAEL P. VICTORINO
Mayor

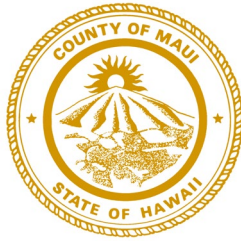
ERIC A. NAKAGAWA, P.E.
Director

ROBERT SCHMIDT
Deputy Director

MICHAEL KEHANO, P.E.
Solid Waste Division

SCOTT R. ROLLINS, P.E.
Wastewater Reclamation Division

TAMARA L. FARNSWORTH
Environmental Protection &
Sustainability Division



LATE

**COUNTY OF MAUI
DEPARTMENT OF
ENVIRONMENTAL MANAGEMENT**

2145 KAOHU STREET, SUITE 102
WAILUKU, MAUI, HAWAII 96793

April 7, 2022

TESTIMONY OF TAMARA L. FARNSWORTH
COUNTY OF MAUI, MANAGER OF ENVIRONMENTAL PROTECTION & SUSTAINABILITY
DIVISION

BEFORE THE SENATE COMMITTEES ON WAYS AND MEANS AND JUDICIARY
Friday, April 8, 2022, 9:50 a.m.
Via Videoconference

In consideration of **HOUSE BILL 1640 HD 2 SD 1 RELATING TO RECYCLING**

Honorable Donovan M. Dela Cruz, Chair

Honorable Gilbert S.C. Keith-Agaran, Vice Chair

Honorable Karl Rhoads, Chair

Honorable Jarrett Keohokalole, Vice Chair

Honorable Members of the Committees on Ways and Means and Judiciary

The County of Maui Department of Environmental Management provides **COMMENT** on HB 1640 HD2 SD1.

The language and intent of the bill in its prior form was amended with HB1640 HD2 SD1 to provide for a working group to study the issue of an Extended Producer Responsibility (EPR) electronics recycling program for Hawai'i. County of Maui Department of Environmental Management is not in support of the bill in its current form, and **we respectfully urge this committee to amend the bill to revert to its prior form and language in HB1640 HD 2.** A feasible, functional EPR e-cycling program is what is needed for the State of Hawai'i, not another working group.

There is no need for additional analysis on the proposed weights to be recycled, as some in the industry contend. In Maui County, the annual volume of electronic waste currently exceeds the program's ability to manage all of it, and the county must defer shipping at the end of each year because quotas are met well ahead of December. There is no shortage of materials and the industry should have no problem meeting the requirements of the original bill. Evidence of this is shown in data provided by industry representatives in testimony to prior committees.

While weights of individual items may be declining, the use of electronics overall remains stable or is increasing. The mandates originally set forth by this bill allow for an incremental portion of increasing diversion over three years. The highest percentage required for manufacturers to handle will be 70% in 2025, which would allow for a 30% decrease in weights from the previous two years sales. Testimony from the Consumer Technology Association shows a table with

TESTIMONY OF TAMARA L. FARNSWORTH
HB 1640 HD2 SD1
April 8, 2022
Page 2 of 2

annual decreasing weights at an average rate of 1.6% over the ten year span from 2010 – 2020. Even in the unlikely event that weights would decrease by the highest annual amount shown in 2017, 14% each year over two years, the mandate would still be achievable at 28% lower weight. **Using the average decrease in weights or even the highest historical decrease provided by the industry experts themselves, it is clear that the maximum 70% diversion laid out in the bill in its prior form will be achievable, without concern.**

In Fiscal Year 2022, the County of Maui taxpayers bear the burden of 77% of the cost of recycling electronic waste. The Department of Health subsidy under the current e-cycling program provided for \$85,000 of the contract, with Maui County taxpayers paying \$281,000. The cost to Maui County is about \$1000 per ton, borne mostly by taxpayers, but we continue to recycle electronics because of their potential impact on our landfills. The County of Hawai'i provides services solely with available DOH funding and has recently halted collection for the remainder of the year. The counties need support to continue recycling electronic waste, and it is our position that the producers of that waste should provide more of that support.

The County of Maui does not support a working group or this bill in its current form. We do respectfully urge this committee to revert to the amended language and intent of the bill in HB1960 HD2 so that County and State taxpayers can benefit from the producers of electronics taking responsibility for their fair share of the burden of its waste.

Mahalo nui for your consideration on this important matter.



Restore the Commons

Friday, April 8, 2022, 9:50 am

Senate Committees on Ways and Means and on the Judiciary

HOUSE BILL 1640 – RELATING TO RECYCLING

Position: Support

Me ke Aloha, Chairs Delacruz and Rhoads, Vice-Chairs Keith-Agaran and Keohokalole, and Members of the Committees on Ways and Means and on the Judiciary

HB1640 opens a window for Hawaii to develop a market for the recovery of crucial electronic materials, and even the possibility of generating a small craft industry in reusing these materials for reconstruction, repair, possibly recycling of these precious materials.

While shipping will become an increasingly problematic issue in the years on the horizon, it will behoove Hawaii to find ways to boost its small craft industry, and to ramp up solar and wind, geothermal, and hydropower for high priority applications such as this. Independence from disruptible dependency on foreign materials, energy supplies, and food will become critical when the next series of hurricanes arrive with the next El Niño.

It seems to be very difficult for people to accept the most obvious and alarming warnings about climate change. Resisters must live in a magical world where light and knowledge are not permitted. It seems we need every opportunity to stress what everyone else but important leaders seems to know:

“The landmark report on mitigation by Working Group III of the Intergovernmental Panel on Climate Change (IPCC)—part of the U.N.'s sixth comprehensive climate assessment and possibly the last to be published with enough time to avert the most catastrophic consequences of the planetary crisis—was compiled by 278 researchers from 65 countries. The authors, who synthesized thousands of peer-reviewed studies published in the past several years, make clear over the course of nearly 3,000 pages that "without immediate and deep emissions reductions across all sectors, limiting global warming to 1.5°C is beyond reach. We've waited far too long." -- international alliance of scientists advocating for systemic political and economic changes in line with scientific findings

In case you missed it, 1.5°C (2.7°F) is the limit of what scientists have determined is the maximum above average annual global temperature of pre-industrial conditions that our current biology is adapted for -- that beyond that, the biological conditions that all life on Earth is adapted for will unravel out of control. It is already unraveling, as extreme weather events have shown, and the feedback loops, such as the major ice shelf collapses in the Antarctic, the disappearance of Arctic ice, and the melting of Arctic permafrost explosively releasing methane to the atmosphere (10x more potent than CO₂) are accelerating the process even as we speak.

Mahalo for the opportunity to address this issue,

/s/ Charley Ice, Hoa'aina; and Co-chair of the Energy & Climate Action Committee of the Environmental Caucus

**Building the new normal with People and Land: Food Security Health Care Public Banking
Regenerating Soils Cutting Waste Eliminating GHG emissions**

HB-1640-SD-1

Submitted on: 4/6/2022 7:13:48 PM

Testimony for JDC on 4/8/2022 9:50:00 AM

Submitted By	Organization	Testifier Position	Testify
Ruta Jordans	Individual	Support	Written Testimony Only

Comments:

Thank you Chair Rhoads (Judiciary Committee) and Chair Dela Cruz (Ways and Means Committee) for hearing the bill 1640

I support HB 1640 in its previous form (HB 1640 HD2). Please consider amending the bill to its previous form, or passing it so that it can be resolved in Conference.

Recycling needs to be convenient, accessible both financially and practically (especially to those in rural areas), and encouraged as part of our community values. The House-approved version of this bill would create an EPR program in which manufacturers will cover the costs of recycling and recovery for all owners (both residential and commercial).

HB-1640-SD-1

Submitted on: 4/7/2022 7:38:52 AM

Testimony for JDC on 4/8/2022 9:50:00 AM

Submitted By	Organization	Testifier Position	Testify
laurie boyle	Individual	Support	Written Testimony Only

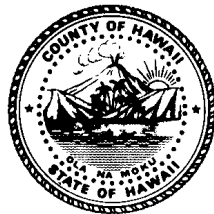
Comments:

Aloha,

I support HB1640 HD2 in its original form for the simple reason that the electronic waste that continues to fill our lands and toxify our planet is created by manufacturers and utilized by consumers until they reach end of life, whereby the consumer bears responsibility to keep it out of the landfill. This bill would require producers of the (eventual) e-waste to meet established goals to gradually reduce e-waste to a minimum. Producers should be held accountable, be provided incentives toward those goals, while consumers should be provided reasonable access to e-waste recycling, redemption facilities, including at least two in Hawai'i County. E-waste is birthed by Producers and taken to its grave by the consumer. Let that grave be a pathway to reuse/recycle/repurpose, not the Mother earth.

Mahalo for your time and for considering this important bill.

REBECCA VILLEGAS
Council Member
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HAWAI'I COUNTY COUNCIL

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April 7, 2022

TESTIMONY OF REBECCA VILLEGAS COUNCIL MEMBER, HAWAI'I COUNTY COUNCIL ON HB 1640 HD2 SD1, RELATING TO RECYCLING

Committee on Judiciary
Committee on Ways and Means
Friday, April 8, 2022 at 9:50 a.m.

Aloha Chair Rhoads, Chair Dela Cruz, and Members of the Committees:

I thank you for the opportunity to testify in support of HB 1640 HD2 SD1. My testimony is submitted in my individual capacity as a member of the Hawai'i County Council and Chair of the Hawai'i County Council Climate Resilience and Natural Resource Management Committee.

Recycling needs to be convenient, accessible both financially and practically (especially to those in rural areas) and encouraged as part of our community values. The House-approved version of this bill would create an EPR program in which manufacturers will cover the costs of recycling and recovery for all owners (both residential and commercial), create at least 2 collection sites on Hawai'i island, and establish recycling goals and incentives (financial penalties) for not meeting those goals. The previous version of HB 1640 also established convenience requirements that would provide additional recycling opportunities for Hawaii's consumers. Please consider amending this bill to its previous form, or pass it so that it can be resolved in Conference.

The current e-waste law has no recycling goal for manufacturers of computers, monitors, laptops, tablets, and printers (covered electronic devices of CEDs), nor does the current law have any incentives for manufacturers to do so. Manufacturers decide for themselves what their goals are, or whether to even have recycling goals. The previous version of HB1640 establishes recycling goals as well as incentives (financial penalties) for not meeting them.

Electronic devices contain toxic substances and plastic, and components such as lithium batteries pose fire hazards. In addition, many components such as CPUs and circuit boards can be reused and contain valuable metals. Current state grant funding is insufficient. Hawai'i County just abruptly suspended its e-waste collection program for residents because funds ran out. Without these funds to support monthly collection in Kona (West Hawai'i), there is only a single e-waste recycling site for the entire island.

For the reasons stated above I urge the Committee on Judiciary, and the Committee on Ways and Means to support this measure as well. Should you have any questions, please feel free to contact me at (808) 323-4267.

Hawai'i County is an Equal Opportunity Provider and Employer.

Mahalo for your consideration.

A handwritten signature in black ink, appearing to read 'Rebecca Villegas', written in a cursive style.

Rebecca Villegas
Council Member, Hawai'i County Council

HB-1640-SD-1

Submitted on: 4/7/2022 9:51:09 AM

Testimony for JDC on 4/8/2022 9:50:00 AM

Submitted By	Organization	Testifier Position	Testify
Lisa Hallett	Individual	Support	Written Testimony Only

Comments:

Aloha,

Mahalo for supporting HB 1640.

Electronic devices contain toxic substances and plastic, and components such as lithium batteries pose fire hazards. In addition many components such as CPUs and circuit boards can be reused and contain valuable metals.

Sincerely, Lisa Hallett

HB-1640-SD-1

Submitted on: 4/6/2022 7:35:13 PM

Testimony for JDC on 4/8/2022 9:50:00 AM

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

Comments:

Mahalo Chair Rhoads and Chair Dela Cruz for hearing the HB1640 and for receiving my testimony in support for HB 1640 in its previous form (HB 1640 HD2).

Please consider amending the bill to its previous form, or passing it so that it can be resolved in Conference.

As a resident of Kona, on Hawai'i Island I am saddened and frustrated that Hawai'i County had to recently suspend its e-waste collection program for residents because funds ran out. Without these funds to support monthly collection in Kona, there is only a single e-waste recycling site for the entire island. I am concerned about people not having ability or access to drive 2 hours to recycle electronics and these potentially hazardous materials will be sent to the pu'uana'hulu landfill or even worse pollute the environment.

Mahalo for your kokua,

Monica Rott Stone

Kailua-Kona, HI

HB-1640-SD-1

Submitted on: 4/6/2022 9:01:17 PM

Testimony for JDC on 4/8/2022 9:50:00 AM

Submitted By	Organization	Testifier Position	Testify
Jon G Saragosa	Individual	Comments	Written Testimony Only

Comments:

Aloha, Chair Rhoads, Chair Dela Cruz and Committee Members,

Thank you for hearing HB 1640.

This bill relating to recycling electronic devices is especially urgent to us on Hawai`i Island, as our County has just suspended its e-waste collection program due to lack of funds.

We cannot wait for a Working Group to submit a report in two years. As a resident of Hilo, I support the previous version of HB 1640 (HD2). It established recycling targets for manufacturers based on sales numbers from two years prior, financial penalties if those recycling targets are not met, and convenience requirements that would establish at least two monthly collections on Hawai`i Island.

We cannot afford to have toxic substances and fire hazards in our landfill or, worse, dumped by the side of the road somewhere. We need an e-waste recycling program that doesn't suddenly stop in the middle of the year due to lack of funding, because the amount people were recycling exceeded State-allocated funds.

I encourage you to **amend the bill and revert it to its previous version (HD2), or to pass it so that it can be resolved in Conference.**

Mahalo for the opportunity to submit my testimony commenting on HB1640 HD2 SD1.

Sincerely,

Jon G Saragosa

HB-1640-SD-1

Submitted on: 4/6/2022 9:03:00 PM

Testimony for JDC on 4/8/2022 9:50:00 AM

Submitted By	Organization	Testifier Position	Testify
Michele Mitsumori	Individual	Comments	Written Testimony Only

Comments:

Aloha, Chair Rhoads, Chair Dela Cruz, and Committee members,

Thank you for scheduling this hearing for HB1640.

Just this week, my County announced the abrupt suspension of the Hawai`i County E-Waste Collection Program due to lack of funds, with three months still remaining in the fiscal year. It is a wake-up call that the current system is far below what we need.

The prior version of HB1640 (HD2) improved upon the outdated and insufficient e-waste recycling bill by establishing recycling goals for manufacturers of computers, monitors, laptops, tablets, and printers, as well as incentives for not meeting those goals. These goals are based on sales of the prior two years, which takes into consideration the lighter weights of electronics today, compared to 10 years ago. Also, if devices are lasting longer, the targets will reflect a slower purchasing rate and resulting lower sales.

The success of this type of program can be seen in **E-Cycle Wisconsin**, which is now in its 13th year. In effect since 2010, E-Cycle Wisconsin's extended producer responsibility program for electronics covers TVs, monitors, computers, computer accessories, printers, DVD players, VCRs, fax machines, and other devices. Annual recycling targets for manufacturers are set based on weight, with shortfall fees paid to the state when targets are missed, and credits earned when targets are exceeded. Success for the 12th year of the program include:

- Since its start, the program has **recycled nearly 350 million pounds and expanded electronics recycling access** for state residents.
- A Dept. of Natural Resources (DNR) study that collected and sorted samples of waste going to Wisconsin landfills found the estimated weight of TVs and monitors arriving at landfills **dropped 85%** between 2009 and 2020.
- A 2021 DNR statewide household survey found **fewer stored TVs, computers and cellphones in WI households** compared to 2018, with more households reporting they had recycled or reused unwanted electronics instead of storing or trashing them.
- **Most manufacturers met or exceeded their recycling targets.**

- **Nearly all** manufacturers, recyclers and collectors **are complying with the law**, and the DNR continues to work to **ensure a level playing field** for program participants.

No law or system is perfect. E-Cycle Wisconsin continues to undergo changes. Yet the benefits are clear, even as we continue to see and inevitably suffer from the dangers of allowing potential threats to our water, land and air to continue unaddressed. HB1640 is an opportunity to establish an effective and sustainable electronics recycling and recovery bill in our state.

I encourage the Committees to **amend HB1640 by reverting it to the previous, House-approved version, or to pass it so that it can be resolved in conference.**

Thank you for the opportunity to express my comment on HB1640.

HB-1640-SD-1

Submitted on: 4/6/2022 9:26:21 PM

Testimony for JDC on 4/8/2022 9:50:00 AM

Submitted By	Organization	Testifier Position	Testify
Miyoko Mitsumori	Individual	Comments	Written Testimony Only

Comments:

Aloha, Chair Rhoads, Chair Dela Cruz and Committee Members,

Thank you for scheduling a hearing for HB1640. This is very timely, as I live in Hilo and it was just announced that our County has had to suspend our County Electronic Waste Collection Program, effective immediately, due to lack of funds. Only \$85,000 was allocated for the entire island for an entire fiscal year.

We need an electronics recycling program that is sufficiently funded. Electronics contain toxic substances and plastic, are a fire hazard from lithium batteries, and can be refurbishes/reused or at least have valuable components removed, especially now during a shortage of computer chips and other critical parts. They should not be just thrown into the landfill.

Please consider amending HB1640 by reverting it to its previous version, or passing it so that it can be resolved in conference.

Thank you for this opportunity to submit my testimony.

LATE

HB-1640-SD-1

Submitted on: 4/7/2022 12:34:49 PM

Testimony for JDC on 4/8/2022 9:50:00 AM

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

Comments:

Dear Chair Rhoads, Chair Dela Cruz, and JDC and WAM Committee Members,

Please amend the bill to reinstate the HB1640 HD2 version. The State of Hawai'i does not need another working group to delay action for two years or more.

This is Dominic Reis from Mr K's recycling. Our county has just suspended e waste collection due to lack of funding. I support the previous version of HB 1640 (HD2).

We shouldnt be forced to put toxic substances in our landfill or on the side of the road. We need and e waste program that does not stop in the middle of the year due to lack of funds. Pleasd amend the bill and revert it to its previous state. Thank you for listening.