

**Testimony to the
Pennsylvania State Senate
Environmental Resources and Energy Committee**

**Electronic Waste Recycling
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**By
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(PROP)**

Thank you, first of all, for the opportunity to speak to the committee on this important and challenging topic. I hope that my testimony will offer a unique perspective that can provide the insights of those frequently charged with coordinating local recycling initiatives. With that perspective in mind, I hope that I might also be able to help the committee better understand how the recycling public will react to the various options being explored and discussed.

The Professional Recyclers of Pennsylvania is a vibrant member organization and Pennsylvania's affiliate to the National Recycling Coalition (NRC). We now boasts 600 members, split nearly in half between the public and private sector and representing all but a small handful of the 67 counties in the Commonwealth. Beyond the four or five dozen member counties that tackle some sort of hazardous waste program, our members include:

- Several firms that focus specifically on electronics recycling
- Several others that address electronics in addition to other general hazardous waste recovery
- A number of engineering and consulting firms that assist public and private sector entities with their special or hazardous waste handling
- More than 100 municipal government members that are responsible for special waste collection programs within their jurisdictions

I'll not spend a great deal of time testifying to the number of obsolete electronic devices being generated each year. But let me make one point very clear: they are not being handled adequately. While a number of our county government members and a growing number of manufacturers like Dell have established programs to recover these materials, many more from both those groups have been unwilling or unable to address this challenging hazardous waste.

Though the efforts of the Department of Environmental Protection (DEP) have held electronics recyclers more accountable, some US processors have been remiss in the manner in which they

have handled materials. Additionally, it is impossible to police what is done once the material crosses the ocean to Asia.

The challenges of inappropriate processing in the United States or exportation of materials overseas may seem to cry out for a national approach. But it seems that a piece of national legislation is unlikely in the immediate future. NRC was part of a national stakeholders dialog that seemed to end in an impasse. In response to that, many states have moved forward on their own because of the difficulty in reaching a national consensus.

So if Pennsylvania, too, is to proceed with a state-based approach, we believe that there are several important issues to keep in mind.

Consumer Convenience

All of our members that offered input have stressed the importance of convenience to the consumer. This holds true for recycling of all kinds but is especially true for products that can be bulky and difficult to handle for several reasons.

Responsibility

State, local and county governments seem to frequently be burdened with an unfair portion of responsibility when it comes to recyclable collection and processing of all kinds. Especially when it comes to materials that can have toxic constituents, it is important that there be a greater share of producer responsibility assumed.

This is not to say that local or county governments should necessarily be removed from the process in all cases; it simply means that they should not be solely responsible (financially and logistically) for yet another portion of the waste stream.

Flexibility

If the manufacturers and retailers are, then, to have a greater share of responsibility to recover and provide for processing of electronics, it is important that they have the flexibility they need to create systems well suited for their products or to be able to work with other partners. We believe, in fact, that keeping interested partners (like Goodwill and other non-profits or county governments) involved in the process is a benefit to all the parties. Beyond the obvious, this should also encourage the utilization of local and regional entities to handle these materials.

Manufacturers and Retailers

It is important that all manufacturers and retailers be part of the program. Smaller companies must not be permitted to slip through loopholes while the bigger players pay the freight. That said, smaller firms should be able to easily partner with whomever is most practical.

Whatever the details of the program, retailers must be required to be sure that the brands they sell are actually paying into the system or providing for the mandated recycling.

Fees and Financial Support

While every funding scheme has its advantages and disadvantages, we believe that it is important to design a program that is not a bureaucratic burden to state government. A workshop sponsored by the Joint Legislative Conservation Committee earlier this year demonstrated that some states' approaches can be administratively cumbersome and require considerable human resources as well. States that have adopted up-front fees, especially, have found them to be difficult and expensive to administer.

Recycling Practices

To the extent practical, legislation should require proper handling of materials from the beginning to end of the process (even if the end of that process is beyond the borders of Pennsylvania).

Though it may go without saying, improper collection, outside storage, sloppy handling (that results in broken monitors for example) or shipping to unregulated off shore facilities must be clearly illegal. We could talk for many hours about improper electronics recycling. But suffice it to say, clear and stringent standards for recycling must be part of any legislation, complementing or even enhancing current regulatory requirements.

We are optimistic that enhanced producer responsibility will also encourage manufacturers to make electronics more recycling friendly, reducing the levels of toxins and making the recycling process less dangerous and ultimately less expensive.

Education

Any program will require an educational element. It seems that a collaborative approach makes the most sense and that DEP, manufacturers and retailers will all play a role in helping the public better understand whatever system is adopted. I mention this because we too often forget the value of public education in helping to assure better compliance and higher participation in any environmental program.

As the cover of the most recent issue of our magazine, *The Pennsylvania Recycler* states, “Trash is Complicated.” This is certainly true of electronics recycling. So there may be more than one way to successfully address this challenge. But the fundamental concerns remain no matter which strategy is ultimately chosen. We hope that the committee will keep our points in mind as they contemplate legislation. Please feel free to contact us to discuss the issue further. I am very appreciative of the opportunity to again testify to the committee, especially on this important and timely topic.

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