

**Testimony on Electronic Waste (E-Waste) Recycling**  
**On behalf of the**  
**Pennsylvania Retailers' Association**  
**Before the**  
**Senate Environmental Resources**  
**and Energy Committee**

**Wednesday, June 18, 2008**  
**Harrisburg, PA**

Good Morning, Chairman White, Chairman Musto and members of the Senate Environmental Resources and Energy Committee. Thank you for the opportunity to submit comments regarding electronic waste recycling legislation. My name is Brian Rider, representing the Pennsylvania Retailers' Association.

Consumer electronic products are manufactured globally, are shipped through a distribution channel that takes them at their genesis across multiple borders at the very least within the U.S., and when an individual product has reached the end of its 'useful' life for the original consumer, it may still be reused or refurbished before it is ready to be recycled (the universal three "R's). All stakeholders in the relationship chain--manufacturers, retailers, consumers, collectors, processors, Federal, state and local governments--should be encouraged and educated to be an active part of a system. Products need to be handled and disposed of safely and responsibly and end of life in addition, these products should be 'encouraged' to have as much recyclable materials in them as possible so that there is a minimal amount of "waste." The Pennsylvania Retailers' Association (PRA) supports producer responsibility legislation.

By supporting producer responsibility, the legislature can recognize not only the 'trend' that is sweeping the globe, but the legal structure surrounding Producer Responsibility that has been adopted in every state that has passed electronics recycling measures since California's onerous consumer fee based approach implemented more than 5 years ago. The Producer Responsibility model has been unanimously supported by the Council of State Governments.

Retailers who sell consumer electronics are in the middle – quite literally – of the distribution chain that begins with the design and manufacture of a product and ends with the product being discarded by its final owner at its useful end-of-life and how its contents are managed. Retailers have been working with all stakeholders for many years in trying to craft a comprehensive ‘cradle-to-cradle’ Federal approach, and, when necessary, to respond to individual state initiatives.

Retailers recognize that the best way to create a sustainable recycling system over time is to create a system that will allow for many to establish convenient, economical and flexible programs as possible and bring down the costs for consumers. The producer responsibility model allows for this by allowing the marketplace to work as well as allowing for manufacturers to incorporate the cost of recycling into the product price allowing for and encouraging more recyclable materials in products. Retailers recognize their critical role in helping consumers become more aware of collection opportunities and establish or sponsor voluntary collection events as well as work with their manufacturer partners, where possible, to help meet requirements under producer responsibility laws. Retailers have also assumed their role and responsibility of ‘manufacturer’ on their private label products; taking on the responsibility of the producer in the coordination of a recycling program. In addition, as is evident in states that have a robust and working producer responsibility model, the system is bringing in ample products and recyclers are receiving payments for those products.

Any program/system that is established, however, under a producer responsibility model that manages a product at its end of life (EOL) must be simple, as non-bureaucratic as possible, allow for manufacturer flexibility, but also accountable and auditable. A comprehensive system should also encourage

design innovation, provide consumers with a variety of reasonably convenient choices to encourage proper disposal, and give manufacturers the flexibility they need – consistent with their individual business models.

Retailers would encourage the Pennsylvania General Assembly to consider a producer responsibility model-similar to that of other states and unanimously passed by CSG as the preferred model of legislation. PRA believes that by working with a growing number of states and countries and manufacturers, as well as environmental groups, national scrap recyclers, and a successful system for electronics recycling can be created without requiring taxes at the point-of-sale; without having to create complex administrative structures; and without mandates that discourage innovation. Collecting fees on products at the point of sale does not necessarily equate to the proper handling of such products at their EOL. In addition, there is no incentive to bring the fees down and this is especially evident right now as the California Integrated Waste Management Board will raise the fees that consumers must pay at point of sale in order to support the program that the legislature has put into place. The fees that they will institute, by regulation, will likely be as high as \$25 per television with a screen size greater than 35 inches (up from \$10.) This cannot be welcome for consumers, retailers or manufacturers in this economy.

Pennsylvania in particular, and our nation as a whole have a unique opportunity to move forward in a direction now that creates a progressive producer responsibility system encouraging the market to drive to an effective, efficient and environmentally sound solution.

Again, I thank you for the opportunity to testify on the issue of electronic

waste recycling legislation. Although I am far from an expert on the issue, I am happy to attempt to answer any questions Committee members may have.