

ACT

Alliance for a Clean Texas

Recycling & Electronic Waste: Moving Producer TakeBack Beyond Electronics

Electronics TakeBack Should Lead to Broader Producer TakeBack Policies

The Texas Computer TakeBack Law (HB 2714) sets an important precedent for making manufacturers responsible for the end of life of their products. This gives producers a bottom line incentive to design for the environment because they will be competing on the basis of how efficiently they can recycle their products, in addition to efficiently manufacturing and marketing them. Producer takeback recycling also removes the financial burden from local governments who run solid waste and household hazardous waste programs that, in essence, subsidize the true costs of disposable, toxic products.

Producer takeback policies can play a key role in shifting the waste management system in Texas from one focused on government-funded and ratepayer-financed waste diversion to one that relies on producer responsibility in order to reduce public costs and drive improvements in product design that promote environmental sustainability.¹

“Framework Legislation”

Framework legislation would provide a comprehensive yet flexible method for managing products that have significant impacts on the environment and serve as an alternative to tackling this problem on a product-by-product basis.² Minnesota passed a study bill on this and California, Washington and probably at least 5 northeastern states will have bills on this in 2009. In Washington this will probably be part of the Governor's Climate Action Agenda.

Action Item: Introduce Framework legislation that will establish broad outlines of how producer takeback recycling programs should be structured in Texas and the general responsibilities of manufacturers, retailers, state government, local government, consumers and other stakeholders.

¹ The Product Policy Institute's website has a wealth of information on product stewardship: <http://www.productpolicy.org/>

² See Joint Statement on Product Stewardship by the Northwest and California Product Stewardship Councils: http://www.productpolicy.org/assets/pdf/NWPSC-CPSC_Joint_PS_Framework_Principles_2008.pdf

Producer TakeBack Legislation for Mercury-Containing Thermostats

Many thermostats currently in use contain an average of 500 milligrams of mercury³, a naturally occurring toxin that can affect the nervous system. Although no mercury is released when these products are intact, when disposed of in an improper fashion, they can cause mercury to be released into the environment. While sales of mercury-containing thermostats are on the decline as manufacturers have shifted production to non-mercury digital thermostats, there are still an estimated 50 million mercury-containing thermostats in homes throughout the United States.

Six states have already passed producer takeback legislation for mercury thermostats. One of the larger producers of thermostats is Honeywell, which backed producer takeback state legislation in 2007.

Producer TakeBack for Mercury-containing Fluorescent Lighting

In November 2007, the mayors of the state's five largest cities declared that Compact Fluorescent Lightbulbs (CFLs) were "The State Light Bulb of Texas." While fluorescent lighting is more energy efficient than incandescent bulbs, because fluorescent lights contain mercury they create a new hazard at their end-of-life stage; if the bulbs break, the mercury can affect consumers and solid waste disposal personnel, and can pose an air and water contamination problem.

Nearly 300 million such bulbs were sold in U.S. in 2007, compared with 100 million two years earlier, according to the Department of Energy. In a 2004 fact sheet, the Association of Lighting and Mercury Recyclers estimated that more than 70% of commercial fluorescent bulbs and 98% of residential ones were not recycled. Most of the 98 % of CFLs that are discarded by households get smashed en route to landfills and incinerators in packer trucks, releasing mercury vapors that are inhaled by trash collectors and escape into the air to settle out and be washed into our streams and rivers. The residue in landfills forms methyl mercury gas, which is especially toxic.

There is limited free recycling offered at Home Depot and Ikea stores. One fluorescent lighting manufacturer, Sylvania Osram, offers a mailback program at a minimum charge of \$15, while Waste Management charges \$16.95 for its least expensive mailback option.

The manufacturers of fluorescent lighting are benefiting from a sales boom for these products, yet they have so far avoided responsibility for the costs of the environmental impacts of their products.

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For further information, please visit www.acttexas.org/issues/electronicwaste

³ One mercury-containing thermostat contains the same volume of mercury as approximately 125 compact fluorescent light bulbs:

http://www.energystar.gov/ia/partners/promotions/change_light/downloads/Fact_Sheet_Mercury.pdf