

SUBJECT: Promoting recycling of certain electronic waste via signs, information

COMMITTEE: Environmental Regulation — committee substitute recommended

VOTE: 8 ayes — Morrison, E. Rodriguez, Kacal, K. King, P. King, Lozano,
Reynolds, E. Thompson

1 nay — Isaac

WITNESSES: For — Andrew Dobbs, Texas Campaign for the Environment;
(*Registered, but did not testify*: Lindsey Baker, City of Denton; Cyrus
Reed, Lone Star Chapter Sierra Club; David Weinberg, Texas League of
Conservation Voters)

Against — Stephen Minick, Texas Association of Business; Brenda
Haney, TxSWANA

On — (*Registered, but did not testify*: Brian Christian, Texas Commission
on Environmental Quality)

DIGEST: CSHB 1058 would add to the Solid Waste Disposal Act in the Health and
Safety Code requirements that owners and operators of solid waste
facilities post conspicuous signs encouraging the recycling of electronic
waste, defined as certain computer and television equipment eligible for
collection and recovery under a manufacturer's recovery plan or recycling
program.

Commercial transporters of solid waste who took waste to a solid waste
facility also would be required at least once a year to provide an
informational insert that encouraged electronic recycling to each person
with whom the transporter had contracted. This provision relating to the
informational insert would expire December 31, 2017.

Owners and operators of solid waste facilities that posted the required
signage would not be liable for electronic waste collected or disposed of at
their facilities, nor would they be required to remove such waste. In

addition, commercial transporters that provided the required informational insert would not be responsible for electronic waste they carried, nor would they be required to remove such waste. These entities would not be considered in violation of the bill if they made a good faith effort to comply.

The Texas Commission on Environmental Quality (TCEQ) by rule would develop the sign and informational insert, which would include information relating to recycling programs for electronic waste and TCEQ's website. TCEQ would have to adopt rules to implement the bill by December 31, 2015.

This bill would take immediate effect if finally passed by a two-thirds record vote of the membership of each house. Otherwise, it would take effect September 1, 2015.

**SUPPORTERS
SAY:**

CSHB 1058 would provide additional encouragement for the public to use important existing programs to recycle computers and televisions. The bill would impose minor obligations on solid waste owners, operators, and commercial transporters and would have both economic and environmental benefits.

According to one estimate, Texas recycled 1.41 pounds of electronics per person in 2014. Meanwhile, estimates of 5 to 7 pounds per person have been reported among other states with electronics recycling programs, indicating that Texas can do much more. Additional promotion and encouragement of the use of recycling programs would boost recycling rates, help keep the environment clean, save space in landfills, and even create new jobs related to processing the recycled materials.

**OPPONENTS
SAY:**

Although encouraging recycling of electronic waste is a worthy cause, CSHB 1058 would place an undue burden on the owners and operators of solid waste facilities to post signage. The cost and effort involved in encouraging recycling should be borne by the state. Solid waste facilities already have other state-imposed signage requirements, and this bill would add more. In addition, posting signage at the landfill is not the best

place to inform or remind individuals to recycle their electronics. They might not see the signs, or they might already have disposed of their electronics. There are better ways to promote this important program.

OTHER
OPPONENTS
SAY:

The “good faith” protection of CSHB 1058 is not well-defined and would be subject to interpretation. Therefore, it is not clear what level of protection the bill actually would provide to solid waste facility owners and commercial transporters.