

Product Stewardship Institute Conference
Welcoming Remarks
June 4, 2008

Good morning. My name is Frank Smizik, and I am House Chairman of the Joint Committee on the Environment, Natural Resources and Agriculture here in the Massachusetts state legislature.

I am pleased to be here this morning to address this conference and to be seated with Commissioner Burt and Susan Studlien from the EPA Office of Environmental Stewardship.

This has been a busy, exciting and productive year so far for the environment committee. Recently, we have passed bills that will 1) develop an ocean plan for Massachusetts waters and promote renewable energy development, 2) encourage responsible use of our shoreline and public resources, 3) reduce the amount of phosphorous flowing into our waterways, and 4) increase the amount of green space in Boston.

But there is still work to be done, particularly in the area of product stewardship. Last session, the Massachusetts legislature unanimously passed mercury legislation, and we are hoping to build on that legislative achievement this session.

I am going to highlight two bills we are working on this session that call for greater product stewardship – electronic waste and safer alternatives. We are very hopeful that both will see action by the end of this session in July.

I have chosen these bills because I think they represent two different approaches to product stewardship. The electronic waste bill is built on a producer responsibility model, as it requires manufacturers of electronic waste to assume financial responsibility for proper disposal of the e-waste.

By contrast, the safer alternatives bill, which I will discuss shortly, encourages manufacturers to reduce the amount of toxic chemicals in products by requiring the use of “safer alternatives” – thus leading to a safer product on the market.

I don't need to tell you that electronic waste represents a growing portion of our solid waste stream, and that there are harmful toxics in these products that make them different from other types of household trash. In Massachusetts our landfills are at capacity and we have an excess of 1.3 million tons of solid waste.

Our e-waste bill covers disposal of computers, TVs and printers from households, schools and municipalities. It builds on our existing waste disposal system by allowing municipalities to continue to be collection sites for e-waste, but also expands the options to consumers by allowing retailers, schools and others to become collection sites as well.

Once collected, the waste would be handled by a licensed electronic waste processor, who will sort and recycle the waste and bill companies directly for the amount of waste collected. The producer responsibility for TVs would be based on market share, while computers would be based on return share.

We think that this bill will encourage manufacturers to produce cleaner electronic products and products that are easier to recycle. We also believe that the companies that have profited from the sale of these products should be held responsible for safely disposing of the lead, cadmium and beryllium that is found in most electronic products. Also, the tremendous cost to local municipalities, as well as public safety, are the main reasons we must move this bill.

The second bill I would like to highlight is our safer alternatives bill.

Scientific evidence increasingly indicates that a wide array of toxic chemicals we use in our everyday lives are contributing to an epidemic of chronic diseases and disorders, including asthma, birth defects, cancers, developmental disabilities, diabetes, Parkinson's disease, and other neurological disorders. In effect we must not only address the problems of Global Warming, but also Global Poisoning.

These toxics are found everywhere, including in common household products such as plastics, pesticides, solvents, building materials, foam cushions, and electronics.

These products are not only toxic when they are being used, but are also toxic when the product reaches its end of life and is being disposed of in a landfill or burned in an incinerator.

Many of these toxic chemicals can be replaced with safer alternatives, but companies are slow to transition to these alternatives on their own. This bill would require companies to transition away from toxic chemicals if it is found that a safer alternative is discovered, and would help the companies transition by providing financial assistance.

The legislation targets the most toxic chemicals for study and possible substitution, and focuses in particular on protecting vulnerable populations like children.

This bill expands the successful Massachusetts Toxics Use Reduction Act (TURA) program, which encourages and assists businesses in Massachusetts to transition away from using toxic chemicals in the manufacturing process.

To date, the TURA program has helped hundreds of businesses and manufacturers in Massachusetts transition to using safer chemicals or processes. This often results not only in a safer work place, but also in enormous cost savings in terms of permitting, reporting and purchase of hazardous chemicals.

In addition, this bill will encourage investment in the green chemistry industry, creating green jobs and making Massachusetts products marketable in the worldwide economy. The TURA Program puts Massachusetts in a unique position, allowing us to expand the present law to dangerous chemicals in products by working with the business community in a collegial fashion in order to ensure public health.

The European Union and other countries have already adopted more health protective requirements for products, and over 37% of Massachusetts trade is with the European Union's member states.

With this bill, I believe that Massachusetts can lead the way in technological innovation, globally competitive businesses, and the protection of workers, communities and consumers.

I appreciate the work of the Institute in bringing us all together to share information, network and discuss innovative policy solutions to the country's most pressing issues.

Thank you.