



April 7, 2025

Alaska Senate Finance Committee  
120 4th St  
Juneau, AK 99801

**Re: Comments on CTA SB61 Opposition Letter**

Distinguished Committee members,

Zender Environmental is an Anchorage-based non-profit with 15 staff members. We rent office space in both downtown and midtown, where we operate a small warehouse and training facility. Our work focuses on “all things” solid waste management and water quality for rural Alaska. We provide training and technical help, virtual and on-site, to municipalities and tribes throughout rural Alaska, both On- and Off-Road System. Through our various programs we work with about 100 communities annually and help or train about 160 community representatives. We operate a Spring in-residence style job training program in conjunction with UAF, with over a 94% job placement rate. Our largest program is Backhaul Alaska, which serves 94 communities currently in providing training, supplies, and logistics to build and leverage with local community backhaul programs. For communities that have programs, we fill the gaps – whether it is technical advice or funding for backhaul. The current approved list of materials for which we focus on in communities includes batteries, electronics, mercury lights, and fish nets. In fact, depending on the waste in the community for which there is concern, and space available, we also backhaul out many other types of waste, from cans to tires.

Thus, we are well familiar with rural Alaska infrastructure and take exception to each paragraph of the CTA opposition letter. The letter contains mistakes and is ill-informed throughout. We hope that the Committee will consider the counter view from an Alaskan entity whose job it is to help communities manage waste and to find local, regional, and statewide solutions that work. A copy of the letter is reproduced below in sequential sections (blue font), with our responses in black font.

While consumer technology companies want to ensure their products are recycled in a safe and responsible manner, the proposal in SB61 would place a significant burden on manufacturers. The electronics recycling program proposed in SB61 would establish the broadest, most cumbersome, and likely most costly electronics recycling program in the U.S.

It is true that the burden for responsible product disposal would be on the manufacturer. This is the essence of EPR. However, the program would not be more cumbersome for manufacturers than in other states. We administer Backhaul Alaska for 94 communities and not only ship and recycle electronics, but batteries, mercury containing devices, fish nets, tires, and other harmful waste of highest community concern. In addition to the routing of these wastes, we provide safety training, PPE, packing and weighing supplies, and technical



assistance. Our program is far more complex than what is asked of the manufacturers, and we do not find it cumbersome. There are regional programs and other programs to cover the full State of Alaska that have established relationships with the communities in that region. The Bill would allow manufacturers to meet obligations by working with these handful of programs that will in turn work with the communities.

Alaska shipping costs average out on a par with Hawaii's EPR program, but the population is just half that of Hawaii. The States of California, Texas, and New York have populations that are 60, 40, and 28 times, respectfully of Alaska's population. It is highly unlikely that Alaska's program would cost more than these states.

Several challenges exist within both the program proposal and the unknowns for managing end of life electronics in the state:

Typically, in the US, we see individual manufacturers able to dictate their own programs independently or among small groups versus establishing a Producer Responsibility Organization (PRO) which helps keep costs manageable for producers. The stringent convenience requirements; extremely detailed documentation required by the plan (e.g. documentation of processor audits; descriptions of accounting/reporting systems; detailed reporting on material recovered from processing; etc.); and unknown existing infrastructure to properly manage electronics across the states means that a Producer Responsibility Organization (PRO) is likely to be established in Alaska versus individual manufacturer programs. With a PRO, we anticipate an increased overhead raising financial implications even higher for manufacturers.

This is a Bill reading error. The Bill does not prohibit manufacturers or small groups from acting as a Producer Responsibility Organization. Additionally, the reporting requirements are not dissimilar to other states, such as those of the State of Washington.

The convenience requirements exceed those of any other state in the country. The requirements appear beyond "reasonably convenient". As an example, manufacturers would be required to provide collection events once per year in every community with a population less than 5,500. That equates to well over 200 collection events a year to serve those communities. The costs have the potential to skyrocket for manufacturers given these requirements are beyond what other states require and may be beyond what's needed to effectively and efficiently serve the communities in Alaska.

These requirements are not beyond reasonably convenient. They are intended to serve communities which have no alternative but to have their own program. The current Bill allows for collection less than once per year if the manufacturers can demonstrate safe, adequate, and accessible storage. For example, a small community might be provided one to two shipping vans with appropriate signage and shelving. Backhaul Alaska works flexibly, to support local timelines and collection frequencies. Thus, for some communities we collect each year and others every other year or two. Some communities have year-round programs which ship to the hub, and we compensate for that shipping leg, and then work with the hub community to ship out regional electronics, generally once per year. Some offroad Southeast communities, which have open water year-round, ship as they fill up a van.



None of these frequencies are an issue for us, because they have evolved to be most efficient for those communities. The Bill allows for this flexibility. It is unlikely rural Alaska will require 200 events per year, but it is up to the manufacturers whether they wish to serve communities yearly or less frequently.

As for the statement 'beyond what's needed to effectively and efficiently serve the communities in Alaska', it is Alaskans that are best in the position to determine what is most effective and efficient for our communities. The CTA letter makes it clear they are unfamiliar with Alaska in general, and unfamiliar with our waste situation.

After discussions with the Department of Environmental Conservation (DEC), it remains unclear to CTA what the existing collection infrastructure looks like for manufacturers to leverage. This makes it extremely difficult to determine the feasibility and what the costs would be for manufacturers to comply. Permanent collection sites must be manned by individuals that are trained in how to sort, stack, palletize, and then shrink wrap electronics for safe transport to a recycler. Maintaining a year-round collection site for smaller communities (any community with more than 5,500 individuals) when there is no existing infrastructure to tap into will be cost prohibitive.

This comment is uninformed. It is unclear who CTA spoke with at ADEC, but the solid waste program staff is well aware of the infrastructure in the State. We have the capability, as does the State, right now to supply that information and are very willing to share. Indeed, we have shared information in the past with CTA but that knowledge might have been lost in the transfer of executive leadership. As for training of individuals, again Backhaul Alaska already has a robust training program that assures electronics are properly sorted, stacked, palletized and shrink-wrapped to assure compliance with USDOT Hazardous Materials Regulations (HMR) and any other safety requirements emplaced by the recycler.

In other states that have adopted programs, manufacturers were able to tap into and support the existing infrastructure for their programs including local governments and non-profits skilled in collecting and managing e-waste prior to manufacturer programs being established. The costs to set-up a program from essentially scratch in most communities would also lead to higher costs for producers.

Again, infrastructure does exist in Alaska. Local government non-profits skilled in collecting and managing waste, including Backhaul Alaska, have existing infrastructure that manufacturers can tap into. This bill is simply just that – a requirement for manufacturers to support existing infrastructure in collecting and recycling.

The substitution of four collection events for one collection site is also unreasonable. Collection events are expensive to conduct, and a minimum volume of material needs to be collected, ideally 18,000 – 20,000 pounds (the equivalent of one trailer). This means for a community of 5,500 to 10,000 individuals, that community must generate 72,000 – 80,000 pounds of electronics each year to warrant the need for four collection events.

The substitution of collection events for a site is optional. Additionally, if adequate and safe and accessible storage is available, the manufacturers can collect less frequently. The bill has the flexibility to accommodate most scenarios as long as there is safe storage for electronics.



The 72k to 80k number is not relevant and indicates a misreading of the bill. A collection event is intended to mean collection from the community to a central storage or transfer facility. For example, several communities hold electronics collection events seasonally. Each event adds additional e-waste. When the van is full, it is barged for recycling according to the barge schedule which will either be seasonal or year-round.

In addition to the unknown around existing collection infrastructure, there exists no certified electronics recycling facility in Alaska. Manufacturers want to work with certified electronics recyclers – via accredited certification standards such as the R2 or e- Stewards. Therefore, electronics must be transported to the lower 48 states to reach recyclers certified in environmentally responsible practices leading to additional increases in costs for producers to transport material to the lower 48 states.

Again, there is collection infrastructure and it is unclear who CTA spoke with at ADEC, but we suggest speaking with the program that would be charged in carrying out the bill requirements—the Solid Waste Program. We agree that electronics must be barged out. In part, that is the reason the bill was introduced. Shipping makes the cost of safe disposal too costly for our communities to support. But product stewardship, as CTA is well-aware, relies on the market to set a price for goods. By including disposal costs, negative externalities are erased and electronics pricing is efficient. It should further be recognized that barges on their return visit sail to Seattle do not stop in Anchorage, so regardless of whether there is a certified e-recycler in Alaska, and there is one on the horizon, no loss in efficiency, and no additional logistics negotiations, result from barging to Seattle.

SB61 requires that, for a retailer to operate as a collection site, the community must agree along with the retailer and manufacturer. It is unclear who in a community would be responsible for making that determination and how a manufacturer and retailer would work with that community.

Communities in Alaska have local governments that are municipalities and/or tribes. Only one of these entities carry out backhaul for the community and it is that entity with whom it would be most effective to work. The requirement is not onerous. Retailers would not need to work with the community. For rural Alaska, it is suggested but not necessary to elect to work with the various regional and statewide programs that already work with the communities on backhaul. For larger urban cities of which there are only a handful, the manufacturers should devise their own strategy with the experience they have in engaging local government

Producer responsibility programs for electronics have not been shown to drive design changes in products. Therefore, manufacturers should not be required to report how they are working with processors to encourage design of products and components for recycling given it does not occur under these programs.

This clause has been removed in the current bill. We should note that this is a common element in EPR bills and is for example a requirement in the State of Washington.

Terms such as “fair financial compensation” are undefined leaving it unclear what the expectation is for manufacturers as they set-up their programs and partner with collection sites and who ultimately determines what is approved as “fair financial compensation”.



This is common terminology and intended to infer that manufacturers would cover the cost of safe storage, collection, transport, and recycling.

Microwave ovens should not be included as a “covered electronic device”. A microwave is an appliance, not an electronic device. The recycling of microwaves is not typically handled via electronics recycling streams given the potential for food contamination and other challenges. This product category should be removed from the definition of “covered electronic device”.

This clause has been removed from the current bill.

CTA is concerned with the definition of “eligible electronic device” including any “battery-containing electronic”. That definition is broad and would capture products like toys (e.g. singing tedding bears), small appliances, and even items such as kids light-up tennis shoes that are incompatible with the consumer electronics recycling system. The inclusion of these products would only raise costs higher for manufacturers since the electronics recycling system is not equipped to manage these products. It would also be an unfair burden on electronics manufacturers who would be required to fund the system to accept these materials but who don’t manufacturer those products.

The term “battery-containing electronic” has been removed.

Retailers should not be responsible for providing public education information on how to recycle electronics. Manufacturers may operate different programs, and a retailer cannot be expected to provide information on all programs operating in the state. Rather, manufacturers should be required to provide that information via their own websites for their consumers.

This requirement is simply to garner public participation and a successful program. The requirement is not onerous and can be complied with simply by posting a supplied magnet or sign with a QR code for more information.

It is unclear the necessity of the Electronics Recycling Advisory Council. In most other states, the state environmental agency is able to provide sufficient oversight of the program including review and approval of plans.

Alaska is different and citizen opinion is important. It is unclear why this component would be objectionable.

**CTA Recommendation:** CTA is open to dialogue around the proper management of end-of-life electronics in Alaska, but the proposal outlined in SB61 is not the solution. It’s unclear how e-waste fits into the overall recycling and solid waste management solutions in Alaska or if an infrastructure to responsibly collect and manage e-waste under the standards proposed in SB61 exists today.

It is well established how e-waste fits into the overall recycling and solid waste management solutions in Alaska. It fits similarly like every other state. The waste-stream contains toxic chemicals that should be recycled. The only difference in rural Alaska is that there is no safe place to discard electronics, and limited storage. Additionally, communities off the road





system have median household incomes that are about half or less of the statewide average. Thus, it is more compelling and urgent to have this program than in other states, but e-waste is still e-waste.

And as stated numerous times, it is very clear to us that infrastructure exists to collect e-waste. Backhaul Alaska serves 94 communities now and can be ready easily to serve every rural community within 2 years. We are not proposing the CTA need to contract with Backhaul Alaska, but if they wish to work with a single backhaul entity that already has established contacts with communities, we are available and would subcontract the regions or communities that are operating well with their own systems.

Additionally, without a more thorough evaluation of what type of program – including convenience requirements - is needed to best serve Alaskans, SB61 may be proposing manufacturers pay to establish a cost prohibitive program well beyond the needs of Alaskan

Convenience standards chosen were unanimous within the Advisory Board, every community must be served. Offroad communities are not connected with each other. They must have collection or, because of Class III landfill standards, there is no question that the e-waste produced by the manufacturers will contaminate their waters, lands, air, and subsistence resources. And there is a risk, higher or lower depending on the community and its resources, of medical harm. Serving rural Alaska communities is not well beyond the needs of Alaskans. To suggest that rural Alaskans should be left to face exposure risks from toxic chemicals like lead and cadmium simply because of where many have lived for millennia is unfair. Service to all is well within CTA's cost structure because we operate a full program including supplies, training, logistics, shipping, recycling for e-wastes, batteries, lamps, fish nets and more AND provide capacity building assistance at the same time. A proportional cost would be in the ballpark of several hundred thousand dollars, which is affordable.

CTA would be happy to participate in a discussion around how e-waste fits into the overall recycling and solid waste management needs of Alaska. CTA would recommend that DEC conduct a survey to determine the amount of household generated e-waste in Alaska to better inform how much and where e-waste is being generated in the state in combination with an assessment of the collection infrastructure and capabilities of communities throughout Alaska to responsibly manage e-waste.

Again, it is unclear how CTA could assist in a discussion concerning how e-waste fits into recycling and SWM needs of Alaska. It is guaranteed that, like lower-48 SWM departments, the SWM departments and staff of every community are already well-aware of what e-waste is and how to handle it. DEC is engaged in a study on recycling. A survey would essentially be useless.

Our overall concern with this measure is that it will add considerable costs which ultimately will be borne in one way or another by the Alaska consumer. We should call this what it is: it's a tax. It is a brand new tax, and potentially a very big tax at a time when Alaskans can least afford one. e

It is unclear how this program is a tax, but clear what the intent was in using the term. This is the opposite of a tax. The point of EPR is to wrap the cost of disposal in with the product so



that the total cost is fixed by the free market. In this way the responsible recycling of these toxic materials is made more efficient. The product being sold becomes a responsibly managed product sold by the manufacturers, who are essentially assuming corporate social responsibility. It is hard to believe that manufacturers would not want to steward the land, air, and water of their customers. There are no serious studies documenting an increase in retail cost once an EPR program is in place. Global markets for these manufacturers allow them to spread increased costs over their full customer base. Alaska's population is very small and the cost of collection not very different from other states.

Finally, SB61 would partially fund the match for Backhaul Alaska which the Denali Commission proposed to the State through a letter to Sen. Hoffman on March 6<sup>th</sup>. The matter of removing the risk of e-waste from rural Alaska is an urgent and universal issue. This Bill would provide that necessary service free-of-charge to Alaskans, all of whom benefit. Any upfront funds from the State can be recaptured. This is an investment for our future. We remain the only State with most of the population engaged in hunting, fishing, and/or gathering. It is the lifestyle of Alaskans, our children, and our children's children. We must safeguard it.

Should have any questions, please do not hesitate to reach out to me at 907 444 5535 or [lzender@zendergroup.org](mailto:lzender@zendergroup.org).

Regards,

A handwritten signature in blue ink, appearing to read "Lynn Zender", written in a cursive style.

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