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TRADE-US: Green Groups Say E-Waste Bill Is Too Lax

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WASHINGTON, May 24 (IPS) - Environmentalists are expressing discontent over recently introduced legislation regarding the U.S.'s exporting of electronic waste, or "e-waste".

The new legislation was introduced on Thursday with the title of "To restrict certain exports of electronic waste". Proponents of the bill say that it provides "safeguards" against the export of toxic e-waste to developing nations.

E-waste has been a rapidly growing problem over the past decade, as people are increasingly discarding accumulated electronics equipment that is obsolete or broken.

Despite the creation of takeback programmes at electronics companies, as well as recycling initiatives, e-waste recycling remains far from the norm in the U.S. The U.S. Environmental Protection Agency (EPA) reports that U.S. e-waste recycling rates were at only 18 percent of all discarded products in 2007.

Much of the remainder ends up overseas, in places like China, Hong Kong, India, and Nigeria. A 2008 U.S. Government Accountability Office (GAO) report finds that such exporting is not necessarily a bad phenomenon, and can lead to "viable and productive secondhand use of electronic devices in developing countries."

Furthermore, these countries exhibit strong demand for the valuable raw materials, such as copper, contained within many electronic devices. Around 70 percent of requests for U.S. e-waste come from developing Asian nations, especially China and India. Africa also requests significant amounts.

However, the GAO report also found that e-waste recipient countries "often lack the capacity to safely handle and dispose of used electronics if the units are not in reusable condition when received, and the countries' extremely low labor costs and the reported lack of effective environmental controls make unsafe recycling commonplace."

The Basel Action Network, a toxic trade watchdog group, notes that there is no overarching U.S. law to prohibit e-waste dumping.

The Electronics TakeBack Coalition (ETBC) reports that the U.S. exports enough e-waste each year to fill 5,126 shipping containers. The EPA estimates that the U.S. disposed of over 300 million electronics units in 2007. And e-waste exporting is not just a U.S. problem; by some estimates, over 80 percent of the world's e-waste ends up in China.

The result is both an environmental and a human rights disaster. The exported waste sits in dumps until it is taken on by recycling operations. These operations can range from companies employing thousands to individuals with their own circuit-board smelting fires. Regardless of the method, the result is poisonous.

The dismantling and burning of these products releases toxins such as mercury, lead, chromium, cadmium, and various chemical compounds found in plastics into the surroundings. This often results in unsafe drinking water, toxic soil, and increased rates of both cancer and miscarriages.

Particularly problematic are the cathode ray tubes (CRTs) contained in some computer and television monitors. Each CRT can contain four to eight pounds of lead. The 2008 GAO report found that, though CRTs are the only aspect of e-waste exporting currently regulated, exporting companies easily circumvent these regulations.

Reps. Gene Green and Mike Thompson, sponsors of the bill, are among the most ardent opponents of e-waste exporting in Congress. Green is the former chair of the Environment and Hazardous Materials Subcommittee, and Thompson is a founding member of the Congressional E-waste Working Group.

Together, Green and Thompson introduced a bill last year, H.R.1395, expressing opposition to the U.S. government's e-waste export policies and calling for a ban. This week, Green's office sent an e-mail to those who had supported H.R.1395, touting and asking for support for the upcoming legislation.

However, environmentalists disagree about the effectiveness of this bill. In response to the e-mail for support, ETBC issued a letter to representatives explaining how the latest bill "fails in serious and even critical ways."

Among the most prominent weaknesses in the bill, ETBC says, is the "loophole" it leaves that may still allow e-waste exporting to occur. According to ETBC, the proposed bill states that e-waste may still be exported, so long as the exporting companies "certify annually to the United States government that the export of such items is intended for refurbishment."

ETBC counters that "the bill's language merely requires an annual statement that the intention is for reuse. The bill fails to recognize that exporters can easily claim a particular intent, and later, if discovered, conveniently argue that any mishandling in the countries was beyond their control. There is no requirement to verify that all products exported were, in fact, sold into reuse."

The major fear among opponents is that this long-awaited legislation will be largely ineffectual. ETBC's letter to representatives expresses concern that the bill's provisions "will do nothing to either halt the movement of wastes or ensure that the wastes will not end up being disposed of in an environmentally unsound manner in the importing country."

The legislation has been referred to the House Committee on Energy and Commerce.

Other sponsors include Reps. Mary Bono-Mack, Anna Eshoo and Sheila Jackson-Lee.

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