

SB 1370



February 6, 2011

To: The Honorable Mike Gabbard, Chair
Senate Energy and Environment Committee

From: Tim Shestek
Senior Director, State Affairs

Re: **SB 1370 - OPPOSE**

The American Chemistry Council (ACC) must respectfully oppose SB 1370, legislation that would ban certain retail establishments from providing customers with recyclable plastic bags. Though we support the intent of reducing bag litter and waste, we believe that the most environmentally responsible and economically sustainable solution to addressing this issue is a comprehensive program aimed at recycling these bags so that they may be used as feedstock in the production of other products, such as new bags, pallets, containers, crates, and pipe.

A growing number of states and cities around the United States – including California, New York, Delaware, Rhode Island, Chicago, New York City and Tucson – have passed legislation to promote at-store programs to collect plastic bags and product wraps for recycling as a practical and effective means to reduce waste.

In 2009, 850 million pounds of plastic bags and wraps were recycled in the U.S., and the rate has gone up 31% since 2005. Right now there are more than 18,000 places to recycle bags in the United States including at major grocery stores and national retailers. Not only can consumers recycle plastic grocery bags at these at-store drop off programs but consumers can also include bags from newspapers, dry cleaning, bread and produce together with the wraps around cases of soda, paper towels or diapers.

Furthermore, more than 90% of consumers reuse their plastic bags for various household and other functions such as trash can liners, picking up after their pets, as a storage bags when traveling, for holding wet clothes or kitchen messes after preparing food. One unintended consequence of this law could force consumers to purchase new plastic bags to replace the retail bags they previously reused. Such an unintended consequence does not make environmental sense.

In addition, proposals to ban plastic bags in most cases simply result in consumers choosing paper bags; a decision that results in substantial, yet often overlooked environmental impacts. Bear in mind the overall environmental and economic impacts that could result from widespread consumer shift from recyclable plastic to paper bags:

- Plastic grocery bags require 70 percent less energy to manufacture than paper bags and generate 50% less greenhouse gases.
- For every seven trucks needed to deliver paper bags, only one truck is needed for the same number of plastic bags, helping to save energy and reduce air emissions.
- Plastic bags generate 80 percent less waste than paper bags.

ACC encourages your committee to instead consider legislation from 2008 (HB 2434) that would have established a statewide recycling program for plastic bags. ACC was supportive of this approach to reducing bag waste and disposal and would welcome the opportunity to discuss this concept further. In our view, this approach is a much more

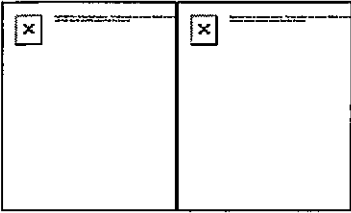


consumer and business friendly way of addressing this issue and does not result in the environmental issues outlined above.

Thank you in advance for the opportunity to provide these comments. Should you have any questions or comments, please contact me at 916-448-2581 or via email at tim_shestek@americanchemistry.com. You may also contact ACC's Hawai'i based representatives Red Morris or John Radcliffe at 808-531-4551.

gabbard1 - Carlton

From: Lauren Suzanne Zirbel [laurenzirbel@gmail.com]
Sent: Monday, February 07, 2011 11:41 AM
To: ENETestimony
Subject: HFIA TESTIMONY
Attachments: SB 1059 AND SB 1370.doc



HAWAII FOOD INDUSTRY ASSOCIATION (HFIA)

1050 Bishop St. Box 235

Honolulu, HI 96813

Fax : 808-791-0702

Telephone : 808-533-1292

DATE: Tuesday February 8, 2011 **TIME:** 3:00 p.m. **PLACE:** CR 225

TO: COMMITTEE ON ENERGY AND ENVIRONMENT

Senator Mike Gabbard, Chair; Senator J. Kalani English, Vice Chair

FROM: Hawaii Food Industry Association - Lauren Zirbel, Government Relations

RE: SB 1059 AND SB 1370 RELATING TO ENVIROMNENTAL PROTECTION

Chairs & Committee Members:

HFIA opposes SB 1059 and SB 1370.

Paper bags are not more environmentally friendly than plastic bags. Without a fee on paper, plastic bag ban bills will simply result in a shift to paper bags. The consumer will pick up the added cost of this shift. There is no upside for the environment.

If we want to encourage reusable bag use, a fee is a good way to do so. A plastic bag ban does not accomplish this goal. More needs to be done in education to ensure that customers understand WHY this is being implemented. We don't want to see a shift to other types of single use bags. The negative energy and resource consequences of using compostable and paper bags must be understood.

Plastic bag bans do not help the environment because paper bags take more energy to produce and recycle and generate far more pollution than plastic bags.

Compostable and biodegradable bags misappropriate our food sources – such as corn – and cause serious agricultural and water usage issues in other countries.

Please consider the following pros and cons:

PLASTIC BAGS

Pros:

- They can be recycled and made into new products, which has created new markets for the recycled plastic pellets that are made into products such as children's outdoor play sets, and patio decking.
- Although not commonly understood, this is truly the best environmental option, since there is no landfilling, no discard—the entire product is used and reused.
- Reduces plastic litter.
- Bags are lightweight, convenient, and reused for other purposes within the home such as pet scooping, wastebasket liners, and lunch bags.
- There is a market for the plastic—stores can sell the recycled plastic bags they collect from customers (15-20 cents per pound)
- Compostable bag ordinance will seriously jeopardize plastic bag recycling, because compostable bags contaminate recycled bags. If degradable compostable bags are mixed in a batch of recycled plastic, it cannot be used because the compostable ingredients such as cornstarch destroy its strength.
- Strong enough to hold 25 lbs. But lightweight for consumers to carry.
- Water resistant.
- 48 cities in California have curbside recycling for plastic bags.

- Take up one-seventh of the space in a landfill than paper bags do; release 94% less pollution during manufacturing than paper bags; 70% less air pollution during manufacture than paper bags.
 - See Attachment 5 for the plastic bag industry's "Plastic Bag Recycling Support Information", a piece designed to encourage plastic bag use.
 - Costs 91 percent less to recycle equivalent weights of plastic and paper and the plastic recycling market is growing as consumers become aware of the option.
 - Plastic bags, made from natural gas, are more tree-friendly than paper.
 - It takes about 40 percent less energy to make plastic bags, which generate about 80 percent less waste than paper sacks.
- Producing plastic bags gives off just 40 of the greenhouse gases as producing paper.
 - It takes 91 percent less energy to recycle a pound of plastic than it takes to recycle a pound of paper. It takes more than four times the energy to manufacture a paper bag as it does to manufacture a plastic bag. Energy to produce the bags (in British thermal units): Safeway plastic bags: 594 BTU; Safeway paper bags: 2511 BTU.
 - Current research demonstrates that paper in today's landfills does not degrade or break down at a substantially faster rate than plastic does. In fact, nothing completely degrades in modern landfills due to the lack of water, light, oxygen, and other important elements that are necessary for the degradation process to be completed.

Cons:

- Currently perceived as the worst environmental option, however inaccurately.
- Downside is distain by legislators, and environmentalist consumers.
- Uses oil to manufacture, so are subject to that political argument
- Because of human behavior, they are often tossed out and are a significant source of the litter stream
- Are likely to continue to be banned from use via local ordinances.
- Plastic bags can take 1,000 years to decompose whereas paper bags take about a month to decompose
- Most plastic bags are made from polyethylene, which is made from crude oil and natural gas, nonrenewable resources.

PAPER BAGS

Pros:

- Readily available, at least for grocery and chain drug stores.

- Comparatively cheaper than plastic and compostable plastic and reusable bags (but more expensive than regular plastic bags).
- Paper is accepted in most recycling programs while the recycling rate for plastic bags is very low. Research from 2000 shows 20 percent of paper bags were recycled, while one percent of plastic bags were recycled.

Cons:

- Destroys the forests (although the forestry environmentalists have not spoken up about the move away from plastic bags increasing the use of paper bags; at some point they may begin to do so).
- Paper sacks generate 70 percent more air and 50 times more water pollutants than plastic bags.
- Paper bags are made from trees, which are a renewable resource.
- 2000 plastic bags weigh 30 pounds, 2000 paper bags weigh 280 pounds. The latter takes up a lot more landfill space
- Trees take carbon dioxide out of the air, combine it with sunlight and water and create oxygen. It's a pretty important trick that turns us all into "tree-huggers". There are even efforts underway to plant new trees as a way of absorbing some of the carbon dioxide emissions we're creating.
- Are not practical for wet weather.
- Not aware of availability of paper bags suitable for non-grocery, non-drug retailers.
- Take up more space in a landfill than plastic bags.
- Requires more room in-store for storage in back room and at point of sale.
- Takes 7 trucks to deliver the same amount of paper bags as one truck of plastic bags—generating more gas usage, more highway traffic, and more air pollution.

Thank you for the opportunity to provide this testimony.

Senator Mike Gabbard, Chair
Senator J. Kalani English, Vice Chair
Committee on Energy and Environment
State Capitol, Honolulu, HI 96813

HEARING Tuesday, February 08, 2011
3:00 pm
Conference Room 225

RE: **SB1370, Relating to Environmental Protection**

Chair Gabbard, Vice Chair English and Committee Members;

Retail Merchants of Hawaii (RMH) is a not-for-profit trade organization representing 200 members statewide and over 2,000 storefronts, and is committed to support the retail industry and business in general in Hawaii.

RMH strongly opposes SB1370, which requires businesses in the state to distribute only paper, biodegradable plastic or compostable checkout bags.

Hawaii's retailers absolutely support initiatives to preserve and protect our environment. The solution to the plastic bag issue is not prohibition of recyclable bags, but in the **wise management** of this resource, i.e., the "**reduce, reuse and recycle**" principle. We unquestionably encourage the broadest use of reusable tote bags as the ultimate solution. However, we do know that consumers' acceptance and use of these bags will not be universal or practical at all times and the industry must provide reasonable options.

Paper bags as an alternative comes at considerably high cost, not only in the actual purchase price of paper bags, which is anywhere from three to ten times more expensive, but also in increased costs to ship these bags to Hawaii. For every one container that delivers plastic bags, seven containers are needed to deliver the same number of paper bags; this volume measure is critical for ocean freight. Ultimately, these costs must be passed on to the consumer. Paper is not an environmentally friendly choice as there are serious environmental impacts of air and water pollution and green house gas emissions with this alternative. Paper bags generate 70% more air and 50 times more water pollutants than plastic bags. Please refer to the ULS Report: http://www.deq.state.mi.us/documents/deq-ess-p2-recycling-PaperPlasticSummary_2.pdf

With regard to biodegradable plastic bags, it should be noted that the Office of the Kauai County Engineer, which was tasked with promulgating rules for Ordinance 885 (Plastic Bag Reduction) and establishing metrics for biodegradable bags, concluded that there currently are no biodegradable checkout bags in the market place that met their definition.

Once again citing the ULS Report: Compostable plastics, which are produced from plant-based feedstocks, do not degrade in landfills. According to Natureworks®, a producer of a corn-based plastic known as PLA, containers made from its material will last as long in landfills as containers made from traditional plastics. In order to breakdown as intended, compostable plastics must be sent to an industrial or food composting facility, rather than to backyard piles or municipal composting centers.

Plastic bags provided by retailers today are recyclable, and many retailers provide convenient recycle bins at their locations. Consumers report that they reuse their plastic grocery bags for everyday household tasks like lining waste baskets and sanitary cleaning up after pets. We respectfully submit for your consideration a comprehensive recycling program to maximize the usage of reusable bags, to provide plastic bags to consumers for their personal, practical uses, and to recycle the excess bags, without over-burdening our residents. An informal survey of our larger members revealed that collectively 10,000 tons of cardboard and plastic (bags and shrink-wrap) were shipped to the mainland for recycling last year.

Thank you for your consideration and for the opportunity to comment on this measure.



Carol Pregill, President

RETAIL MERCHANTS OF HAWAII
1240 Ala Moana Boulevard, Suite 215
Honolulu, HI 96814
ph: 808-592-4200 / fax: 808-592-4202



February 8, 2011

The Honorable Senator Mike Gabbard, Chair
Senate Committee on Energy and the Environment
Hawai'i State Capitol
Honolulu, HI 96813

RE: Testimony supporting SB1059 and SB1370 Relating to Environmental Protection

Chair Gabbard and members of the Committees:

The Outdoor Circle strongly believes that non-reusable checkout bags are a detriment to Hawaii. They damage the unique visual wonder of Hawaii and the quality of life of our residents. They are a threat to wildlife, particularly ocean creatures that ingest or become entangled in plastic bags in particular. And they are a negative influence on our visitor industry—because when visitors see plastic bags blowing around our beaches, parks and everywhere else, it tells them that our state is unwilling to take this important step to protect the incomparable natural resources of our beautiful islands.

So for The Outdoor Circle, the question is not whether the legislature should take action to end the use and/or mishandling of non-reusable checkout bags...the questions is how to do it. And while that might be viewed as an insurmountable conundrum, we view it as an opportunity for the legislature to critically analyze the many proposals that deal with this issue and create legislation that incorporates the elements that are best for Hawaii.

That doesn't mean study it to death and put it off interminably—or even for another year. It means that there are several rational approaches to this issue that are being offered in many different bills before both the House and Senate. And it means this is the year for our legislature to show the leadership and fortitude necessary to look at all of the proposals, create the best possible solution to the problem and get it done—this year. As that process proceeds, The Outdoor Circle will have further comments on specific details of the legislation.

For now, please understand that The Outdoor Circle's position is a philosophical one: we must eliminate the threat and very real damage caused by non-reusable checkout bags. And it is our expectation that 2011 is the year to do it.

Respectfully,

Bob Loy
Director of Environmental Programs



CONSERVATION COUNCIL FOR HAWAII

Testimony Submitted to the Senate Committee on Energy and Environment

Hearing: Tuesday, February 8, 2011

3 p.m.

Room 225

Support for the intent of SB 1370 Relating to Environmental Protection

Aloha. The Conservation Council for Hawai'i supports the intent of SB 1370, which bans single-use non-biodegradable bags. This will reduce the amount of plastic in landfills, on land, and in the ocean.

However, we urge the legislature to consider banning all single-use bags – plastic, paper, and even biodegradable/compostable ones – because all of these products require energy to manufacture and energy to ship to Hawai'i. In addition, even though some single-use bags are labeled "biodegradable" or "compostable," they do not necessarily break down under certain conditions.

Many of our residents and visitors want to protect the environment, and they will adjust by purchasing reusable bags. This positive change in behavior is long over due. Banning all single-use checkout bags will help conserve energy, reduce greenhouse gas emissions, protect marine life, and save merchants money.

Thank you for the opportunity to testify.

Marjorie Ziegler



Hawai'i's Voice for Wildlife – *Ko Leo Hawai'i no na holoholona Iohi'u*

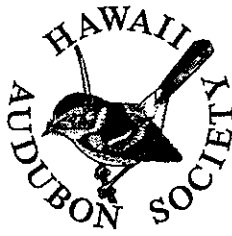
Telephone/Fax 808.593.0255 • email: info@conservehi.org • web: www.conservehi.org

P.O. Box 2923 • Honolulu, HI 96802 • Office: 250 Ward Ave., Suite 212 • Honolulu, HI 96814

President: Maura O'Connor * Vice-President: Hannah Springer * Treasurer: Kim Ramos * Secretary: Rick Barboza

Directors: Madelyn D'Enbeau * Maka'ala Ka'aumoana * Julie Leialoha

Executive Director: Marjorie Ziegler



For the Protection of Hawaii's Native Wildlife

HAWAII AUDUBON SOCIETY

850 Richards Street, Suite 505, Honolulu, HI 96813-4709

Phone/Fax: (808) 528-1432; hiaudsoc@pixi.com

www.hawaii Audubon.com

February 7, 2011

Committee on Energy and Environment
Senator Mike Gabbard, Chair
Senator J. Kalani English, Vice Chair

Hearing: Tuesday, February 8, 2011, 3:00 p.m., Conference Rm. 225

Re: SB1370 – Relating to Environmental Protection

Testimony in Support

Chair Gabbard, Vice Chair English and members of the Committee on Energy and Environment. Thank you for the opportunity to submit our testimony in support of SB1370 which would require businesses in the State to distribute only paper, biodegradable plastic, or compostable checkout bags.

The Hawaii Audubon Society was founded in 1939, and has over 1,500 active members statewide. The Society's primary missions are the protection of Hawaii's native birds, wildlife, and habitats, as well as, our aquatic and coastal resources. This includes preventing various types of waste including plastic bag litter from entering Hawaii's ecosystems.

The United States Environmental Protection Agency estimated that in 2001, plastic bag, sack, and wrap consumption in the U.S. was 500 billion. Worldwide a trillion plastic bags are consumed each year. Of those, millions end up outside of landfills, littering our land, streams and oceans. The use of plastic bags has meant a dramatic increase in the amount of sacks found floating in oceans where they choke, strangle, and starve wildlife and raft alien species around the world.

In Hawaii, the Green Sea turtles, as well as other sea turtles, are fully protected under both the federal Endangered Species Act, and Hawaii state law. However, in spite of this protection, plastic bags have proven deadly to sea turtles when they become entangle or are mistaken for food or jellyfish, and ingested.

We believe that our environment would be much cleaner within a few short years if consumers only used paper, biodegradable plastic or compostable bags. The very best bags for our environment are reusable natural fiber bags made out of cotton, hessian and jute. However, there cost considerations.

Thus said, we fully support SB1370. We believe this is a well balanced practical measure that will go a long way in improving our unique ecosystems. We urge you to pass this bill.

Thank you for the opportunity to provide testimony here today.

Sincerely,

A handwritten signature in black ink, appearing to read 'G. Massengale', written in a cursive style.

George Massengale, JD
Legislative Analyst

Testimony for ENE 2/8/2011 3:00:00 PM SB1370

Conference room: 225

Testifier position: support

Testifier will be present: No

Submitted by: gina hart

Organization: Individual

Submitted on: 2/4/2011

Joy Leilei Shih, M.A.S.
3267 Mokihana Street
Honolulu, HI 96816
(650) 380-5482
joyshih@hawaii.edu

SENATE COMMITTEE ON ENERGY AND ENVIRONMENT

Feb 8, 2011, 3:00 pm
(Testimony is 3 pages long)

TESTIMONY IN FAVOR OF SB 1370

Aloha Chair Gabbard, and Members of the Committee:

My name is Joy Leilei Shih and I am a marine biogeochemist graduate student researcher in Oceanography at the University of Hawai'i at Manoa. I received my Master of Advanced Studies in Marine Biodiversity and Conservation from Scripps Institution of Oceanography in La Jolla, CA in 2008. I have had the privilege of being trained by, working with, and discussing anthropogenic pressure on the oceans with top marine scientists and conservation experts.

That plastic pollution is harmful to the marine environment is not up for debate. Large accumulations of plastic debris have been identified in all five major oceanic gyres, carried by the major ocean currents. Inefficient and improper disposal of trash supplies these hundreds of millions of square miles affected by this phenomenon. In Hawai'i, each resident produces on average at least 6.2 lbs of opala each day. It is estimated that only a few percent of plastic shopping bags are ever recycled. The recent overflow from landfill only serves to illustrate that much of our refuse is not successfully sequestered. Plastics do not degrade but only break down and remain in the environment for a minimum of years to a more likely thousands of years. In reality, plastic does not ever truly degrade but only breaks down into small enough particles to enter the food chain, including the human seafood diet.

Plastics affect every size of marine life, from its incorporation into microscopic phytoplankton, to its ingestion by the largest marine mammals. Sea birds and sea turtles are sadly common victims of being entangled in or ingesting plastic. However, even large marine mammals are not immune, as evidenced by events such as the seven sperm whales that washed up in Fiogga, Italy in 2009, having died from ingesting large amounts of plastic, as did a gray whale in Seattle in April of last year. These are only examples of many more.

Estimates range from 100 million to one billion marine animals, including fish and invertebrates, are killed each year due to plastic debris in the ocean. Included in this are 1 million seabirds deathsⁱ and 100,000 marine mammals such as seals and whalesⁱⁱ. In 2007, University of Queensland researchers found that plastic bags are

the biggest killer of sea turtles.ⁱⁱⁱ Currently, it is estimated that there are 100 million tons of plastic in oceans around the world. It is expected that another 60 billion pounds will be produced this year alone.

12 million barrels of oil are required to produce the 100 billion plastic bags that Americans use each year, including the 300 million plastic bags used in Oahu alone. Reducing the amount of plastic bags produced would help reduce the growing pressure of our reliance on fossil fuels.

Plastic debris also acts as hosts for invasive species, carrying them to other regions of the ocean. Extensive scientific studies have described and confirmed these "hitchhikers".

As the ocean is arguably Hawai'i's most valuable resource, being part of the solution can only be considered kuleana to our culture, our islands, and ourselves.

As of November 2010, China's plastic bag ban has kept 100 billion plastic bags out of the trash, and it is estimated that it will save China 37 million barrels of oil every year.

The country of Italy implemented a nationwide ban in January of 2011 following the success of its 200 municipalities already having plastic bag bans.

The city of San Francisco passed the nation's first ban on plastic bags in 2007 and has saved over five million bags every month. Just last month, the California counties of Marin and Santa Monica joined the growing number of cities adopting a plastic bag ban.

Maui and Kauai counties have taken the lead in Hawai'i with plastic bag bans already in place. Hawai'i would be the first state in the nation with such a policy, an opportunity to telegraph to the world that Hawai'i is serious about reigning in plastic debris and its detrimental impacts. In anticipation of the APEC meeting to be hosted in Honolulu in November of this year, the state can be proud of passing such a significant piece of environmental policy, just like the much-lauded Bottle Law of 2002.

State legislation is needed for consistency across the islands, a decision that would be supported by businesses, especially chains. Businesses can also see less expenditure as fewer bags are distributed, the consistent trend across all cities, counties, and countries that have adopted a plastic bag policy. This is pro-environmental policy that would have no impact on the state budget.

This bill would require businesses with annual gross sales of over \$250,000 stop giving out non-biodegradable plastic bags at the point of sale beginning on January 1, 2012. As stated in SB 1370: "The legislature further finds that the State has a compelling interest in protecting its precious natural environment by decreasing the

amount of waste that flows into its landfills. Because Hawaii's economy, culture, and the livelihood of its people depend heavily on preserving its natural environment, the legislature finds that the State will benefit by encouraging the use of biodegradable plastic bags." (Page 2, Lines 9-15.) This ban refers to the single-use plastic checkout bag provided at the point of sale. Businesses may instead provide paper bags, biodegradable plastic bags or reusable bags as checkout bags at the point of sale.

I am available to help refine such a policy that would be most beneficial to the State of Hawai'i. Please do not hesitate to draw upon my time and effort, and fellow researchers and expert resources at my disposal in this opportunity to move forward.

I respectfully ask that this committee advance this measure.

Mahalo for the opportunity to testify.

Joy Leilei Shih

ⁱ United Nations Environment Programme (UNEP), 2005. Marine Litter, an analytical overview.

ⁱⁱ Wallace, N. 1985. Debris entanglement in the marine environment: A review. Pp. 259-277. In: R.S. Shomura, H.O. Yoshida (eds.) Proceedings of the Workshop on the Fate and Impact of Marine Debris 27-29 November 1984, Honolulu, Hawaii, July 1985. NOAA-TM-NMFS-SWFC-54.

ⁱⁱⁱ <http://www.sciencealert.com.au/news/20081403-17043-2.html>

Testimony in support of SB1370

I'm a Postdoctoral Fellow at the Hawaii Natural Energy Institute and I support the above bill requiring a switch to biodegradable plastic bags.

Aloha,

Scott Higgins Ph.D
1680 East West Rd
Honolulu, HI 96822

Testimony for ENE 2/8/2011 3:00:00 PM SB1370

Conference room: 225
Testifier position: support
Testifier will be present: No
Submitted by: Mariya Gold
Organization: Individual
Submitted on: 2/6/2011

Aloha ENE members!

I hope you will fully support this bill -- it's time for our State to require businesses to distribute ONLY paper biodegradeable plastic or compostable checkout bags.

Mahalo for your consideration,

Marjorie Erway

PO Box 2807

Kailua Kona, HI 96745

324-4624

Rachel Harvey
316 Keaniani St.
Kailua, HI 96734,
352-872-8622,
racheharvey@gmail.com

ENE/EDT Public Hearing
Room 225
February 8th, 2011, 3:00pm
Testimony of Rachel Harvey
In Support of Senate Bill 1370

Good afternoon Senators,

I am writing to comment in support of **Bill SB1370**. Regulating single-use plastic bags will help make Hawaii a model state for sustainable change. I strongly encourage you to also place a ban or fee on paper bags.

Hawaii, especially Oahu, is at a crucial moment for waste management. Despite the efforts of the H-Power waste-to-energy program, our facilities and landfills are overwhelmed. According to an article in the Honolulu Advertiser (March 8, 2010), people on Oahu use an estimated "300 million bags or more annually." Legislating source reduction and behavior changing regulation is the targeted solution.

The harmful cost of single-use plastics stretches from the oil it takes to produce it, to the health of the consumer, to the cost of disposal, and finally to the marine ecosystems it wrecks. Plastic is a material that the Earth cannot digest. Almost every bit of plastic that has ever been created still exists. Once discarded in the environment, plastic breaks down into smaller and smaller particles. Patches of plastic pollution cover millions of square miles of ocean near Hawaii. Tragically, this plastic also ends up in the stomachs of marine birds and animals. Moreover, the creation and distribution of plastic products increases our polluting carbon emissions and dependence on fossil fuels.

Reusable bags allow new avenues for marketing and save the retailer and consumer money. Consumers actually pay hidden costs for so-called free bags. Further, reducing the consumption of single-use plastic bags will bring in money for our state and save money in clean-up costs. The taxpayer cost to subsidize the recycling, collection, and disposal of plastic and paper bags is more than the cost of the bag.

Our taxpayer dollars are being used to subsidize the cost of waste. Much of this money could be redirected to benefit our state. Similar laws have been passed worldwide and have proven to be successful. For example, when Washington D.C. instituted its recent five-cent fee, bag use declined from an average of 22.5 million per month to 3 million in the very first month, and fees generated about \$150,000 for use by the city's environmental programs.

This bill effectively addresses the issue of plastic pollution by positively changing consumer behavior, decreasing external costs, and decreasing the amount of waste Hawaii produces.

I am a member of Plastic Free Hawaii (Kailua Chapter), a coalition of community members and businesses that strives to educate the stores, restaurants, residents, and visitors of Kailua on the environmental and health benefits of going plastic free. <http://plasticfreekailua.blogspot.com/>

Mahalo for the opportunity to testify on this matter.

Sincerely,
Rachel Harvey

Aloha,

I strongly support SB 1370 and believe switching to biodegradable bags plastic bags for businesses with annual gross sales of over \$250,000 is appropriate. Plastic bag pollution is one of the greatest threats to Hawaii's environment, and I believe switching to biodegradable bags will significantly reduce plastic and other non-reusable bag use in Hawaii.

Mahalo,

Charlie Taylor
1936 S. King St.
Honolulu, HI, 96826

J.D. Candidate 2011
University of Hawaii
William S. Richardson School of Law

Testimony from Jennifer Milholen
215 N. King St.
Honolulu, HI 96817

I do not support this bill in favor of allowing businesses to distribute "biodegradable" bags at point of sale. While straight plastic bag bans have good intention and are doing some good, it still allows for businesses to use other unsustainable alternatives such as bags labeled as "biodegradable."

Past and current bills up before the legislature have either banned 100% plastic bags specifically or allow for "biodegradable" and paper bags. There are some very real issues with these parameters. As has been seen on Maui and Kauai with the ban, businesses are turning to paper bags and "biodegradable" bags. The introduction and legislated acceptance of "biodegradable" plastic bags is the most worrisome of trends happening on the outer islands and in the current proposed bills (SB 1059 & SB 1370). There is a general lack of understanding when it comes to the lexicon of "Earth-friendly" bag alternatives.

"Biodegradable" is generally thought to refer to products that are good for the environment and the ideal of products. What the word actually refers to is a product breaking down and becoming indistinguishable in soil. The definition does not put any prohibition on toxins present in the product, plastic content, or how long it takes to break down. Because of this re-appropriation of the term for the purpose of "greenwashing" and selling bag alternatives, the general public sees biodegradable as a cure all. However, the truth is that the definition allows for bags that contain +90% PLASTIC still! As long as it has as little as 3% organic material it can be labeled as "biodegradable." Once these still-plastic bags are introduced into the environment (land & marine) they break down into smaller pieces of toxic plastic that are ingested by animal life the same as 100% plastic bags. At a molecular level, these plastic pieces continue to destroy the food chain as microorganisms die from consumption. As is clear from the above, these bags represent the same if not more of a threat to Hawaii and the world's environment as

I do not support SB1370 because it allows for the use of "biodegradable" bags, which are unsustainable and potentially catastrophic to the environment and its food chain. The allowance of "biodegradable" bags in place of single-use plastic bags still represents a huge threat to the environment, arguably more. The sale of "compostable" bags would be acceptable since the industry definition of compostable allows for ZERO toxins, NO plastic, and only organic materials that will break down in 180 days under composting conditions. I DO support SB1363.

Thank you for your time.

Jennifer Milholen

In Support of SB1370
Senate Committee on Energy and Environment
At 1500 in room 2215 on Tuesday, 8 February 2011

Chair Gabbard and Respected Members of the Committee;

This bill is most important to reduce the hazard to marine life caused by the wanton disposal of plastic bags allowing them to blow into our nearshore waters. We need to add the requirement to include the containers to carry hot food home from restaurants and drivethroughs to also be biodegradable for the same reasons.

Aloha,

Reg White
1540 S. King St
Honolulu, HI 96826-1919
808-222-9794
RawcoHI@cs.com

Testimony for ENE 2/8/2011 3:00:00 PM SB1370

Conference room: 225

Testifier position: support

Testifier will be present: No

Submitted by: Michael Gach

Organization: Individual

Submitted on: 2/7/2011

Comments:

Please require businesses to collect a 10 cent fee on disposable plastic checkout bags beginning January 1, 2012. The business would keep half of the fee, and the other half would go towards the Energy sustainability special fund.

TO: Members of the Committee on Energy and Environment

FROM: Natalie Iwasa
Honolulu, HI 96825
808-395-3233

HEARING: 3 p.m. Tuesday, February 8, 2011

SUBJECT: SB1370 Plastic Bags - **OPPOSED**

Aloha Chair and Senators,

Thank you for allowing me to provide testimony in opposition to SB 1370 which would require the distribution of paper, biodegradable, compostable or reusable checkout bags in certain situations.

The bill refers to standards bags must meet in order to be considered compostable or biodegradable. Over the past several years, my boys and I have participated in clean ups along the Ka Iwi Shoreline, at various beaches and parks and most recently in Waimanalo along the Honolulu Century Ride bike route. During those clean ups, we have come across biodegradable plastic bags, and they are very hard to pick up because they fall apart so easily.

In addition, I reuse plastic bags many times, and it is frustrating when the contents I place in the bag fall through because the bag has started to decompose.

I understand the concern about bags ending up in the ocean and offer the following suggestion. Educate people about the problem and suggest that bags only be used when needed. Many times I've seen a couple of products that could easily be carried put into a bag and then double bagged. I think this is done out of habit and without thinking. If these bags were banned, I, and many others, would need to purchase plastic bags. **Please vote "no" on this bill.**

Testimony for ENE 2/8/2011 3:00:00 PM SB1370

Conference room: 225

Testifier position: oppose

Testifier will be present: No

Submitted by: Marjorie Bonar

Organization: Individual

Submitted on: 2/7/2011

Comments:

Compostable bags have not been shown to decompose to non-polymerized molecules in an unbiased reproducible scientific study. The exacting requirements that are supposedly required for this "Magic" to happen may be accomplished in a commercial facility on Oahu, but the rest of the state does not have the requisite population density to make such a facility reality.

Do not hamper the strides we have made on Maui and Kauai to preserve our environment.

Dear Senate!

Please consider passing the following bills:

SB 1363, @ Tuesday, February 8, 2011 at 2:45 pm

SB 1059, @ Tuesday, Feb 8 at 3pm

SB 1370, @ Tuesday, Feb 8 at 3pm

I feel it is very important for large retailers to minimize if not cease the use of non-biodegradable plastic bags. Less plastic will cause less pollution, less waste, and will reduce stress on landfills. Please pass these bills.

Sincerely,

Danielle Best

320 Liliuokalani Ave. Apt 1503

Honolulu, HI 96815