



**STATE OF HAWAII
DEPARTMENT OF HEALTH**

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**Testimony COMMENTING on HB2155 HD1
RELATING TO SOLID WASTE MANAGEMENT**

SENATOR MIKE GABBARD, CHAIR
SENATE COMMITTEE ON AGRICULTURE AND ENVIRONMENT

SENATOR CLARENCE K. NISHIHARA, CHAIR
SENATE COMMITTEE ON PUBLIC SAFETY, INTERGOVERNMENTAL, AND
MILITARY AFFAIRS

Hearing Date: 3/13/2020

Room Number: 224

1 **Fiscal Implications:** Undefined sums of State of Hawaii general revenues shall be appropriated
2 to assist the counties with implementation. This measure may impact the priorities identified in
3 the Governor's Executive Budget Request for the Department of Health's (Department)
4 appropriations and personnel priorities.

5 **Department Testimony:** The Department respectfully offers the following comments on
6 HB2155 HD1, which requires residential and commercial solid waste be separated by source,
7 requires counties to update their integrated solid waste management plans, establishes a new
8 waste stream reduction goal, and provides general revenue appropriations to the counties to
9 implement this proposal:

10 Separating solid waste into appropriate, identifiable containers based on source may
11 facilitate recycling by reducing contamination and expediting waste processing. However, each
12 county manages its own solid waste based on local infrastructure, availability of funds,
13 availability of land, and other factors. Currently, residential waste collection varies greatly by
14 county – from no curbside collection in the County of Hawaii to automated three-bin residential
15 curbside collection in the City and County of Honolulu. In addition, no county conducts
16 commercial waste collection, which is managed exclusively by private haulers.

1 Each county is updating, or has recently updated, its Integrated Solid Waste Management
2 (ISWM) plan. The purpose of the ISWM plan is to identify priorities, approaches, and costs for
3 the entire waste management process.

4 The proposed legislation presents a universal solution that impacts each county's solid
5 waste management program, although each county faces its own discrete challenges. The
6 Department respectfully requests that the Legislature consider each county's capacity and
7 priorities as identified in their ISWM plans.

8 The Department also respectfully requests that HB2155 HD1 be amended to codify the
9 State's Aloha+ Challenge goal of reducing the solid waste stream prior to disposal by seventy
10 percent by 2030.

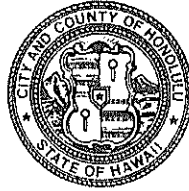
11 **Offered Amendments:** "(a) It is the goal of the State to reduce the solid waste stream prior to
12 disposal by: (1) Twenty-five per cent by January 1, 1995; (2) Fifty per cent by January 1, 2000;
13 and (3) [~~Eighty~~] Seventy per cent by 2030;"

14 Thank you for the opportunity to testify on this measure.

DEPARTMENT OF ENVIRONMENTAL SERVICES
CITY AND COUNTY OF HONOLULU

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KIRK CALDWELL
MAYOR



March 10, 2020

LORI M.K. KAHIKINA, P.E.
DIRECTOR

TIMOTHY A. HOUGHTON
DEPUTY DIRECTOR

ROSS S. TANIMOTO, P.E.
DEPUTY DIRECTOR

IN REPLY REFER TO:
WAS 20-108

The Honorable Mike Gabbard, Chair
The Honorable Russell E. Ruderman, Vice Chair
and Members of the Committee on Agriculture and Environment
The Honorable Clarence K. Nishihara, Chair
The Honorable Glenn Wakai, Vice-Chair
and Members of the Committee on Public Safety,
Intergovernmental, and Military Affairs
State Senate
State Capitol, Room 224
415 South Beretania Street
Honolulu, Hawaii 96813

Dear Chair Gabbard, Chair Nishihara, Vice-Chair Ruderman, Vice-Chair Wakai,
Members of the Committee of Agriculture and Environment; and Members of the
Committee on Public Safety, Intergovernmental and Military Affairs:

SUBJECT: HB 2155 HD1 - Relating to Solid Waste Management

The Department of Environmental Services (ENV) of the City and County of Honolulu opposes HB 2155 HD1 and offers the following comments.

As stated in HB 2155 HD1, the purpose of this Act is to: (1) Require that residential and commercial solid waste be separated by source to be processed at appropriate facilities; (2) Require counties to update their integrated solid waste management plans; (3) Establish a new waste stream reduction goal by 2030; and (4) Appropriate funds to each county to help subsidize their waste management programs.

Related to the first point, HB2155 HD1 requires each county to provide all residential and commercial properties separate containers for "green waste, compostable, recycling and trash." The bill notes that separate containers will make disposal at the appropriate processing or disposal facility more convenient.

ENV is a residential solid waste collection service provider and does not provide commercial solid waste collection services. On Oahu, these services are arranged and paid for by commercial businesses and performed by private solid waste hauling

The Honorable Mike Gabbard, Chair
The Honorable Russell E. Ruderman, Vice Chair
and Members of the Committee on Agriculture and Environment
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Intergovernmental, and Military Affairs
State Senate
March 10, 2020
Page 2

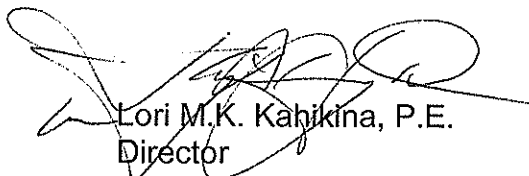
companies. The commercial property or the private solid waste hauling company would also be responsible for providing the collection containers. Accordingly, it would be inappropriate for ENV to provide collection containers to commercial properties. ENV has provided green waste, mixed recyclable and refuse collection containers and services to approximately one hundred sixty thousand (160,000) single family residences on Oahu. In addition, requiring separate containers for compostable material is neither necessary when using waste-to-energy facilities or when composting facilities for such materials do not currently exist in Hawaii.

On the second point, requiring counties to update their integrated solid waste management plans (ISWMP) appears to be redundant with HRS Section 342G-24, which requires the counties to submit their first (ISWMP) to the State Department of Health (DOH) by July 1, 1991, and requires counties to submit revised plans once every ten (10) years; provided that an interim status report on the implementation of a revised plan shall be submitted five (5) years after every submission of a revised plan to the DOH. Moreover, the City and County of Honolulu published its most recent (ISWMP) revision in 2019.

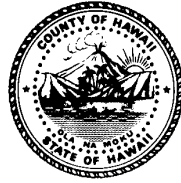
On the third point, concerning the establishment of a new waste reduction goal, the State's Aloha + Challenge project, which has been endorsed by the Governor and all four county Mayors, already contains an aggressive goal of 70% solid waste reduction by 2030. As of January 2019, the Aloha + Challenge online dashboard, which displays progress toward achieving the Challenge goals, shows that the counties are collectively on track to achieve this goal, although there is still a long way to go (about 17%). Given that recycling is a significant factor in waste reduction, and in consideration of the major disruptions to the global recycling market caused by the enactment of China's National Sword policy at the beginning of 2018, we anticipate that it will become more difficult and costly to reduce waste through recycling in the coming years, so we are opposed to an increase in the 70% goal.

Thank you for your consideration.

Sincerely,


Lori M.K. Kahikina, P.E.
Director

Harry Kim
Mayor



William A. Kucharski
Director

Roy Takemoto
Managing Director

Diane A. Noda
Deputy Director

County of Hawai'i

DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

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March 12, 2020

Senator Mike Gabbard, Chair
Senate Committee on Agriculture and Environment
Hawai'i State Legislature
415 South Beretania Street
Honolulu, Hawai'i 96813

Senator Clarence K. Nishihara, Chair
Senate Committee on Public Safety, Intergovernmental and Military Affairs
Hawai'i State Legislature
415 South Beretania Street
Honolulu, Hawai'i 96813

Re: HB 2155, HD1 (Opposition)
Hearing: Friday March 13, 2020
Time: 1:45 p.m.

Dear Senator Gabbard, Senator Nishihara, and Members of the Committees:

HB2155, HD1, would require counties to provide containers and require solid waste separation by home owners into four categories of solid waste: green waste, compostable, recyclable, and trash. Further, it would obligate each county to provide an “. . . appropriate processing or disposal facility” for each category of solid waste.

The County of Hawai'i, unlike the other counties, does not provide curbside pickup for solid waste. The County of Hawai'i provides 22 transfer stations across the 4,000 square miles of the county. Only half of the solid waste collected in the County of Hawai'i is done by private haulers, and the County of Hawai'i has limited authority over these companies. In order for the County of Hawai'i to comply with the requirements of HB2155, HD1, transfer station redesign, additional trucks and trailers, and additional drivers would be required, as well as obligations for the residential containers defined in the proposed new section of HRS Chapter 342G.

Added to this impact are the facts that there are limited recycling facilities on the island, a commercial composting facility is not scheduled to be operational until late 2020, and there is limited fiscal and staff capacity to manage this task. There are also facilities that may do the separation more efficiently and cost effectively than having to depend upon an untrained population to properly and consistently sort recyclable materials. In short, the goal of providing source separation has merit; however, this bill imposes an expensive, single solution to a complex and difficult process. Additionally, data have shown that recycling efforts from the general population have resulted in high levels of contamination in the collected recycle material streams.

The Department of Environmental Management the County of Hawai'i therefore does not support HB 2155, HD1, as written. However, the County of Hawai'i would support the intent of increasing the recycling rate. Should Bill 2155, HD1, be modified to the setting of a source separation goal for each county with sufficient state funding so that each county might evaluate how to achieve the goals of HB 2155, HD1, the County of Hawai'i Department of Environmental Management would support that language.

Sincerely,

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

William A. Kucharski
Director

HB-2155-HD-1

Submitted on: 3/6/2020 2:45:18 PM

Testimony for AEN on 3/13/2020 1:45:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Cathy Goeggel	Testifying for Animal Rights Hawai'i	Support	No

Comments:



TESTIMONY OF THE KAHANA FOUNDATION
IN REGARD TO HB2155 HD1 RELATING TO SOLID WASTE MANAGEMENT
TO BE HEARD BY THE COMMITTEE ON AGRICULTURE AND ENVIRONMENT
AND
THE COMMITTEE ON PUBLIC SAFETY, INTERGOVERNMENTAL,
AND MILITARY AFFAIRS
FRIDAY MARCH 13 1:45PM ROOM 224

Dear Chair Gabbard, Vice Chair Ruderman, Chair Nishihara, Vice Chair Wakai, and Members of the Committee,

My name is Alexandra Kahn, and I am the Co-Founder & Director of Media at the Kahana Foundation. We are a Hawai'i-based environmental awareness organization working to improve our community's understanding and support for sustainable change. One of our organizations' primary areas of concentration is waste reduction and we are currently working with County officials, nonprofits, and businesses across the state to assess the full scope of the situation. Our state has a solid waste problem, exacerbated by a difference in collection and containment methods across islands, limited space, and a lack of compost and recycling infrastructure.

Kahana Foundation **supports HB2155 HD1** and provides comments. This measure requires residential and commercial solid waste be separated by source and processed at appropriate facilities. Requires each county to submit a revised integrated solid waste management plan by 1/1/2021. Establishes a 2030 waste stream reduction goal. Appropriates funds to the counties for solid waste management programs.

We must consider the EPA's Food Recovery Hierarchy while evaluating current and possible waste management plans on each island.

In 2018, Hawai'i produced nearly 3 million tons of solid waste.¹ In Honolulu county, 36% of residential waste is food waste or green waste, and 20% is specifically food waste. While green waste should be composted, much of the collected food waste could be rescued and donated through programs like Aloha Harvest. Since its inception in 1999, Aloha Harvest has rescued over 23 million pounds of food to feed those in need² in a state where 1 in 5 residents rely on a

¹ <https://dashboard.hawaii.gov/stat/goals/5xhf-begg/7rpz-qst3/fbb5-6tss>

² <https://alohaharvest.org/wp-content/uploads/02-History-Impact-Goals.pdf>

food bank or pantry for support.³ While the Honolulu Food Waste Ordinance created a government recycling program in 1997 which greatly reduces food waste from businesses above a certain size and simultaneously feeds piggeries, there are no suitable options for smaller sized businesses and these businesses will need to be supplied with County compost bins.⁴ Additionally, at this time there is no county or statewide option for food waste composting for residents, except in the county of Kaua'i, which currently provides each resident with a compost bin for their fruit and vegetable scraps.⁵ On Kaua'i, it is suggested that cooked and processed animal products not be composted in these backyard operations but there are currently no community facilities that accept these compostable goods. If each of the other counties were to supply a compost bin to each household as well as implement a compost plan for apartment-dwelling residents and cooked/processed food scraps, there would be a significant decrease in the overall waste stream.

Hawai'i's landfill potential is limited and many of the landfills on each island are nearing their capacity.⁶ The Hilo landfill reached capacity and closed at the end of 2019,⁷ allowing for only 30 years of operation⁸ and now only one landfill remains on the Big Island. However, since the Big Island was the first to stop accepting plastics for recycling, due to a lack of demand from China and high levels of contamination, these plastics will now be added into the landfill and decrease the number of total operational years. At the same time, the Big Island is the first and only island opening a commercial compost facility, which if implemented correctly, should lead to a significant decrease in waste sent to landfill. It is important to note that this island does not offer any curbside collection. HB2155 would require additional bins and separation without explicitly providing a collection service, putting a large stress on families forced to drive to multiple locations for multiple drop-offs. Regardless of curbside pick up, it makes sense to have multiple end-locations for green waste and food waste to cut down on the overall transportation required in pick up's and drop off's of waste and fertilizer.

Kaua'i, with a smaller population than most of the islands, thought ahead when it came to not only compost, but waste in general. Kaua'i county operates with a "pay as you throw" system, charging property owners a monthly fee ranging from \$10 to \$18 a month depending on the size of their bin.⁹

³ <https://journals.sagepub.com/doi/abs/10.1177/0734242X15607427>

⁴ <https://www.uhero.hawaii.edu/assets/UHEROwp1807.pdf>

⁵ https://www.opala.org/solid_waste/pdfs/2017%20Waste%20Composition%20Study.pdf

⁶ <https://www.hawaiipublicradio.org/post/hawai-i-island-grapples-garbage#stream/0>

⁷ <https://www.hawaiipublicradio.org/post/hawaii-island-has-decades-landfill-space-still-faces-challenges-dealing-its-waste#stream/0>

⁸ <https://bigislandnow.com/2019/05/12/hilo-landfill-has-reached-capacity/>

⁹ <https://www.hawaiipublicradio.org/post/size-advantage-and-disadvantage-small-town-kaua-i-dealing-its-trash#stream/0>

In Maui County, half of the four landfills are approaching capacity, and the biggest one has just two years of life left.¹⁰ However, as our landfills all start to fill up, it is important to note that finding and creating a new landfill is not a quick or easy process. Lori Kahikina, Director of the Department of Environmental Services for the City and County of Honolulu, told Hawaii Public Radio, “To develop a new landfill, the city must pick a location, acquire the property if it doesn't already own it, conduct an environmental impact statement, design the facility and then construct it. Cost projections to develop each site varies by location and ranges from \$33.6 million to \$76.8 million.”¹¹ While additional landfills are inevitable, it is best to look at other methods of source reduction first in order to decrease the environmental impact affiliated with landfills and excess waste generation.

Honolulu County is the only county with an incinerator and contains most of the population of the entire state. Although there is much debate about the environmental qualities of H-Power, the City and County of Honolulu Office of Climate Change, Sustainability and Resiliency believe its ability to produce some energy and alleviate a small amount of dependence on foreign oil is worth recognition. Currently, H-Power is where the majority of Oahu's waste goes to be burned, the ash that remains is what goes to landfill, along with other items that cannot be burned. While no one will claim that H-Power is the solution, even solid waste expert and professor of Environmental and Sustainability Studies, Jordan Howell, believes it works for the moment.¹²

Our State does not have any recycling facilities and it is time we reevaluate just how ‘environmentally friendly’ recycling is for Hawai’i.

Until 2017, the majority of our recyclables were sent to China; however, in 2018 the government issued a ban on nearly all plastic imports and increased the contamination requirements.¹³ Until that point, China had accepted 70% of the world's recycling, and states and countries around the world suddenly scrambled for a solution. Hawai’i found other Asian countries to accept our recycling and we continue to export 100% of it. However, according to Lori Kahikina, Hawai’i has no way of tracking the end point for the recyclables to see if they are recycled or if they are

¹⁰ <https://www.hawaiipublicradio.org/post/trashing-islands-tossing-forgetting-no-longer-viable#stream/0>

¹¹ <https://www.hawaiipublicradio.org/post/oahu-grapples-where-place-its-next-landfill-it-confronts-its-waste-dilemma#stream/0>

¹² <https://www.hawaiipublicradio.org/post/trashing-islands-rethinking-consumer-choices-and-trash-energy#stream/0>

¹³ <https://www.bloomberg.com/quicktake/recycling-crisis>

sent to incinerators and landfills. There is currently a piece of federal legislature called the Break Free From Plastic Act, which would formally ban the U.S from exporting plastic waste to developing countries.¹⁴ With the cost of opening a recycling center so high, the City and County of Honolulu is already considering incinerating plastics in their recent Waste Management Plan, because Kahikina thinks this is a more environmentally-friendly alternative to exporting to unknown circumstances.¹⁵ Currently, our State is losing money through our recycling program, so this economic loss coupled with the potential for an exporting ban, leaves our islands in a desperate need for a backup plan, and it might be necessary for the islands to unite and plan something together considering the gravity of the situation. Unable to deal with the current recycling situation and facing a 25% contamination rate, the Big Island has already ceased collection of plastic recyclables in 2019, but continues to recycle glass, cardboard and brown paper.¹⁶

A significant way to decrease our overall waste and move towards a more circular economy would be to start replacing plastic bottles with aluminum ones, as well as to educate and enforce reusable service ware programs over disposable ones. 75 % of the aluminum produced is still in use today.¹⁷ This statistic shows aluminum to be the most environmental choice, and because it costs more to create new than to recycle, recycling and reusing aluminum is also the best choice economically. We also need to consider the circular system of reduce, reuse, recycle in a world that so quickly skipped over reducing and reusing.

It is important to look at current regulations that might be prohibiting Hawai'i from being able to actually tackle the waste management problems.

There are a few major areas of legislation that present barriers in Hawai'i's attempt to curb its waste problems including:

Currently, food waste is classified as hazardous waste by the Department of Health, meaning that no public compost programs can effectively operate for the community, and even backyard and farm operations are limited to only composting what they produce. In order to even offer compost as a curbside option to residents, the classification must be altered and bill *HB2407* aims to do just that.

Unfortunately the H-power contract was predetermined and even if Oahu reduces the amount of trash produced, it is still required to pay the same fixed fee to H-Power. This poses a lack of

¹⁴ <https://www.tomudall.senate.gov/imo/media/doc/Press%20Packet.pdf>

¹⁵ https://www.opala.org/solid_waste/pdfs/ISWMP_2019_Public_Comment_Draft.pdf

¹⁶ <https://www.hawaiipublicradio.org/post/facing-recycling-limits-hawaii-island-residents-seek-local-option-plastics#stream/0>

¹⁷ <https://www.aluminum.org/industries/production/recycling>

incentive overall; whereas, if Honolulu county was charged by trash volume sent to H-Power, there would be an incentive to decrease. This fixed amount of money, if used otherwise, could support programs like community garden compost and reusing of plastics in construction operations. Unfortunately with the somewhat recent expansion of H-Power and the contract that runs until 2032, the most environmentally and economically solution is unknown.

Another legislated program to consider is the HI-5 refund program, which refunds five cents on each accepted item. This program started in 2005 and created a surge in recycling, which was necessary at the time, but with a lack of recycling opportunities, this comes at a significant expense to the State and leads residents to believe they are still recycling. This misconception can easily prevent individuals from seeking to reduce their plastic-use because they do not see the physical change in the recycling system. This program, and recycling plastics in general, allows individuals to pat themselves on the back for a good deed that sadly does not exist anymore. On the other hand, some cities are arguing that they will continue recycling programs because they worked so hard to change community behavior and they are hopeful for a recycling solution in the immediate future.

Lastly, to again reference the EPA Food Recovery Hierarchy, legislation, education, and additional incentives must be put in place to promote the reduction and rescue of food as the primary goal. There are a number of ways to approach this including looking at food labeling laws, education and clarifying legislation about the liability protection of the Good Samaritan Law, and requiring solid waste audits, among others.

For our state to change its waste-producing culture, an educational push is necessary, among other things, and this requires funding.

The first step towards making a cultural or legislative change is education because the community needs to understand why the change is necessary or about to take place. This education can come from a multitude of sources including schools, nonprofits, environmentally conscious businesses and individuals, and creative media, marketing, and communication teams. There are already nonprofits across the islands such as Kokua Foundation and Maui Huliau Foundation which educate teachers, students and parents about waste diversion. In order to execute the plans requested in HB2155, there will need to be support allocated to those who can provide this education through programs, events, media, and more. This educational campaign can encompass topics such as the Food Recovery Hierarchy and why it matters, how to separate waste, how to personally decrease waste production, how to compost, what can and can not be recycled, recycling facts, how to decrease plastic use, and more. This education is needed for students, adults, and businesses simultaneously.

Coupled with education often comes mandates that push people into sustainable behaviors; however, the consistent education piece is key so that community members and businesses understand why these mandates have been set and do not oppose them as readily. Single-use

plastic and polystyrene service ware bans are instrumental in decreasing plastic and polystyrene waste, but it is important to not simply switch businesses and customers from one type of waste to another with the infusion of compostable options. The more environmentally friendly alternative is reusables, but this requires education, food safety legislation, and programs that offer delivery and cleaning services for reusable service ware.

Additionally, with a tourism-based economy of nearly ten million people who travel here to spend time in nature, Hawai'i is presented with an opportunity to provide this same education to its visitors. A large concentration of restaurants and to-go food and drink options reside in the tourist destinations, so installing clearly marked waste/compost/recycling bins as well as an educational plan for tourists is another way to decrease our waste stream.

A viable solution for achieving an 80% waste reduction goal is a focus on streamlining a circular economy.

As a state, we need to look for more ways to reuse the materials that we purchase originally as single-use items, because the future of recycling all materials aside from aluminum is unclear. We need to create more businesses that rescue reusable materials and incentivize the use of these materials in business operations. Additionally, switching to aluminum is another way to appease a "single-use" culture while creating a closed-loop economy. Making these cultural shifts needs to come from legislation, individuals, and businesses who share a desire to decrease our overall waste stream.

We **support HB2155 HD1** and we urge this committee to **pass** this measure. Thank you for the opportunity to testify.

Sincerely,



Alex Kahn
Kahana Foundation

HB-2155-HD-1

Submitted on: 3/11/2020 5:34:03 PM

Testimony for AEN on 3/13/2020 1:45:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Andrea Quinn	Individual	Support	No

Comments:

Dear Honorable Committee Members:

Please support HB2155. Managing solid waste will help to alleviate Hawaii's landfill problem, which is only getting worse.

Thank you for the opportunity to present my testimony.

Andrea Quinn

Kihei, Maui