



**STATE OF HAWAII  
DEPARTMENT OF HEALTH**

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**Testimony COMMENTING on HCR0077  
REQUESTING THE DEPARTMENT OF HEALTH ENVIRONMENTAL  
MANAGEMENT DIVISION TO CONDUCT A STUDY ON THE BENEFITS AND  
COSTS TO IMPLEMENT EXTENDED PRODUCER RESPONSIBILITY  
IN THE STATE**

REPRESENTATIVE NICOLE E. LOWEN, CHAIR  
HOUSE COMMITTEE ON ENERGY & ENVIRONMENTAL PROTECTION

Hearing Date: 3/23/2021

Room Number: Via Videoconference

1 **Fiscal Implications:** The Department of Health (Department) estimates that it will cost  
2 approximately \$150,000.00 to conduct a study on implementing Extended Producer  
3 Responsibility (EPR) legislation in Hawai'i and requests an appropriation of general funds to  
4 accomplish HCR0077. Implementing this proposal will impact the priorities identified in the  
5 Governor's Executive Budget Request for the Department's appropriations and personnel  
6 priorities.

7 **Department Testimony:** Packaging waste, particularly plastic packaging waste, is a significant  
8 pollutant and addressing it will benefit the State and protect the environment, economy, and  
9 public health. Costs to develop and implement solutions to address packaging waste is currently  
10 borne by the State and counties, and successful implementation of EPR that requires  
11 manufacturers and producers to be accountable for their packaging decisions is an innovative  
12 solution.

13 Currently there are no states that have enacted EPR legislation, although it is likely that  
14 California, Oregon, and Washington State will pass legislation in the near future (if not for the  
15 COVID-19 pandemic, Washington State would probably have passed EPR legislation in 2020).  
16 Because Hawai'i is a small state, with a corresponding small market share, enacting EPR  
17 legislation may have unintended consequences to our economy and to our residents if enacted  
18 independently of other states.

1           The Department supports commissioning a study to analyze and evaluate implementing  
2 EPR in Hawai‘i. Understanding the benefits and costs to all stakeholders, including the  
3 environment, consumers, taxpayers, businesses, and government agencies if legislation is  
4 enacted independently of other states, or in conjunction with other states, is necessary to make an  
5 informed decision.

6           The Department estimates that the total cost to hire an expert consultant to analyze and  
7 evaluate data and draft a study should not be more than \$150,000.00. Unfortunately, the  
8 COVID-19 pandemic has severely impacted the State’s economy and the Department’s resources  
9 and budget, including the Department’s special funds. The Department respectfully requests that  
10 \$150,000.00 of general funds be appropriated so that the Department can accomplish HCR0077.

11 **Offered Amendments:** None.

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



# Environmental Caucus of The Democratic Party of Hawai'i

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March 23, 2021

To: House Committee on Energy & Environmental Protection  
Representative Nicole E. Lowen, Chair  
Representative Lisa Marten, Vice Chair, and  
Members of the House Committee on Energy & Environmental Protection

Re: HR65/ HCR77: REQUESTING THE DEPARTMENT OF HEALTH  
ENVIRONMENTAL MANAGEMENT DIVISION TO CONDUCT A STUDY  
ON THE BENEFITS AND COSTS TO IMPLEMENT EXTENDED  
PRODUCER RESPONSIBILITY IN THE STATE

Meeting: Tuesday, March 23, 2021, 10:00 a.m., Room 325 via videoconference

Position: **STRONG SUPPORT**

Aloha, Chair Lowen, Vice Chair Marten, and Members of the Committee on Energy & Environmental Protection:

The Environmental Caucus of the Democratic Party of Hawai'i and its Natural Resources Committee are in **strong support** of HR65 / HCR77 as these Resolutions request the Department of Health Environmental Management Division to conduct a study on the benefits and costs to implement extended producer responsibility in the State.

The Democratic Party of Hawai'i (Party) has adopted at its 2018 State Convention, clear safeguards to promote and protect our clean and healthy environment. At page 17 of the Party Platform, it specifically provides, to wit:

## **ENVIRONMENT**

The Democratic Party of Hawai'i believes that the preservation and restoration of our natural environment is essential. We support a sustainable society that utilizes the earth in such a way that future generations will benefit from the practices of our generation. We support the restoration, preservation, and protection of our native ecosystems on each island. We believe in integrated approaches, practices, and support public policies that create and maintain a sustainable way of life in Hawai'i.

We believe in supporting best management practices in sustaining our environment and in increased citizen involvement. We support programs that encourage sustainable clean, efficient, creative, and environmentally friendly modes of transportation, recycling and waste reduction.



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The conservation, preservation and restoration of Hawai'i's natural resources are connected to health and welfare of our people; therefore, we support the conservation and protection of our natural environment, which includes reducing our carbon footprint for the benefit of current and future generations.

We support the protection of our *'āina* against destruction by corporate, government, or military usage and expect full restoration and reparation of environmental damage. To handle current and future demands for water, we must assess the current condition of our aquifers and take appropriate actions to secure our fresh water resources.

We support democratic participation of citizens and residents to protect (i) valuable coastal ecosystems and reefs from misuse and (ii) beaches for public use and recreation. The Hawai'i Coastal Zone Management (CZM) law, HRS Chapter 205A, currently provides for public participation in management of coastal resources.

We believe in the vigorous enforcement of our environmental laws and increased public-private stewardships and citizen involvement in protecting our resources.

We know that climate change is a real threat to our islands and the world. We strongly urge our candidates and elected officials to take immediate action to mitigate and adapt to the consequences of climate change. This includes funding adaptation measures including coastal retreat, effective participation of indigenous peoples in climate change governance, and recognition that indigenous, local, and traditional ecological knowledge is key in climate change adaptation solutions.

We strongly urge you to pass HR65 / HCR77 as these resolutions request the Department of Health Environmental Management Division to conduct a study on the benefits and costs to implement extended producer responsibility in the State which is consistent with the Democratic Party Platform in supporting programs that encourage sustainable clean, efficient, creative, and environmentally friendly recycling and waste reduction. These programs include the study of the best science available relating to extended producer responsibility and best packaging practices to avoid plastic bottles and other packaging material from polluting our oceans, being buried in landfills, and or just scattered throughout the land and coastline causing a threat to the marine life, wildlife, and the environment.



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Thank you very much for the opportunity to testify on this important measure.

Respectfully yours,

Alan B. Burdick  
Co-Chair, Environmental Caucus  
Co-Chair, Natural Resources Committee  
Democratic Party of Hawai'i  
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Melodie R. Aduja  
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Co-Chair, Human Environmental Impacts Committee  
Democratic Party of Hawai'i  
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**Written Testimony of  
David Thorp, American Beverage Association  
Before the House Committee on Energy & Environmental Protection  
Support of HCR 77/HR 65:  
Relating to Study on Extended Producer Responsibility (EPR)  
March 23, 2021**

Good morning Chair Lowen, Vice Chair Marten and members of the committee. Thank you for the opportunity to comment in support of HCR 77 and HR 65. I am David Thorp, senior director of government affairs for the American Beverage Association (ABA). ABA is the trade association representing the non-alcoholic beverage industry.

Many solutions to reforming the recycling system in our country have been debated, and the beverage industry is willing to look at the various systems in pursuit of the right one, though we believe a broader approach for improving multi-material recycling is needed through the lens of Extended Producer Responsibility (EPR).

As more and more states begin to research and discuss approaches for comprehensive Extended Producer Responsibility legislation the beverage industry looks forward to being part of that discussion in Hawaii.

Sincerely,

David Thorp

**HCR-77**

Submitted on: 3/22/2021 11:39:52 AM

Testimony for EEP on 3/23/2021 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Ted Bohlen	Hawaii Reef and Ocean Coalition	Support	No

Comments:

To: The Honorable Nicole Lowen, Chair, the Honorable Lisa Marten, Vice Chair, and Members of the House Committee on Energy and Environmental Protection

From: Hawai'i Reef and Ocean Coalition (by Ted Bohlen)

Re: Hearing HR65/HCR77 REQUESTING THE DEPARTMENT OF HEALTH ENVIRONMENTAL MANAGEMENT DIVISION TO CONDUCT A STUDY ON THE BENEFITS AND COSTS TO IMPLEMENT EXTENDED PRODUCER RESPONSIBILITY IN THE STATE.

Hearing: Tuesday, March 23, 2021, 10:00 a.m., by videoconference

Aloha Chair Lowen, Vice Chair Marten, and members of the House Committee on Energy and Environmental Protection:

The HAWAI'I REEF AND OCEAN COALITION – HIROC – was formed in 2017 by coral reef scientists, educators, local Hawai'i environmental organizations, elected officials, and others to address a crisis facing Hawaii's coral reefs and other marine life. Plastic marine debris is one of a handful of topics HIROC is testifying on that affect the health of coral reefs and other aquatic life. HIROC is concerned because much packaging waste, especially indestructible plastic, ends up in the ocean, harming and killing coral and other aquatic species. **HIROC supports the intent of HCR77 and HR65.**

We need to progress from a wasteful "throw-away" packaging system to one where consumption of resources is minimized and resources are reused. Producers of packaging waste, who understand packaging design, need to be responsible for the end-of-life management of their products in a way that ensures minimal social and environmental impacts, and makes producers responsible for more of the true cost of the goods they create.

These resolutions request that the Department of Health Environmental Management Division study the benefits and costs to implement extended producer responsibility in the State. HIROC does not comment on the method of funding, studying, or

implementing the transition to extended producer responsibility, but strongly supports that transition.

Mahalo for the opportunity to testify.

Hawai'i Reef and Ocean Coalition (by Ted Bohlen)



**HCR-77**

Submitted on: 3/22/2021 1:00:58 PM

Testimony for EEP on 3/23/2021 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Nicole Chatterson	Zero Waste Oahu	Support	No

Comments:

Aloha Chair Lowen and EEP Committe Members,

A study can help us understand the best ways to implement extended producer responsibility policies for packaging in Hawai'i. We support a study and encourage our legislature to ensure that our efforts do not stop there.

Best,

Nicole Chatterson, Zero Waste O'ahu