



# 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: HR20 / HCR27: URGING THE DEPARTMENT OF HEALTH'S  
ENVIRONMENTAL MANAGEMENT DIVISION TO ENSURE THAT  
DESTINATIONS TO WHICH THE STATE'S RECYCLABLE WASTE  
IS TRANSPORTED FOR OUT-OF-STATE PROCESSING ABIDE BY  
THE ENVIRONMENTAL STANDARD AS OUTLINED BY THE BASEL  
CONVENTION

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 HR20/HCR27 as these Resolutions urge the Department of Health's Environmental Management Division to Ensure that destinations to which the State's recyclable waste is transported for out-of-state processing abide by the environmental standards as outlined in the Basel Convention.

The overarching objective of the Basel Convention is to protect human health and the environment against the adverse effects of hazardous wastes. Its scope of application covers a wide range of wastes defined as "hazardous wastes" based on their origin and/or composition and their characteristics, as well as two types of wastes defined as "other wastes" – household waste and incinerator ash.

The provisions of the Convention center around the following principal objectives;

- (1) The reduction of hazardous waste generation and the promotion of environmentally sound management of hazardous wastes, wherever the place of disposal;
- (2) The restriction of transboundary movement of hazardous wastes except where it is



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perceived to be in accordance with the principles of environmentally sound management;  
and

(3) A regulatory system applying to cases where transboundary movements are permissible.

The regulatory system is the cornerstone of the Basel Convention. Based on the concept of prior informed consent, it requires that, before an export may take place, the authorities of the State of export, i.e., Hawaii, notify the authorities of the prospective States of import and transit, providing them with detailed information on the intended movement. The movement may only proceed if and when all States concerned have given their written consent (articles 6 and 7). In the event of a transboundary movement of hazardous wastes having been carried out illegally, i.e., in contravention of the provisions of articles 6 and 7, or cannot be completed as foreseen, the Convention attributes responsibility to one or more of the States involved, and imposes the duty to ensure safe disposal, either by re-import into the State of generation or otherwise (articles 8 and 9). [Basel Convention > The Convention > Overview](#)

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.

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.



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We support the protection of our *'āina* against destruction by corporate, government, or military usage and expect full restoration and reparation of environmental damage.

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 HR20 / HCR27 as these Resolutions urge the Department of Health's Environmental Management Division to ensure that destinations to which the State's recyclable waste is transported for out-of-state processing abide by the environmental standards as outlined in the Basel Convention, all of which requirements are consistent with the Democratic Party Platform as they require the vigorous enforcement of our environmental laws to observe the fundamental principles of environmentally sound waste management in protecting our resources.

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

Respectfully yours,

Alan B. Burdick  
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Co-Chair, Natural Resources Committee  
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**HR-20**

Submitted on: 3/19/2021 4:41:29 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>
Victoria Anderson	Individual	Support	No

Comments:

Please pass this important resolution.