

STATE OF HAWAII  
DEPARTMENT OF HEALTH  
P. O. Box 3378  
Honolulu, HI 96801-3378  
doh.testimony@doh.hawaii.gov

**Testimony in SUPPORT of HB2399 HD1  
RELATING TO WASTE MANAGEMENT**

REPRESENTATIVE SYLVIA LUKE, CHAIR  
HOUSE COMMITTEE ON FINANCE

Hearing Date: 3/1/2022

Room Number: Via Videoconference

1 **Fiscal Implications:** Costs to implement this measure will impact the priorities identified in the  
2 Governor's Executive Budget Request for the Department of Health's (Department)  
3 appropriations and personnel priorities. The Department estimates that it will need to establish  
4 three positions, one initially via appropriation by the State Legislature, and all three subsequently  
5 funded by the extended producer responsibility (EPR) special fund created by this bill.

6 **Department Testimony:** Packaging waste is a significant pollutant and addressing packaging  
7 waste will benefit the State and protect the environment, economy, and public health. Costs to  
8 develop and implement solutions to address packaging waste is currently borne by taxpayers in  
9 the State and counties, and HB2399 HD1 proposes an innovative solution to require producers of  
10 excessive packaging waste to be accountable for their products.

11 The Department supports HB2399 HD1 to implement an EPR program to address  
12 packaging waste through the counties. Each county is best suited to address its own solid waste  
13 issues, and creating a mechanism where producers work directly with each county, supported by  
14 State oversight and enforcement, can address longstanding issues due to population density and  
15 shipping logistics on the neighbor islands.

16 **Offered Amendments:** None

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

DAVID Y. IGE  
GOVERNOR



CRAIG K. HIRAI  
DIRECTOR

GLORIA CHANG  
DEPUTY DIRECTOR

EMPLOYEES' RETIREMENT SYSTEM  
HAWAII EMPLOYER-UNION HEALTH BENEFITS TRUST FUND  
OFFICE OF THE PUBLIC DEFENDER

**STATE OF HAWAII**  
**DEPARTMENT OF BUDGET AND FINANCE**  
P.O. BOX 150  
HONOLULU, HAWAII 96810-0150

ADMINISTRATIVE AND RESEARCH OFFICE  
BUDGET, PROGRAM PLANNING AND  
MANAGEMENT DIVISION  
FINANCIAL ADMINISTRATION DIVISION  
OFFICE OF FEDERAL AWARDS MANAGEMENT (OFAM)

**WRITTEN ONLY**  
TESTIMONY BY CRAIG K. HIRAI  
DIRECTOR, DEPARTMENT OF BUDGET AND FINANCE  
TO THE HOUSE COMMITTEE ON FINANCE  
ON  
HOUSE BILL NO. 2399, H.D. 1

**March 1, 2022**  
**12:30 p.m.**  
**Room 308 and Videoconference**

RELATING TO WASTE MANAGEMENT

The Department of Budget and Finance (B&F) offers comments on this bill.

House Bill (H.B.) No. 2399, H.D. 1, establishes an extended producer responsibility program (EPRP) which:

- Prohibits unregistered covered producers from selling or offering for sale any fast-moving consumer good beginning and ending on a date determined by administrative rule.
- Requires covered producers to register with the Department of Health (DOH) and pay a fee of \$150 for each metric ton of packaging placed in the market in the State.
- Establishes the Extended Producer Responsibility Special Fund (EPRSF).
- Requires each county to develop a countywide needs assessment for resources needed to reduce the amount of packaging waste sent to landfills.
- Requires DOH to submit an annual report to the Legislature that contains a summary of the county needs assessments and a summary of the EPRSF.
- Appropriates an unspecified amount in general funds in FY 23 for deposit into the EPRSF.

- Appropriates an unspecified amount in special funds from the EPRSF in FY 23 for the counties to prepare countywide need assessments.
- Appropriates an unspecified amount in special funds from the EPRSF in FY 23 for the administration of the EPRP.
- Appropriates an unspecified amount in general funds in FY 23 to DOH for 1.00 full-time equivalent position for the EPRP.

B&F notes that, with respect to the general fund appropriations in this bill, the federal Coronavirus Response and Relief Supplemental Appropriations Act requires that states receiving Elementary and Secondary School Emergency Relief (ESSER) II funds and Governor's Emergency Education Relief II funds must maintain state support for:

- Elementary and secondary education in FY 22 at least at the proportional level of the state's support for elementary and secondary education relative to the state's overall spending, averaged over FYs 17, 18 and 19; and
- Higher education in FY 22 at least at the proportional level of the state's support for higher education relative to the state's overall spending, averaged over FYs 17, 18 and 19.

Further, the federal American Rescue Plan (ARP) Act requires that states receiving ARP ESSER funds must maintain state support for:

- Elementary and secondary education in FY 22 and FY 23 at least at the proportional level of the state's support for elementary and secondary education relative to the state's overall spending, averaged over FYs 17, 18 and 19; and
- Higher education in FY 22 and FY 23 at least at the proportional level of the state's support for higher education relative to the state's overall spending, averaged over FYs 17, 18 and 19.

The U.S. Department of Education has issued rules governing how these maintenance of effort (MOE) requirements are to be administered. B&F will be working with the money committees of the Legislature to ensure that the State of Hawai'i complies with these ESSER MOE requirements.

As a matter of general policy, B&F does not support the creation of any special fund which does not meet the requirements of Section 37-52.3, HRS. Special funds should: 1) serve a need as demonstrated by the purpose, scope of work, and an explanation why the program cannot be implemented successfully under the general fund appropriation process; 2) reflect a clear nexus between the benefits sought and charges made upon the users or beneficiaries or a clear link between the program and the sources of revenue; 3) provide an appropriate means of financing for the program or activity; and 4) demonstrate the capacity to be financially self-sustaining. Regarding H.B. No. 2399, H.D. 1, it is difficult to determine whether the proposed special fund would be self-sustaining.

Thank you for your consideration of our comments.

**Mitchell D. Roth**  
*Mayor*

**Lee Lord**  
*Managing Director*



**Ramzi I. Mansour**  
*Director*

**Brenda Iokepa-Moses**  
*Deputy Director*

# County of Hawai'i

## DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

345 Kekūanāo'a Street, Suite 41 · Hilo, Hawai'i 96720 · cohdem@hawaiicounty.gov

Ph: (808) 961-8083 · Fax: (808) 961-8086

February 28, 2022

Rep. Sylvia Luke, Chair, and  
Members of the Committee on Finance

**Re: Support for HB 2399 HD1**

Dear Chair Luke,

The County of Hawai'i Department of Environmental Management supports HB 2399 HD1 to implement an EPR program to address packaging waste through the counties. Each county is best suited to address its own solid waste issues. Creating a mechanism where producers work directly with each county can address longstanding issues due to population density and shipping logistics on all islands.

Hawai'i's market share is small, but its low resident population, remote location bounded by the Pacific Ocean, global image as a pristine environment, and steady influx of visitors makes it the perfect proving grounds for innovative reuse strategies.

The corporations that produce the greatest volume of consumer goods have the resources needed to address the environmental crises caused by excess packaging waste. Among these corporations, 16 of the top 20 are signatories to the Global Commitment for a New Plastics Economy. This means they have already pledged to reduce packaging waste and ensure that whatever remains is either reusable, recyclable, or compostable.

Further, and perhaps most important, our national collective failure to reduce waste stems from an overemphasis on recycling. The 2021 Global Commitment Report highlights that, although its signatories have made measurable progress on reducing their combined total of packaging waste, no progress has been made on their reuse goals. This legislation compels the top producers to take the lead on developing reuse strategies by effectively partnering them with the County of Hawai'i and its community-driven zero waste movement.

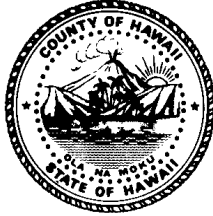
Sincerely

Ramzi Mansour, Director  
Department of Environmental Management, County of Hawai'i

**HEATHER L. KIMBALL**

Council Member

*Chair, Committee on Governmental Operations,  
Relations and Economic Development  
Council District 1*



Contact Information

(808) 961-8828

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heather.kimball@hawaiiicounty.gov

**HAWAI'I COUNTY COUNCIL**

*County of Hawai'i  
Hawai'i County Building  
25 Aupuni Street, Suite 1402  
Hilo, Hawai'i 96720*

TO: Representative Silvia Luke, Chair  
Representative Kyle T. Yamashita, Vice Chair  
House Committee on Finance

FROM: Heather L. Kimball  
Council Member, District 1

A handwritten signature in cursive script that reads "Heather L. Kimball".

DATE: February 28, 2022

SUBJECT: **SUPPORT HB 2399, RELATING TO WASTE MANAGEMENT**

Thank you for the opportunity to testify in **SUPPORT** of this important measure. The purpose of this measure is to establish an extended producer responsibility program.

In this instance I am providing testimony in my capacity as an individual member of the Hawai'i County Council.

I **SUPPORT** this measure for the following reasons:

1. Reducing packaging waste benefits the state, the counties and our residents by protecting the environment and public health.
2. It shifts the cost of addressing packaging waste from the consumer to producers.
3. Corporations who produce the most consumer goods and associated packaging waste have the responsibility and the means to address this issue.
4. Places emphasis on reuse to address packaging waste.
5. Provides funding for mandated County needs assessments.
6. Positions the state to receive matching funds from the federal "Recycling is Infrastructure Too" initiative.

For these reasons, I **SUPPORT** HB 2399 Relating to Waste Management.

MICHAEL P. VICTORINO  
Mayor

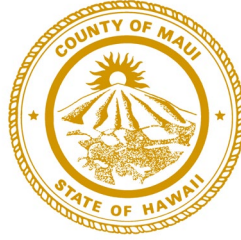
ERIC A. NAKAGAWA, P.E.  
Director

SHAYNE R. AGAWA, P.E.  
Deputy Director

MICHAEL KEHANO, P.E.  
Solid Waste Division

SCOTT R. ROLLINS, P.E.  
Wastewater Reclamation Division

TAMARA L. FARNSWORTH  
Environmental Protection &  
Sustainability Division



**COUNTY OF MAUI  
DEPARTMENT OF  
ENVIRONMENTAL MANAGEMENT**

2145 KAOHU STREET, SUITE 102  
WAILUKU, MAUI, HAWAII 96793

February 28, 2022

TESTIMONY OF TAMARA L. FARNSWORTH  
COUNTY OF MAUI, MANAGER OF ENVIRONMENTAL PROTECTION & SUSTAINABILITY  
DIVISION

BEFORE THE HOUSE COMMITTEE ON FINANCE  
Tuesday, March 1, 2022, 12:30 p.m.  
Via Videoconference

In consideration of **HOUSE BILL 2399 HD 1 RELATING TO WASTE MANAGEMENT**  
Honorable Sylvia Luke, Chair  
Honorable Kyle T. Yamashita, Vice Chair  
Honorable Members of the House Committee on Finance

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The County of Maui Department of Environmental Management stands in **SUPPORT of HB2399 HD 1** which would establish an extended producer responsibility program within the Department of Health for large-scale manufacturers of “fast-moving consumer goods”, appropriate funds for one additional position to administer the program, and direct moneys collected to the four counties to conduct a baseline and needs assessment study to in order to achieve an 80% reduction of packing waste.

Extended Producer Responsibility (EPR) programing is the next frontier in sustainable waste management. As the County of Maui moves forward with adopting Zero Waste principles and practices as policy, EPR is recognized as one of the highest priorities to achieve these goals. This bill represents a “transitional EPR” model which will assist the counties to determine a baseline and needs to significantly reduce packaging waste. Currently, the burden of managing product packaging waste falls onto municipal systems, county agencies, and county taxpayers. EPR highlights and re-establishes the responsibility that product manufacturers should take for the full life cycles of the products they make. This will encourage innovations in reuse and designing for the end of life and/or recycling of the packaging of the products they manufacture, as well as financially providing for the circular economic model that will relieve some of the burden of disposal on consumers and municipalities.

Due to the importance and extent of this program, we support funding for three (3) additional positions and additional time to implement the requirements, as identified by the Department of Health.

Thank you for the opportunity to provide testimony **in support of HB 2399 HD 1.**

**HB-2399-HD-1**

Submitted on: 2/26/2022 7:27:56 PM

Testimony for FIN on 3/1/2022 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Remote Testimony Requested</b>
Robert Culbertson	Big Island 'Reef Keepers' hui	Support	No

Comments:

Aloha Representatives!

Please pass this bill in the knowledge that your action today may have a profound positive impact on the marine as well as land environment. We have seen with the example of the 'bottle bill' years ago how the right economic pressures can be applied 'upstream' to alleviate the pollution and degradation of our receiving waters 'downstream'.

Mahalo for making this a banner year for environmental health measures!

R A Culbertson

Honokaa



**HB-2399-HD-1**

Submitted on: 2/26/2022 9:10:41 PM

Testimony for FIN on 3/1/2022 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Remote Testimony Requested</b>
John Charles Meyer	PlasticFreeRestaurants.org	Support	No

Comments:

We are writing in support of HB2399.

We are a nationwide 501(c)(3) non-profit whose sole focus is eliminating single-use petroleum-based plastic from restaurants and schools by subsidizing the purchase of reusable alternatives. Our hope is that our organization someday becomes irrelevant and unnecessary by virtue of state and municipal governments having tackled the scourge of single-use plastic via legislation, thus effecting change on an exponentially larger scale than our "one restaurant at a time" approach. In our first 18 months, our subsidies have eliminated 2.6 million pieces of single-use plastic from the waste stream; while we're proud of that accomplishment, HB2399 could dwarf it with the stroke of a pen.

Plastic food ware is toxic both to human health and the planet. The health care and environmental costs of its use should not fall on taxpayer shoulders. Extended Producer Responsibility is an excellent way to change single-use habits and attitudes, among manufacturers, consumers, and tourists.

This is a smart bill. We encourage you to pass it.

Best,  
John Charles Meyer  
Executive Director  
PlasticFreeRestaurants.org  
EIN#85-1083459

**HB-2399-HD-1**

Submitted on: 2/27/2022 8:21:08 AM

Testimony for FIN on 3/1/2022 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Remote Testimony Requested</b>
Christopher Dean	Recycle Hawaii and Clean the Pacific	Support	Yes

Comments:

Dear Representatives, As President of Recycle Hawaii, I encourage you to pass this important legislation. For too long humanity has viewed Earth as an inexhaustibly large planet. Now with eight billion people, it's quite clear that our planet is very small and finite. We cannot continue to consume and throw away in a linear fashion. Everything in the Universe is cyclical, from the electron orbiting the nucleus of an atom, to our solar system orbiting the Galactic core. This is the our quest, to shift humanity's consciousness to fit with the laws of physics and sustainability, to live our lives in a circular and sustainable fashion. We must change our behavior now. This legislation is one small step in the right direction.

Please, don't be swayed by industries and commercial enterprise that is operating out of fear. They strive to maintain the status quo because they're frightened that their lives will be upended if they change the way they do business. That fear is blinding, because if they were to wipe that fear away, they would see the truth, business as usual is the course that will upend their lives and destroy their business, not change. Extended Producer Responsibility is the key to their prosperity and indeed, the survival of life on Earth.

As the founder of Clean The Pacific, I have seen the disgusting result of our throwaway behavior, hauling up tons of plastic trash off North Kohala's gorgeous coastline. We have the ability to change this behavior, but it starts with you. We encourage you to contact Recycle Hawaii and we're happy to answer any of your questions on how to implement these changes. Thank you for your time and consideration

**HB-2399-HD-1**

Submitted on: 2/27/2022 8:30:43 AM

Testimony for FIN on 3/1/2022 12:30:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Fawn Liebengood	Blue Ocean Warriors	Support	No

Comments:

My name is Fawn Liebengood and I am here representing Blue Ocean Warriors. Our mission is to enrich veteran and civilian lives through marine debris cleanups while empowering them in the fight to eradicate marine plastic pollution. **I am writing to you today to SPEAK in SUPPORT of establishing** an extended producer responsibility program in Hawaii.

Across the country, we are beginning to see that simply recycling products isn't enough to help eradicate plastic pollution and protect our planet for generations to come. We need to go back to the good, old reusable days. Our planet cannot sustain single-use materials any more. The most cost-effective system is a reusable one where people who use more of our resources have to pay for them as this bill suggests.

Blue Ocean Warriors urges the committee to SUPPORT establishing an extended producer responsibility program in Hawaii. Thank you for this opportunity to share.

## Support Testimony for HB2399

Aloha. I am writing on behalf of Kauai Climate Action Coalition, a group of citizens of diverse ages and backgrounds who recognize the urgency the climate crisis presents us. We SUPPORT HB2399. This bill will help us reduce plastic waste and will create a program that places responsibility on high-volume producers for the end-of-life disposal of their products.

Over my lifetime in Hawaii, I have seen the volume of plastic on our beaches and in our waste stream increase exponentially. Not only does this litter destroy the beauty of our environment but, more importantly, plastic is a major contributor to greenhouse gas emissions. By reducing waste, we are reducing greenhouse gas emissions that contribute to global climate breakdown.

We all must do our part to reduce our production, use and disposal of plastic. Product manufacturers have the added responsibility to reduce the environmental footprint of their products. Establishing an EPR program is a key step forward in that effort.

Please support and pass HB2399. Mahalo!

Helen A Cox, Chair

Kauai Climate Action Coalition

**HB-2399-HD-1**

Submitted on: 2/27/2022 4:07:42 PM

Testimony for FIN on 3/1/2022 12:30:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Ted Bohlen	Hawai'i Reef and Ocean Coalition	Support	Yes

Comments:

The Honorable Sylvia Luke, Chair, The Honorable Kyle Yamashita, Vice Chair, and Members of the House Committee on Finance

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

Re: Hearing **HB2399 HD1 RELATING TO WASTE MANAGEMENT.**

Hearing: Tuesday, March 1, 2022, 12:30 p.m., CR 308 and by videoconference

Aloha Chair Luke, Vice Chair Yamashita, and Members of the House Committee on Finance:

The Hawai'i Reef and Ocean Coalition is a group focused on protecting corals and other ocean species. The **Hawai'i Reef and Ocean Coalition STRONGLY SUPPORTS HB2399 HD1!**

In order to reduce environmental degradation of our ocean, lands, and climate, Hawaii needs to move from a linear waste disposal system to a more circular system, with less wasteful packaging design, greater reuse and, where appropriate, improved recycling of packaging materials. The producers of bottles and other packaging materials, as the ones who have great control over the content, need to take on a greater role.

**This bill marks a reasonable first step toward what is called "extended producer responsibility," where producers take on greater responsibility for the content and reuse of their packaging and reduce waste. The largest producers will also be asked to take on some of the accompanying costs of waste, rather than putting the costs all on taxpayers.**

Hawai'i is a unique and isolated market regarding its waste, and so requires a system tailored for Hawai'i. There are currently opportunities to utilize federal funding dollars to begin the transition to a more circular waste system. This bill takes these concerns into consideration.

**Please pass this bill!**

Mahalo!

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



**HB-2399-HD-1**

Submitted on: 2/27/2022 5:41:51 PM

Testimony for FIN on 3/1/2022 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Remote Testimony Requested</b>
laurel brier	Kauai women's caucus	Support	No

Comments:

By reducing waste we reduce our greenhouse gas emissions and extend the life of our landfills. By making big manufactures more responsible their products and packaging will be engineered more thoughtful and reduce waste and make better use of resources.

A step in the right direction, please support extended producers' responsibility



To: The House Committee on Finance  
From: Sherry Pollack, Co-Founder, 350Hawaii.org  
Date: Tuesday, March 1, 2022, 12:30pm

**In support of HB2399 HD1**

Aloha Chair Luke, Vice Chair Yamashita, and members of the Finance committee,

I am Co-Founder of the Hawaii chapter of 350.org, the largest international organization dedicated to fighting climate change. 350Hawaii.org is in **support of HB2399 HD1**.

HB2399 HD1 establishes an extended producer responsibility (EPR) program. More and more consumers are rightfully demanding environmentally friendly products that reduce waste and are manufactured with fewer toxic materials. By reducing waste, we are reducing greenhouse gas emissions that contribute to global climate breakdown. When we reduce waste, we help sustain the environment for future generations. However, product stewardship is needed. Product manufactures must take responsibility to reduce the environmental footprint of their products. Establishing an EPR program is an important step forward in that effort.

As the State strives to fulfill its commitments to reduce waste and effectively mitigate the impacts of climate change, EPR policies offer an effective pathway forward towards a safe and sustainable climate and future.

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

Sherry Pollack  
Co-Founder, 350Hawaii.org





## Environmental Caucus of The Democratic Party of Hawai'i

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To: The Honorable Sylvia Luke, Chair  
The Honorable Kyle T. Yamashita, Vice Chair  
Committee on Finance

Re: **HB 2399, HD 1 – RELATING TO WASTE MANAGEMENT**

Hearing: Tuesday, March 1, 2022, 12:30 p.m., Conference Room 308 and Via  
Videoconference

**Position: Strong Support**

Aloha, Chair Luke and Vice Chair Yamashita and Members of the Committee on Finance:

The Environmental Caucus of the Democratic Party of Hawai'i strongly supports HB 2399, HD1 and requests that this measure be PASSED by your Committee. This bill would establish certain producers of fast-moving consumer goods to register with the Department of Health and pay an annual fee based on the amount of packaging value the covered producer places on the market each calendar year. It also provides for the deposit of fees into an extended producer responsibility special fund. It provides for the expenditure of money for the extended producer responsibility special fund for the creation of a report that assesses the resources needed to reduce the volume of packaging waste sent to landfills or power plants that burn municipal solid waste as a fuel by fifty per cent and eighty per cent by a date to be determined by rule. This measure appropriates funds.

The Environmental Caucus supports this measure as it is designed to reduce the packaging and waste from fast-moving consumer goods making it the responsibility of the manufacturer to divert waste material away from municipal landfills and H-Power. While waste-to-energy is a good method to divert waste from landfills, it is not when balanced with all the greenhouse gases emissions that results. In this case, it would be the responsibility of the product producer to ensure that the product waste is properly disposed; this bill will help in the process of responsible disposal through DOH registration and the payment of fees based on waste volume production per year as a way to incentivize reuse, recycle, or compost.

Mahalo nui loa for this opportunity to testify. Please pass this bill.

Respectfully submitted,

*Melodie Adyja*

*Alan Burdick*

Co-Chairs, Environmental Caucus of the Democratic Party of Hawai'i

Email: [legislativepriorities@gmail.com](mailto:legislativepriorities@gmail.com)



# SIERRA CLUB

## HAWAI'I ISLAND GROUP

February 28, 2022

Aloha Representative,

We are in strong support of HB 2399 to establish an extended producer responsibility (EPR) program. This bill is also supported by Hawai'i and Maui Counties and a number of local environmental organizations.

When one county in Minnesota passed an EPR e-waste law, it saved \$680,000 the next year.

Locally, Zero Waste Hawai'i Island is finding more and more businesses interested in reusable packaging.

Nationally, Waste Management Incorporated and similar companies have funded organizations supporting EPR, since the companies could profit from doing specialized collection, transportation, sorting, and recycling.

Also, nationally, there are already EPR-related laws in several states. These should lead to standardization of packaging that will make EPR easier for businesses operating in different states.

Worldwide, as of 2016, there were about 400 EPR systems, most mandatory, not voluntary. Currently, there are EPR initiatives in Europe, Brazil, and even Russia.

This bill builds on a local model that is working: the existing state e-waste program.

This bill will enable counties to work with producers on solutions tailored to each county's unique needs. It will also enable counties to maximize gains from recovered resources.

We are all well aware of the huge garbage patches in the ocean, the tons of plastic polluting the environment, and the minute bits of plastic contaminating our bodies.

This is all due to our current system--producer irresponsibility. We allow producers to extract resources from the earth, turn many of them into harmful substances, distribute them far and wide, reap profits, and leave the cleanup to someone else. We won't solve this by blaming litterbugs—but, instead, by placing responsibility where it belongs.

Mahalo,

Chuck Flaherty  
Chair, Sierra Club of Hawai'i, Hawai'i Island Group

TO: Chair Sylvia Luke; Vice Kyle T. Yamashita; and Committee

FROM: Adrian Hong, President of Island Plastic Bags, Inc.

RE: HB 2399 HD1 Relating to Recycling

POSITION: OPPOSE

Thank you for the opportunity to submit testimony in opposition to HB 2399 HD1. My name is Adrian Hong and I am the president of Island Plastic Bags Inc. (IPB), a second-generation, family business in Halawa Valley that manufactures plastic trash liners and recycles plastic scraps. The issue of extended producer responsibility (EPR) should be addressed at the federal level or in coordination with as many states as possible.

Packaging used in Hawaii is created all over the world. The recycling systems in place now and in the future are not and will not be in Hawaii but on the mainland. As are the experts in packaging design and manufacture. This points to a federal or multi-state response. Each state having their own EPR will lead to inefficiencies and higher expenses that do not lead to better environmental outcomes. A federal or multi-state response will have better resources, expertise, leverage, and reach.

Island Plastic Bags is not against the idea of extended producer responsibility. There should be incentives to design packaging so it is easier to recycle and reuse. The company does object to each state having its own EPR. The compliance requirements would be enormous and the outcomes poorer. Thank you for the opportunity to provide testimony in opposition to HB 2399 HD1. Should you have any questions or comments about my testimony you can contact me by email at [ahong@islandplasticbags.com](mailto:ahong@islandplasticbags.com) or by phone at 808-484-4046.

Sincerely,

Adrian K. Hong, CPA\*

President

Island Plastic Bags, Inc.

[www.islandplasticbags.com](http://www.islandplasticbags.com)

Email: [ahong@islandplasticbags.com](mailto:ahong@islandplasticbags.com) | Phone: 808-484-4046 | Fax: 808-488-8505

\*Not in public practice



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#### Executive Officers

**Charlie Gustafson**, Tamura Super Market, *Chair*  
**Eddie Asato**, Pint Size Hawaii, *Vice Chair*  
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**Stan Brown**, Acosta Sales & Marketing, *Advisor*  
**Paul Kosasa**, ABC Stores, *Advisor*  
**Derek Kurisu**, KTA Superstores, *Advisor*  
**Toby Taniguchi**, KTA Superstores, *Advisor*  
**Joe Carter**, Coca-Cola Bottling of Hawaii, *Immediate Past Chair*

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TO: Committee on Finance  
Rep. Sylvia Luke, Chair  
Rep. Kyle T. Yamashita, Vice Chair

FROM: HAWAII FOOD INDUSTRY ASSOCIATION  
Lauren Zirbel, Executive Director

DATE: March 1, 2022  
TIME: 12:30pm  
PLACE: Via Videoconference

RE: HB2399 HD1 Relating to Waste Management

Position: Oppose

The Hawaii Food Industry Association is comprised of two hundred member companies representing retailers, suppliers, producers, and distributors of food and beverage related products in the State of Hawaii.

HFIA is in opposition to this measure. We are currently in the midst of a global supply chain crisis. Hawaii is the most isolated population center on our planet. Keeping over 1 million Hawaii residents and visitors fed and supplied with essential items is an extreme logistical challenge even in the best of times. Our member businesses continue to meet that challenge every day without fail. To create an additional burden for the businesses that feed out state is not the right choice for Hawaii, especially during an ongoing global pandemic and ongoing global supply chain disruptions.

**We believe it is important for the Committee to understand that this measure is not an example of the intent or practice of Extended Producer Responsibility. As written this measure would simply be a state mandated fee, i.e. an additional tax, on certain products, a fee which would by necessity be passed along to consumers. Hawaii is already one of only a handful of states that tax groceries. We cannot see a justification for the state to add another tax on groceries and other essential items at a time of unprecedented inflation, during a global supply chain crisis, when the state budget has a surplus.**

HFIA was a part of the Plastic Source Reduction Working Group (PSRWG) that convened in 2020 per Act 254, the group also included representatives from the Department of Health, The

Department of Land and Natural Resources, the Hawaii Tourism Authority, representatives from each County, other industry representatives, and representatives from leading environmental groups.

The PSRWG engaged in extensive discussion about Extended Producer Responsibility or EPR. The PSRWG's Final Report<sup>1</sup> was unanimously approved and made the following recommendation:

### **Undertake a fair and careful study of Extended Producer Responsibility (EPR)**

Discussion EPR is a policy approach to waste reduction that encourages manufacturers to design environmentally friendly products by holding them responsible for the costs of managing their products at the end of life. EPR shifts the economic burden of the cost of disposal, recycling, and cleanup from the government to the producer of the product. According to the Organization for Economic Co-operation and Development, assigning such responsibility could in principle provide incentives to prevent wastes at the source, promote product redesign for environmental protection, and support public recycling and materials management goals. The study should include a comprehensive legislation and literature review on the impacts of a possible EPR law for packaging in Hawai'i. This study should incorporate lessons learned and discussions from other states and the federal government that have been pursuing parallel efforts to implement EPR.

The study should analyze the following two specific scenarios:

- (1) EPR in Hawai'i independent of other state and federal packaging EPR initiatives; and
- (2) packaging EPR in Hawai'i in conjunction or synchronicity with other state and federal initiatives.

The study should evaluate:

- the best science available;
- costs and benefits to all stakeholders (i.e. environment, consumers, taxpayers, government, and businesses, etc.);
- the pros and cons; as well as • feasibility.

As this recommendation notes, any EPR policy is going to have a range of potential costs in addition to any benefits. These costs could include price increases for consumers, decreased product availability, tax increases, and costs to businesses, including local businesses.

We believe that it would be imprudent to pass this measure or genuine EPR legislation in Hawaii without understanding the costs and benefits. HFIA is in support of conducting a study of EPR.

We would also like to highlight the fact that packaging laws for products, especially medicine and food, are created at the national level with the primary goal of keeping people safe. Any state legislation needs to take this into consideration and cannot contradict Federal laws.

For these reasons this measure is not the right choice for our state, and we ask that it be held. Thank you for the opportunity to testify.

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<sup>1</sup> <https://health.hawaii.gov/shwb/files/2021/01/Final-PSRWG-Report-to-Leg.pdf>



Honolulu, February 15, 2022

Written Testimony in support of Bill **HB2399 HD1**

We at Koko Kai Yogurt Support Bill HB2399 which will help consolidate and solidify the Reduce, reuse and recycle collective amongst consumers and producers.

When we started Koko Kai Yogurt, it was not even a question to choose a glass packaging over single use plastic despite many obstacles and cost encountered. We would not change it for the world.

We encouraged our consumers to return the glass jar for safe sanitize and reuse through some of our willing retail partners such as Farm link Hawaii and Oahu Fresh and of course we have a return bin available at our kitchen lab location in central Honolulu. We currently receive only about 10% of our jars every month. Every return jar is a turned into a donation of .50Cents to Hawaii Nonprofits beach and ocean cleanups organizations.

Every month is struggle to get a new shipment in with the supply chain disruption. We would like to see at least a 50% return on glass jars that won't hand up in the landfill and that we can safely sanitize and reuse via developed SOP.

With the help of this bill we can achieve the above goal and create more partnerships **That** focus away from resource destruction and towards resource recovery.

Koko Kai Yogurt urges members of the committee for vote in favor of HB2399.

Aline Steiner  
Founder and CEO  
Koko Kai Foods LLC/DBA Koko Kai Coconut Yogurt  
808 221-3784  
Honolulu Hawaii  
[info@kokokaiyogurt.com](mailto:info@kokokaiyogurt.com)

**HB-2399-HD-1**

Submitted on: 2/28/2022 9:13:40 AM

Testimony for FIN on 3/1/2022 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Remote Testimony Requested</b>
Jennifer Johansen	Cyanotech Corporation	Support	No

Comments:

Cyanotech Corporation, a publically held microalage based dietary supplement company on the Big Island of Hawaii, supports HB2399. We believe that business should be responsible for waste produced by their products, should continually strive to reduce waste and utilize the most sustainble packaging suitable for their products.





**Written Testimony of  
David Thorp, American Beverage Association  
Before the House Committee on Finance  
Opposition of H.B. 2399, HD1: Relating to Waste Management  
March 1, 2022**

Good afternoon Chair Luke, Vice Chair Yamashita, and members of the committee. Thank you for the opportunity to comment in opposition of H.B. 2399, HD 1 – relating to waste management.

I am David Thorp, Vice President, State Government Affairs West for the American Beverage Association (ABA). The American Beverage Association is the trade association representing the non-alcoholic beverage industry across the country and here in Hawaii.

**Beverage industry’s local impact on Hawaii’s economy**

The beverage industry is an important part of Hawaii’s economy – and one of the few remaining industries still manufacturing on the Islands. Unlike most consumer products, many of our beverages, aluminum cans and plastic bottles are manufactured and distributed in Hawaii by local workers.

Non-alcoholic beverage companies in Hawaii provide 1,200 good-paying jobs across the state. The industry helps to support thousands more workers in businesses that rely in part on beverage sales for their livelihoods and, such as grocery stores, restaurants and theaters.

Extended Producer Responsibility (EPR) legislation (H.B. 1684) was introduced this session to establish an EPR program for Hawaii. One of the first steps in any EPR program is to conduct a needs assessment which is funded and managed by a Producer Responsibility Organization (PRO) set up by an EPR law. However, H.B. 1684 failed to be approved by the EEP Committee.

The proposed “fee” in H.B. 2399, HD 1 is simply a packaging tax on select large corporations to provide funding to counties to conduct their own needs assessments to reduce waste and increase recycling with the only oversight being from the Department of Health.

If the state wants to conduct a needs assessment for an EPR program, then EPR legislation needs to be passed first so that all impacted industries can pay into the EPR system while also providing proper oversight and management.

Sincerely,

***David Thorp***

David Thorp, American Beverage Association  
Vice President, State Government Affairs West



Date: February 28, 2022

**To: The Honorable Sylvia Luke, Chair, the Honorable Kyle T. Yamashita, Vice Chair, and members of the House Finance Committee**

**From: Zero Waste Hawai'i (by Jennifer Navarra)**

**Re: Hearing HB2399 HD I RELATING TO WASTE MANAGEMENT.**

**Tuesday February 15, 2022, 2:00 p.m., by vicleoconference**

Aloha Chair Luke, Vice Chair Yamashita and members of the House Finance Committee,

Zero Waste Hawai'i Island (ZWHI), is a community group whose mission is to promote an equitable waste-free Hawai'i through education, advocacy and system (re)design. In May 2021 we organized a virtual statewide Zero Waste Summit with the objective of introducing participants to the idea of reusable packaging, and to rally support around introducing an extended producer responsibility (EPR) bill for packaging this legislative session. Following the summit, ZWHI facilitated an EPR working group (representatives from environmental groups, local businesses, county solid waste management employees, and the democratic caucus) that developed HB2399. It is a moderate and cautious first step to enacting EPR legislation for packaging in the state, and will not negatively impact or put any requirements on Hawai'i producers.

Most people are now aware of the plastic pollution crisis and how it is contributing towards climate change. Even top producers are coming forward to find solutions that deliver a product without all the waste. Those of us working at the grass roots in the Hawaii zero waste movement are aware of the solutions we need to reduce packaging waste in our society; what we lack is funding to develop and pilot reuse systems. This bill will take money from top producers that can afford it, and invest it into reuse infrastructure that in the long run will save people, planet, and profit.

With this funding we can realize a new vision of how we get our products and remove packaging from our homes, offices, and businesses. Imagine a future where there are two waste bins in every home: one for organic waste and another for reusable containers. Once a week a county service picks up your organic waste and reusable containers, or you drop them off at one of many convenient locations. Behind the scenes containers are tracked, sanitized and distributed back to manufactures; creating new green jobs in transportation, engineering, and information technology. Our cities, roadsides, and waterways are free of litter because nothing is disposable; everything has value.

It was not until after World War II that we adopted a disposable culture. In the not too distant past we have memories of the milkman and returning glass beverage bottles for a deposit to be refilled. Combining our knowledge of reuse systems from the past with modern day tracking technologies, a

less wasteful approach to packaging will be far more convenient to consumers and more sustainable than recycling. Development of these systems are already happening. Companies like *Loop* (piloting reusable packaging for major brands) and *Algramo* (refill systems for cleaning and personal care products) are pioneering reuse and refill systems around the globe. For glass, *Conscious Container* is piloting reuse of beverage bottles in California, *Growly* is delivering craft beer in reusable growlers in Phoenix, AZ, and the *Oregon Beverage Recycling Cooperative* is operating at scale reporting close to one million refillable beer bottle uses in 2020.

We could quickly transition to a circular system for packaging in Hawai'i if government, businesses, and consumers put our minds to it. Environmental organizations and entrepreneurs are already taking the lead: *Full Cycle Takeout* on Oahu and *Hui Zero* on Maui are offering reusable takeout containers, while Liquid Life, Loved by the Sun, Koko Kai Coconut Yogurt, and Sky Kombucha are reusing glass containers that customers return for a deposit. An ever-growing list of sustainable minded businesses that ZWHI has connected with are seeking reusable packaging solutions.

What is lacking is a service that collects, washes, and redistributes reusable containers; as well as funding for infrastructure to take this system to scale. This bill would provide vital seed funding to create a reusable packing system in the state. Once established, reuse systems will lower packaging costs and reduce problems with supply chain disruptions.

Our landfills on Oahu and Kaua'i are full and there is only one landfill open on Hawai'i Island requiring all waste to be trucked to the west side. Reducing the amount of waste we create is an urgent matter. Please vote for and pass HB2399 this session! It will pave the way and provide funding to transition to a new system that will eliminate packaging waste.

Mahalo nui loa,

Jennifer Navarra  
Coordinator  
Zero Waste Hawai'i Island

**Zero Waste Hawaii Island** • Hilo, HI 96720  
zerowastebigisland@gmail.com

February 28, 2022

Representative Sylvia Luke  
Chair, House Committee on Finance  
415 South Beretania Street  
Hawaii State Capitol, Room 306  
Honolulu, HI 96813

Dear Chair Luke,

On behalf of companies that make medicine for animals, I am writing to request a clarification to HB 2399, an act relating to waste management, and ask that animal health products not to be subject to the requirements of this bill.

The Animal Health Institute (AHI) is the U.S. trade association for research-based manufacturers of animal health products – the medicines that keep pets and livestock healthy.

The animal health industry is committed to improved sustainability in all facets of the supply chain, including the packaging used to deliver safe products to customers. Many companies have already made changes to reduce unnecessary packing waste, including replacing Styrofoam packing needed to keep vaccines cold with reusable coolers.

Sustainability is one factor among many that animal health companies must consider in the packaging equation. Medical products for animals are required to be sterile or enclosed in packaging with tamper-resistant seals to protect public health. Other factors that must be considered include:

- protection against all adverse external influences that can alter the properties of the product, e.g., moisture, light, oxygen, and temperature variations;
- protection against biological contamination;
- protection against physical damage;
- ability to carry the correct information and identification of the product;
- ability to ensure these requirements are met throughout the whole of the intended shelf-life of the product.

Additionally, depending on the requirements from the governing federal agency, products may be labeled with specific instructions on disposal.

The kind of packaging and the materials used must be chosen in such a way that the packaging itself does not chemically interact with the product through leaching or absorption. Conversely, the packaging must not allow the product to have an adverse effect on the packaging, changing its properties or affecting its protective function.

Animal health products are licensed by three different federal agencies, each with their own unique packaging standards and requirements.

1. Drugs approved by the Food and Drug Administration under the Food, Drug and Cosmetic Act. Sponsors must specify for the agency the materials of construction and packaging used for each product and provide data showing those factors will maintain stability of the product over its shelf life. Consequently, each product has its own unique approved packaging. Changes to product packaging take months of development followed by FDA review and approval.
2. Vaccines and biologics are approved by the US Department of Agriculture under the Virus, Serum, Toxins Act. Manufacturers are required to ensure packaging maintains the integrity of the vaccine, so temperature is a major consideration. Packaging must also accommodate detailed USDA labeling requirements.
3. Flea and tick prevention products are approved by the Environmental Protection Agency under the Federal Insecticide, Fungicide and Rodenticide Act. FIFRA §25(c)(3) authorizes EPA to establish standards with respect to the package, container, or wrapping in which a pesticide or device is enclosed to protect children and adults from serious injury or illness resulting from accidental ingestion or contact with pesticides or devices regulated under FIFRA. Additionally, §25(c)(3) requires EPA's CRP standards to be consistent with those established under the Poison Prevention Packaging Act of 1970.

In order for animal health companies to maintain product safety and stability while increasing the sustainability of packaging, we ask that animal health products not to be subject to the requirements of this bill and offer this possible exemption language:

In Section 2, the following products shall not be considered covered material or products:

- (1) Used for drugs, medical devices, biologics, or diagnostics approved or authorized by the Food and Drug Administration or United States Department of Agriculture for use in animals;
- (2) Used for veterinary pesticide products approved by the Environmental Protection Agency for use in animals.

Please let me know if you have questions or if I can provide additional information. Thank you for your consideration.

Sincerely,



Ronald B. Phillips  
Senior Vice President, Policy



February 28, 2022

TESTIMONY TO: Rep Sylvia Luke Chair and Rep Kyle Yamashita, Vice Chair  
And Committee Members

Date: Tuesday March 1, 2022 12:30 PM Conf Room 308  
Testimony in **Strong Support to HB 2399 HD1**

Aloha Chair Luke, Vice Chair Yamashita and Committee Members:

Packaging waste is a significant pollutant and addressing packaging waste will benefit the State and protect the environment, economy, and public health. Costs to develop and implement solutions to address packaging waste is currently borne by taxpayers in the State and counties, and HB2399 HD1 proposes an innovative solution to require producers of excessive packaging waste to be accountable for their products.

Corporations that produce the greatest volume of consumer goods have the resources needed to address the environmental crises caused by excess packaging waste. Among these corporations, sixteen of the top twenty are signatories to the Global Commitment for a New Plastics Economy. This means they have already pledged to reduce packaging waste and ensure that whatever remains is either reusable, recyclable or compostable.

With the habits of residents and visitors purchasing single use plastic we must take charge and make these products responsible for the costs of the recycling and making better progress in their reuse strategy.

Please **support** this bill **HB 2399 HD1** to save our island and planet.

Sincerely,  
Melynda Dant  
Vice President  
Fair Wind Cruises

**HB-2399-HD-1**

Submitted on: 2/28/2022 10:15:28 AM

Testimony for FIN on 3/1/2022 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Remote Testimony Requested</b>
Russell E. Ruderman	Island Naturals Markets	Support	No

Comments:

Aloha distinguished Chair, Vice Chairs, and committee members,

My business and I support HB 2399 HD1 for extended producer responsibility.

Island Naturals is a group of grocery stores on the Big Island. We have over 200 employess and work hard to redue waste. Unnecessary packaging waste such as this bill addresses is the next step, one we cannot do ourselves.

Such fees for waste producers will help local businesses and our environment. The fees will work to reduce waste where there is little incentive to do so now, and place the cost for such waste where it belongs, and not on our local businesses and consumers.

The EPR fund can help with our waste costs and help us move toward zero waste.

We often talk of helping local businesses and our environment. This is a way we can do so.

Mahalo for the opportunity to testify.

Russell E. Ruderman,  
Island Naturals Markets

russell@islandnaturals.com

808-443-1703

**HB-2399-HD-1**

Submitted on: 2/28/2022 10:16:23 AM

Testimony for FIN on 3/1/2022 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Remote Testimony Requested</b>
Kirsten Snook	Volcano Precious Plastic	Support	No

Comments:

Aloha kākou,

As an ecopreneur upcycling post-consumer plastic, I am happy to see the proposal for Extended Producer Responsibility moving forward in our legislature. Currently, the responsibility for reusing and recycling plastic is the consumers', and I have seen firsthand how heavily it weighs on many of them. Recycling plastic is time-consuming and expensive, and it only makes sense to enact Extended Producer Responsibility.

With the closing of the Hilo landfill, our citizens are concerned not only about how quickly the Kona landfill will exceed capacity, but also the types of material we are disposing of. Ecopreneurs, if given the funding, can help address the plastic problem and keep plastic out of our landfill and ocean. Businesses like VPP can, if funded, create closed-loop economies and produce items we currently import (think: 5 gallon buckets, plant pots, light switches, picnic tables, etc) from our own post-consumer and post-construction plastics. This eliminates the economic and environmental costs of shipping and disposal of items, closes waste loops, makes our island more self-reliant, and creates jobs as well.

Upcycle HI is an example of the success of such a business, and has been a job creator. Volcano Precious Plastic and others are already on the ground, ready to partner with any and all organizations to implement real change, starting immediately. We honor our mission: to achieve economic sustainability, environmental sustainability, and social sustainability.

Putting the responsibility of the disposal of plastics onto those who profit most from its creation is the only option going forward. We have heard too many mysterious "recycling" claims from producers that have not come to fruition, and microplastics are now found in every biome on Earth, including in animal species we have just discovered. The ubiquitous "chasing arrows" symbol has become obsolete, and "plant based" plastics are complicating matters by requiring a separate waste stream from petroleum-derived plastic.

The economic and environmental cost of each metric ton of plastic waste has been estimated at \$3300 to \$33,000; the proposed measure does fall short on this figure. But it is a start. And we need to start.

We can accelerate cleaning up this colossal problem if HB2399/SB3246 is implemented this year. Volcano Precious Plastic wishes to secure a cleaner, self-sustaining future for Hawai'i



Island, and this bill is a sea change for mitigating our plastic problem. We are out of time and must address this urgent issue now.

Mahalo nui loa,

Kirsten Snook

Volcano Precious Plastic

**HB-2399-HD-1**

Submitted on: 2/28/2022 10:21:36 AM

Testimony for FIN on 3/1/2022 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Remote Testimony Requested</b>
Seraphina Prell	Sweet Cane Cafe	Support	No

Comments:

Hi, my name is Seraphina Prell, I am the co-owner and manager of Sweet Cane Cafe. I support HB 2399 because I believe we can do a better job managing our waste in Hawaii. We need all the help going forward in to the future, and this bill will create a special fund for future projects to help the environment.

**HB-2399-HD-1**

Submitted on: 2/28/2022 10:26:42 AM

Testimony for FIN on 3/1/2022 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Remote Testimony Requested</b>
Nicole Chatterson	Zero Waste Oʻahu	Support	No

Comments:

Aloha Chair Luke and Finance Committee,

I am writing in strong support of [HB 2399](#), relating to waste management.

This bill establishes an extended producer responsibility program, which is a critical tool for managing the flow of waste into our islands.

Currently taxpayers foot the bill to dispose of excessive amounts of packaging waste. Our local communities and ecosystems bear the burden of landfills and waste incinerators and their negative impacts. This bill encourages large producers to change the way they package their goods, or, to contribute to the cost of the waste they are generating for our islands to manage.

"Plastic film", much of which is product packaging, is one of the 10 most prevalent items in each county's waste stream. [O'ahu's recent waste characterization study](#) is one place where this is referenced.

No matter if we incinerate or bury this packaging, it is a big cost to residents to manage all of this material.

As we are faced with citing a new landfill on O'ahu, the importance of reducing the amount of waste we burn or bury is top of mind for residents.

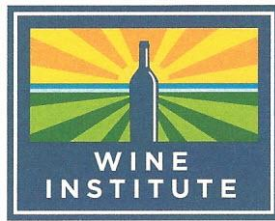
The fiscal, environmental and social benefits of reducing our waste stream are profound. We owe it to taxpayers and our community to pass this measure.

Nicole Chatterson

Executive Director

Zero Waste O'ahu





**Sally H. Jefferson**  
Director, Western States

THE HOUSE OF REPRESENTATIVES  
THE THIRTY-FIRST LEGISLATURE  
REGULAR SESSION OF 2022

COMMITTEE ON FINANCE  
March 1, 2022

**Testimony in Opposition to HB 2399 HD1**

Chair Luke, Vice Chair Yamashita and Members of the Committee:

Thank you for the opportunity to provide testimony on HB 2399 HD1, Relating to Waste Management. Wine Institute is a public policy association representing more than 1000 California wineries who are committed to sustainability with an impressive 80% of California's total wine production certified under a statewide sustainable winegrowing program. This program encourages the use of products with recycled content, reusability, takeback or recyclable packaging, and non-toxic materials.

We are committed to participating in discussions regarding the development of efficient, cost-effective means for handling wine packaging. While we support the objective of recovering more wine packaging, we have concerns with HB 2399 HD1.

The legislation would require producers of covered materials and products to register with the state and pay a "fee", which is essentially a new tax, on each metric ton of packaging placed into commerce, that would be deposited into a new fund to be administered by the Department of Health.

HB 2399 HD1, as currently written, is unclear and vague on a number of fronts, including what would be required of producers in terms of compliance obligations and the factors that would be considered for measuring recycling and waste diversion. We also believe that any needs assessment to reduce the volume of packaging waste must be comprehensive, not only evaluating the benefits but also the costs to consumers that may result in the form of higher prices and taxes and reduced product availability. It also must evaluate the costs to producers and local businesses, supply chain challenges, infrastructure needs and the projected market availability for recycled content.

We strongly encourage engaging in extensive dialogue with producers, material suppliers and other stakeholders in developing an EPR program that is effective, feasible and efficient.

For the reasons stated above, Wine Institute respectfully urges you to hold this legislation. Thank you for your consideration of our views.

**HB-2399-HD-1**

Submitted on: 2/28/2022 10:44:20 AM

Testimony for FIN on 3/1/2022 12:30:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Nicholas Riznyk	Hana Hou Recycling	Support	No

Comments:

Aloha Honorable State Representatives and Senators,

I am writing in support of HB2399 HD1 – Relating to Waste Management.

I am the founder and president of Hana Hou Recycling, a small, social-venture based company providing the only curbside recycling solution for Hawaii Island residents and visitors. For nearly fourteen years, the company has provided a community service for residential and commercial clients, provided waste reduction and waste diversion consulting, and partnered with nonprofits, Hawaii County DEM, and other small businesses in an effort to divert materials from our island landfill.

It is in our experience that some plastics, without contamination (#1&2, 5) are somewhat valuable to scrap markets. Although these are difficult to collect, sort and process, they are easily recycled. However, most plastics are not economically, nor ecologically viable to recover, recycle or reuse. Moreover, these other type plastics are essentially toxic to the environment (microplastics), and any program to reduce their production, reduce their use and distribution, and replace them with more sustainable materials ought to be prioritized.

This EPR legislation as I read it, would provide needed resources to review, develop and sustain programs to provide incentives to local businesses and residents to divert plastics from the landfill. It could potentially give recycling haulers and scrap consolidators financial diversion credits to help cover the increasing costs of collection, labor, processing and shipping of plastic materials off island. Additionally, it would help identify markets willing to accept non-valuable plastics for reuse in manufacturing, etc. Finally, HB2399 should create incentives for producers to substitute plastics for alternative and sustainable materials.

Please let me know if I can be of any further assistance in testimony, or provide boots-on-the-ground operational knowledge with regards to **HB2399** or additional EPR legislation.

Mahalo Nui,

Nicholas Riznyk



Chair Sylvia Luke  
Vice-Chair Kyle T. Yamashita  
House Committee on Finance  
Tuesday, March 1, 2022  
12:30pm  
Written Testimony Only

RE: **Strong Support of HB2399 HD1 - Extended Producer Responsibility**

Dear Chair Luke, Vice-Chair Yamashita & Committee Members,

Thank you for the opportunity to testify on behalf of the Chamber of Sustainable Commerce in strong support of HB2399 HD1. As business owners who believe in strengthening our economy without hurting employees, communities and the environment, we urge this committee to vote in favor of HB2399 HD1.

If passed into law, HB2399 HD1 will establish a model for extended producer responsibility (EPR) which is well suited to Hawaii's unique environmental, social and economic conditions. By engaging those producers with the means to distribute the cost of pilot reuse programs over a market share of at least \$500 million, this legislation puts the responsibility for underwriting these programs where it rightfully lies: on businesses that set global trends for design and marketing.

By directing those funds to cover the costs of reuse programs that include producers, county agencies and community groups (as project partners), this legislation gives rise to collaborations that can effectively reduce the volume of waste Hawaii sends to incinerators and/or landfills.

While other EPR programs in the U.S. aim to create a layer of bureaucracy and vested interests that will permanently increase costs to consumers, the transitional nature of this proposed program places an appropriate degree of responsibility on the producers that can afford to invest in sweeping systemic change.

As the larger community awakens to the environmental racism embedded in siting incinerators and landfills, opposition to these practices are growing. With that added attention, governments are looking for alternatives; reuse strategies are the most effective means for reducing packaging waste, which represents about 40% of the state's waste stream.

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<b>Hawaii Legislative Council</b>	Kim Coco Iwamoto AQuA Rentals, LLC Honolulu	Elle Cochran Maui Surfboards Maui	Russel Ruderman Island Naturals Hilo / Kona	Joell Edwards Wainiha Country Market Kauai	Maile Meyer Na Mea Hawaii Honolulu
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2/28/2022

FIN Committee  
Hawai'i State Capitol  
Honolulu, Hawai'i 96813

Dear Chair Luke, Vice Chair Yamashita, and Members of the House Committee on Finance,

**Position: Support HB2399**

The Surfrider Foundation is a national nonprofit organization dedicated to the protection and enjoyment of our ocean, waves, and beaches. Surfrider Foundation maintains a network of over 150 chapters and academic clubs nationwide, including 4 chapters in the Hawaiian Islands. The Surfrider Foundation focuses on many aspects of the environment such as coastal protection, plastic pollution, and water quality.

Extended Producer Responsibility (or EPR) is a policy approach under which producers are given a significant responsibility – financial and/or physical – for the treatment or disposal of post-consumer products. With EPR for Packaging, producers are incentivized to consider sustainability and the costs of managing waste when designing packaging for their products.

HB2399 is modeled after the state's existing e-waste program. It is also a "transitional EPR" model will assist the counties to determine a baseline and needs to significantly reduce packaging waste. This bill requires the top producers of fast moving consumer goods to register with the Department of Health and pay into a fund that will be used to develop needs assessments for the state's four counties and to also cover the costs of reuse pilot programs. The decision to prioritize reuse strategies is based on the fact that although they afford the greatest potential for waste reduction, these strategies seldom receive the attention and resources needed to implement them.

Our recycling and solid waste management systems **currently place the burden on consumers, tax payers, and local municipalities - not the large-scale corporations who are responsible for unnecessary packaging waste.** EPR bills help address these inequities and ensure that producers are doing their fair share to reduce waste upstream. This in turn lessens the strain on downstream systems, including our local solid waste management divisions. We need to shift our focus to reuse and to support bills like HB2399 that allow for innovation to address our current solid waste crisis.

Thank you for your consideration of this testimony in support of HB2399, submitted on the behalf of the Surfrider Foundation's 4 Chapters in Hawai'i and all of our members who live in the state and visit to enjoy the many coastal recreational opportunities offered by all of the islands' coastlines.

Sincerely,

Lauren Blickley  
Hawai'i Regional Manager  
Surfrider Foundation





March 1, 2022

**To:** The Honorable Sylvia Luke, Chair  
Members, House Committee on Finance

**From:** Tim Shestek  
Senior Director, State Affairs

**Re:** **HB2399 HD1 Relating to Waste Management. – Comments**

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The American Chemistry Council (ACC) appreciates the opportunity to comment on **HB2399 HD1**, legislation that seeks to establish an extended producer responsibility (EPR) program for packaging materials.

ACC and its member companies support a variety of policies that aim to reduce plastic waste in the environment, increase the collection and processing of plastic material and create new market demand for recovered plastics. We have established industry targets that 100% of plastic packaging be recyclable or recoverable by 2030 and that plastic packaging contain a minimum of 30% post-consumer recycled material by that same date.

In addition, efforts to modernize and expand the nation's recycling infrastructure have significantly increased. In the last three years, 64 projects in mechanical and advanced recycling<sup>1</sup> in the U.S have been announced, valued at \$6 billion. Together, these projects have the potential to divert approximately 8.9 billion pounds of waste from landfills each year.

As drafted, HB2399 HD1 would require certain producers of covered products to register with the Dept. of Health and pay an initial registration fee, based on each metric ton of packaging placed into commerce. Each county is then tasked with developing a countywide needs assessment that would detail the resources needed to reduce by 50% the volume of packaging waste landfilled by 2026 and by 80% by 2030.

It is not clear from the language what would be required of producers in terms of their compliance obligations, if any or what factors will be considered in how recycling and waste diversion will be measured. Additional specificity in terms of how revenue raised would be disbursed, as well as the potential fiscal impact this measure may have on consumer goods would be helpful. It is also unclear if there will be opportunities for stakeholders to participate in the needs assessment process the counties are required to implement.

Should HB 2399 HD 1 move forward, ACC encourages the committee to engage in further dialogue with producers, material suppliers, packaging producers, waste industry representatives, environmental organizations, local governments, and other stakeholders to discuss crafting an EPR program that is efficient, effective, and implementable. ACC looks forward to being part of such a discussion.

ACC also believes an effective EPR system for consumer packaging can improve the collection and recycling of packaging materials. At its core, an EPR system should do the following:

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<sup>1</sup> <https://www.americanchemistry.com/better-policy-regulation/plastics/advanced-recycling>



**Improve the recycling system overall by increasing access and modernizing the collection of all materials, including metals, paper, glass, and plastic.**

- Increase the types and volumes of materials that are currently recycled through increased access, collection and sortation infrastructure investment.
- Improve education for consumers and residents to increase participation and reduce confusion and contamination.
- Encourage new business initiatives and entrepreneurs focused on developing local solutions that promote circularity.

**Provide funding to help improve recycling access, collection, sorting and outreach by investing all money collected through fees on consumer-packaged goods back into the system.**

- Companies that manufacture consumer packaged goods could provide additional resources to support existing government and subscriber funding to improve recovery and recycling for all packaging materials.
- All packaging materials should be covered by the program to ensure specific packaging does not disproportionately shoulder the funding support required for the overall system.
- Funds collected through the program should be reinvested solely to help expand efficient collection and sorting and enable recycling systems, while capitalizing on existing infrastructure.
- Systems should provide disincentives to landfilling waste with the objective of encouraging recycling.

**Consider and incentivize the use of packaging materials with better environmental performance.**

- Recognize key sustainability attributes such as source reduction, weight, energy and water use, greenhouse gas emissions and food waste reduction.
- Consider the circularity traits of all materials such as recycled content, recyclability and composting.
- Support initiatives that use environmentally sustainable recycling technologies and packaging.

**Support innovation in recycling technologies via the private and public sectors to ensure more used plastic is reused and not treated as waste.**

- Support a competitive marketplace for increased investment in improved sortation and mechanical recycling.
- Recognize the role of advanced recycling in recovering more plastic waste and in producing recycled plastics and other recycled products.

**Maintain and promote a competitive, free market approach to strengthen manufacturing supply chains and to develop recycling infrastructure and new circular markets for recycled plastics through appropriate collaboration across the plastics value chain.**

- Maintain the important roles of local government and waste management companies, including operation and management of community and municipal waste management programs to avoid single-source providers and stranded assets.
- Allow companies to freely compete for materials.
- Allow use of new technologies and processes for materials to be remanufactured into new products.
- Reward efficiency and innovation and, where possible, help build on existing infrastructure.

As drafted, HB2399 HD1 would require producers of covered products to register with the Dept. of Health and pay an initial registration fee, based on each metric ton of packaging placed into commerce. Each county is then tasked with developing a countywide needs assessment that would detail the resources needed to reduce by 50% the volume of packaging waste landfilled by 2026 and by 80% by 2030.

Thank you in advance for considering our views. If you have any questions, please do not hesitate to contact me at 916-448-2581 or via email at [tim\\_shestek@americanchemistry.com](mailto:tim_shestek@americanchemistry.com). You may also contact ACC's Hawaii based representative Ross Yamasaki at 808-531-4551 or via email at [ryamasaki@808cch.com](mailto:ryamasaki@808cch.com)



**To: The Honorable Sylvia Luke, Chair, the Honorable Kyle T. Yamashita, Vice Chair, and members of the House Finance Committee**  
**From: Hilo Downtown Improvement Association (by Sharla Sare)**  
**Re: Hearing HB2399 HD I RELATING TO WASTE MANAGEMENT.**  
**Tuesday February 15, 2022, 2:00 p.m., by vicleoconference**

Aloha Chair Luke, Vice Chair Yamashita and members of the House Finance Committee,

The Hilo Downtown Improvement Association (DIA) is writing in support of HB2399 which would establish and extended producer responsibility program for packaging. The DIA was established in 1960 and is the only collaborative voice representing the interests of our downtown community. Our mission is to preserve and revitalize Hilo's historic waterfront district for all who visit, live, work and shop in downtown.

Within the last year the DIA formed a Sustainability committee composed of members from the community that are passionate about revitalizing our downtown economy. Our main idea of hosting zero waste events centered around educating the public on social and environmental issues affecting downtown never fully launched due to covid. However, we did conduct a waste audit at the grand opening of the Hilo Town Market in collaboration with Zero Waste Hawai'i Island. We will continue relationship building with local businesses to pilot use of reusable containers in the upcoming year.

Our interactions with residents and local business owners affirms the idea of a "Zero Waste Hilo" resonating within our community. Education around transitioning away from single-use service ware to reusable containers is ongoing, and we have identified a major hurdle to transitioning over to reuse of containers is lack of dishwashers in our community.

Due to supply chain issues many local businesses have seen disruptions in supply of glass containers and single-use to go ware. Supply chain disruptions have made the concept of reusable containers more attractive to businesses, but a service that redistributes and sanitizes containers will be necessary for businesses to transition away from single-use products. A pilot program to reuse glass beverage containers is underway and the DIA will partner to pilot reuse of other types of containers in the coming years.

Funding provided by the EPR special fund will be vital for businesses to transition away from single-use without increasing costs. In the long run, reuse of containers will save money but the cost to put such a system in place will require significant investment. Please pass HB2399 to make the transition from single-use to reuse possible.

Mahalo,

Sharla Sare  
President  
Hilo Downtown Improvement Association  
PO Box 37Hilo, HI 96721  
[admin@downtownhilo.org](mailto:admin@downtownhilo.org)  
<https://www.downtownhilo.org>



## **TESTIMONY OF RECYCLE HAWAII on HB2399-HD1**

**Submitted by Kristine Kubat, Executive Director**

Recycle Hawaii thanks Representative Luke for the opportunity to testify on this important issue. Our organization was involved in crafting HB2399 and we are grateful that the representative chose to honor the grassroots effort that went into its evolution by making sure it was heard. We also want to report that a great deal of vetting on the bill concept occurred at the national level, not only with environmental organizations but also with producers who will be subject to its provisions.

Extended Producer Responsibility is an idea whose time has come, or as Mike Burke, the Solid Waste Management Coordinator for the Hawaii Department of Health likes to say when it comes to EPR, "the writing is on the wall." Recycle Hawaii acknowledges the legislators who grasp this; we are eager to increase awareness among those who are still learning, and help everyone understand the benefits of partnering with producers on waste reduction initiatives.

On the fundamental level, EPR is a movement that promotes a variety of approaches aimed at reducing the environmental impacts of consumerism and transferring some portion of waste handling costs from municipalities to producers. The justification for this is simple: Since manufacturers and brand owners control how their products are designed, made, and packaged, they alone control whether or not these items and materials can be safely managed when they are no longer useful. Although EPR strategies are firmly in place throughout Europe and in places like Russia and Brazil (which are not known for their progressive policies) the U.S. is just starting to catch up. HB2399 is coming forward at a time when there is a great deal of movement aimed at reducing waste at the national level. It is important for Hawaii legislators to understand the context within which it is being proposed.

Creating a distinction between what happens upstream and downstream in the waste making cycle is the best way to ascertain where responsibility lies. While producers are solely responsible for upstream innovations like packaging design, the responsibility for what happens after products and packaging are no longer useful must be shared. It is neither fair nor practical to put that burden on producers alone. Consumers are the ones who discard unwanted materials, and municipalities receive significant quantities of taxpayer funding to handle them. These parts of the cycle cannot be ignored or discounted.

HB2399 evolved around this idea of shared responsibility within the context of Hawaii's unique geography, popularity among visitors and import-dependent economy. Its aim is to create a cost-sharing partnership that addresses the need for producer funding, not forever but over a transitional, 5-year period during which municipalities shift their focus away from resource destruction and towards resource recovery.

The bill is modeled after the state's existing e-waste program. It requires the top producers of fast moving consumer goods to register with the Department of Health and pay into a fund that will be used to develop needs assessments for the state's four counties and to also cover the costs of reuse pilot programs. The decision to prioritize reuse strategies is based on the fact that although they afford the greatest potential for waste reduction, these strategies seldom receive the attention and resources needed to implement them.

Last session there was a call for study that would help legislators decide which form of EPR best suits Hawaii. Recycle Hawaii is strongly opposed to this approach. The time to take action is now. Hawaii has nothing to gain from an academic assessment of EPR policy options that is sure to come back inconclusive given the dynamic and evolving state of the movement. The bill's requirements for reporting by producers and county needs assessments will generate a wealth of pertinent information that can be put to practical use, and the partnerships formed with covered producers will serve the state well beyond the 5-year program period.

HB 2399 represents a modest, cautious, first step that allows the state to bide time without wasting it. As we focus on reuse strategies, large states like California are taking the lead on reforming labeling practices and requiring significant increases in recycled content. The need to comply with California mandates and EPR laws already in place in Maine and Oregon will lead to standardized packaging. Once these standards are firmly in place, and once Hawaii's own reuse pilot programs go mainstream, the responsibility to manage discarded items in ways that preserve their value can be met at the municipal level without help from producers. Keeping decision making at this level is also the best way to assure that communities in need can capitalize on the value of recovered resources to build wealth.

For these reasons Recycle Hawaii urges members of the committee for vote in favor of HB2399.

Kristine Kubat  
Executive Director  
Recycle Hawaii  
808-747-426  
[admin@recyclehawaii.org](mailto:admin@recyclehawaii.org)

## WHY SUPPORT HB2399?

### **As U.S. support for EPR builds, each state has a unique role to play in creating solutions. HB2399 is particularly suited to Hawaii.**

Hawaii's market share is small, but its low resident population, remote location bounded by the Pacific Ocean, global image as a pristine environment, and steady infl ux of visitors makes it the perfect proving grounds for innovative reuse strategies.

### **HB2399 engages the producers best suited to eliminate packaging waste in a fair and balanced way.**

Corporations that produce the greatest volume of consumer goods have the resources needed to address the environmental crises caused by excess packaging waste. Among these corporations, sixteen of the top twenty are signatories to the Global Commitment for a New Plastics Economy. This means they have already pledged to reduce packaging waste and ensure that whatever remains is either reusable, recyclable or compostable.

### **HB2399 positions the State to take full advantage of federal funding aimed at reducing waste.**

The bipartisan Infrastructure Investment and Jobs Act of 2021, includes a \$350M "Recycling Is Infrastructure Too" initiative. The EPR fund established via SB3246 provides a pool of matching funds that will greatly increase Hawaii's chances of receiving federal grant awards aimed at reducing waste.

### **HB2399 prioritizes reuse strategies as the most effective way to reduce waste.**

**Reduce, reuse, recycle.** Our collective failure to reduce waste stems from an overemphasis on recycling. The 2021 Global Commitment Report highlights the fact that, although its signatories have made measurable progress on reducing their combined total of packaging waste, no progress has been made on their reuse goals. HB2399 compels the top producers to take the lead on developing reuse strategies by effectively partnering them with Hawaii's community-driven, zero waste movement.

**Let's do this!**

## **Questions about HB2399:**

### **Will HB2399 result in higher prices for Hawaii consumers?**

HB2399 is what's known as a "transitional EPR" strategy. This means that the producers it covers are only required to make an investment in Hawaii's waste reduction programs over a transitional period. The short time frame does not justify a permanent increase in prices, and even if producers insist on raising prices, any increase will be spread over a global marketshare valued at \$500,000,000 or more.

### **How will HB2399 impact Hawaii producers and retailers?**

Only corporations that generate more than 10,000 metric tons of packaging waste and sell more than \$500,000,000-worth of fast moving consumer goods worldwide are required to pay into the Hawaii EPR fund. Not a single Hawaii-based producer or retailer meets these specifications. Hawaii businesses will benefit from the investment made by these top producers as they work with Hawaii's zero waste community to develop and implement reuse strategies that help the state achieve its sustainability goals. The bill's purpose aligns with the visitor industry's pivot towards regenerative tourism by reducing waste and satisfying visitor demands for a less-impactful experience.

### **How does the program mandated by HB2399 work?**

Top producers register with the state and pay into an EPR fund over a 5-year period. In the first year, each county is required to assess the costs needed to significantly reduce the volume of packaging waste they handle. The EPR fund is used to cover the costs of developing those needs assessments in the first year. After that, the money is used to fund innovative reuse programs.





## House Committee on Finance

Tuesday, March 1st, 2022, 12:30a.m. Conference Room 308

### **Hawai'i Alliance for Progressive Action Supports: HB2399 HD1**

Aloha Chairs Luke, Vice Chairs Yamashita and Members of the Committee,

On behalf of the Hawai'i Alliance for Progressive Action (HAPA) I am submitting testimony in support of HB2399 HD1.

HB2399 HD1 establishes an Extended Producer Responsibility (EPR) program. Requires certain producers of fast-moving consumer goods to register with the Department of Health and pay an annual fee based on the amount of packaging volume the covered producer places on the market each calendar year. Provides for the deposit of fees into an extended producer responsibility special fund. Provides for the expenditure of moneys from the extended producer responsibility special fund for the creation of a report that assesses the resources needed to reduce the volume of packaging waste sent to landfills or power plants that burn municipal solid waste as a fuel by fifty per cent and eighty per cent by a date to be determined by rule.

HB2399 HD1 requires some top waste producers to take the lead on developing reuse strategies by effectively partnering with counties and their community-driven zero waste movements.

Programs that target Extended Producer Responsibility (EPR) is the responsible path forward to move toward sustainable waste management. As our counties move to adopt Zero Waste goals and practices, EPR is part of the solution to reaching these goals.

HB2399 HD1 assists the counties to determine a baseline and needs to significantly reduce packaging waste specifically. Right now the burden of managing product packaging waste falls onto municipal systems, and county taxpayers. EPR programs place responsibility instead onto the product manufacturers to address the full life cycles of the products they make. Pressures such as this spawn innovation and will encourage reuse and designing for the fate of the packaging of the products they manufacture. This measure therefore will relieve some of the burden of disposal on consumers and municipalities.

HAPA supports funding for three (3) additional positions, as requested by the Department of Health.

Please pass HB2399 HD.

Mahalo for your consideration,

A handwritten signature in black ink, appearing to read 'Anne Frederick', with a stylized, cursive script.

Anne Frederick

Executive Director

**HB-2399-HD-1**

Submitted on: 2/28/2022 12:26:32 PM

Testimony for FIN on 3/1/2022 12:30:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Megan Lamson	Hawai'i Wildlife Fund	Support	No

Comments:

Aloha Representative members of the Finance (FIN) Committee,

On behalf of Hawai'i Wildlife Fund (HWF), **we are writing this letter of full SUPPORT for HB 2399 HD1** relating to waste management and establishing an Extended Producer Responsibility (EPR) Program for the state. This is our third testimony on this matter, and our only change since the previous draft is that we think the deadline for each of the Counties to submit their reports to DOH should be one year, or no more than two years at maximum, after this bill is signed into law.

This forward-thinking legislation will help us reduce plastic waste reaching Hawai'i and will create a program that places responsibility on big corporations and producers (with gross sales over \$500M) for the end-of-life disposal of their products. HB 2399 also encourages producers to use more circular designs, and shifts responsibility away from taxpayers, local businesses, and individual consumers (i.e., blaming the "litterbug" versus the producers). In concert with the various County-level and Statewide bans on single-use plastic products, this EPR measure and its funding mechanisms will drastically improve the way (plastic) waste is managed and accounted for in the islands, and will demonstrate how the state of Hawai'i is taking the exemplary lead towards sustainability.

Plastics (production, transport, disposal) are contributing significantly to global carbon emissions with a new 2022 report by Beyond Plastics even calling plastics "the new coal". Yet the plastics industry is large and growing at an unprecedented rate to meet global plastics demand, owing to convenience and rapid urbanization. Many post-consumer and end-of-life plastics end up in natural landscapes or the ocean, which not only causes visual pollution but also creates significant direct and indirect ecosystem impacts. HWF has seen evidence of these detrimental impacts over the decades with our collective efforts to remove trash from beaches throughout Hawai'i Nei, and we have documented hundreds of brand-name products from afar washing up on our remote and ecologically-sensitive coastal ecosystems. See our November 2020 blog, "Hidden Meanings: What brand names reveal about marine debris along our southern shorelines" for more details. This EPR bill (HB 2399) and its companion (SB 3246) are steps in the right direction to curb this rising tide of trash and to protect Hawaiian coastal ecosystems and our global climate crisis. We hope that the Finance Committee members pass this measure and it proceeds through the Legislature this session.

Hawai'i Wildlife Fund (HWF) is a small nonprofit organization that has been working to conserve native species in Hawai'i since 1996. During that time, we have been actively involved in research, education, restoration and advocacy projects related to the protection of coastal and nearshore habitats. We are not in the waste management business, however we began community-based cleanup events in the 1990s because of the direct and indirect impacts that plastic pollution has had on our native wildlife. Since that time, we have removed over 360 tons from the shores of Hawai'i Island, Maui and Midway, and collaboratively on the French Frigate Shoals. It's time to start reducing the influx of plastic waste to our shorelines. Many thanks for your time and consideration on this matter!

Me ka mahalo pumehana,

Megan Lamson, M. Sc. | HWF President & Program Director ([megan@wildhawaii.org](mailto:megan@wildhawaii.org)) Hannah Bernard | HWF Co-founder & Executive Director ([wild@aloha.net](mailto:wild@aloha.net))

## **Local Business Sign-on letter to support HB2399 – Extended Producer Responsibility bill for packaging!**

*This is a sign-on letter for local Hawaii businesses that are in support of HB2399. This letter was put together by Zero Waste Hawai'i Island because we know business owners are very busy people and have difficulty finding time to submit testimony. Businesses in support of HB2399 signed-on to this letter in person (signature gathering), via email, and via a google form.*

To: The Honorable Sylvia Luke, Chair, the Honorable Kyle T. Yamashita, Vice Chair, and members of the House Finance Committee

From: Local Hawaii Businesses

RE: Hearing HB2399 HD1 RELATING TO WASTE MANAGEMENT

Aloha Chair Luke, Vice Chair Yamashita, and members of the House Finance Committee,

We, the undersigned local Hawaii businesses (**36 signed-on**), write in support of HB2399 HD1, which establishes an extended producer responsibility (EPR) program for packaging. This program will: Collect fees from top producers of fast-moving consumer goods for 5 years and creates an EPR special fund to: (1) Conduct county needs assessments to determine the resources needed to reduce packaging waste by TBD targets and deadline (2) Establish reuse programs for packaging

As eco-conscious business owners, we are dedicated to offering our customers products in sustainable packaging; however, we currently have few, if any, options that do not result in landfilled waste.

“Green” compostable packaging options are largely false solutions that are still highly extractive of the planet, often contain toxins, and are also being landfilled due to lack of industrial composting facilities and collection systems.

We are eager to see Hawaii develop infrastructure that will enable reusable packaging systems that, in the long run, will lower packaging costs and reduce supply chain disruptions.

We envision a future where we eliminate much of our locally created packaging waste through bottle and jar refill programs, reusable to-go ware for food and beverages, and reusable packaging systems for locally produced food and agricultural products.

We believe the counties are in the best position to facilitate the development of this shared infrastructure that will prevent waste from being created.

Our Hawai'i landfills are overflowing and plastic is washing up on our shores. Its time for government, business, and consumers to come together and find a way to get our products without all the waste. Please pass HB2399 to help Hawaii adopt a reuse system for packaging and reduce the scourge of waste on our 'āina through this “transitional” EPR program.

*Local Hawaii Businesses Community,  
(See next page)*

<b>Business Name</b>	<b>Name of Person</b>	<b>Business type</b>
808 Sweets	Amy Gallero	Local made products (food)
Aloha Baskets and Balloons	Sharla Sare	Local made products (gifts)
Artful Cups By Lola	Sherry Dupaya	Local made products (art/décor)
Attainable Sustainable, LLC	Kris Bordessa	Self-reliance living education
Aunt Sue's Sugar Shack	Susan Diamenti	Local made products (food)
Auntie Lucinda's Bakery	Lucida	Local made products (food)
Big Island Empanadas	Midello Jenney	Prepared food vendor
Big Island Grindz	Josiri Hehuru	Prepared food vendor
Creative Mae Studio	Charity	Local crafted products
Eclectic Virgo	Lyla Rozett	Local crafted products (jewelry)
Grace Flowers Hawaii	Alison Higgins	Florist
Hana Hou Recycling	Nicholas Riznyk	Recycler/waste hauler
Hilo Food Hub	Zack Larsen	Commercial kitchen
Hilo Town Market	Ian Hatch	Market organizer
Into the Realms		Local made products (herbal/medicinal)
Island Naturals Markets	Russell E. Ruderman	Grocery store
Kamuela Gourmet	Dorene Centeio	Food product producer
Koko Kai Foods LLC	Aline Steiner	Food product producer
Kolohe By Nature	Bre Lika	Local made products (art/décor)
Kuke Pule 'Ai	Michele	Local crafted products
Lotus Garden Hilo	Megan Isaac Magdalene	Eco lodging
Mother Felter Creations	Grace Dexter Jones	Local crafted products (textile crafts)
NAP Glass	Nash Adams	Local crafted products
Neapolitan Pizza	Mike Ui	Prepared food vendor
Orig Media	Jeff Orig	Media production company
Pop Culture Artisan Pops	Justin Udom	Food product producer
Precision Palms LLC	Adam	Plant nursery
Simply Homesteady	Ashley Longakae	Local crafted products
The Locavore Store	Catarina Zaragoza	Grocery store
Upcycle Hawaii	Mattie Larson	Products made from recycled materials
Volcano Mushrooms		Local grown products
Volcano Precious Plastics		Products made from recycled materials
Whatta Waffle	Sharla Sare	Prepared food vendor (food truck)
Wild HeArtist	Mishi Clauberg	Art and gift store and coffee/tea shop
XLR8HI	Omar Sultan	Economic development agency
Vespucci Collective	Grant Overton	Renewable energy company

## Testimony to Hawai'i Legislature about HB2399

I am testifying in support of HB2399, which is designed to establish an extended producer responsibility (EPR) program to engage producers to eliminate packaging waste and prioritize reuse strategies to accomplish this goal.

In December of 2019, the national Sierra Club adopted its [Zero Waste Policy](#). Within this policy, the Club addresses EPR as follows.

*“Producer responsibility” (or “product stewardship”) means whoever designs or produces a product takes responsibility for minimizing the product's environmental and social impacts throughout all stages of the products' life cycle. The greatest responsibility lies with producers (brand owners) because they make critical design and marketing decisions. Products and services put into commerce should be designed to make the return of discarded products for reuse/repurpose, repair, and refill, at the end of its life recycling as easy as purchasing new products. This behavior needs to be guided by a system of government standards, enforcement and transparent management of costs and revenues of the system. **There needs to be fiscal responsibility, but not necessarily physical responsibility. Producer responsibility needs to focus upstream on reducing and reuse, and the use of recycled content products. Producers should help finance, promote and incentivize collection, marketing, reuse, refill and recovery operations and infrastructure, be it direct return or local recovery operations.**”*

HB2399 is a model of requiring such fiscal responsibility, not physical responsibility, by the producers of packaging that is increasingly a problem for our oceans, wildlife habitat, and impacts the food we all eat. This bill shows another way forward for states and national governments trying to address these issues in partnership with industry. Rather than setting up a complex system of one or more Producer Responsibility Organizations (PROs), HB2399 relies on a simple system for the state to get funding from producers, and for the state to allocate the funding to set up programs that are needed.

The Break Free From Plastic movement further elaborates on the issue of who should manage the operations of an EPR system:

*“...requiring producers to operate programs has a high risk of replacing public systems and public jobs, orienting those systems to meet corporate benchmarks rather than public interests, removing or limiting community and municipal engagement on issues important to the community, like starting new programs, raising labor standards, and securing local jobs.”<sup>1</sup>*

By pursuing the path you are proposing in HB2399, Hawai'i will be leading the way to innovation and success in addressing these critical problems. You are in a unique strategic position to lead on this issue, due to the huge benefits that would bring to tourism by resolving these problems, and because the businesses that would be directly impacted are not based in Hawaii.

Thank you for your leadership on this! I urge your colleagues to vote in support of this important bill.

Gary Liss, Vice-President  
Zero Waste USA, [www.zerowasteusa.org](http://www.zerowasteusa.org)  
916-335-1637; [gary@garyliss.com](mailto:gary@garyliss.com)

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<sup>1</sup> [Break Free From Plastic US Core Principles for Developing EPR Policy](#)

**HB-2399-HD-1**

Submitted on: 2/28/2022 1:02:56 PM

Testimony for FIN on 3/1/2022 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Remote Testimony Requested</b>
Roy Kadota	Mr. K's Recycle & Redemption Center Inc.	Support	No

Comments:

I, Roy Kadota, manager and owner of Mr. K's Recycling in Hilo, am in support of this bill because it makes the producers step up a little bit more and makes them more responsible. We'd like to address the ins and outs of this bill because different counties have different ideas of how to deal with their waste. For example, Honolulu is burning their waste and Big Island is throwing it in the landfill. We like that the legislators are trying to get the producers to be more responsible for their products, and be more consciencious of their products, since a lot of items are sold with the recycle symbol on it without actually being recyclable and it makes consumers wonder why all of this waste is ending up in the landfill. So we would like the manufacturers to be more responsible for actually recycling the plastic and other packaging. We are also in favor of the percentages that they are asking the manufactureres to account for. I look forward to seeing this bill pass.



**HB-2399-HD-1**

Submitted on: 2/28/2022 3:39:45 PM

Testimony for FIN on 3/1/2022 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Remote Testimony Requested</b>
James Chan	Hawaiian Chip Company	Oppose	No

Comments:

The company opposes this because assesment of fees sounds like a waste of resources.

**HB-2399-HD-1**

Submitted on: 2/28/2022 5:49:57 PM

Testimony for FIN on 3/1/2022 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Remote Testimony Requested</b>
Abraham Kowitz	Plastic Paradise	Support	No

Comments:

I founded Plastic Paradise as a way to prevent plastic from being wasted. My company takes plastic, shreds and melts it into new, durable products. This is very hard to do and what we are capable of recycling is only a small amount of the plastic produced and collected from the ocean. Most plastic too difficult to recycle. The producers of this waste need to be held responsible for the proper care of what they create. There is a lot of potential economic growth in the recycling/upcycling industry. With the help from fees collected by wasteful manufacturing/packaging and Jobs Act funding, businesses like mine will become more common and grow to provide jobs, grow the economy, and increase our tax base.

ideally, packaging should be made where it can be reused and/or biodegrade, causing no harm to the environment. Products should be made to last a reasonable time as too much of what is available to purchase is designed to have a limited life, causing unnecessary waste and putting a greater burden on our landfill amd waste management infrastructure.

Some of the things I recycle are broken storage totes, furniture, toys and food packaging. So much of it never needed to be plastic in the first place. Too much of it doesn't get recycled.

The \$150 per metric ton fee is too low. I estimate my costs to be \$5000 per metric ton. Please speak with community, government, and industry leaders both local and elsewhere to determine appropriate fees.

**HB-2399-HD-1**

Submitted on: 2/28/2022 11:23:35 PM

Testimony for FIN on 3/1/2022 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Remote Testimony Requested</b>
Pono Chong	Hawaii Crop Improvement Association	Oppose	No

Comments:

HCIA opposes HB2399



CONSUMER  
HEALTHCARE  
PRODUCTS  
ASSOCIATION

Taking healthcare personally.

March 1, 2022

To: Committee on Finance  
The Honorable Sylvia Luke, Chair  
The Honorable Kyle Yamashita, Vice Chair

Fr: Carlos I. Gutiérrez, Vice President, State & Local Government Affairs  
Consumer Healthcare Products Association

**RE: HB 2399 HD1 - Relating to Extended Producer Responsibility - OPPOSE**

On behalf of the Consumer Healthcare Products Association (CHPA), the national trade association representing the leading manufacturers of over-the-counter medicines (OTC), dietary supplements, and consumer medical devices, I'm writing to express opposition to H.B. HB 2399 HD1. While we share a desire to increase recycling and reduce waste to landfills, we cannot support a state program that potentially conflicts with existing federally mandated packaging requirements meant to ensure consumer safety, medicinal efficacy, and product stability. We also hesitate to support legislation that will add to already historic inflationary pressures that threaten the affordability of personal healthcare for thousands of Hawai'i residents.

### **Consumer Healthcare Product Packaging Focuses on Safety**

Manufacturers of consumer healthcare products take very seriously the types of packaging used to transport, store, and safely deliver consumer healthcare products to consumers seeking self-care options. As the first line of defense for Americans looking to address minor health ailments, consumer healthcare product packaging must withstand the rigors of volatile temperature changes during transport, lengthy durations on store shelves and medicine cabinets, and illicit tampering of the product itself before it is consumed. A very complex and highly regulated federal framework for OTC consumer healthcare packaging has been in place for decades and serves to provide safety, efficacy, and stability of products for consumers. State action on packaging for these products likely conflicts with federal laws and regulations already in place and could compromise the end safety, affordability, and stability of the product themselves.

### **OTC Product Packaging Are Regulated by the Federal Government**

Packaging of consumer healthcare products differs from other consumer products in that it is often dictated by federal rules and regulations. The Food and Drug Administration (FDA) regulates drug product packaging under Good Manufacturing Practices regulations (GMPs) (21 C.F.R. Part 211, Subpart G), including material examination and usage criteria (§211.122), packaging and labeling operations (§ 211.130), tamper-evident packaging (§ 211.132), and expiration dating (§ 211.137). Certain drugs are also regulated by the Consumer Product Safety Commission (CPSC) under the Poison Prevention Packaging Act (PPPA), which requires child resistant packaging. Manufacturers are required to test and certify compliance. In addition, drug products for which packaging does not comply with PPPA packaging and labeling regulations are misbranded under the FDCA (21 U.S.C. § 352(p)). Any attempt by the state of Hawai'i to limit packaging could cause conflict between state and federal law. Manufactures

of consumer healthcare products, therefore, should not be penalized for using packaging that satisfies existing federal requirements for safety and stability.

### **Consumer Healthcare Products Should Be Exempt from State Packaging Stewardship Programs**

To avoid conflict between state and federal law, CHPA recommends exempting FDA approved consumer healthcare products from the requirements of HB 2399 HD1. This exemption can be accomplished by including the language pasted below:

*“Any material that is used in the packaging of a product that is regulated as a drug, medical device or dietary supplement by the U.S. Food and Drug Administration under the Federal Food, Drug, and Cosmetic Act, 21 U.S.C. 321 et seq., sec. 3.2(e) of 21 U.S. Code of Federal Regulations or the Dietary Supplement Health and Education Act is exempt.”*

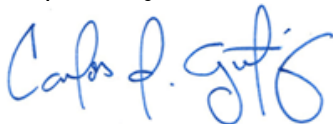
### **Consumer Healthcare Products Play a Critical Role in American Healthcare**

Thousands of Hawai'i residents rely on consumer healthcare products as an easily accessible, affordable, and effective first line of defense against common ailments and illnesses. The COVID-19 pandemic has illustrated the importance of these products in limiting needless visits to doctors' offices and boosting immune health for American families. Today, Hawai'i residents are facing historically high inflation rates not seen in decades. The costs associated with this proposed program will exacerbate already existing inflationary pressures and hurt Hawai'i residents' ability to treat common health ailments affordably.

### **Conclusion**

Thank you for taking the time to consider our concerns and feel free to contact me or our local representative, Lauren Zirbel, directly with any follow up questions you may have.

Respectfully submitted,



Carlos I. Gutierrez  
Vice President, State & Local Government Affairs  
Consumer Healthcare Products Association  
cgutierrez@chpa.org | 202-429-3521

**HB-2399-HD-1**

Submitted on: 3/1/2022 10:49:10 AM

Testimony for FIN on 3/1/2022 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Remote Testimony Requested</b>
Pamela Tumpap	Maui Chamber of Commerce	Comments	No

Comments:

We have concerns over this bill as it adds another tax. We want to better understand what the tax will be used for as the bill is very broad and when creating another tax, we always feel more details should be included. At this time, we are leaning towards opposition until we better understand this bill and feel it should not be moving forward until it is clear.

**HB-2399-HD-1**

Submitted on: 2/26/2022 12:49:42 PM

Testimony for FIN on 3/1/2022 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Remote Testimony Requested</b>
Briana Rodrique	Individual	Support	No

Comments:

Aloha mai kākou,

I support this measure .

Mahalo,

Briana Rodrique,

Kurtistown, HI

**HB-2399-HD-1**

Submitted on: 2/26/2022 12:52:56 PM

Testimony for FIN on 3/1/2022 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Remote Testimony Requested</b>
KATHERINE ROSEGUO	Individual	Support	No

Comments:

support bill. we need to take decisive action on waste



**HB-2399-HD-1**

Submitted on: 2/26/2022 2:10:56 PM

Testimony for FIN on 3/1/2022 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Remote Testimony Requested</b>
Diane Ware	Individual	Support	No

Comments:

Dear Chairman and Members of the Finance Committee,

I strongly support this bill as essential to even talk about zero waste and reducing plastic pollution. I will be going to Kamilo beach on Hawai'i island next week as I have done multiple times to remove truck loads of plastic trash. You must see to believe and every month there is more. Our landfills are hazardous waste due to plastics. We the people and users must demand solutions and this bill is a start. EPR fees will encourage producers to find alternatives (there are some already).

Mahalo for the 'aina and ocean,

Diane Ware, 99-7815 Kapoha Pl, Volcano Hi 96785

**HB-2399-HD-1**

Submitted on: 2/26/2022 3:10:55 PM

Testimony for FIN on 3/1/2022 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Remote Testimony Requested</b>
TEKI DAWN VICKERS	Individual	Support	No

Comments:

I support requiring manufacturers held responsible for the waste they promote. Pretending that waste is a problem that can be solved by individual households when they are not the one creating and selling the waste is a con. The **negative externalities** of excess packaging and non-recyclable or compostable packaging are the responsibility of the manufacturer.

**HB-2399-HD-1**

Submitted on: 2/26/2022 3:14:25 PM

Testimony for FIN on 3/1/2022 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Remote Testimony Requested</b>
Jodie Van Cleave	Individual	Support	No

Comments:

I fully support HB2399. We have the responsibility to care for the place we call home. The long term cost will be much higher if we don't act now. Please, for the sake of the future generations, pass HB2399!

**HB-2399-HD-1**

Submitted on: 2/26/2022 4:37:18 PM

Testimony for FIN on 3/1/2022 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Remote Testimony Requested</b>
Lisa DeSantis	Individual	Support	No

Comments:

I support HB 2399.

Lisa DeSantis

Waimea, Hawai'i Island

**HB-2399-HD-1**

Submitted on: 2/26/2022 4:38:13 PM

Testimony for FIN on 3/1/2022 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Remote Testimony Requested</b>
Kris Bordessa	Individual	Support	No

Comments:

As a consumer, I consciously and diligently work to avoid bringing plastic home. I know that it is only going to end up in our landfill. In fact, I've written about this at length, both on my website and in my book, Attainable Sustainable: The Lost Art of Self-Reliant Living (National Geographic). I am PASSIONATE about limiting unnecessary waste.

But let's be clear: Not every consumer is as aware of the environmental repercussions of single use plastic as I am. So as long manufacturers continue to sell products in wasteful packaging, that rubbish will end up in the waste stream.

HB2399 puts the onus on the producers to reduce the amount of waste that is brought into the state. As you know, this will not impact Hawaii-based producers, but it WILL put pressure on producers to create more sustainable packaging and create an opportunity for zero-waste advocates to develop and implement strategies to help the state achieve its sustainability goals.

Please support this important bill!

Aloha,

Kris Bordessa

Hawai'i Island

**HB-2399-HD-1**

Submitted on: 2/26/2022 5:00:55 PM

Testimony for FIN on 3/1/2022 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Remote Testimony Requested</b>
Marsha Hee	Individual	Support	No

Comments:

Aloha,

I support SB2399 as a responsible and effective way to reduce our waste stream in Hawaii. It's a viable option that deals with our over-abundance of solid waste by creating and managing resources under a EPR program and special fund for the purpose of reducing packaging waste substantially. With no other feasible solutions proposed, let's move this forward now!

Mahalo for taking positive action for the benefit of Hawaii's present and future environment and health for all.

Sincerely,

Marsha Hee, life-long resident of Hawaii

House District 3

**HB-2399-HD-1**

Submitted on: 2/26/2022 6:50:32 PM

Testimony for FIN on 3/1/2022 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Remote Testimony Requested</b>
Shannon Rudolph	Individual	Support	No

Comments:

Support

**HB-2399-HD-1**

Submitted on: 2/26/2022 6:55:10 PM

Testimony for FIN on 3/1/2022 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Remote Testimony Requested</b>
Ashley Romero	Individual	Support	No

Comments:

Aloha,

My name is Ashley Romero and I would like to submit testimony in support of bill HB 2399. Excess waste and packaging has been a problem in Hawaii and around the world for a long time. The our island and the world is rapidly filling up with waste, polluting the environment and causing devastating consequences to biodiversity, livelihood, and resource availability. It is too often that the responsibility to figure out how to dispose of packaging for waste of common goods is put on the consumer rather than the producer. While I advocate for and try to engage in less consumption, on the scale of things, that is a miniscule attemp at attacking a much larger problem. This problem is being the resource extraction and production of these irresponsibly produced goods in the first place. We can not put all of the responsibility on average consumers to have to figure out ways to responsibly dispose of packaging, especially when in many communities there are limited resources for responsible disposal and many restrictions on the kind of waste that can be repurposed, composted, and recycled. This bill will be a step forward in holding large corporations accountable for their waste production and moving towards a future that values our planet. I also stress that these measures should be more heavily geared towards large multi-million dollar corporations and less on small local businesses just trying to survive.

As someone who cares deeply about Hawai'i and the waste and pollution crisis we are facing, I ask that you support bill HB 2399 - Extended Producer Responsibility (EPR) for packaging. Thank you for your consideration.



**HB-2399-HD-1**

Submitted on: 2/26/2022 8:11:43 PM

Testimony for FIN on 3/1/2022 12:30:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Jeff Haun	Individual	Support	No

Comments:

EPR is required to significantly reduce waste. It is very important that everyone supports it and votes for this bill.

**HB-2399-HD-1**

Submitted on: 2/26/2022 8:49:29 PM

Testimony for FIN on 3/1/2022 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Remote Testimony Requested</b>
Beth Block	Individual	Support	No

Comments:

I am a Big Island resident and voter urging you to support this bill. Packaging waste is something I care about passionately, especially because there are so many alternatives. Why put mushroom in unrecyclable plastic when we can put them in cardboard. Paper and biodegradable cups are an alternative to plastic. Manufacturers need to take responsibility and pay for the choices they make in packaging. Please pass this bill.

**HB-2399-HD-1**

Submitted on: 2/26/2022 10:10:30 PM

Testimony for FIN on 3/1/2022 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Remote Testimony Requested</b>
Vanessa Lee Miller	Individual	Support	No

Comments:

I support the passage of HB2399 HD1. Please help our community come to terms with the endless mass of waste for which we have no space. The plastic will eventually end up in our oceans and on the plates of our great-grandchildren's meals.

Mahalo nui,

Vanessa Lee Miller

**HB-2399-HD-1**

Submitted on: 2/27/2022 9:30:04 AM

Testimony for FIN on 3/1/2022 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Remote Testimony Requested</b>
Linda Frank	Individual	Support	No

Comments:

Aloha!

I write in support of almost anything to reduce, reuse and recycle waste.

We moved from Seattle last September and I was known as a "rabid recycler".

It's been challenging to throw so much away here vs recycling and using a service called Ridwell in Seattle area. We should call on companies to reduce packaging and ask Ridwell to expand their service here, to take care of plastic film (at least).

I hope and trust we can make progress to create and maintain a model of sustainability.

We have an opportunity to be an example.

Mahalo for your consideration.

**HB-2399-HD-1**

Submitted on: 2/27/2022 9:53:51 AM

Testimony for FIN on 3/1/2022 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Remote Testimony Requested</b>
Scarlett Anderson	Individual	Support	No

Comments:

Aloha Kakou,

HB2399 has to be some of the most important legislation here in the Hawaiian Islands. As a citizen, my family and I do our best to make good choices to protect our precious resources and lessen the impact on the environment. As a marine scientist I have been well aware of the impacts of plastics and other wastes on our islands and ocean. It is so disheartening seeing the imports of plastics and other materials on such a massive scale that are thoughtlessly discarded daily. The commercial packaging alone, brought here in a month, is more waste than my family could generate in a year. It feels hopeless! Why even try! It is my belief that holding these companies accountable will improve the situation. Let our state show the world that we truly care about our environment and want people to come and see how precious it is! I support HB2399!

**HB-2399-HD-1**

Submitted on: 2/27/2022 9:59:47 AM

Testimony for FIN on 3/1/2022 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Remote Testimony Requested</b>
Louise G. Mann	Individual	Support	No

Comments:

To: Finance Committee Chair Sylvia Luke, Vice Chair Kyle T. Yamashita

To: Committee on Energy & Environmental Protection Rep. Nicole E. Lowen, Chair, Rep. Lisa Marten, Vice Chair

From: Louise G. Mann, Waste Reduction Resources, LLC, Signal Mountain, Tennessee

Date: 27 February 2022

RE: HB2399 Relating to Waste Management

Position: Support

As a taxpayer living in the southern part of the United States, I applaud Hawaii for HB2399. I live in a community in which tourism is an economic driver. This results in the generation of extraordinary amounts of trash. One landfill has closed and the other is fast filling up with stuff that would not be going there if we had a bill like HB2399.

Thank you for supporting HB2399 with its focus on the following public policy principals and goals:

- (1) Global corporations, which produce the vast majority of the materials that require recycling, composting, or landfilling.
- (2) A true polluter pays policy with direct payments of Extended Producer Responsibility (EPR) fees to a dedicated government agency for transparent and fair distribution to counties for infrastructure development.
- (3) No PRO. Not having Producer Responsibility Organizations will prevent monopoly control and will result in local decision making, which makes for better “buy in” from citizens.
- (4) HB2399 will complement your bottle bill and thus help with litter reduction in Hawaii.

(5) The sunset clause provides for needed partnership between industry and government, with industry taxed for critical capital infrastructure and government assuming operating costs of systems.

Thank you again for being a positive role model on this issue. So many good things will result from this bill, better resource management, less litter, more recycling and less waste over all. Thank you!

Louise G. Mann [www.WasteReductionResources.com](http://www.WasteReductionResources.com)

Signal Mountain, TN 37377

**HB-2399-HD-1**

Submitted on: 2/27/2022 10:13:40 AM

Testimony for FIN on 3/1/2022 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Remote Testimony Requested</b>
Shelly Aina	Individual	Support	No

Comments:

I strongly support the testimony already submitted by various entities in support of this bill. It is long overdue and will hopefully be a first step in reducing solid waste issues on our islands.



**HB-2399-HD-1**

Submitted on: 2/27/2022 11:32:04 AM

Testimony for FIN on 3/1/2022 12:30:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Vicki Linter	Individual	Support	No

Comments:

In the state of Hawaii and specifically on the island of Hawaii where I live and vote, we have lost ground on our ability to recycle. I do not believe this legislation goes far enough, however it is a good start. I wholeheartedly support **HB2399** . **The problems caused by the accumulation of plastics on our islands and in the ocean will not be corrected by recycling alone. The responsibility must shift from the consumer to the producer of plastics. Please support HB2399.**

**HB-2399-HD-1**

Submitted on: 2/27/2022 11:40:18 AM

Testimony for FIN on 3/1/2022 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Remote Testimony Requested</b>
Jessica Kuzmier	Individual	Support	No

Comments:

I am excited to hear that this bill has come up for final review, and fervently hope it will pass committee hearings to come to the floor as policy.

We really need a policy whereby plastic waste is reduced at the source, the better to clean our ocean. Additionally, we do not have enough means to recycle the plastic.

Although ideally I believe it would be a good idea for our state to invest more in widespread municipal recycling, so those who are not near transfer stations can more easily practice mixed recycling (such as glass, paper and other recyclable materials, including plastic), and downtown areas such as Kailua-Kona could have accessible means to sustainably dispose of refuse, having less stuff to recycle in the first place by putting the onus on the companies is a great idea and once I'd really like to see implemented as soon as possible.

This bill help our state by do the following:

- a) create an extended producer responsibility (EPR) program,
- b) collect fees from top producers of fast-moving consumer goods(packaged foods, beverages toiletries etc.) by requiring them to register with the state,
- c) producers will pay a fee based on the volume of packaging placed on the market each year from 2023 to 2027,
- d) monies collected will be placed in an EPR special fund and utilized for each county, creating a report that assesses the resources needed to reduce packaging waste by 50% and 80% by TBD deadline,
- e) in subsequent fiscal years, monies in the EPR special fund will be expended by the counties for packaging reuse programs.

These are greatly needed objectives to help our state get to net carbon negative and to help keep our island state green and sustainable through waste reduction.

I really hope that this bill is passed, and mahalo for your time in hearing my views.



**HB-2399-HD-1**

Submitted on: 2/27/2022 1:10:09 PM

Testimony for FIN on 3/1/2022 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Remote Testimony Requested</b>
Michele Mitsumori	Individual	Support	No

Comments:

I support HB2399 HD1, relating to waste management.

As a small, island state in the middle of the Pacific, Hawai`i is often off the radar or beyond the range of many programs. HB2399 will enable our state to receive funds to develop and strengthen programs targeting reducing waste, without adding to the burden of local businesses.

HB2399 also includes funding in the first year for needs assessments for each county, avoiding a one-size-fits-all approach and recognizing the unique dynamics of each county. This can create opportunities to truly engage the broad community in developing long-term solutions that benefit everyone.

Thank you for the opportunity to share my support for HB2399 HD1.

**HB-2399-HD-1**

Submitted on: 2/27/2022 1:12:08 PM

Testimony for FIN on 3/1/2022 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Remote Testimony Requested</b>
Mark Hixon	Individual	Support	No

Comments:

Aloha: By reducing plastic waste, we are reducing eyesore trash that kills our sealife, as well as greenhouse gas emissions that contribute to global climate disruption. By reducing such waste, we help sustain the environment for future generations. Product manufactures must take responsibility to reduce the environmental footprint of their products. Establishing an EPR program is an important step forward in that effort. Mahalo--Mark Hixon

**HB-2399-HD-1**

Submitted on: 2/27/2022 1:12:39 PM

Testimony for FIN on 3/1/2022 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Remote Testimony Requested</b>
Thomas Brandt	Individual	Support	No

Comments:

Support!

**HB-2399-HD-1**

Submitted on: 2/27/2022 3:31:50 PM

Testimony for FIN on 3/1/2022 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Remote Testimony Requested</b>
laurie boyle	Individual	Support	No

Comments:

I support HB2399 for the simple reason that our plastic pollution problem must be remedied at the manufacturer level so charging an annual fee to the large producers is a first step in creatively addressing new ways to package using reusable, non-plastic materials.

**HB-2399-HD-1**

Submitted on: 2/27/2022 5:10:32 PM

Testimony for FIN on 3/1/2022 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Remote Testimony Requested</b>
Douglas Perrine	Individual	Support	No

Comments:

Hawaii has completely failed at recycling - a project of dubious worth anyway. Our best way escape from our growing mountains of opala is extended producer responsibility. I support HB2399.



**HB-2399-HD-1**

Submitted on: 2/27/2022 5:11:11 PM

Testimony for FIN on 3/1/2022 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Remote Testimony Requested</b>
Caroline Kunitake	Individual	Support	No

Comments:

I support HB2399 HD1.



Aloha legislators,

We are in strong support of HB 2399 to establish an extended producer responsibility (EPR) program. This bill is also supported by Hawai'i and Maui Counties and a number of local environmental organizations.

When one county in Minnesota passed an EPR e-waste law, it saved \$680,000 the next year.

Locally, Zero Waste Hawai'i Island is finding more and more businesses interested in reusable packaging.

Nationally, Waste Management Incorporated and similar companies have funded organizations supporting EPR, since the companies could profit from doing specialized collection, transportation, sorting, and recycling.

Also, nationally, there are already EPR-related laws in several states. These should lead to standardization of packaging that will make EPR easier for businesses operating in different states.

Worldwide, as of 2016, there were about 400 EPR systems, most mandatory, not voluntary. Currently, there are EPR initiatives in Europe, Brazil, and even Russia.

This bill builds on a local model that is working: the existing state e-waste program.

This bill will enable counties to work with producers on solutions tailored to each county's unique needs. It will also enable counties to maximize gains from recovered resources.

We are all well aware of the huge garbage patches in the ocean, the tons of plastic polluting the environment, and the minute bits of plastic contaminating our bodies.

This is all due to our current system--producer irresponsibility. We allow producers to extract resources from the earth, turn many of them into harmful substances, distribute them far and wide, reap profits, and leave the cleanup to someone else. We won't solve this by blaming litterbugs—but, instead, by placing responsibility where it belongs.

Mahalo,

Cory Harden, Sierra Club, Hawai'i Island Group



**HB-2399-HD-1**

Submitted on: 2/27/2022 6:55:03 PM

Testimony for FIN on 3/1/2022 12:30:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Megan Lamson Leatherman	Individual	Support	No

Comments:

Aloha Representative members of the Finance Committee,

Mahalo for this opportunity to testify. I am wholeheartedly in support of this forward-thinking legislation that would help address waste management (and reduce plastic pollution!) from the top down. This house bill 2399 (HD1) as proposed takes some of the onus of waste management away from the Counties and State and places the responsibility instead on the large corporate producers that are responsible for lots of the packaging waste we are currently trying to reduce, recycle, remove from our beaches, and otherwise dispose of responsibly.

**Please SUPPORT this critical bill (HB 2399 HD1) that moves Hawai'i towards a more sustainable and zero-waste-style future!**

best,

*Megan Lamson Leatherman*

Honalo, Hawai'i

**HB-2399-HD-1**

Submitted on: 2/27/2022 7:22:22 PM

Testimony for FIN on 3/1/2022 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Remote Testimony Requested</b>
Julia Estigoy-Kahoonei	Individual	Support	No

Comments:

I Julia Estigoy-Kaho'onei support this bill. Being that we are the most isolated land mass in all of the world, it's even more critical that everything we do is in support of protecting our environment. If that means making big companies burden greater responsibility to reduce waste than so be it. Especially with our geographical location, it's more important that we do things that move us towards self sustainability. We all must do our part in caring for this island that we live on and recycling, reducing waste all play a part in that. But big companies have to also be held accountable and take greater responsibility with this issue.

I urge all our leaders to pass this HB2399, EPR. Thank you

**HB-2399-HD-1**

Submitted on: 2/27/2022 7:36:14 PM

Testimony for FIN on 3/1/2022 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Remote Testimony Requested</b>
Gerard Silva	Individual	Oppose	No

Comments:

Another RIP OFF!!

**HB-2399-HD-1**

Submitted on: 2/27/2022 7:57:09 PM

Testimony for FIN on 3/1/2022 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Remote Testimony Requested</b>
Leah Henry	Individual	Support	No

Comments:

An extended producer responsibility program that will both monitor and hold monetarily accountable high volume producers is long overdue. Waste isn't a problem the residents of Hawaii can solve alone, we need help and where better to solicit that help than at the source. Finding the funding to create a report that assesses the resources needed to reduce the volume of packaging waste sent to landfills or power plants that burn municipal solid waste as a fuel by fifty per cent and eighty per cent by a date to be determined by rule is a great start.

**HB-2399-HD-1**

Submitted on: 2/27/2022 8:12:34 PM

Testimony for FIN on 3/1/2022 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Remote Testimony Requested</b>
Lee McIntosh	Individual	Comments	No

Comments:

Aloha, my name is Lee McIntosh. I live in Kau on the Big Island. I think this bill could potentially cause manufacturers to opt not to sell their products in Hawaii. It's already difficult obtaining products now. Instead the legislature should consider allowing local private recyclers to work with manufacturers to create programs rather than the state trying to insert itself into the equation. When the state takes money from special funds like what this bill proposes and uses it to plug their budget, then manufacturers refuse to help private recyclers because they already paid money to the state to handle recycling. I encourage legislators to contact and speak with local recyclers and address their concerns before pressing forward with this bill. Mahalo for allowing me to testify on bill HB2399.



**HB-2399-HD-1**

Submitted on: 2/27/2022 10:29:21 PM

Testimony for FIN on 3/1/2022 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Remote Testimony Requested</b>
Ceryse Livermore	Individual	Support	No

Comments:

When I think of all the sea life that is affected by plastic debris that have ended up in the ocean, I am saddened beyond words. I have seen beautiful aquatic animals suffering from trying to ingest particles of plastic.

We have no more recycling in place (or very little) for any of the plastic containers in use today regardless of the recycle number on the bottom. All plastic is being unloaded right into garbage depositories and taken to our already clogged up and overloaded planet. It is a dire situation. Please pass this bill. Thank you.

**HB-2399-HD-1**

Submitted on: 2/28/2022 12:08:10 AM

Testimony for FIN on 3/1/2022 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Remote Testimony Requested</b>
Ellen Okuma	No Poho	Support	No

Comments:

Aloha,

I am writing in support of HB2399 HD1. For the past 2 years I have been increasingly concerned about the single-use waste that has exponentially grown, especially during the pandemic. I have lived on Hawai'i Island since 1992 and in Hilo since 2014. Over the years, I have watched our Hilo landfill shut down by the EPA and the entire island's solid waste trucked to the Kona District, 75+ miles away.

Besides weathering the ups and downs of doing business during the pandemic, more recently, major, global supply chain disruptions have pushed locally-owned, small businesses to the brink of closure. Manufacturers will bear the responsibility for wasteful packaging through fees imposed on them as a result of HB2399. This bill will help start-ups such as mine, No Pohō, which reduces packaging costs and waste for Hawai'i Island food and beverage producers by washing and distributing glass bottles for reuse. Reinstating a traditional means of reusing glass, a valuable, non-polluting, nontoxic commodity will divert nonHI5 glass bottles from being crushed and shipped off-island or from being tossed into the landfill. By providing a washing service for reusable glass bottles, No Pohō will help reduce supply disruptions businesses' experience when ordering new glass bottles, reduce the costs businesses pay for new glass bottles & reduce the number of glass bottles going into the landfill.

Please help our island environment, our locally-owned small businesses and committed individuals such as myself who are starting up projects to deal with unnecessary waste and single-use containers.

Mahalo, Ellen Okuma

**HB-2399-HD-1**

Submitted on: 2/28/2022 5:50:28 AM

Testimony for FIN on 3/1/2022 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Remote Testimony Requested</b>
Stefanie Pruegel	Individual	Support	No

Comments:

I strongly support HB2399. It is urgently important to pass this Extended Producer Responsibility (EPR) bill for packaging to transition Hawaii towards reusable packaging systems, and, in the interim, create programs that will divert packaging waste from landfilling and incineration. An isolated land mass like Hawaii especially needs to reduce packaging waste at the source which this bill aims to realize. We all bear the consequences of pollution and environmental destruction from packaging waste, and Hawaii is particularly vulnerable.

**HB-2399-HD-1**

Submitted on: 2/28/2022 6:22:20 AM

Testimony for FIN on 3/1/2022 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Remote Testimony Requested</b>
Monica Stone	Individual	Support	No

Comments:

Mahalo for receiving my testimony in SUPPORT of HB2399!!!!

Monica Rott Stone

Kailua-Kona, HI

**HB-2399-HD-1**

Submitted on: 2/28/2022 7:33:53 AM

Testimony for FIN on 3/1/2022 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Remote Testimony Requested</b>
Jon Taguchi	Individual	Support	No

Comments:

You know we need this and the sooner the better thank you for doing the right thing

**HB-2399-HD-1**

Submitted on: 2/28/2022 8:12:02 AM

Testimony for FIN on 3/1/2022 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Remote Testimony Requested</b>
Ashlee Stratakis	Individual	Support	No

Comments:

We need a model EPR law for other states to follow, please continue to lead the country and take this opportunity to catalyze what needs to happen to move our future in the right direction. EPR laws are vital to waste management and the protection of our environment. Individuals can only do so much and only those with the knowledge and resources can make those changes. Ensuring producers are responsible for the waste they create is one of the few certain ways to drive lasting, sustainable change.

**HB-2399-HD-1**

Submitted on: 2/28/2022 8:41:33 AM

Testimony for FIN on 3/1/2022 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Remote Testimony Requested</b>
Severine Busquet	Individual	Support	No

Comments:

Aloha,

HB2399-HD1 engages the producers best suited to eliminate packaging waste in a fair and balanced way. Corporations that produce the greatest volume of consumer goods have the resources needed to address the environmental crises caused by excess packaging waste. Among these corporations, sixteen of the top twenty are signatories to the Global Commitment for a New Plastics Economy. This means they have already pledged to reduce packaging waste and ensure that whatever remains is either reusable, recyclable or compostable.

HB2399-HD1 prioritizes reuse strategies as the most effective way to reduce waste.

Reduce, reuse, recycle. Our collective failure to reduce waste stems from an overemphasis on recycling. The 2021 Global Commitment Report highlights the fact that, although its signatories have made measurable progress on reducing their combined total of packaging waste, no progress has been made on their reuse goals. HB2399-HD1 compels the top producers to take the lead on developing reuse strategies by effectively partnering them with Hawaii's community-driven, zero waste movement.

For these reasons, I strongly support HB2399-HD1.

Thanks for your attention

Severine Busquet

Hawaii Kai, Honolulu 96825

**HB-2399-HD-1**

Submitted on: 2/28/2022 8:51:34 AM

Testimony for FIN on 3/1/2022 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Remote Testimony Requested</b>
Katherine Lau	Individual	Support	No

Comments:

I strongly support HB2399. As a parent, I worry about the carbon cost of single-use packaging. I feel if we begin the transition to reusable packaging now, our keiki can live in a home protected from the very worst effects of climate crisis. I recognize it may be challenging to ask producers to take responsibility for their products, but if we take no action now there will be costs for our community: we pay for landfills, it affects our environment here in Hawai'i, exacerbated climate crisis due to the carbon cost of packaging is felt most strongly by small islands. Adding a cost to packaging will create a price benefit for products which take climate action seriously and switch to no packaging or low packaging.

Sincerely,

Katherine Lau of Hilo



**HB-2399-HD-1**

Submitted on: 2/28/2022 9:00:22 AM

Testimony for FIN on 3/1/2022 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Remote Testimony Requested</b>
Karin Schlappa	Individual	Support	No

Comments:

Yes to this bill! Our landfills are full, plastic waste is here to stay, causing harm to people and animals. We need to do all we can to hold the companies that create waste responsible and involved in the process of reducing our waste footprint.

**HB-2399-HD-1**

Submitted on: 2/28/2022 9:10:33 AM

Testimony for FIN on 3/1/2022 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Remote Testimony Requested</b>
Katherine Kazlauskas	Individual	Support	No

Comments:

Dear House Finance Committee,

I support this bill because I think the producers of fast-moving, plastic packaged goods should assume more responsibility for the waste being produced. The sole responsibility should not fall on the consumer who is often left with little choice when fitting a tight budget is necessary. The responsibility of waste management lies in the hands of our government--how they regulated corporations and the services for waste management in communities. Neither one of these issues of waste management are being properly addressed right now, especially in Hawai'i.

Mahalo for your consideration.

Sincerely,

Katherine Kazlauskas

**HB-2399-HD-1**

Submitted on: 2/28/2022 9:21:08 AM

Testimony for FIN on 3/1/2022 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Remote Testimony Requested</b>
Holly E. Johnson	Individual	Support	No

Comments:

Extended Producer Responsibility is a critical endeavour, especially in light of our landfill and waste disposal situation in Hawaii. I fully support this legislation and believe this will be good for the people of Hawaii and our infrastructure into the future. I work in the natural products industry, representing ~400 companies doing business with herbal products. Our organization, including many companies that will bear the burden financially, has endorsed the Ellen Macarthur Foundation's position paper on EPR: <https://plastics.ellenmacarthurfoundation.org/epr>

I encourage Hawaii legislators to support this bill.

**HB-2399-HD-1**

Submitted on: 2/28/2022 9:24:10 AM

Testimony for FIN on 3/1/2022 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Remote Testimony Requested</b>
Melissa Cardwell	Individual	Support	No

Comments:

Aloha,

I am submitting testimony in support of HB2399. As a resident of Hawai'i island for nearly twenty years, I have become increasingly concerned about packaging waste and waste, in general, on our island. As we all know, the Hilo landfill reached max capacity and we are now trucking all of our waste to the landfill in Kona which has a lifespan of about another 100 years. One of the top goals in the recent Integrated Solid Waste Management Plan for Hawai'i County is to divert waste from the landfill given that its lifespan is limited. Passing this bill is a solid step forward in working towards this goal.

As tourists return to the Hawaiian Islands and more and more people move here post-pandemic, our already struggling infrastructure to deal with waste will be that much more strained. We need to turn off the tap of waste instead of trying to deal with the continual accumulation of waste. It's like continually trying to mop up the floor when the tap is turned on and the bathtub is overflowing. We need to work on turning off the tap of waste and this bill is a step in the right direction. Please be stewards of the future and help to turn off the tap by passing this bill.

Thank you for all that you do,

Melissa Cardwell

Resident of Kalapana, Puna

Please pass HB2399

**HB-2399-HD-1**

Submitted on: 2/28/2022 9:44:51 AM

Testimony for FIN on 3/1/2022 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Remote Testimony Requested</b>
Rebecca Mitchel	Individual	Support	No

Comments:

Consumers have no choice when it comes to the design and packaging of basic needs. Hawaii's location makes it expensive to move the various types of recyclable waste to the proper facilities. If producers would be made partially responsible for the cost of recycling their products, they would more often opt for biodegradable or low waste options. This policy was actually discussed nationally when plastics first were being developed for consumer goods. Unfortunately powerful manufacturers managed to shift the onus to the consumer.

Please pass HB2399 HD1

Rebecca Mitchel

SUBJECT: HB2399-Extended producer responsibility for packaging

Aloha,

My name is Michael D. Stone, I am a former graduate student in the Tropical Conservation Biology and Environmental Science Program at the University of Hawai'i at Hilo. I focused my studies on the global impacts of plastic pollution. After learning the severity of these issues, I had no choice but to advocate full-heartedly on the issue.

First, I would like to thank you all for this opportunity for my voice to be heard. I hope by doing so I can help the cause and get more colleagues and students familiar with the process of exercising our voice within the community. I am in strong support of HB2399-Extended producer responsibility for packaging

I find humans' unsustainable "waste culture" leading to plastic pollution globally particularly worrisome. Each year the amount of solid waste from humans entering the oceans increases. Just about everywhere scientists have looked from the Arctic and Antarctic to the deepest point of the ocean there have been traces of plastic pollution, traces of humans. Plastics are being consumed by everything from the smallest plankton to massive whales thus entering our food chain at multiple levels. Not only is this continued cycle of consumption and disposal of this trash killing wildlife, but it is also altering their behaviors in troublesome ways.

I witnessed this issue in person during my beach cleanup activities with Hawai'i Wildlife Fund on "Kamilo " beach otherwise known as the trash beach here in Hawai'i. We found trash from all over the world. After removing truckloads of waste from the beach I was told within a week or two it would all look the same. This made me want to act even more on the issue. However, if you think about the grand scheme of things; no matter how many beach cleanups are conducted it won't stop the real issue. That brings the question of how might a stressed out, broke graduate student attack such a global issue as plastic pollution?

Well, without a doubt, there is enough literature and evidence to convince anyone who reads that plastic pollution is extreme. To change the world, we must act locally and within our communities. The time to act is now, and I believe that the legislative process and prevention policy is the weapon of choice. No waste or recycling station in the world is equipped to deal with the ever-increasing volume of plastic pollution we are creating. Too much single-use packaging is being produced with no plan for what to do with it afterward. Society has been led to believe that sorting out plastics from garbage to recycling is doing the environment a favor, which may be among the most widespread and sinister lies of our lifetime. In reality, the idea that recycling plastic was a feasible solution was a fabrication from the start. Oil and gas companies who produce plastic have spent millions on campaign ads advocating recycling knowing full well that most plastic will never be recycled. These companies make far more money-making new "virgin plastics" than reusing or recycling old plastics, but recognize that producing plastic waste looks bad from a public-relations perspective. Recycling programs serve to make people believe they are doing their part to protect the environment and ease their guilt in purchasing plastic products so that they continue to consume plastic and make money for the

plastics industry. As such, plastic waste issues can be blamed on those not ‘doing their part’ by recycling instead of pointing the finger at the manufacturers.

Recycling has become a part of our culture, but sadly it is not the solution we were promised. It was just a lie to make consumers believe that their waste could be safely disposed of so packaging manufacturers could continue to turn a profit. The bulk of the blame got shifted from the producers to the consumers and we believed it. Another study conducted by researchers showed that out of all the plastic ever produced, only 9% has been recycled (Mahdawi 2020). No waste management system in the world is equipped to deal with the sheer amount of plastics being produced. Which begs the question: Where does the other 91% go? Well, a majority of plastics either end up getting incinerated (releasing toxic chemicals into the atmosphere in the process), filling up our landfills, or scattered throughout terrestrial and marine environments (garbage patches), and even now our atmosphere ("space trash").

U.S.-based plastic companies recognized that recycling was not economically feasible on our own soil, resulting in the decision to ship a large majority of our plastics to China. Until three years ago, China was purchasing over 70% of the globe’s plastic, but in late 2019 China decided it would no longer accept foreign plastics. While frantically searching for a new place to stash our waste, the U.S. has been incinerating around 14% of plastic produced (Totterman 2020). Major plastic companies have now set their sights on Africa, and have been reportedly lobbying to send plastics there to be dealt with by someone else. I am disgusted by the indifference demonstrated here, which is clearly fueled by greed.

I want you all to ask yourself a question, “How do you imagine the issue of plastic pollution will play out? From start to end, how would you describe it?” The signs of plastic pollution are clear, but we are often too distracted to take notice of it. It is easy for people to grow apathetic about plastic waste when it is floating miles out to sea or is swept away to a developing country. Out of sight, out of mind. However, plastic pollution impacts are widespread, irreversible, and suffocating. Wildlife is the first to be hit, we find our plastic pollution in the trophic web of our ecosystems. Then we start to be affected ourselves, as plastic is indirectly consumed by humans through contamination of food and water. Less-developed nations that lack the means to deal with the sheer volume of plastic waste will be hit the hardest. The ones least impacted will be the powerful and wealthy, the same individuals who created the plastic, to begin with. The only way we get out of this situation is through immediate and meaningful policy like HB-2399 that limits plastic production. We can do better!

Mahalo for your time and consideration on an issue impacting all walks of life.

Michael D. Stone

**HB-2399-HD-1**

Submitted on: 2/28/2022 10:31:41 AM

Testimony for FIN on 3/1/2022 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Remote Testimony Requested</b>
Scott Cooney	Pono Home	Support	No

Comments:

Thank you for considering this bill. Extended Producer Responsibility (ERP) is greatly important to help Hawaii transition away from using our tax dollars to pay for things that producers should bare the cost of. There's similar laws elsewhere and in my opinion it makes a lot of sense for Hawaii. When a producer takes on the responsibility for the cost of their waste, they simply start to think more about the communities they serve and design waste out of their products, and it also helps level the playing field for producers that are doing the right thing and being responsible in the first place. I strongly urge passage of this bill, for our keiki if nothing else.



**HB-2399-HD-1**

Submitted on: 2/28/2022 10:33:16 AM

Testimony for FIN on 3/1/2022 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Remote Testimony Requested</b>
Marisa Miyashiro	Individual	Support	No

Comments:

As a resident that has been trying my best to reduce our household plastic waste, it is evident that the burden placed on individuals is unsustainable. While we have seen some increase in options for non-plastic packaging, it is not enough to make an impact on the amount of plastic packaging that continues to arrive into our State daily. I have personally spent many hours washing and removing labels from plastic containers to divert at least a small amount of my waste stream to the few places that are trying to provide solutions to this problem. I see family and friends who have the desire, but are not able to spend the time or physically manage all that is required in doing this. And I see that the organizations and businesses trying to help manage this problem are overwhelmed with both the amount of plastics, and the difficulty in getting clean, usable plastics from consumers. We cannot reasonably expect the general population to do this work. Reducing the amount of plastics being generated and used in our local economy would have much greater impacts, and place the burden on those who are ultimately responsible for the waste. Also, the costs of clean up efforts, overwhelmed landfills, impacts to our environment, and burdens to our businesses who are trying to use plastic alternatives should be considered. Thank you for considering my testimony.

**HB-2399-HD-1**

Submitted on: 2/28/2022 10:39:23 AM

Testimony for FIN on 3/1/2022 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Remote Testimony Requested</b>
Auston Stewart	Individual	Support	No

Comments:

This bill is a meaningful first step toward exposing and addressing the hidden costs of packaged goods sold in Hawai'i. Plastics and other packaging waste have significant environmental costs on top of the waste management expenses borne by local taxpayers rather than their producers and purveyors. Although this may result in a short-term increase in the cost of consumer packaged goods, failure to address this issue will have impose greater costs in the future. As a proponent of our nascent clean tech economy, taxing waste-producing packaging will incentivize local entrepreneurs to offer competitively priced, sustainable alternatives.

**HB-2399-HD-1**

Submitted on: 2/28/2022 10:47:26 AM

Testimony for FIN on 3/1/2022 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Remote Testimony Requested</b>
Nicole Larson	Individual	Support	No

Comments:

Given the geographically remote location of the Hawaiian Islands, it is imperative that we rapidly find ways to tackle the huge volume of waste that our islands produce. This bill is one way that we can begin the process of corporate accountability in our climate crisis. It is well known that there are a few global corporations that are responsible for the majority of plastic waste produced internationally. An EPR bill provides a mechanism for these corporations to take ownership and responsibility for the complete life cycle of the products that they produce, rather than just the production. The past decade has shown us that we can't recycle our way out of this plastic crisis, and yet these same corporations plan to increase plastic production by 3 times in the next decade. This is why Hawaii must pass HB2399 HD1, to create a mechanism for the corporations to take back their materials and close the loop, as well as to help fund critical infrastructure improvements that can help us reach diversion goals in the years to come. Hawaii as a state can and must protect itself from the excessive waste we allow to accumulate in our landfills, our open spaces, our oceans. This EPR plan is a necessary innovation. We don't need to recreate the wheel, we are following best practices from states that came before us with this type of critical legislation. Now is the time for action, there is no away and the existential threat of both climate change and the plastic crisis will only become bigger problems if not addressed immediately.

Thank You,

Nicole Larson

**HB-2399-HD-1**

Submitted on: 2/28/2022 11:13:26 AM

Testimony for FIN on 3/1/2022 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Remote Testimony Requested</b>
Ann Strong	Individual	Support	No

Comments:

I support this bill.

**HB-2399-HD-1**

Submitted on: 2/28/2022 11:24:20 AM

Testimony for FIN on 3/1/2022 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Remote Testimony Requested</b>
Natalie Wahl	Individual	Support	No

Comments:

I support this bill that seeks to establish an EPR program, collect fees from goods that produce a lot of packaging, and create a special fund to reduce packaging. E malama aina!

**HB-2399-HD-1**

Submitted on: 2/28/2022 11:25:47 AM

Testimony for FIN on 3/1/2022 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Remote Testimony Requested</b>
Danielle Lee	Individual	Support	No

Comments:

I support this bill and call on our legislators to support it to show that Hawai'i understands the systemic change needed for mitigating climate change.

Our planet has finite resources and we can not run on an infinite linear, extractive system. We must switch to circular systems in order to sustain ourselves as a species. Passing this bill would help encourage and support the development of reusable packaging programs.

Mahalo for the opportunity to submit testimony.

**HB-2399-HD-1**

Submitted on: 2/28/2022 11:34:18 AM

Testimony for FIN on 3/1/2022 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Remote Testimony Requested</b>
Rebecca Corby	Individual	Support	No

Comments:

I'm a 15 year Hawaii resident and I 100% support this measure to reduce waste in Hawaii. We need to hold the producers accountable, that is the source. These producers have the ability today to switch to compostable packaging, biodegradable packing and less packaging in general. We need to get rid of all this plastic in our islands. All the plastic harms wildlife and humans and is an eyesore to the beauty of Hawaii. Please pass this bill to protect the sacredness of hawaii and all its peoples and animals and plants. Producers can and should switch to better packaging and this bill will help make sure that happens ! Thank you for caring

**HB-2399-HD-1**

Submitted on: 2/28/2022 11:34:18 AM

Testimony for FIN on 3/1/2022 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Remote Testimony Requested</b>
Hayley Hina Barcia	Individual	Support	No

Comments:

Aloha,

I passionately support bill HB2399. When I see all the various plastic rubbish on the beach that has floated in from sea I wonder- who was drinking that bottle of water, that's cap journeyed around the ocean and ended up, covered in barnacles here? What company profited off of the bottle that is full of kai at the ocean floor slowly degrading into some creatures ecosystem? I am born and raised on Hawai'i Island and grew up exploring all the coastlines. I have been passionate about keeping the coasts clean since I was young and always do small kine individual beach clean ups. I feel like every year I see more and more trash and I think it is essential that producers have some sort of longer responsibility program! I also appreciate that this bill is looking forward to the future at reducing wastes and setting goals for 50% AND 80% reduction.

Mahalo to all those in active work to support this bill and care Hawai'i Nei's environmental future NOT just that of tourism and economy but the vital division of waste management,

Hayley Hina Barcia

PO Box 2079

Kea'au, HI 96749



**HB-2399-HD-1**

Submitted on: 2/28/2022 11:38:11 AM

Testimony for FIN on 3/1/2022 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Remote Testimony Requested</b>
David Yarber	Individual	Support	No

Comments:

I support Senate Bill 3246 for Extended Producer Responsibility. Similar laws are in place in Europe, Asia, Africa, South America, Australia, Canada, and Oregon. As an island State, Hawaii must be aware of its imports, especially single use beverage containers. Manufacturers and consumers should pay the full price of a good, including its post-use environmental impact. SB3245 passes the cost of single use containers on to manufacturers and establishes other environmental initiatives to help our State produce less waste and keep our beaches and environment beautiful, healthy, and clean.

**HB-2399-HD-1**

Submitted on: 2/28/2022 11:39:05 AM

Testimony for FIN on 3/1/2022 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Remote Testimony Requested</b>
janice palma-glennie	Individual	Support	No

Comments:

aloha,

i strongly support hb 2399, and so should you.

Toxic plastic waste is all around us and inside of us. Our state has a unique role to play in creating solutions to this avoidable, unfolding and ongoing environmental disaster, and HB2399 is particularly suited to Hawaii.

Corporations that produce the greatest volume of consumer goods have the resources needed to address the environmental crises caused by excess packaging waste -- and they should be held accountable for the damage they create. Among these corporations, sixteen of the top twenty are signatories to the Global Commitment for a New Plastics Economy. This means they have already pledged to reduce packaging waste and ensure that whatever remains is either reusable, recyclable or compostable. Let's help insure that the other 4 top industries do as well.

HB2399 positions the State to take full advantage of federal funding aimed at reducing waste. The bipartisan Infrastructure Investment and Jobs Act of 2021, includes a \$350M "Recycling Is Infrastructure Too" initiative. The EPR fund established via SB3246 provides a pool of matching funds that will greatly increase Hawaii's chances of receiving federal grant awards aimed at reducing waste. This is a gift horse we shouldn't look in the mouth.

please support HB2399 so we can start moving toward a more livable future.

mahalo and sincerely,

janice palma-glennie

kailua-kona

**HB-2399-HD-1**

Submitted on: 2/28/2022 11:41:00 AM

Testimony for FIN on 3/1/2022 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Remote Testimony Requested</b>
Claire C	Individual	Support	No

Comments:

I am in support of this bill because there is a cost for recycling and that cost should be paid for by the producers creating this waste.

**HB-2399-HD-1**

Submitted on: 2/28/2022 12:00:13 PM

Testimony for FIN on 3/1/2022 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Remote Testimony Requested</b>
Dee Fulton	Individual	Support	No

Comments:

I am in favor of the Extended Producer Responsibility bill. It's unjust that the costs related to disposal of packaging are left to the consumer/taxpayer. This bill's intent is to subsidize the costs of waste management by incentivizing the vendor to reduce packaging.

**HB-2399-HD-1**

Submitted on: 2/28/2022 12:02:48 PM

Testimony for FIN on 3/1/2022 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Remote Testimony Requested</b>
Meredith Buck	Individual	Support	No

Comments:

I strongly support HB2399.

**HB-2399-HD-1**

Submitted on: 2/28/2022 12:25:10 PM

Testimony for FIN on 3/1/2022 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Remote Testimony Requested</b>
Carley Atkins	Individual	Support	No

Comments:

I show my support and solidarity for the SB3246 testimony. We are in a climate crisis and as a Pacific Islander it is my duty to hold us all accountable to enact true change for hope. Our Pacific ‘Ohana are becoming the first climate change refugees... what is we are next? Let us do our part together and create positive change.

**HB-2399-HD-1**

Submitted on: 2/28/2022 12:52:02 PM

Testimony for FIN on 3/1/2022 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Remote Testimony Requested</b>
Stuart Coleman	Individual	Support	No

Comments:

Aloha Chair Luke, Vice Chair and Committee Members,

I am writing in support of HB2399 HD1, which would collect fees from top producers of consumer-packaged goods (meaning Hawaii producers would not be affected) and create an EPR fund that will be used to transition Hawaii towards reusable packaging systems, and, in the interim, create programs that will divert packaging waste from landfilling and incineration. This will actually save money for the counties and citizens by gradually transitioning the costs of plastic pollution back to those large national and international corporations who created the products and collect the profits. It's a circular economy approach that is long overdue. Mahalo for your consideration.

Aloha, Stuart Coleman, 2927 Hibiscus Pl., Hon., HI 96815

**HB-2399-HD-1**

Submitted on: 2/28/2022 2:07:35 PM

Testimony for FIN on 3/1/2022 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Remote Testimony Requested</b>
Isabella Brandes	Individual	Support	No

Comments:

Aloha,

My name is Isabella Brandes and I am a Hawai'i resident. I'm writing in support of HB 2399 to hold businesses accountable for the waste that they introduce with their products. Hawai'i needs this measure to help our oceans and take Kūleana for packaging and waste. In our islands especially, plastic waste and packaging has had detrimental effects on our environment and oceans and needs to be addressed. Please vote in support of this bill, for Hawai'i's sake.



**HB-2399-HD-1**

Submitted on: 2/28/2022 3:24:33 PM

Testimony for FIN on 3/1/2022 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Remote Testimony Requested</b>
anne zellinger	Individual	Support	No

Comments:

Companies who are profiting from creating non recyclable containers are not part of the community effort to reduce landfills and our carbon foot print, in fact they are making money at the expense of future generations. Environmental cost should be part of their business plan as well as the ethical foundation of their mission statement.

Thank you,

Anne Zellinger

## HB 2399 HD 1 TESTIMONY

To: House Committee on Finance  
Hearing on March 1, 2022 at 12:30 p.m.

From: John Kawamoto

Position: Support

The Earth is being overwhelmed by waste, and much of it is material used to package the myriad of products sold in a container of some sort. To reduce the waste, this bill makes the producers of the those products responsible for the packaging material. It won't eliminate the waste completely, but it's an admirable first step.

**HB-2399-HD-1**

Submitted on: 2/28/2022 5:39:43 PM

Testimony for FIN on 3/1/2022 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Remote Testimony Requested</b>
Celeste Barcia	Individual	Support	No

Comments:

To Whom it May Concern,

I am writing as a concerned and conscientious citizen and public school teacher. I am in strong support of Bill HB 2399. Please consider this important step in reducing the amount of packaging producers of products. If we are able to This bill will require producers of packaging waste to take a role and responsible for the the products they make. We as consumers can make decisions in how we purchase, but ultimately, it would be best for our island environment, if everyone took responsibility for the severe issues we face when it comes to plastic packaging and disposal of such items. There does not appear to be a plan in place for recycling plastics, for instance. Therefore, we should make every effort to reduce the amount being produced. We need to be proactive in order to decrease the environmental impact of packaging. We all need to do better to preserve our unique island environment.

**HB-2399-HD-1**

Submitted on: 3/1/2022 9:19:09 AM

Testimony for FIN on 3/1/2022 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Remote Testimony Requested</b>
Danielle Gross	Individual	Support	No

Comments:

Extended producer responsibility for packaging is so important for an island like ours where we have limited space for landfills and precious resources to protect. As island residents we have grown up enjoying the clean air, water and land and it's going to take more of an effort to keep it that way for our kids and grandkids to enjoy that same environment. Companies that make non-recyclable and non-compostable single use materials that are intended to be disposable should help our island raise funds to figure out how to deal with the waste they are contributing. It's non acceptable this day in age to have no plan on how to recycle, compost, or usefully repurpose their products. They are able to gain wealth off creating waste that will pile up more and more and sit in our landfills forever.