



STATE OF HAWAII
HAWAII CLIMATE CHANGE MITIGATION & ADAPTATION
COMMISSION
POST OFFICE BOX 621
HONOLULU, HAWAII 96809

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Director, Hawai'i DP
Director, Kaua'i DP
The Adjutant General
Manager, CZM

**Testimony of
Leah Laramee
Coordinator, Hawai'i Climate Change Mitigation and Adaptation Commission**

**Before the House Committees on
ENERGY & ENVIRONMENTAL PROTECTION**

**Thursday February 8, 2024
9:30 AM**

State Capitol, Via Videoconference, Conference Room 325

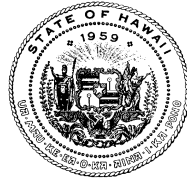
**In consideration of
HOUSE BILL 2740
RELATING TO THE ENVIRONMENT**

House Bill 2740 establishes the Hawai'i zero waste initiative to manage the State's transition to a zero solid waste economy. **The Climate Change Mitigation and Adaptation Commission (Commission) supports this bill.**

The Commission consists of a multi-jurisdictional effort between 20 different departments, committees, and counties. Much of the plastic waste that is disposed of in landfills results in the release of both methane and carbon dioxide. Per the most recent Inventory Report, U.S. landfills released an estimated 122.6 million metric tons of carbon dioxide equivalent (MMTCO_{2e}) of methane into the atmosphere in 2021; this represents 16.9 percent of the total U.S. anthropogenic methane emissions across all sectors.¹ Materials consumption contributes directly to climate change because it requires energy to mine, extract, harvest, process and transport raw materials; more energy to manufacture, transport and dispose of waste products. Landfills are the top human-caused source of methane and the incineration of waste produces carbon dioxide as a by-product. Methane is more than 28 times as potent as carbon dioxide at trapping heat in the atmosphere. Those items that can be recycled often are not for a variety of factors. The best way to reduce greenhouse emission from products is to eliminate packaging waste as much as possible. EPA estimates by cutting the amount of waste we generate by just 5 percent, we could reduce greenhouse gas emissions by 10.2 million metric tons.² Mahalo for the opportunity to testify in support of this measure.

¹<https://www.epa.gov/lmop/frequent-questions-about-landfill-gas#:~:text=Per%20the%20most%20recent%20Inventory,methane%20emissions%20across%20all%20sectors.>

² <https://archive.epa.gov/wastes/conserve/tools/payt/web/html/factfin.html>



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

**Testimony COMMENTING on HB2740
RELATING TO THE ENVIRONMENT.**

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

Hearing Date: February 8, 2024

Room Number: 325

1 **Fiscal Implications:** Not applicable.

2 **Department Testimony:** This measure seeks to implement the Hawaii Zero Waste Initiative to
3 1) Facilitate a transition from a linear waste economy to a circular waste economy; 2) Establish
4 policies and programs that reduce waste and consumption and maximize reuse, refill,
5 composting, and recycling; 3) Seek to reduce the amount of toxic and hazardous waste that is
6 imported into the State and poses a risk to air quality, water quality, and groundwater resources
7 and otherwise creates dangerous pollution when used or disposed of; 4) Where feasible, seek
8 market-based solutions that internalize the external costs to producers that have been borne by
9 taxpayers in the past, beginning with considering programs for products that have successful
10 extended producer responsibility programs in other jurisdictions, including but not limited to
11 carpets, large appliances, electronic waste, packaging waste, prescription drugs, batteries, paint,
12 pesticides, tires, photovoltaic panels, used motor oil, and mattresses; 5) Seek to learn from
13 policies implemented in other jurisdictions, while also considering the State's unique needs and
14 the needs of each county; 6) Work with other state agencies, counties, and the private sector to
15 implement the Hawaii zero waste initiative; 7) Conduct public outreach and education statewide
16 about the Hawaii zero waste initiative; and 8) Provide an annual report to the legislature on the
17 progress and implementation of the Hawaii zero waste initiative.

18 The Department of Health (Department) agrees with the intent of this measure. However
19 we recommend against creating new statute as that may create unintended conflicts with existing

1 statute. Instead, we suggest that the proposed goals and duties can be addressed by amending
2 Hawaii Revised Statute (HRS) Chapter 342G “Integrated Solid Waste Management.”

3 The Department offers the following comments on the existing elements of HRS 342G
4 for the Legislature’s consideration in deciding if the proposed amendments are needed:

5 Most of the goals and functions proposed by this bill exist in HRS 342G “Integrated
6 Solid Waste Management.” HRS 342G-2 “Solid Waste Management Priorities” sets “source
7 reduction” as the first priority for state and county solid waste management programs. “Source
8 reduction” is defined as: the design, manufacture, and use of materials to: (1) Minimize the
9 quantity or toxicity, or both, of the waste produced; and (2) Reduce the creation of waste either
10 by redesigning products or by otherwise changing societal patterns of consumption, use, or waste
11 generation. The definition encompasses the basic principles of the Zero Waste approach while
12 also allowing for other approaches that may be formulated in the future. Additionally, most of
13 the functions and activities proposed in the bill exist, either explicitly or implicitly, in HRS
14 342G-14 “Powers and duties of the office of solid waste management.”

15 **Offered Amendments:** None

16 Thank you for the opportunity to testify.

COUNTY COUNCIL

Mel Rapozo, Chair
KipuKai Kualii, Vice Chair
Addison Bulosan
Bernard P. Carvalho, Jr.
Felicia Cowden
Bill DeCosta
Ross Kagawa



OFFICE OF THE COUNTY CLERK

Jade K. Fountain-Tanigawa, County Clerk
Lyndon M. Yoshioka, Deputy County Clerk

Telephone: (808) 241-4188
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Council Services Division
4396 Rice Street, Suite 209
Lihu'e, Kaua'i, Hawai'i 96766

February 5, 2024

TESTIMONY OF ADDISON BULOSAN
COUNCILMEMBER, KAUAI COUNTY COUNCIL
ON
HB 2740, RELATING TO THE ENVIRONMENT
House Committee on Energy & Environmental Protection
Thursday, February 8, 2024
9:30 a.m.
Conference Room 325
Via Videoconference

Dear Chair Lowen and Members of the Committee:

Thank you for this opportunity to provide testimony in SUPPORT of HB 2740, Relating to the Environment. My testimony is submitted in my individual capacity as a member of the Kaua'i County Council.

I wholeheartedly support the intent of HB 2740, which would greatly affect the Kaua'i community.

Thank you again for this opportunity to provide testimony in support of HB 2740. Should you have any questions, please feel free to contact me or Council Services Staff at (808) 241-4188 or via email to cokcouncil@kauai.gov.

Sincerely,

ADDISON BULOSAN
Councilmember, Kaua'i County Council

AAO:ss

HB-2740

Submitted on: 2/2/2024 10:36:21 AM

Testimony for EEP on 2/8/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Alexandra Kahn	PlanIt Branding	Support	Written Testimony Only

Comments:

I am in full support of this bill.

Mahalo!



To: The Honorable Representative Nicole Lowen, Chair, the Honorable Elle Cochran, Vice Chair, and Members of the Committee on Energy and Environmental Protection.

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

Re: Hearing **HB2740 RELATING TO THE ENVIRONMENT**

Hearing: Thursday February 8, 2024 9:30 a.m.

Aloha Chair Lowen, Vice Chair Cochran, and Energy and Environmental Protection Committee Members:

The Hawai'i Reef and Ocean Coalition (HIROC) is a group of scientists, educators, filmmakers and environmental advocates who have been working since 2017 to protect Hawaii's coral reefs and ocean. HIROC is deeply concerned about the impact the state's waste handling has on Hawaii's public health and environment!

The Hawai'i Reef and Ocean Coalition STRONGLY SUPPORTS HB2740!

Hawai'i currently has an expensive and unsustainable waste handling system. Every county is facing serious landfill capacity issues. Our waste handling system costs, including for visitors, fall on the small base of county taxpayers. We handle waste by linear disposal (use and dispose) rather than in a circular fashion (reduce, reuse, compost and recycle).

Hawai'i should put circular waste economy principles at the center of the State's waste management strategies. With such an initiative, State and county agencies tasked with overseeing solid waste management would prioritize source reduction, reuse, refill, organic waste diversion, and the improvement of recycling services for waste that cannot be avoided or reused.

The adoption of a zero-waste initiative would also create green jobs and reduce costs for waste management that are currently borne by taxpayers. It would also address environmental and public health concerns posed by Hawaii's overflowing landfills. A zero waste initiative could lay the foundation to create a sustainable future for Hawaii and its residents by reducing waste, minimizing resource inputs, and promoting a closed-loop system through reduction, reuse, composting and recycling that will benefit the environment, the economy, and county taxpayers.

Please pass this bill.

Mahalo!

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



FOODSERVICE PACKAGING
INSTITUTE®

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Chair Lowen
Vice Chair Cochran
Members, House Committee on Energy & Environmental Protection

February 7, 2024

House Bill 2740 – Relating to the Environment – OPPOSE

Thank you for the opportunity to express our respectful opposition to *House Bill 2740 – Relating to the Environment* (HB 2740).

The Foodservice Packaging Institute (FPI) was founded in 1933 and is the leading authority on foodservice packaging in North America. We support the responsible use of all foodservice packaging, while advocating for a fair and open marketplace for all materials. FPI's core members include raw material and machinery suppliers as well as packaging manufacturers, which represent approximately 90 percent of the industry. Additionally, some distributors and purchasers of foodservice packaging are part of FPI's affiliate membership.

As previously stated, the foodservice packaging industry is committed to reducing the environmental impact of its products and is dedicated to improving their recovery. FPI has several special interest groups that bring together the supply chain to develop and promote economically viable and sustainable recovery solutions for foodservice packaging. These special interest groups include the Paper Recovery Alliance, Plastic Recovery Group, Paper Cup Alliance and Foam Recycling Coalition (FRC). More information on these groups and their efforts can be found [here](#).

FPI supports policies and initiatives that facilitate the improved recovery and diversion of foodservice packaging. It is our perspective that if amended [HB 1688](#) represents the best path forward to reducing waste and improving the recovery and diversion of packaging in Hawaii, per our comments to the committee on this proposal. As such, we are opposed to HB 2740 which we consider to be a conflicting proposal to HB 1688.

We appreciate your consideration of this written testimony in opposition to HB 2740.

Sincerely,



Carol Patterson
Vice President, Government Relations
cpatterson@fpi.org

Testimony in OPPOSITION
to
HB 2740
in
House Committee on Environment & Energy on
February 8, 2024

The Flexible Packaging Association (FPA) is submitting testimony **in opposition to HB 2740**, which gives the Department of Health a sweeping mandate to regulate what Hawaiians can import under the guise of a “zero waste initiative” in the State of Hawaii.

I. Background on FPA & Flexible Packaging

I am John Richard, Director of Government Relations at FPA, which represents flexible packaging manufacturers and suppliers to the industry in the U.S. Flexible packaging represents \$42.9 billion in annual sales; is the second largest, and fastest-growing segment of the packaging industry; and employs approximately 85,000 workers in the United States. Flexible packaging is produced from paper, plastic, film, aluminum foil, or any combination of these materials, and includes bags, pouches, labels, liners, wraps, rollstock, and other flexible products.

These are products that you and I use every day—including hermetically sealed food and beverage products such as cereal, bread, frozen meals, infant formula, and juice, as well as sterile health and beauty items and pharmaceuticals, such as aspirin, shampoo, feminine hygiene products, and disinfecting wipes. Even packaging for pet food uses flexible packaging to deliver fresh and healthy meals to a variety of animals. Flexible packaging is also used for medical device packaging to ensure that the products packaged, like diagnostic tests, IV solutions and sets, syringes, catheters, intubation tubes, isolation gowns, and other personal protective equipment maintain their sterility and efficacy at the time of use. Trash and medical waste receptacles use can liners to manage business, institutional, medical, and household waste. Carry-out and take-out food containers and e-commerce delivery, which became increasingly important during the pandemic, are also heavily supported by the flexible packaging industry.

Thus, FPA and its members are particularly interested in solving the plastic pollution issue and increasing the recycling of solid waste from packaging. Unfortunately, we believe HB 2740 complicates efforts to create a solid foundation for Hawaii’s critical EPR program.

Flexible packaging is in a unique situation as it is one of the most environmentally sustainable packaging types from a water and energy consumption, product-to-package ratio, transportation efficiency, food waste, and greenhouse gas emissions reduction standpoint, but circularity options are limited. There is no single solution that can be applied to all communities when it comes to the best way to collect, sort, and process flexible packaging waste. Viability is influenced by existing equipment and infrastructure; material collection methods and rates; volume and mix; and demand for the recovered material. Single-material flexible packaging, which is approximately half of the flexible packaging waste generated, can be mechanically recycled through store drop-off programs, however, end markets are scarce. The other half can be used to generate new feedstock, whether through pyrolysis, gasification, or fuel blending.

Developing end-of-life solutions for flexible packaging is a work in progress and FPA is partnering with other manufacturers, recyclers, retailers, waste management companies, brand owners, and other organizations to continue making strides toward total packaging recovery. Some examples include The Recycling Partnership (TRP); the Materials Recovery for the Future (MRFF) project; the Hefty® ReNew® Program; and the University of Florida's Advanced Recycling Program. All of these programs seek to increase the collection and recycling of flexible packaging. Increasing the recycled content of new products will not only create markets for the products, but will also serve as a policy driver for the creation of a new collection, sortation, and processing infrastructure for the valuable materials that make up flexible packaging.

It is with this background that FPA provides this testimony in opposition of an overly broad mandate at the Department of Health to reduce waste.

II. The Zero Waste Initiative Mandate at DOH Is Too Broad

Under the Hawaii Zero Waste Initiative, the Department of Health will be charged with sending zero waste to the landfill or incineration. To accomplish this goal, the Department of Health will have broad power to “reduce waste and consumption and maximize reuse, refill, composting, and recycling.” While managing materials at the end of their lives is critical to achieving a circular economy, it is critical for these policies to balance the interest of all stakeholders through legislative guide rails for agency officials to follow. HB 1688 is a valiant first step towards circularity and has considered the proper role of the Department of Health in that transition. FPA and its members believe getting HB 1688 into a position where manufacturers can participate and support circularity efforts should replace the sweeping mandate at DOH.

III. DOH Is Charged With Reducing Imports to Hawaii

HB 2740 directs the Department of Health to “reduce the amount of toxic and hazardous waste” that is imported into the State without establishing a process for determining toxic or hazardous waste. FPA and its members need clarity on what types of products legislators intend for the Department of Health to reduce or ban in the State of Hawaii in order to proactively prepare our products to ensure Hawaiians can continue to get critical products like food and medical devices that our packaging protects. This concern can be addressed by adopting the United States Environmental Protection Agency’s Toxic Substances Control Act Inventory or codifying a different process for the Department of Health to follow. Legislators should also consider whether the Department of Health’s mission includes import monitoring and evaluation.

IV. Incineration’s Unique Role in Hawaii

FPA encourages legislators to think about the effect of sending zero waste to incineration in Hawaii. The City and County of Honolulu’s Department of Environmental Services outlined that H-Power converts approximately 2,000 tons of waste per day into enough electricity to power 60,000 homes. H-Power produces 10% of Oahu’s electricity and reduces Hawaiian dependence on imported oil while reducing the volume of waste in landfills by 90%. Innovative efforts with such demonstrable real-world effects should be encouraged in any zero-waste initiative. The Department of Health should also coordinate with the State Energy Office to ensure any loss in energy does not have unintended effects on Hawaiians as a result of this initiative.

V. Conclusion & Next Steps

For these reasons, FPA opposes HB 2740 and instead encourages fixes to HB 1688 in order to create a strong foundation for a circular economy for packaging, which would provide the necessary investment in new infrastructure and markets for all packaging, including flexible packaging. In advance, thank you for your consideration. If we can provide further information or answer any questions, please do not hesitate to contact me at (443) 534-3771 or jrichard@flexpack.org.

Respectfully,



John J. Richard
Director, Government Affairs
Flexible Packaging Association



american cleaning institute®

Thursday, February 8, 2024

Chairwoman Nicole Lowen
Committee on Energy and Environmental Protections
Hawai'i State House of Representatives

Re: Testimony from the American Cleaning Institute on HB 2740 – Opposed

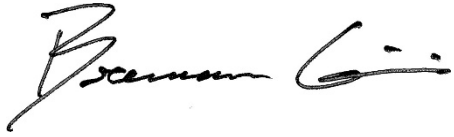
Thank you for the opportunity to provide testimony on HB 2740 which is being heard before your committee. The American Cleaning Institute (ACI) – the trade association representing the entire supply chain for the detergent and cleaning product industry – has a vested interest in ensuring packaging, such as that being affected by this legislative proposal, is responsibly managed throughout its entire lifecycle. This is exemplified through our industry goal to eliminate all cleaning product packaging waste by 2040. Our members are making great strides in this effort by reducing our packaging usage and incorporating more recycled content into the package that gets introduced into the market.

Our members have been involved in the development and implementation of extended producer responsibility programs for packaging around the globe, and more recently here in the United States. We have learned from experience what makes a program successful and support efforts that are well-targeted toward reducing waste and conserving resources. We support the effort to minimize packaging use – as exemplified by our industry's goals and achievements thus far – however we do not believe this proposal is the proper policy solution.

HB 2740 is overly broad and would grant the Department of Health authority to establish a statewide extended producer responsibility (EPR) program through rulemaking without legislative approval or other key prior components such as a needs assessment and stakeholder engagement – which we do not believe is the intention. ACI would like to point to our support of HB 1688, which would begin the process of achieving the desired outcomes of HB 2740, by going through the proper preliminary steps of conducting a needs assessment and properly understanding the recycling needs and landscape of Hawaii before moving forward with a complex policy proposal like EPR.

We would like to reiterate that ACI members support efforts to reduce packaging waste. We hope the Legislature will take more time to contemplate ACI input on this bill. ACI looks forward to providing necessary input regarding the performance of our products and packaging to achieve desired policy goals.

Sincerely,

A handwritten signature in black ink, appearing to read "Brennan Georgianni". The signature is fluid and cursive, with the first name being more prominent.

Brennan Georgianni
Senior Director, State Government Affairs
BGeorgianni@cleaninginstitute.org



The power of packaging in balance.™

AMERIPEN
American Institute for Packaging and the Environment

Opposition
to
House Bill 2740
Hawaii Zero Waste Initiative

House Energy & Environmental Protection Committee
February 8, 2024

Chair Lowen, Vice Chair Cochran and Members of the House Energy and Environmental Protection Committee.

AMERIPEN – the American Institute for Packaging and the Environment – appreciates the opportunity to provide written testimony on House Bill 2740 (Lowen) that seeks to establish a zero-waste initiative in the state of Hawaii. AMERIPEN has developed principles to aid packaging recovery and recycling systems and we support the goals of diverting packaging waste from landfills and incineration, AMERIPEN members are actively reducing their environmental impact by increasing the circularity of the packaging they design. AMERIPEN agrees that well designed extended producer responsibility programs are an essential component of a circular waste economy but disagrees that HB 2740 is the vehicle to get Hawaii there.

AMERIPEN is a trade association dedicated to improving packaging and the environment. We are the only material-inclusive packaging industry trade association in the United States representing the entire packaging supply chain. This includes materials suppliers, packaging manufacturers, consumer packaged goods companies, and end-of-life materials managers. Our membership also includes a robust array of industry, material, and product-specific trade associations who are essential to the AMERIPEN fabric. We focus on science and data to support our public policy positions, and our advocacy and policy engagement is based on rigorous research rooted in our commitment to achieve sustainable packaging policies. The packaging industry supports more than 2,500 jobs and accounts for more than \$728 million in total economic output in Hawaii.

Packaging plays a vital role in Hawaii, ensuring the quality of consumer goods as they are manufactured, shipped, stored, and consumed. Packaging has value and none of it belongs in landfills, roadsides or waterways. We need to recover it to be recycled and reused, and no one knows better how to do that than the AMERIPEN members who design, supply, produce, distribute, collect, and process it. They are driving innovation, designing packaging for better environmental performance to boost recycling, modernize the recycling infrastructure and divert waste from landfills.

AMERIPEN supports policy solutions, including packaging producer responsibility, that are:

- **Results Based:** Designed to achieve the recycling and recovery results needed to create a circular economy.
- **Effective and Efficient:** Focused on best practices and solutions that spur positive behaviors, increase packaging recovery, recapture material values and limit administrative costs.
- **Equitable and Fair:** Focused on all material types and funded by shared cost allocations that are scaled to make the system work and perceived as fair among all contributors and stakeholders.

AMERIPEN recognizes the health of packaging recovery and recycling, and waste management systems are critical and there is a shared responsibility that producers can play in improving these systems. Unfortunately, HB 2740 gives too much authority to the Department of Health to establish policies and programs to reduce waste, consumption and maximize reuse, refill, composting, and recycling. HB 2740 does not give the Department any direction on how to set up various programs that will get to the goal of a zero waste Hawaii. AMERIPEN believes that this committee has the proper vehicle that will also be heard today – House Bill 1688 by Representative Lowen. This bill will create the needs assessment that Hawaii

desperately needs to determine what waste is currently being disposed of on the island and what other opportunities may exist or can be implemented to deal with waste outside of landfilling. HB 1688 will allow stakeholders to work together to obtain the correct data that will help create a circular model for packaging recovery and recycling in Hawaii.

In conclusion, AMERIPEN is opposed to HB 2740, as it will stifle any true progress that Hawaii and the Department of Health could make on circularity. We support the continued conversations with the Chair and the committee on other legislative options and request that HB 2740 not move forward.

Sincerely,



Dan Felton
Executive Director – AMERIPEN

February 8, 2024

Representative Nicole Lowen, Chair
Committee on Energy and Environmental Protection
Conference Room 325
State Capitol
415 South Beretania Street
Honolulu, HI 96813

Re: CTA Oppose – HB2740 – Relating to the Environment. Establishes the Hawaii zero waste initiative to manage the State’s transition to a zero waste economy

Dear Chairperson Lowen, Vice Chairperson Cochran, and Committee Members:

The Consumer Technology Association™ (CTA®) respectfully submits written testimony to express our concerns and opposition to House Bill No. 2740 (HB2740) which establishes the Hawaii zero waste initiative to manage the State’s transition to a zero waste economy.

For more than a decade, CTA’s members have supported electronics recycling under Hawaii’s Electronic Device Recycling and Recovery Law. We understand what it means for producers to be involved in the end-of-life management of products and bring that lens and experience to the dialogue on EPR for packaging. EPR is a complex policy and there is no “one size fits all” solution. Our member companies have been committed to achieving more sustainable packaging design by reducing their packaging, switching to more sustainable materials, and increasing recycled content rates. We support Hawaii’s goal to improve their recycling infrastructure, but we do not believe this bill is the right path forward. We offer the following comments.

Industry Collaboration Key to a Successful Program: Our primary concern is that HB2740 gives too much authority to the Department of Health to create an extended producer responsibility (EPR) plan, which this bill references as the zero waste initiative. All entities – including consumers, governments, material recovery facilities (MRF), recyclers and producers – have a role and responsibility in improving upon and addressing the challenges of the current recycling system. Unfortunately, HB2740 is too vague and provides limited control for producers to provide feedback and collaborate on the development of the performance goals. Producers are the entities ultimately held responsible for these program goals.

CTA believes there is a need for a producer responsibility organization (PRO), if EPR for packaging is going to succeed. Many other states that have passed EPR packaging laws have included a PRO to aid in upgrading their recycling infrastructure. PROs play an important role by allowing producers to have an active role in not only the funding mechanisms but also in giving feedback on achieving the performance goals outlined in the legislation. The Department and producers should share in the responsibility to have oversight in the packaging producer responsibility program.

Needs Assessment: CTA expresses concern that there is no inclusion of a needs assessment in HB2740. A needs assessment is crucial for packaging EPR to be successful. CTA encourages a needs assessment to be developed through a collaborative stakeholder engagement process and include the following provisions:

- Current recycling, composting, collection, and hauling systems in the state and the expanded access and additional recycling or composting options needed for enhancements to these systems.
- The processing capacity and infrastructure in the state and regionally and what is needed to improve that capacity.
- Consumer education needs for recycling, composting, reuse, and waste reduction.
- Funding needs and actions necessary to achieve reduction and performance goals.
- A review of recent packaging reductions and how future reductions could lead to increased product breakage, meaning more solid landfill waste.
- Lifecycle analysis of different packaging materials and a comparison of how material substitutes may increase emissions.
- Actions and investments necessary to provide sufficient access to collection, recycling, composting, processing, and transportation to viable responsible end markets.
- Funding needs for the transport of materials from remote or rural areas to centralized sorting facilities, brokers, or viable end markets.

Performance goals: If reduction and reuse rates must be established, CTA believes they should be set by the producer responsibility organization (PRO) as informed by the needs assessment and in consultation with the Advisory Council, and Hawaii Department of Health. Goals should be focused on actions that move the needle toward higher rates – increasing consumer access, reducing contamination, and addressing infrastructure needs and inadequacies.

Additionally, we request that any legislative or regulatory approach on packaging not hinder the rapid innovation of the consumer technology industry. Some mandates of EPR approaches can stifle packaging flexibility; impact the safe delivery of products; increase solid waste through the breakage of products and ultimately raise costs for consumers. CTA also notes that a patchwork of varying laws across multiple jurisdictions creates confusion for consumers, loses any hope for economies of scale and increases regulatory burdens on industry.

Conclusion: CTA appreciates the opportunity to provide written testimony on HB2740 and welcomes further discussion with the Committee. We strongly encourage a comprehensive stakeholder engagement process on the development of these policies in order for a successful program to be implemented. As written, we do not believe HB2740 is the solution that will transition Hawaii to a zero waste economy and respectfully oppose this legislation. Please do not hesitate to contact me with any questions or requests for additional information.

Sincerely,



Ally Peck
Senior Manager, Environmental and Sustainability Policy
apec@cta.tech
C: (703) 395-4177



Sally Jefferson
Director, Western States

THE HOUSE OF REPRESENTATIVES
THE THIRTY-SECOND LEGISLATURE
REGULAR SESSION OF 2024

COMMITTEE ON ENERGY AND ENVIRONMENTAL PROTECTION

February 8, 2024

Testimony in Opposition to HB 2740

Chair Lowen, Vice Chair Cochran and Members of the Committee:

Thank you for the opportunity to submit written testimony on HB 2740 RELATING TO THE ENVIRONMENT. Wine Institute is a public policy association representing more than 1,000 California wineries and associate members. Our members are committed to sustainability with over 80% of California's wine production certified under a statewide sustainability program that encourages waste reduction, reusability, the use of products with recycled content, takeback of recyclable packaging, and the use of non-toxic materials.

We are committed to participating in discussions regarding the development of efficient and effective means for handling wine packaging. While we support the objective of reducing solid waste and recovering more wine packaging, we have significant concerns with HB 2740. It would establish a new Department of Health program for achieving zero solid waste that cedes authority to the Department for establishing and carrying out policies and programs for implementing this legislation, which is broad and ambiguous in its scope, costs and requirements.

Furthermore, establishing a program as envisioned in SB 2740 is at cross purposes with any efforts for conducting a comprehensive statewide needs assessment which is imperative in order to inform the creation and establishment of any statewide program for successfully managing the reduction, reuse and recycling of solid waste materials.

We strongly urge working with stakeholders including producers and material suppliers in developing a waste management system that is feasible, efficient and effective. Thank you for the opportunity to share Wine Institute's concerns with HB 2740. We greatly appreciate the consideration of our views.



Date: February 8, 2024

To: The Honorable Chair Lowen, Vice Chair Cochran, and Members of the Energy and Environmental Protection Committee
From: Hawaii Environmental Change Agents (HECA) - Solid Waste Task Force
Re: HB2740 - Hawai'i Zero Waste Initiative

Aloha Chair Lowen, Vice Chair Cochran, and Members of EEP Committee,

The HECA Solid Waste Task Force is **in support** of HB2740 which establishes the Hawai'i zero waste initiative to manage the State's transition to a zero solid waste economy. The Solid Waste Task Force supports policies that follow the zero waste hierarchy which prioritizes waste reduction and reuse ahead of recycling/composting and considers incineration as an unacceptable means to manage solid waste.

This legislation will set us on the path to address our solid waste management needs. Every county in the state is facing landfill capacity issues. We are islands and we need to reduce the amount of waste we generate. Most of what we throw away are wasted resources. **Zero Waste is defined as 90% diversion**, it is achievable if we put our minds to achieve this goal. We must first rethink and redesign our products and systems, reduce and reuse to prevent waste from being created in the first place, and finally focus on composting, recycling, refurbishing, repairing, or repurposing what remains.

Mahalo nui loa,

~HECA Solid Waste Task Force

Jennifer Navarra, Ted Bohlen, Ruta Jordans, Jolie Ryff, and Michele Mitsumori



**TESTIMONY OF TINA YAMAKI, PRESIDENT
RETAIL MERCHANTS OF HAWAII
FEBRUARY 8, 2024
Re: HB 2740 RELATING TO THE ENVIRONMENT**

Good morning, Chair Lowen and members of the House Committee on Energy & Environmental Protection. I am Tina Yamaki, President of the Retail Merchants of Hawaii and I appreciate this opportunity to testify.

The Retail Merchants of Hawaii was founded in 1901 and is a statewide, not for profit trade organization committed to supporting the growth and development of the retail industry in Hawaii. Our membership includes small mom & pop stores, large box stores, resellers, luxury retail, department stores, shopping malls, on-line sellers, local, national, and international retailers, chains, and everyone in between.

We respectfully OPPOSE HB 2740 Relating to the Environment. This measure establishes the Hawai'i zero waste initiative to manage the State's transition to a zero solid waste economy.

Retailers are supportive of recycling initiatives that are reasonable. We must remember that packaging of products is a necessity to ensure that the products come to the consumer damage free as well as ensuring their freshness. With the price increase of products, no one wants to purchase stale or damaged items.

We believe that an unbiased study should be done that is comprehensive of what Hawaii has. While we understand the want for a Zero Waste Initiative, we should understand what is fully involved and the needs and costs to make it happen as well as the limitations we have being an island state. While it is great to look at examples of what other states and nations are doing, we must look at the bigger picture as well. Hawaii does not have infrastructures in place like those on the mainland or in other foreign countries. Without the necessary infrastructure for efficient waste collection, sorting, and recycling, achieving zero waste becomes much more challenging and some materials may be costly to recycle.

In addition, while this measure: *Requires the department of health to work with other state agencies, counties, and the private sector to implement the Hawaii zero waste initiative* - we wonder who is being referred to in the private sector and if any businesses would be included in the working group to implement a Zero Waste Initiative.

This type of legislation would have an impact on businesses in Hawaii, especially if the intent is to have the responsibility of the producers to pay for the initiative or mandate that they change packaging, Hawaii must remain cautious as the producers may no longer bring in products or cost will be passed on to the consumer who will see a significant increase in the cost of food and goods.

Furthermore, most of the manufacturers where the products are made are on the mainland and not Hawaii based. Hawaii's consumer base is exceedingly small compared to the mainland. States like California have an exponentially larger consumer base that can change the way packaging of goods is done. However, Hawaii does not have that luxury.

We must take into consideration that Hawaii is not like on the mainland. We do not have recycling facilities in our state. Hawaii also can NOT truck out or use rail to transport recyclable items to nearby recycling facilities including those in neighboring states. Most of the recyclable materials must be shipped out of Hawaii to a facility on the mainland or internationally that has a recycling facility. In the past couple of years, we have seen shipping costs increase significantly adding onto operational cost. This includes not only to and from the State, but also to and from our neighbor islands as well. We would also like to point out that some of the retailers ship out a lot of their recyclable material out of the state themselves.

We must remember that any time we touch retail, the cost is passed onto the consumer, making prices in Hawaii escalate and continue to keep our state one of the most expensive to live in.

Mahalo again for this opportunity to testify.

HB-2740

Submitted on: 1/31/2024 7:24:45 PM

Testimony for EEP on 2/8/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Justin Silva	Individual	Oppose	Written Testimony Only

Comments:

Establishes the Hawaii zero waste initiative to manage the State's transition to a zero solid waste economy

HB-2740

Submitted on: 2/6/2024 3:35:56 PM

Testimony for EEP on 2/8/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Ruta Jordans	Individual	Support	Written Testimony Only

Comments:

It is about time for Hawaii to develop a circular economy. Being in the middle of the Pacific Ocean makes it especially important that we minimize waste but maximize reuse and recycling. Please support.

HB-2740

Submitted on: 2/6/2024 4:25:01 PM

Testimony for EEP on 2/8/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Dylan P. Armstrong	Individual	Support	Written Testimony Only

Comments:

COMMITTEE ON ENERGY & ENVIRONMENTAL PROTECTION

Rep. Nicole E. Lowen, Chair

Rep. Elle Cochran, Vice Chair

RE: House Bill 2740

Dear Representatives,

I support House Bill 2740. This measure is intended to promote a zero-waste economy which all places are better off adopting but islands more so.

Waste management is an increasing global problem out of a horror story. Rain and open wind now carry plastic to places where it is not littered or buried. Hurricane Larry distributed 100,000 microplastics per square meter, per day, on Canadian land.

<https://www.nature.com/articles/s43247-023-01115-7>

Waste whether in the form of nonrecyclable plastics or recyclable resources is a problem for processing and disposal, whether the elusive transport that would allow residents to literally project their problems at somewhere else, could occur.

The sooner the islands can approach zero waste, the less pollution will affect the islands from mountaintop to reef, and the more that 'herd behavior' will encourage other places and other societies to adopt zero-waste, which is the right kind of positive feedback loop.

Thank you for your consideration.

Dylan P. Armstrong, *individual capacity only*.

HB-2740

Submitted on: 2/7/2024 1:42:30 PM

Testimony for EEP on 2/8/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
chris c.	Individual	Support	Written Testimony Only

Comments:

Dear Chair Lowen, Vice Chair Cochran and Committee Members,

I support House Bill 2740, the state needs to transition the economy to a more sustainable circular economy to minimize waste and encourage producer responsibility for the products they make.

Adapting already successful Extended Producer Responsibility programs that have been implemented elsewhere, the state can learn from other jurisdictions' experience to have successful programs in Hawai'i. Incentivize more environmentally sustainable product design and reduce the externalized costs of waste disposal.