



STATE OF HAWAII  
DEPARTMENT OF HEALTH  
P. O. Box 3378  
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**Testimony COMMENTING on HB1706  
RELATING TO SINGLE-USE PLASTICS**

REPRESENTATIVE NICOLE E. LOWEN, CHAIR  
HOUSE COMMITTEE ON ENERGY & ENVIRONMENTAL PROTECTION  
Hearing Date: 2/3/2022 Room Number: Via Videoconference

1 **Fiscal Implications:** This measure will impact the priorities identified in the Governor's  
2 Executive Budget Request for the Department of Health's (Department) appropriations and  
3 personnel priorities.

4 **Department Testimony:** HB1706 prohibits the manufacture, distribution, and sale of single-use  
5 plastic bottles in a phased approach with the intent to reduce plastic waste and help protect the  
6 State's environment, however, we expect significant unintended consequences, as this measure  
7 will eventually phase out the use of all plastic bottles and rigid containers.

8 The Department respectfully offers the following comments regarding HB1706:

9 1) The bill does not provide limits on the types of plastic bottles or rigid containers or  
10 uses that this prohibition applies. Thus, the implementation will be on all products manufactured,  
11 distributed, or sold in the state, ranging from motor oils, medicines, cleaning products, personal  
12 care products, food products, and industrial products.

13 2) The Department is concerned that there is no exemption to distribute single-use plastic  
14 bottles in the event of a natural disaster, for medical uses, and in other instances where sanitation  
15 is necessary for public health.

16 3) Bottles or containers made with other materials like aluminum cost more to  
17 manufacture, and for glass, also cost more ship. Container selection is based in part on product  
18 compatibility, structural integrity, and weight. The Department is concerned that due to the

1 State's small market size, this proposal may harm local consumers due to increased  
2 manufacturing costs and reduced product choices as some manufacturers exit the State's market.

3 4) If the bill moves forward, we recommend that this measure be placed in Chapter 339,  
4 and the Department will require resources to implement this measure.

5 **Offered Amendments:** None

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

DAVID Y. IGE  
GOVERNOR OF HAWAII



**STATE OF HAWAII**  
**DEPARTMENT OF LAND AND NATURAL RESOURCES**

POST OFFICE BOX 621  
HONOLULU, HAWAII 96809

**Testimony of**  
**SUZANNE D. CASE**  
**Chairperson**

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

**Thursday, February 3, 2022**  
**9:05 AM**

**State Capitol, Via Videoconference, Conference Room 325**

**In consideration of**  
**HOUSE BILL 1706**  
**RELATING TO SINGLE-USE PLASTICS**

House Bill 1706 proposes to prohibit the manufacture, distribution, and sale of single-use plastic bottles and rigid plastic containers designed to hold 16 fluid ounces or less, effective 1/1/2024, and single-use plastic bottles and rigid plastic containers designed to hold more than 16 fluid ounces, effective 1/1/2025. **The Department of Land and Natural Resources (Department) appreciates the intent of this measure and offers the following comments.**

The Department recognizes the deleterious impacts of marine debris (including single-use plastics) on wildlife and their habitats as a critical natural resource issue throughout the State. Plastic in the environment degrades both land and ocean-based habitat, and impacts wildlife (aquatic and terrestrial) through ingestion, entanglement, smothering, and transport of invasive species. In addition, each step involved in the manufacturing, distribution, and ultimate disposal of single-use plastic products (e.g., bottles and containers) produces greenhouse gas emissions and will increase the current impacts of climate change on our aquatic and terrestrial ecosystems.

Hawai'i already has some of the highest reported debris accumulation rates in the USA. This measure would help reduce the plastic debris load entering the environment and will contribute to the improved health of our wildlife and their habitats. While the majority of marine debris may arrive from the ocean, it is our responsibility as a State to reduce the amount of plastic debris entering our ocean and the environment from local sources. House Bill 1706 would help reduce the amount of plastic debris load entering Hawai'i's cultural sites, forests, waters and coastlines, and contribute to the improved health of our wildlife and their habitats.

**SUZANNE D. CASE**  
CHAIRPERSON  
BOARD OF LAND AND NATURAL RESOURCES  
COMMISSION ON WATER RESOURCE MANAGEMENT

**ROBERT K. MASUDA**  
FIRST DEPUTY

**M. KALEO MANUEL**  
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES  
BOATING AND OCEAN RECREATION  
BUREAU OF CONVEYANCES  
COMMISSION ON WATER RESOURCE MANAGEMENT  
CONSERVATION AND COASTAL LANDS  
CONSERVATION AND RESOURCES ENFORCEMENT  
ENGINEERING  
FORESTRY AND WILDLIFE  
HISTORIC PRESERVATION  
KAHOOLAWE ISLAND RESERVE COMMISSION  
LAND  
STATE PARKS

The Department however has concerns that the Bill, as written, would adversely affect critical departmental operations, where bottled water is the only practical option in emergency situations. The Department suggests that the Legislature consider amending the bill to accommodate emergency response and public health and safety interests of the Department and other agencies.

Finally, the Department recognizes that Chapter 342H (Solid Waste Pollution), Hawaii Revised Statutes, falls under the jurisdiction of the Department of Health, and shares their concerns regarding implementation of this measure.

Thank you for the opportunity to comment on this measure.

DAVID Y. IGE  
GOVERNOR OF HAWAII



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**DEPARTMENT OF LAND AND NATURAL RESOURCES**

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BOARD OF LAND AND NATURAL RESOURCES  
COMMISSION ON WATER RESOURCE MANAGEMENT

**ROBERT K. MASUDA**  
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Finally, the Department recognizes that Chapter 342H (Solid Waste Pollution), Hawaii Revised Statutes, falls under the jurisdiction of the Department of Health, and shares their concerns regarding implementation of this measure.

Thank you for the opportunity to comment on this measure.

**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 2, 2022

The Honorable Nicole E. Lowen, Chair  
The Honorable Lisa Marten, Vice Chair  
Committee on Energy and Environmental Protection  
Hawai'i State Capitol  
Honolulu, Hawai'i 96813

HEARING DATE: Thursday, February 3, 2022  
HEARING TIME: 9:05 a.m.  
HEARING LOCATION: Conference Room 325, Via Videoconference

**Re: Support HB1706, relating to single-use plastics.**

Dear Chair Lowen, Vice Chair Marten, and Committee Members,

Thank you for the opportunity to present testimony on House Bill 1706 (HB1706).

The County of Hawai'i Department of Environmental Management is pleased to support this bill.

Best Regards and Aloha,

Ramzi I. Mansour  
Director of Environmental Management



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#### **Executive Officers**

**Charlie Gustafson**, Tamura Super Market, *Chair*  
**Eddie Asato**, Pint Size Hawaii, *Vice Chair*  
**Gary Okimoto**, Safeway, *Secretary/Treas.*  
**Lauren Zirbel**, HFIA, *Executive Director*  
**John Schliff**, Rainbow Sales and Marketing, *Advisor*  
**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 Energy and Environmental Protection  
Rep. Nicole E. Lowen, Chair  
Rep. Lisa Marten, Vice Chair

FROM: HAWAII FOOD INDUSTRY ASSOCIATION  
Lauren Zirbel, Executive Director

DATE: February 3, 2022  
TIME: 9:05am  
PLACE: Via Videoconference

RE: HB1706 Relating to Single-use Plastics

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. This bill would drastically limit consumer choice, hurt local businesses, and ban products that are essential for our state's disaster management.

Here in Hawaii most of the time we are very lucky to have clean tap water, but as many of our neighbors near Red Hill are currently experiencing that is unfortunately not always the case. The ongoing water crisis that has displaced hundreds of families in Honolulu is just one of many possible scenarios when bottled water is not just a convenient healthy option, it is a life saving necessity.

Many of the products banned by this measure are locally bottled drinks that are manufactured here in Kapolei. Banning these products would likely cause the local businesses that make them to close and cost hundreds of jobs.

This measure would also likely mean that drinks sold in locally made light weight plastic bottles would be replaced by drinks sold in heavy imported glass bottles shipped from the mainland. A process that has its own environmental cost.



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We urge the committee not to pass a ban on local products which would cost local jobs, give customers fewer choices, and diminish our state's ability to successfully manage disasters. Instead, we believe the State should prioritize local recycling to make sure we are getting the most out of plastic and other resources and work collaboratively with local businesses to improve sustainability. We thank you for the opportunity to testify.



2/3/2022

EEP Committee  
Hawaii State Capitol  
Honolulu, Hawaii 96813

Dear Chair Lowen, Vice Chair Marten, and Members of the House Committee on Energy and Environmental Protection,

**Position: Support HB1706.**

The Surfrider Foundation is a national nonprofit organization dedicated to the protection and enjoyment of our ocean, waves, and beaches. Surfrider 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.

As quoted in the HB1706 bill text, "Each year, more than 15,000,000 metric tons of plastic enter the world's oceans. Experts predict that by 2050, the amount of plastic in the ocean will outweigh fish, unless significant changes are made. The need for significant change in Hawaii was underscored in 2020, when the United States Environmental Protection Agency found that several of the State's beaches are 'impaired by trash', with the majority of the pollutants comprising single-use plastics." This illustrates the dire need to prevent more single-use plastics from reaching our beaches and oceans. Based on national Surfrider Foundation [cleanup data](#) reported from beach cleanups across the country, plastic bottles and bottle caps/rings are among the top ten most commonly collected items at beach cleanups.

Additionally, the Surfrider Foundation's national Ocean Friendly Restaurants program has seven mandatory criteria, one of which is that beverages are not sold in plastic bottles. There are over 100 registered Ocean Friendly Restaurants in Hawaii, all of which are food establishments that comply with these seven criteria and have effectively reduced or eliminated single-use plastics from their restaurants. Our Ocean Friendly Restaurants range from small local businesses to hotels, and have all found acceptable, affordable replacements for single-use plastics, including plastic bottles. This demonstrates both the support and willingness of many restaurants and food establishments to prohibit the sale of plastic bottles.

Thank you for your consideration of this testimony in support of HB1706, submitted on the behalf of the Surfrider Foundation's 4 Chapters in Hawaii 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,

Camile Cleveland  
Volunteer Policy Coordinator  
Surfrider Foundation, O'ahu Chapter



**Written Testimony of  
David Thorp, American Beverage Association**

**Before the House Committee on Energy & Environmental Protection  
Opposition of H.B. 1706: Relating to Single-use Plastics  
February 3, 2022**

Good morning Chair Lowen, Vice Chair Marten and members of the committee. Thank you for the opportunity to comment in opposition of H.B. 1706 – relating to single-use plastics.

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.

**What is PET?**

Polyethylene terephthalate, also called PET, is the name of a type of clear, strong, lightweight and fully recyclable plastic. Unlike other types of plastic, PET is not single use. PET is fully recyclable, versatile and is made to be remade. That's why, America's beverage companies use it to make our beverage bottles.

Even the Encyclopedia Britannica notes how unique and valuable PET is - "*PET is the most widely recycled plastic. PET bottles and containers are commonly melted down and spun into fibres for fibrefill or carpets. When collected in a suitably pure state, PET can be recycled into its original uses, and methods have been devised for breaking the polymer down into its chemical precursors for resynthesizing into PET. The recycling code number for PET is #1.*"

**Setting the record straight about plastic bottles in the environment**

Let's be clear. There's a lot of misinformation about the value of our fully recyclable plastic bottles. Here are seven things you may not know.

1. We want our oceans free of plastic. We share in Americans' frustration when they see plastic bottles wind up as litter in oceans, beaches, parks or roadways. We recognize the serious need to reduce new plastic and keep our bottles out of the environment.

2. Our plastic bottles are not intended for single use. Not all plastics are created equal. America's leading beverage companies are proud to use a valuable and versatile plastic, known as polyethylene terephthalate (PET), for their beverage bottles. PET is the most recycled plastic in the world.
3. We're committed to reducing new plastic. Our bottles are carefully designed to be fully recyclable (including the caps) - they are made to be remade into new bottles. Through Every Bottle Back, we are making investments to reduce our industry's use of new plastic by strengthening recycling infrastructure, modernizing technology, boosting collection rates and providing greater access to recycling collection at home.
4. We're partnering with environmental and sustainability leaders, like World Wildlife Fund, Closed Loop Partners and The Recycling Partnership, to achieve our shared goal of reducing plastic use and improving recycling infrastructure. We're working with these leaders to measure our progress in using less new plastic, identify regions across the country where we can make significant investments to improve infrastructure and collection, and educate consumers on the importance of recycling our bottles.

In addition, PET beverage containers are collected under the state's HI-5 program, Honolulu's curbside recycling and drop-off recycling programs on all islands.

5. Our recycled bottles are in high demand. More than 1,570 million pounds of recycled PET is used annually to make new products as varied as carpet, playgrounds, clothing and shoes. This means less new plastic in the environment.
6. Our industry is taking action. Our industry is leading to educate consumers on the value of our plastic bottles. That's why we are placing a uniform label on bottles so consumers understand that our bottles are fully recyclable. This label will help consumers recycle better and increase recycling rates of our valuable bottles.

Our commitments on plastic are meant to serve as a catalyst for others to do more. We are eager to work with those who share the goal of using less plastic. None of us can do it alone. Together, government, industry, environmental groups and consumers should come together to develop new, innovative ideas that will help us use less new plastic and ensure our bottles and caps don't wind up in places they shouldn't.

Sincerely,

*David Thorp*

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

**HB-1706**

Submitted on: 2/2/2022 8:55:29 AM

Testimony for EEP on 2/3/2022 9:05:00 AM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Remote Testimony Requested</b> |
|---------------------|---------------------|---------------------------|-----------------------------------|
| Suzanne Frazer      | B.E.A.C.H.          | Comments                  | Yes                               |

Comments:

There are many issues wiht this bill including that plastic bottles are not "single-use". The chemicals in number 1 bottles, PETE are harmful to people's health and the caps especially harm marine life that ingest them.



February 2, 2022

**To:** The Honorable Nicole Lowen, Chair  
Members, House Committee on Energy and Environmental Protection

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

**Re:** **HB 1706 – OPPOSE**

The American Chemistry Council (ACC) must respectfully oppose HB 1706, which would ban the manufacture, distribution and sale of plastic bottles and rigid plastic containers beginning January 1, 2024. ACC and its members certainly support efforts to reduce waste and increase recycling; however, HB 1706 overlooks many potential consequences of implementing such a policy.

PET plastic beverage bottles are fully recyclable and are the single most recycled item nationwide in curbside collection programs and make up only a small percentage of the waste stream. In fact, U.S. Environmental Protection Agency (EPA) data shows that plastic water bottles make up less than one-third of one percent of the U.S. waste stream.

Additionally, manufacturers of plastic beverage bottles are continually looking for ways to lighten their environmental footprint by reducing the raw materials used through light weighting, redesign, and use of post-consumer recycled materials.

In addition to taking away consumer choice, HB 1706 would result in a shift to other packaging materials that may not be as widely recycled or use significantly more resources to manufacture and transport. Plastic bottles and containers contribute to sustainability by reducing material use, energy use, waste, and greenhouse gas emissions. A recent study by Trucost<sup>1</sup> found that switching from plastics to alternatives would quadruple environmental costs, causing them to grow from \$139 billion to \$533 billion annually. Life cycle studies consistently find that plastic packaging delivers more food and other products with significantly less environmental impacts than alternatives.

A blanket prohibition as proposed in HB 1706 does not fully consider the potential unintended environmental impacts and may actually lead to increased waste as a result of product breakage or spoilage. The Oregon Department of Environmental Quality (DEQ)<sup>2</sup> has stated that “all packaging materials come from raw materials that have to be grown and harvested or extracted from the earth. Energy is required for electricity production, and fuels are used to manufacture and transport all kinds of packaging materials.” DEQ goes on to say “packaging serves several essential roles, including protecting products from damage. Taken to extremes, packaging waste prevention can lead to insufficient protection and product damage – and waste. Ideally, packaging waste prevention should reduce packaging waste without increasing waste (financial or environmental) elsewhere in the system.”

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

<sup>1</sup> [https://www.marinelittersolutions.com/wp-content/uploads/2016/07/ACC-report\\_July-2016\\_v4.pdf](https://www.marinelittersolutions.com/wp-content/uploads/2016/07/ACC-report_July-2016_v4.pdf)

<sup>2</sup> [State of Oregon: Production and Design - Packaging](#)



packaging contain a minimum of 30% post-consumer recycled material by that same date. In the last three years, 64 projects in mechanical and advanced recycling 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.

ACC believes there is an opportunity to craft meaningful and impactful recycling policy that takes into account the necessary role packaging plays in shipping and protecting products and assesses the multitude of environmental attributes (e.g. recyclability, waste prevention, material efficiency, greenhouse gas emissions, etc.) of various packaging materials. Combined, these considerations will help arrive at a solution that makes sense environmentally and provides the business community with practical and implementable compliance obligations.

For these reasons we cannot support HB 1706 in its current form. 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)



**Sally Jefferson**  
Director, Western States

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

COMMITTEE ON ENERGY AND ENVIRONMENTAL PROTECTION  
February 3, 2022

**Testimony in Opposition to HB 1706**

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

Thank you for the opportunity to present testimony in opposition to HB 1706 RELATING TO A BAN ON SINGLE USE PLASTIC CONTAINERS. Wine Institute is a public policy association representing more than 1,000 California wineries and associate members.

The California wine industry is committed to sustainability with an impressive 80% of California's wine production certified under a statewide sustainability program that encourages use of products with recycled content, reusability, takeback or recyclable packaging, and non-toxic materials. While we support the objective of recovering more wine packaging, we are opposed to HB 1706 which would result in banning by 2024 and 2025 respectively the distribution and sale of products with unique plastic wine packaging like polyethylene terephthalate (PET) plastic bottles and pouches and bladders used for bag-in-the-box wine.

**Specialty Plastics used in the Wine Industry**

Bladders/Pouches for Bag-in-the-Box Wine

As currently produced, the bladders/pouches have a complicated design with layers of different material to achieve the needed functionality for reliably protecting the integrity of the wine. They are not currently recyclable because wine bladders cannot be disconnected from the spigot and the bladder is made of multiple types of plastic resin. In many ways, boxed wine is environmentally friendly packaging with its lighter weight in comparison to bottles. However, under HB 1706, the distribution and sale of boxed wine would be prohibited, thereby completely shutting down a category of sales that is actually increasing as wineries are moving away from heavier packaging material like glass.



### 187 ml PET Bottles

There is a relatively small amount of wine sold in Hawaii in 187ml PET bottles. To our knowledge, no wine producers are selling wine in larger PET formats. This product is typically marketed in four packs offering consumers a wine product that is easy to open (screw top), transport (one-sixth the weight of glass) and consume (single-serving size). These lightweight PET wine bottles are also sold by airlines and public venues (sporting facilities, parks & concert venues) that are concerned with glass breakage and the weight to transport. Consumers select these products when going to venues where potential glass breakage is a danger, such as backyards, parks and beaches.

Currently, the suppliers of these bottles are using only virgin resin for the PET because these bottles have a special barrier coating which seals the container from the inside to protect the contents from oxidation and maintain a glass-like clarity. These bottles are only recyclable with the barrier easily removed during the recycling process. Though recyclable, it has NOT been determined that the same quality bottles with glass-like clarity and the necessary barrier can be produced with postconsumer recyclable content, and there are currently no such products available on the market.

Even if it is determined that 187ml PET wine bottles could use postconsumer recyclable content without losing clarity or functionality, the wine industry's comparatively minimal need for recycled content would place it at a disadvantage in the marketplace. Much larger beverage manufacturers, such as soda and water companies, will have the highest demand and much greater purchasing power than wineries. Wineries will be a tiny part of the demand and may not have access to the uniquely shaped and treated plastic bottles they require with the recycled content required under this bill.

Material selection, design, performance and the environment are all critical factors when it comes to wine packaging. Given the inability to utilize post-consumer recycled plastic content for 187 ml PET bottles and for bag-in-the-box wine, we oppose HB 1706 and respectfully urge that you hold this legislation unless these items are exempted under this legislation. Limiting Hawaiians to only heavy glass containers that are subject to breakage in outdoor venues is not a good solution for either the wine industry or Hawaii's wine consumers.



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Web: [www.bottledwater.org](http://www.bottledwater.org)

**Hawaii State Legislature  
House Committee on Energy and Environmental Protection  
Public Hearing on House Bill 1706  
February 3, 2022**

**Written Testimony**

**James P. Toner, Jr.  
Director of Government Relations  
International Bottled Water Association**

Chair Lowen, and members of the Committee, thank you for this opportunity to submit written testimony on House Bill 1706, which would, prohibit the manufacture, distribution, and sale of single-use plastic bottles and rigid plastic containers.

The International Bottled Water Association (IBWA)<sup>1</sup> strongly opposes HB 1706. This legislation is not in the public interest and IBWA would urge the committee not to support it. IBWA opposes this legislation because:

- plastic water bottles are the best option for consumers, the environment, and recycling
- efforts to ban or restrict access to bottled water, no matter what the material, hinder individuals searching for a healthier beverage alternative
- bottled water in plastic containers has the lowest environmental footprint of any packaged beverage
- being strictly regulated by the U.S. Food and Drug Administration as a food product makes bottled water a safe choice for consumers
- it puts citizens at extreme high risk should there be a failure of a public water system
- it would greatly impact existing recycling streams in the state since polyethylene terephthalate (PET) is one of the most sought after materials in resource recovery markets
- the bottled water industry has a strong presence and commitment to Hawaii

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<sup>1</sup> IBWA is the trade association representing all segments of the bottled water industry, including spring, artesian, mineral, sparkling, well, groundwater and purified bottled waters. IBWA represents bottled water bottlers, distributors and suppliers throughout the United States, including several small, medium and large-size companies doing business in Hawaii. IBWA's stated mission is to serve the members and the public, by championing bottled water as an important choice for healthy hydration and lifestyle, and promoting an environmentally responsible and sustainable industry.

## **Bottled Water in Plastic is the Best Option**

A 2021 life cycle assessment (LCA) conducted by the product sustainability consulting firm Trayak compared the impact on the environment for the following 16.9 oz packaging options: PET water bottle, aluminum can, beverage carton, and glass bottle. The study also included an assessment of the PET soda bottle. The LCA results of the comparison between the five industry average beverage containers shows the PET water bottle as the least environmentally impactful option, and therefore the preferred container for packaged water. It produces the lowest environmental impact across the seven indicators measured, including fossil fuel use, greenhouse gas (GHG) emissions, and water use.

A report from the American Chemistry Council (ACC) – *Life Cycle Impacts of Plastic Packaging Compared to Substitutes in the United States and Canada* – looked at the overall impact of plastics on the environment compared to other materials to answer the following question: If we weren't using plastic for the container, what would we be using instead, and what would be the impact of those alternatives? ACC's report concluded that, when comparing materials throughout the entire life cycle of a package, plastics leave a much smaller environmental footprint than alternatives, such as glass, aluminum cans, and paperboard cartons. Perhaps the most significant finding from the ACC report is that alternatives to plastic beverage containers would produce about 60 percent more greenhouse gas emissions.

Plastic food and beverage containers (which includes bottled water) are not a significant contributor to ocean waste. Oxford University's Our World in Data website reports that of all the plastic waste in the ocean, only 0.95 percent comes from Central and North America. The Oxford website says, "If we aim to address the ocean plastic problem, an understanding of this global picture is important . . . whilst countries across North America and Europe generate significant quantities of plastic waste (particularly on a per capita basis), well-managed waste streams mean that very little of this is at risk of ocean pollution. In fact, if North America and Europe were to completely eliminate plastic use, global mismanaged plastic would decline by less than 5 percent."

Published research from the Helmholtz Centre for Environmental Research – UFZ identifies the largest sources of ocean plastic pollution: 90 percent of it originates from 10 major river systems in developing regions. Eight of these rivers are in Asia, and two are in Africa. This research by Christian Schmidt, a hydrogeologist, supports IBWA's view that restricting the sale of bottled water in North America — which has both waste management and recycling systems — will have little or no impact on the ocean plastic issue. Supporting research by University of Georgia Professor Jenna Jambeck found that approximately 83 percent of ocean plastic waste comes from just 20 countries, with China being the highest contributor, at 2.43 million metric tons of plastic waste per year. The United States is responsible for 0.07 million metric tons per year.

A Harris Poll conducted by IBWA found that of the bottled water drinkers who have a packaging preference (86 percent), nearly 8 out of 10 (79 percent), prefer it packaged in plastic bottles. Fifteen percent said glass, 4 percent said metal cans, and 2 percent said paper cartons or box. When it comes to environmental concerns, 91 percent of Americans agreed that it's important to recycle all recyclable consumer packaging, with 75 percent agreeing that plastic is a

valuable resource because it can be recycled over and over again, and 89 percent agreeing that making new products from recycled material is better for the environment than using virgin (never before used) material. Nearly 7 out of 10 (69 percent) said consumers are primarily responsible for recycling water bottles, compared to companies (61 percent), government (31 percent) and a combination of all three (20 percent).

### **Bottled Water Industry is a Very Good Environmental Steward**

Just like the bottled water industry, Hawaii prides itself on being proactive when it comes to environmental stewardship and recycling. The state's mandatory bottle deposit program (Act 176 - Deposit Beverage Container Law), in effect for 17 years, was specifically implemented to address the recycling of a wide array of beverage containers, including those for bottled water. According to the Hawaii Office of Solid Waste Management, the 2020 overall redemption rate for the program was 62 percent, while PET containers, most commonly used for single-serve beverages, including bottled water, achieved an over 57 percent redemption rate.

Bottled water has the smallest environmental footprint of all packaged beverages. All bottled water containers are 100% recyclable, and, as an industry, we support strong community recycling initiatives and recognize that a continued focus on increased recycling is important for everyone. In addition, bottled water containers are the most common item in curbside recycling programs, recycled at a rate of approximately 55 percent. The industry is always looking for ways to strengthen existing recycling programs and help to expand recycling efforts ever further. However, even when they are not properly recycled, bottled water containers make up only 3.3 percent of all drink packaging in U.S. landfills. By comparison, aluminum cans make up 7.9 percent. Bottled water also has the lowest water- and energy-use ratios of all packaged beverages. On average, it takes only 1.39 liters of water to produce 1 liter of finished bottled water (including the liter of water consumed), which is the lowest water-use ratio of any packaged beverage product. And on average, only 0.21 mega joules of energy are used to produce 1 liter of bottle of water.

Continual light-weighting of PET plastic packaging for bottled water has seen the average weight drop to 9.25 grams per 16.9 ounce single-serve container. According to the Beverage Marketing Corporation, between 2000 and 2014, the average weight of a 16.9-ounce (half-liter) PET plastic bottled water container declined 51 percent. This resulted in a savings of 6.2 billion pounds of PET resin during that time period.

While bottled water is just one of thousands of consumer items packaged in plastic, the bottled water industry has also gone to great lengths to reduce the environmental impact of its packaging, including developing new technologies in product packaging such as the use of recycled content, reduction of plastic used in caps and shrink-wrapping, and reduction of paper used in labels and shipping cardboard. IBWA member companies are increasing their use of recycled PET (rPET) and many bottled water companies already use bottles made from 50, 75, and, in some cases, 100 percent rPET. Furthermore, the bottled water industry is continually developing additional ways to reduce its environmental footprint, from production to distribution to consumption. This includes development of "green" bottling facilities, as well as utilization of more fuel-efficient means of producing and transporting product to market.

In 2017, IBWA published a life cycle inventory (LCI) by Quantis to determine the environmental footprint of the United States bottled water industry. The results indicate that bottled water has a very small environmental footprint. In fact, the PET small pack and Home Office Delivery (HOD) bottled water industries combined emit 7.49 million metric tonnes of CO<sub>2</sub>-eq., which is equivalent to 0.1 percent of total United States emissions. In 2015, the total non-renewable energy consumption by the bottled water industry was 0.247 trillion MJ. The energy used by the bottled water industry (considering only direct energy use by the industry – i.e., bottling plant operations and distribution of bottled water) compared to the U.S. total energy use is 0.3 percent. The LCI also states that the total bottled water industry generated 0.288 million metric tonnes of solid waste. The amount of solid waste generated by the bottled water industry compared to the U.S. total solid waste generation is 0.1 percent.

### **Bottled Water is a Safe Choice**

Bottled water companies produce a safe, healthy, and convenient packaged food product that is comprehensively and stringently regulated by the U.S. Food and Drug Administration (FDA) under the Federal Food, Drug, and Cosmetic Act (FFDCA), 21 U.S.C. § 301 et seq., and applicable sections of Title 21 of the Code of Federal Regulations (CFR). Bottled water must meet the FDA's general food regulations, as well as standards of identity, standards of quality, good manufacturing practices and labeling requirements specifically promulgated for bottled water. By federal law, the FDA regulations governing the safety and quality of bottled water must be as stringent as the EPA regulations governing tap water. And, in some very important cases like coliform bacteria and E. coli, bottled water regulations are substantially more stringent.

All bottled water products – whether from groundwater or public water sources – are produced utilizing a multi-barrier approach. From source to finished product, a multi-barrier approach helps prevent possible harmful contamination to the finished product as well as storage, production, and transportation equipment. Measures in a multi-barrier approach may include one or more of the following: source protection, source monitoring, reverse osmosis, distillation, micro-filtration, carbon filtration, ozonation, and ultraviolet (UV) light.

Claims regarding chemicals leaching from plastic water bottles are inaccurate, misleading and only serve to create unnecessary alarm among consumers. Bottled water containers, as with all food packaging materials, must be made from substances approved by the FDA for food contact. Plastic containers that are used for bottled water products (which are made from the same materials used in other food product containers) have undergone FDA scrutiny prior to being available for use in the marketplace. The FDA has determined that the containers used by the bottled water industry are safe for use and do not pose a health risk to consumers.

### **Bottled Water's Role in Healthy Hydration**

For those who want to eliminate or moderate calories, sugar, caffeine, artificial flavors or colors, and other ingredients from their diet, or simply wish to opt for a convenient beverage with refreshing taste, reliable quality, and zero calories, choosing water is the right choice – no matter what the delivery method. Bottled water is a smart decision and a healthy choice when it comes

to beverage options. Efforts to eliminate or reduce access to bottled water, such as this legislation, only hinder attempts to encourage people to choose healthier drink options.

In fact, since 2010, approximately 44 percent of the growth in bottled water consumption has come from people switching from carbonated soft drinks, juices, and milk to bottled water. It is the major factor that has made bottled water the number one packaged beverage in the United States. One of the simplest changes a person can make is to switch to drinking water instead of other beverages that are heavy with sugar and calories. According to the Institute of Medicine and the American Journal of Preventative Medicine, two-thirds of American adults are overweight with one-third of those individuals being obese, and over the last 30 years, children's obesity rates have climbed from 5 percent to 22.4 percent. Drinking zero-calorie beverages, such as water, instead of sugary drinks is regularly cited as a key component of a more healthful lifestyle, and promoting greater consumption of water from all sources, including from bottled water, can only benefit those efforts.

In today's on-the-go society, most of what we drink comes in a package. Attacks on bottled water only help to promote less healthy options among other beverages. Research shows that if bottled water isn't available, 74 percent of people will choose soda or another sugared drink – not tap water.

### **Bottled Water is Always There When You Need It**

The bottled water industry has always been at the forefront of relief efforts during natural disasters and other catastrophic events. Clean, safe water is a critical need for citizens and first responders immediately following a natural disaster or other catastrophic event. Unfortunately, the availability of water from public water systems is often compromised in the aftermath of such an event (e.g., hurricanes, floods, wildfires, boil alerts). During these times, bottled water is the best option to deliver clean safe drinking water quickly into affected areas.

Removing all access to bottled water during times of need could result in an extremely dangerous situation for citizens at need and have a drastic effect on the state's ability to respond in a timely and efficient manner. The bottled water industry would not be able to provide safe, clean drinking water to Hawaii citizens when their public water systems are compromised without a viable commercial market. This provides the industry with the capital and resources to respond quickly when needed. The bottled industry cannot, and should not, exist only for disaster responses – something some critics of the bottled water industry desire. We urge committee members to remember that the bottled water industry is called upon every year to provide drinking water during critical times throughout Hawaii.

### **Bottled Water is an Important Economic Force in Hawaii**

Companies in Hawaii that manufacture, distribute and sell bottled water employ as many as 1,170 people in the state and generate an additional 2,104 jobs in supplier and ancillary industries. These include jobs in companies supplying goods and services to manufacturers, distributors and retailers, as well as those that depend on sales to workers in the bottled water industry. The jobs currently generated by the bottled water industry in Hawaii are good jobs,

paying an average of \$47,800 in wages and benefits. These jobs would be at risk should HB 1706 pass as it may force bottlers in the state to shutter their doors.

Not only does the manufacture and sale of bottled water create good jobs in Hawaii, but the industry also contributes to the economy as a whole. In fact, the bottled water industry is responsible for as much as \$693.87 million in total economic activity in the state. The bottled water industry generates sizeable tax revenues in the state. In Hawaii, the industry and its employees pay over \$36 million in taxes including property, income, and sales-based levies.

On top of these everyday economic numbers, the state receives a large sum of dollars from the existing bottle deposit program. And this money goes beyond what the state takes from unclaimed deposits but impacts money generated and received by businesses through the handling fee and the non-refundable container fee. With a substantial amount of that money being produced by the purchase and return on single-use plastic beverage containers, the state and businesses tied to the deposit program can expect a significant reduction in monies delivered.

Thank you for your consideration of IBWA's opposition to HB 1706, and please do not hesitate to contact IBWA with any concerns or questions.



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

DATE: Thursday, February 3, 2022  
TIME: 9:05 am  
PLACE: VIA VIDEOCONFERENCE  
Conference Room 325

From: Bruce Iverson, Director of Marketing and Development,  
Reynolds Recycling, Inc.

Testimony in Opposition to HB1706 Relating to Single Use Plastics

Aloha Honorable Chair, Vice Chair, and Members of the Committee:

Reynolds Recycling, as Hawaii's largest HI-5 Deposit Beverage Container recycler, **strongly opposes this measure.**

While working to reduce plastic waste in the environment is a necessary and noble cause, this is another example where they are trying to protect Hawaii's environment by putting regulations on the residents of the state in an effort to reduce pollution that is actually floating in from foreign sources. Even the study used as a basis for this flawed bill states that the plastic material is "deposited on its coastlines by swirling Pacific Ocean Currents" not from local sources.

According to some studies, from 50-80% of all plastic floating in the ocean is marine debris, i.e., material deposited in the ocean from fishing and other ocean industries (cruise ships, military, etc.). Of the balance, the vast majority is "floating in" from Asian sources. Of the material addressed by this bill, over 62.5% (all DBC materials combined) is already being captured and recycled by the Bottle Deposit Law (per DOH recycling rates for 2020). The vast majority of the balance is likely ending up in municipal trash, rather than bobbing around in the ocean as implied by the misguided writers of this measure.

Due to the fact that this measure would put a major hardship on the people of Hawaii, and yet do virtually nothing to address the actual problem, we would ask that you oppose this bill.



**HB-1706**

Submitted on: 2/1/2022 8:26:36 AM

Testimony for EEP on 2/3/2022 9:05:00 AM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Remote Testimony Requested</b> |
|---------------------|---------------------|---------------------------|-----------------------------------|
| Tabatha Knudson     | Individual          | Support                   | No                                |

Comments:

I strongly support this bill!

**HB-1706**

Submitted on: 2/1/2022 2:22:15 PM

Testimony for EEP on 2/3/2022 9:05:00 AM

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

Comments:

It sure looks like you people are just way to Stupied to be in this position!

We will have to Removel of you. We will not stand for any of this Bull Shit any longer!!

**HB-1706**

Submitted on: 2/1/2022 8:16:10 PM

Testimony for EEP on 2/3/2022 9:05:00 AM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Remote Testimony Requested</b> |
|---------------------|---------------------|---------------------------|-----------------------------------|
| Barbara Barry       | Individual          | Support                   | No                                |

Comments:

Aloha,

I support HB 1706.

Mahalo,

Ms. Barbara Barry

**HB-1706**

Submitted on: 2/2/2022 7:46:39 AM

Testimony for EEP on 2/3/2022 9:05:00 AM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Remote Testimony Requested</b> |
|---------------------|---------------------|---------------------------|-----------------------------------|
| Georjean Adams      | Individual          | Oppose                    | No                                |

Comments:

Do not proceed until we know the relative life cycle impacts of alternatives.

**HB-1706**

Submitted on: 2/2/2022 12:12:58 PM

Testimony for EEP on 2/3/2022 9:05:00 AM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Remote Testimony Requested</b> |
|---------------------|---------------------|---------------------------|-----------------------------------|
| James Trujillo      | Individual          | Support                   | No                                |

Comments:

mahalo for the opportunity to provide testimony in support of HB1706  
we are facing a solid waste crisis and legislation like this is necessary to reduce the impact of plastic in society. steps like this will help move us towards a more sustainable future in Hawai'i  
please vote in favor of eliminating single use plastic bottles  
with respect and aloha,

james g trujillo  
po box 33  
kapa'a, HI

**HB-1706**

Submitted on: 2/2/2022 2:55:35 PM

Testimony for EEP on 2/3/2022 9:05:00 AM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Remote Testimony Requested</b> |
|---------------------|---------------------|---------------------------|-----------------------------------|
| Daniel Amato        | Individual          | Support                   | No                                |

Comments:

Support

TO: Members of the Committee on Energy & Environmental Protection

FROM: Natalie Iwasa  
808-395-3233

HEARING: 9:05 a.m. Thursday, February 3, 2022

SUBJECT: HB 1706 – Banning Single-Use Plastic Bottles – **OPPOSED**

Aloha Chair Lowen and Committee Members,

Thank you for allowing me the opportunity to provide testimony on HB 1706, which would ban the manufacture, distribution and sale of single-use plastic bottles effective January 1, 2024, for bottles 16 oz. or less and January 1, 2025, for larger bottles.

I ride my bike for errands, buy concentrated products that result in less packaging and trash, and reuse as many items as I can, and **I oppose this bill.**

Many food products come in single-use plastic bottles, e.g., salad dressings, juices, marinades, etc. While some manufacturers may be using cardboard boxes for their beverages, it was reported they are more expensive. In addition, some types of liquids and foods would not work well in boxes.

As I understand it, **the problem is litter.** Rather than banning these bottles, it would be better to address the behavioral problem of littering.

**Please vote “no” on this bill.**



**TESTIMONY OF TINA YAMAKI  
PRESIDENT  
RETAIL MERCHANTS OF HAWAII  
February 3, 2022  
HB 1706 Relating to Single Use Plastics**

Good morning, Chairperson Lowen and members of the House Committee on Energy and 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, RMH is a statewide, not for profit trade organization committed to 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, local, national, and international retailers, chains and everyone in between.

The Retail Merchants of Hawaii opposes HB 1706 Relating to Single Use Plastics. This measure would prohibit the manufacture, distribution, and sale of single-use plastic bottles and rigid plastic containers designed to hold 16 fluid ounces or less, effective 1/1/2024, and single-use plastic bottles and rigid plastic containers designed to hold more than 16 fluid ounces, effective 1/1/2025.

Bans are not the simple answer. We need to maintain a fair balance regarding plastic bottles and containers and look at a coordinated litter reduction program.

Businesses respond to the wants of the customers that patronize their establishments all while operating on a very thin profit margin. Many of our local businesses are continuing to struggle because of COVID and government mandates throughout the past couple of years – large debt incurred due to government mandated shutdowns (2 on Oahu), lack of customers due to Hawaii being dependent on the visitors and the fact that our Covid numbers are high. It will take many businesses years to recover if at all.

Eliminating the ability of businesses to sell single serving drinks like bottled water, teas, energy, and hydration drinks that are in high demand is not the simple answer. Hawaii's consumption volume of bottled drinks that are 16 oz or less is not enough to make national and international beverage makers to change their packaging just for our state. We will see that consumer favorite grab and go drinks will no longer be available in single serving unless they are already found in cans. As a result people of Hawaii would have to order them online from stores with no ties to Hawaii.

Alternative packaging products often create more waste in volume and energy as well as increase air and water pollution – in the manufacturing of and in the transportation to the business. And as we been experiencing from non foam takeout containers – they are also a lot more expensive and harder to obtain due to some manufactures going bankrupt, supply and shipping issues to name a few

We also wonder what would Hawaii do if we encounter some type of disaster and tap water is not drinkable? Bottled beverages would be a necessary replacement. During recent disasters like Hurricane warnings and heavy rains, RMH and our members are constantly being contacted for bottled water and drinks – especially for those in the individual serving size for not only those affected but also for responders and volunteers.

Hawaii is so depended on tourism and many who visit are not used to our hot and humid weather and need to hydrate. We are quite sure than when on vacation, visitors don't want to lug around 3 liter drink as they sight see, shop or walk around in the resort areas.

We need to be looking into a comprehensive litter reduction program that not only considers educating the public, but also looking for alternative solutions like public trash cans that are designed so that it will keep its content from flying out.

We urge you to hold this measure. Mahalo again for this opportunity to testify.



**HB-1706**

Submitted on: 2/3/2022 4:31:40 AM

Testimony for EEP on 2/3/2022 9:05:00 AM

| <b>Submitted By</b>  | <b>Organization</b> | <b>Testifier Position</b> | <b>Remote Testimony Requested</b> |
|----------------------|---------------------|---------------------------|-----------------------------------|
| Johnnie-Mae L. Perry | Individual          | Support                   | No                                |

Comments:

I, Johnnie-Mae L.Perry strongly SUPPORT HB 1706 because it is cronic problem of people rummaging through the trash bins to dive for recyclable like plastic which poses a public health issue. Next, many shopping carts are stolen from super markets to retrieve items like plastic bottles, leaving the shoppers without or less carts. As a concern citizen of the environment every alternative will truly help keep Hawaii a healthy place to live and visit.

Thank you for your consideration of my testimony.