

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 HB1585  
RELATING TO PLASTIC POLLUTION.**

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

Hearing Date: February 08, 2024 Room Number: 325

1 **Fiscal Implications:** Unknown

2 **Department Testimony:** This measure seeks to reduce plastic waste by 1) prohibiting state  
3 agencies from purchasing or using polystyrene food-service containers; 2) prohibiting vendors  
4 contracted through a state agency from selling, offering for sale, providing, or using polystyrene  
5 food-service containers at any site owned or leased by the State; and 3) prohibiting polystyrene  
6 food-service containers from being sold, offered for sale, provided, or used at any state facility,  
7 state-authorized concession, state-sponsored or state-permitted event, or state program.

8 The Department of Health (Department) notes that the County of Hawaii<sup>1</sup>, the County of  
9 Maui<sup>2</sup>, the City and County of Honolulu<sup>3</sup>, and the County of Kauai<sup>4</sup> already prohibit food  
10 providers from using polystyrene foodware products. We respectfully offer that taken  
11 collectively, the four county prohibitions create a defacto statewide ban on polystyrene foodware  
12 containers that precludes the need for a statewide law.

13 **Offered Amendments:** None

14 Thank you for the opportunity to testify.

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<sup>1</sup> Hawaii County Code, Section 20-05-01

<sup>2</sup> Code of the County of Maui, Section 20.26.040

<sup>3</sup> Revised Ordinances of Honolulu, Section 34-13.2

<sup>4</sup> Kauai County Code, Section 22-27.4

**HB-1585**

Submitted on: 2/2/2024 10:38:16 AM

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

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Alexandra Kahn	PlanIt Branding	Support	Written Testimony Only

Comments:

I am in full support of this bill.

Mahalo!



HAWAII

AMERICANS FOR DEMOCRATIC ACTION

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P.O. Box 23404  
Honolulu

February 2, 2024

TO: Honorable Chair Lowen & Members of the EEP Committee

RE: HB 1585 Relating to Plastic Pollution

Support for hearing on February 8

Americans for Democratic Action is an organization founded in the 1950s by leading supporters of the New Deal and led by Patsy Mink in the 1970s. We are devoted to the promotion of progressive public policies.

We support HB 1585 as it would prohibit the state agencies from purchasing or using polystyrene food-service containers,

One only needs to look at Wikipedia to find evidence in support of this bill: "Polystyrene is slow to [biodegrade](#) and is therefore a focus of controversy among environmentalists. It is increasingly abundant as a form of [litter](#) in the outdoor [environment](#), particularly along shores and waterways, especially in its foam form, and also in increasing quantities in the Pacific Ocean." Save our beaches and ocean; in the long run we should ban polystyrene foam and other plastics that pollute. For now ban the State from purchasing these products.

Thank you for your favorable consideration.

Sincerely,

John Bickel  
President

**HB-1585**

Submitted on: 2/4/2024 1:53:24 PM

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

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Helen Cox	Kauai Climate Action Coalition	Support	Written Testimony Only

Comments:

Aloha Kakou,

Kauai Climate Action Coalition strongly supports HB1585 which prohibits state agencies from purchasing or using polystyrene food-service containers. This is a necessary and important step to reduce waste and move to recyclable materials. We all know that the landfills are reaching or have reached capacity. If the state takes this important step, it will go a long way towards getting vendors to stop using these containers. There are other reasonable containers that can be substituted for polystyrene food-service containers. Kauai has already seen a major change in this direction. It is time for the state to take action. Mahalo for your support of HB1585.

Helen Cox, Chair

Kauai Climate Action Coalition



February 8, 2024

**TO:** Chair Nicole E. Lowen  
Vice Chair Elle Cochran  
Members of the Committee on Energy and Environmental Protection

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

**RE:** **HB1585 Relating to Plastic Pollution. – OPPOSE**

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The American Chemistry Council (ACC) must respectfully oppose HB1585, legislation that would ban the purchase, sale, and use of polystyrene food service containers by state agencies and their contracted vendors beginning January 1, 2025.

ACC membership includes the leading suppliers and manufacturers of plastics foodservice packaging products, including polystyrene food and beverage containers. Though we support efforts to reduce plastic waste and increase the recycling and recovery of plastic packaging, we believe the Legislature should assess several important questions prior to moving forward with this policy. Key questions include:

- Will this legislation actually reduce waste or rather simply result in replacing one type of trash with another?
- Are there environmental impacts (e.g. energy use, water use, impacts on greenhouse gas emissions, trash generation, landfill waste, etc.) associated with the manufacture, distribution, use and disposal of likely alternative replacement products?
- Are likely replacement products recycled or composted within the State's existing recycling infrastructure and do viable, end use markets exist for these products?

#### **Impacts on Trash Generation/Disposal/Litter**

In addition to not considering important life-cycle environmental impacts, legislation that seeks to restrict the use of one type of packaging material (without any corresponding regulatory requirement on likely replacements) does not reduce the amount of waste or litter generated, but instead simply change the composition of the waste and litter stream. Bear in mind expanded polystyrene represents less than 1% of the waste stream.

Litter studies conducted following the enactment of a ban have shown an increase in the litter of alternative materials that is greater than the decline in the banned material. For example, when the City of San Francisco placed restrictions on the use of certain plastic foodservice products, the City found that replacement products became more dominant in the litter stream<sup>1</sup>. For this reason, the California Water board rejected the use of bans as a compliance mechanism for waterborne trash reduction<sup>2</sup>.

ACC believes there is an opportunity to craft meaningful and impactful packaging and food ware policy that considers the necessary role of packaging, including performance needs and assesses a multitude of attributes (e.g. recyclability, waste prevention, material efficiency, greenhouse gas emissions, collection and processing infrastructure, end markets, etc.) of all packaging materials. Combined, these considerations will help arrive at a policy solution that makes sense environmentally and provides the business community with practical and implementable compliance obligations.

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<sup>1</sup> [https://www.waterboards.ca.gov/sanfranciscobay/water\\_issues/programs/stormwater/MRP/02-2012/Comments/Dart/Staff\\_Exhibits.pdf](https://www.waterboards.ca.gov/sanfranciscobay/water_issues/programs/stormwater/MRP/02-2012/Comments/Dart/Staff_Exhibits.pdf)

<sup>2</sup> [http://www.waterboards.ca.gov/water\\_issues/programs/trash\\_control/docs/trash\\_sr\\_040715.pdf](http://www.waterboards.ca.gov/water_issues/programs/trash_control/docs/trash_sr_040715.pdf)

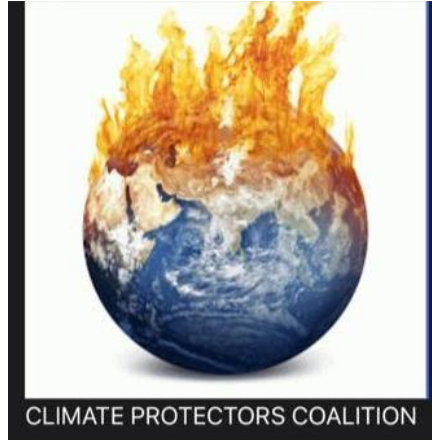


A practical first step toward creating a more circular system for packaging, including food ware packaging made from all materials is to clearly understand the current recycling and composting collection system, including the types and quantities of food ware material in the waste stream, current recycling and composting rates for all food ware materials, sorting and processing infrastructure, end markets for collected materials, and funding necessary to achieve higher recovery rates for food ware material of all types. Simply banning polystyrene food service containers does not automatically mean those alternatives will be recycled or composted.

To that end, the Legislature will be considering HB 1688, legislation requiring the Department of Health conduct a comprehensive needs assessment to “determine what would be needed to transition to a more circular system with less waste generation, more reuse and the necessary infrastructure to sort and locally process recyclable materials through an extended producer responsibility program for packaging materials and paper products.”

For the above stated reasons, we ask that you **vote NO on HB1585**. Thank you in advance for considering our views. If you have any questions or comments, please do not hesitate to contact me at 916-448-2581 or via email at [Tim\\_Shestek@americanchemistry.com](mailto:Tim_Shestek@americanchemistry.com).





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

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

Re: **Hearing HB1585 RELATING TO PLASTIC POLLUTION**

Hearing: Thursday February 8, 2023, 9:30 a.m., room 325

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

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 interested in preventing polluted  
runoff that harms the reefs and oceans.

The Climate Protectors Hawai'i seek to educate and engage the local community in  
climate change action, to help Hawai'i show the world the way back to a safe and  
stable climate. We support the use of trees and other design measures that  
reduce heat save energy and reduce the climate impact.

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**Hawai'i Reef and Ocean Coalition and Climate Protectors Hawai'i STRONGLY  
SUPPORT HB1585!**

The State should lead by example by having agencies not use polystyrene containers, which are harmful to human health and the environment. Polystyrene can leach the toxins styrene and benzene into food and hot drinks. Polystyrene also breaks into small pieces that are consumed by aquatic life, which is often fatal.

There are alternative materials that can be used instead of polystyrene for a small additional cost. The cost to human and environmental health of polystyrene far exceeds the cost savings.

Please pass a strong bill to eliminate sales of polystyrene in State facilities!

Mahalo!

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





February 8, 2024

To: The Honorable Nicole E. Lowen,  
Chair of the Committee on Energy & Environmental Protection  
From: Kris Quigley, Regional Director, State Government Affairs  
Plastics Industry Association  
Re: HB 1585 – OPPOSE – Scheduled for Hearing February 8, 2024

I am writing to respectfully oppose HB 1585 relative to polystyrene food service containers. The Plastics Industry Association (PLASTICS) is the only trade association that represents the entire supply chain of manufacturers of plastic products and packaging. We are committed to manufacturing products that meet the environmental, social, and business needs of consumers.

Polystyrene is a popular choice due to its affordability. Switching from polystyrene food service containers to an alternative material will likely lead to additional costs for the state. Further, studies have shown that alternatives to polystyrene have a greater impact on the environment as it relates to green house gas emissions and energy/water consumption. In addition, the health and safety benefits that polystyrene food service containers offer are critical in protecting consumers from food contamination.

Rather than pursuing a ban, we would be happy to collaborate with this committee and other stakeholders to advance reforms that can bring lasting solutions such as increased investments into recycling infrastructure and programs.

If you have any questions, please do not hesitate to contact me at [kquigley@plasticsindustry.org](mailto:kquigley@plasticsindustry.org).

Sincerely,

A handwritten signature in black ink, appearing to read "Kris Quigley", enclosed within a thin black rectangular border.

Kris Quigley  
Regional Director, State Government Affairs  
Plastics Industry Association



# Food+ Policy Internship 2024

[food@purplemaia.org](mailto:food@purplemaia.org)

February 6, 2024

To: Chair Lowen, Vice-Chair Cochran and the members of the House Committee of Energy and Environmental Protection

Subject: **Support of HB1585**

Aloha kākou,

Honorable Members of the House Committee on Energy & Environmental Protection,

Hawaii Food+ Policy is in strong support of HB1585, which aims to address the pressing issue of plastic pollution by prohibiting the use of polystyrene food-service containers in state facilities and events.

Plastic pollution poses a significant threat to our environment, public health, and economy. The exponential growth in plastic production has led to devastating consequences, including the contamination of our oceans, the endangerment of marine life, and the release of harmful chemicals into our food and water sources. As residents of Hawaii, a state renowned for its natural beauty and biodiversity, We are deeply concerned about the impacts of plastic pollution on our delicate ecosystems and marine habitats.

HB1585 represents a critical opportunity for Hawaii to take proactive measures to combat plastic pollution and safeguard our environment for future generations. By prohibiting the use of polystyrene foam containers in state facilities and events, we can significantly reduce the amount of plastic waste entering our landfills and oceans, mitigating the harmful effects on wildlife and ecosystems. Additionally, this legislation will promote the use of sustainable alternatives, such as biodegradable or compostable materials, which are less harmful to the environment and public health.

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**The Food+ Policy internship** develops student advocates who learn work skills while increasing civic engagement to become emerging leaders. We focus on good food systems policy because we see the importance and potential of the food system in combating climate change and increasing the health, equity, and resiliency of Hawai'i communities.

In 2024, the cohort of interns are undergrads and graduate students from throughout the UH System. They are a mix of traditional and nontraditional students, including parents and veterans, who have backgrounds in education, farming, public health, nutrition, and Hawaiian culture.



# Food+ Policy Internship 2024

[food@purplemaia.org](mailto:food@purplemaia.org)

Furthermore, HB1585 aligns with Hawaii's values of environmental stewardship and sustainability. As a state that relies heavily on its natural resources for tourism, agriculture, and recreation, it is imperative that we take decisive action to protect and preserve our environment. By enacting this legislation, Hawaii can reaffirm its commitment to sustainability and lead by example in the fight against plastic pollution.

We urge you to support HB1585 and prioritize the health and well-being of our environment and communities. By taking action now, we can ensure a cleaner, healthier, and more sustainable future for Hawaii.

Thank you for your attention to this critical issue.

Mahalo,

Kawika Kahiapo + Hawaii Food+ Policy Team

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

February 7, 2024

### **House Bill 1585 – Relating to Plastic Pollution - OPPOSE**

Thank you for the opportunity to provide written testimony regarding *House Bill 1585 – Relating to Plastic Pollution* (HB 1585), which we respectfully oppose.

Founded in 1933, the Foodservice Packaging Institute (FPI) 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 we have communicated previously, the foodservice packaging industry is committed to reducing the impact of its products on the environment and is dedicated to increasing 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 programs that enable increased recovery and diversion of foodservice packaging. However, we oppose restrictions that limit the use of any foodservice packaging. We believe that each foodservice package must compete in the marketplace based on its own merits of product performance and suitability, price competitiveness and, of course, impact on the environment.

It is worth noting that recycled foam polystyrene can be turned into new products. Through FPI's FRC, the industry has proactively led efforts to increase the recycling of foam polystyrene. As a result of the voluntary efforts of the FRC, approximately six million additional people in the U.S. and Canada have access to foam polystyrene recycling. More information on foam polystyrene recycling opportunities and U.S. end markets is available [here](#).

It is our perspective that rather than focus on foodservice packaging prohibitions, the authors should work with stakeholders to amend [HB 1688](#) to conduct a needs assessment as the first step in identifying measures to reduce waste and enhance the recovery of packaging in Hawaii. We have offered comments to this effect on HB 1688, also before this committee.

We appreciate your consideration of this written testimony and our opposition to HB 1585.

Sincerely,

A handwritten signature in blue ink that reads "C. Patterson".

Carol Patterson  
Vice President, Government Relations  
[cpatterson@fpi.org](mailto:cpatterson@fpi.org)

**HB-1585**

Submitted on: 1/31/2024 7:27:47 PM

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

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Justin Silva	Individual	Oppose	Written Testimony Only

Comments:

Prohibits

**HB-1585**

Submitted on: 2/2/2024 1:54:10 PM

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

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Barbara Best	Individual	Support	Written Testimony Only

Comments:

We need to do all we can to make a cleaner environment in Hawaii.

**HB-1585**

Submitted on: 2/2/2024 3:11:23 PM

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

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
John NAYLOR	Individual	Support	Written Testimony Only

Comments:

Aloha,

We all must do everything we can to limit the use of plastic. Very little gets recycled esp here in Hawaii nei. Food service containers beome airboune and end up in the ocean. Alternatives are available so we must use them. Pass this bill please.

Mahalo, JN Makawao



**HB-1585**

Submitted on: 2/4/2024 8:37:10 PM

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

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Tamara Paltin	Individual	Support	Written Testimony Only

Comments:

support

**HB-1585**

Submitted on: 2/5/2024 8:32:35 AM

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

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Keith Neal	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Lowen and members of the EEP

I support HB1585

The state must use best practices. Banning the purchase and use of polystyrene food-service containers is a good practice.

Thank you for your consideration,

Keith Neal

Waimea

**HB-1585**

Submitted on: 2/5/2024 12:11:10 PM

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

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Denise	Individual	Support	Written Testimony Only

Comments:

**February 5, 2024**

**Chair Nicole E. Lowen**

**Chair Elle Cochran, Vice**

**Members of the Energy & Environmental Protection Committee**

**H.B. NO. 1585: Polystyrene Food-service Containers; State Agencies; Vendors; Facilities; Concessions; Events; Programs; Prohibition**

**02/08/2024, 9:30am**

**Via VideoConference**

**In Support**

**My name is Denise Perdue and I live in Nanakuli, on the Waianae Coast of Oahu. I am testifying in favor of H.B. NO. 1585, Polystyrene Food-service Containers; State Agencies; Vendors; Facilities; Concessions; Events; Programs; Prohibition. I am very concerned with the amount of plastics that is encountered on a daily basis on Hawaii's beaches, land, and waterways, and feel this bill is a step in the right direction towards making a difference in the amount of waste accumulated on the island and overall in our state.**

**Passing this bill would mean a decrease in the amount of waste generated in Hawaii. As Hawaii does not have sufficient land and resources to continue to dump the waste into a landfill or to construct a recycling system, this bill will decrease with the ever increasing plastic waste generated by the growing population and visitors. By starting with the reduction of plastics purchased and utilized by state agencies, this will encourage other industries and organizations to follow their example thus reducing Hawaii's reliance on plastics. The decreased amount of polystyrene food-service containers in all state venues will also develop in a safer environment for marine life that will not encounter the discarded plastics, causing harm to their reproduction and survival of the species, as well as harm to humans that eat these marine life.**

**In closing, I would like to urge the House Committee to support this step towards a polystyrene environment, passing H.B. NO. 1585. I would like to thank the committee for considering my testimony in support of H.B. NO. 1585.**

**Mahalo,**

**Denise Perdue**

**[denisegp@hawaii.edu](mailto:denisegp@hawaii.edu)**

**HB-1585**

Submitted on: 2/6/2024 9:03:54 AM

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

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Ron Reilly	Individual	Support	Written Testimony Only

Comments:

Dear Chair Lowen, Vice Chair Cochran, and members of the Committee On Energy & Environmental Protection,

In support of **HB1585** relating to Polystyrene Food-service Containers

Prohibiting state agencies from purchasing or using polystyrene food-service containers is a sensible first step toward a general prohibition.

I respectfully urge your support of this measure.

Sincerely, Ron Reilly  
Volcano Village, Hawaii

**HB-1585**

Submitted on: 2/6/2024 3:27:26 PM

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

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Ruta Jordans	Individual	Support	Written Testimony Only

Comments:

Please support.