

DAVID Y. IGE
Governor

SHAN S. TSUTSUI
Lt. Governor



State of Hawaii
DEPARTMENT OF AGRICULTURE
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SCOTT E. ENRIGHT
Chairperson, Board of Agriculture

PHYLLIS SHIMABUKURO-GEISER
Deputy to the Chairperson

TESTIMONY OF SCOTT E. ENRIGHT
CHAIRPERSON, BOARD OF AGRICULTURE

BEFORE THE HOUSE COMMITTEE ON ENERGY & ENVIRONMENTAL
PROTECTION

JANUARY 30, 2018
8:30 A.M.
CONFERENCE ROOM 325

HOUSE BILL NO. 2103
RELATING TO PESTICIDES

Chairperson Lee and Members of the Committee:

Thank you for the opportunity to testify on House Bill No. 2103. This bill requires the Department of Agriculture, in collaboration with the Department of Health, to initiate a restricted use pesticide (RUP) amnesty program by January 1, 2019. The Department supports the intent of this measure and offers comments.

While the intent of the bill addresses RUP's it does not include any non-Restricted Use Pesticides, many of which have higher degrees of toxicity than RUPs. By targeting only RUPs we do not achieve a significant reduction in potential contamination by any unused pesticides.

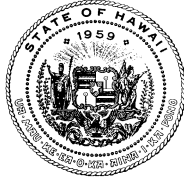
An amnesty bin for anonymous disposal of unwanted or illegal RUP pesticides is very risky. The RUP pesticides are strictly controlled by the U.S. EPA and U.S. Department of Agriculture. These pesticides are not available to the general public. They are only available to persons holding the appropriate license from HDOA. Those licensed applicators must keep accurate records of every milliliter of RUP products that they have purchased, what is currently in their inventory, and how they use the products. They are not allowed to anonymously dispose of an amount of the material. Although an interesting idea, RUP amnesty bins could endanger public health by:

- Leakage and mingling of products that could cause fires due to that mixing,
- Proper labeling and containment would be impossible to ensure,
- Vandalism could occur thus releasing the products into the environment, and
- Injury to staff whose duty would be to retrieve the contents of the bin.



While we can agree, in concept, to a pesticide disposal program we would like to encourage the adoption of a pilot program that is specifically associated with **agricultural** pesticides of all types. Currently there exists on most counties a disposal program that is limited to household types of pesticide products. For the pilot program we would like to determine how much volume of material would be associated with an amnesty disposal project. Without this information we would not know how much of a project would be required to make a significant impact on removing unused and unwanted product from the State.

Thank you for the opportunity to testify on this measure.



STATE OF HAWAII
DEPARTMENT OF HEALTH
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doh.testimony@doh.hawaii.gov

WRITTEN
TESTIMONY ONLY

**Testimony COMMENTING on HB 2103
RELATING TO PESTICIDES**

REPRESENTATIVE CHRIS LEE, CHAIR
HOUSE COMMITTEE ON ENERGY AND ENVIRONMENTAL PROTECTION

Hearing Date: January 30, 2018
Time: 8:30 am

Room Number: 325

1 **Fiscal Implications:** Unspecified but may be significant.

2 **Department Testimony:** Farmers and other businesses have a legal obligation to properly
3 dispose of the waste chemicals that they generate. Taking on this burden for them serves to
4 propagate mismanagement as they no longer have to pay for proper disposal. The department
5 appreciates the overall concept of this bill as it includes initiatives supportive our goals and
6 objectives to keep waste agricultural chemicals out of the environment, but we are concerned
7 about the cost implications generated by this proposal.

8 Uncontrolled collections in the manner described could result in releases or fires due to
9 incompatibility of the chemicals involved and put a significant economic and regulatory burden
10 on the collection sites.

11 If an amnesty program is pursued, the department recommends a one-day collection
12 event, where the farmers bring their waste pesticides to a drop off point where a contractor
13 would properly package and label the wastes for transportation and disposal.

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

HB-2103

Submitted on: 1/30/2018 12:09:54 AM

Testimony for EEP on 1/30/2018 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Melodie Aduja	OCC Legislative Priorities	Support	No

Comments:

PRESENTATION OF THE
OAHU COUNTY COMMITTEE ON LEGISLATIVE PRIORITIES
DEMOCRATIC PARTY OF HAWAII
TO THE COMMITTEE ON ENERGY & ENVIRONMENTAL PROTECTION
HOUSE OF REPRESENTATIVES
TWENTY-NINTH LEGISLATURE
REGULAR SESSION OF 2018
Tuesday, January 30, 2018
8:30 a.m.
Hawaii State Capitol, Conference Room 325

RE: Testimony in Support of HB 2103, RELATING TO PESTICIDES

To the Honorable Chris Lee, Chair; the Honorable Nicole E. Lowen, Vice-Chair, and Members of the Committee on Energy & Environmental Protection:

Good morning, my name is Melodie Aduja. I serve as Chair of the Oahu County Committee ("OCC") Legislative Priorities Committee of the Democratic Party of Hawaii. Thank you for the opportunity to provide written testimony on House Bill No. 2103, relating to illegal or restricted use Pesticides Amnesty Program and Amnesty Bins. The OCC Legislative Priorities Committee is in favor of House Bill No. 2103 and support its passage.

House Bill No. 2103, is in accord with the Platform of the Democratic Party of Hawai'i ("DPH"), 2016, as it requires the department of agriculture, in collaboration with

the department of health, to create a restricted use pesticide amnesty program and provide restricted use pesticide amnesty bins within each county for the anonymous and proper disposal of illegal or unused restricted use pesticides. Specifically, the DPH Platform states that “[t]he Democratic Party of Hawai‘i believes that the preservation and restoration of our natural environment are essential. We support a sustainable society that utilizes the earth in such a way that future generations will benefit from the practices of our generation. We support the restoration, preservation, and protection of our native ecosystems on each island. We believe in integrated approaches, practices, and support public policies that create and maintain a sustainable way of life in Hawai‘i.

We believe in the vigorous enforcement of our environmental laws and increased public-private stewardships and citizen involvement in protecting our resources.” (Platform of the DPH, P. 3, Lines 115-116, P. 9, 432-433 (2016)).

Given that House Bill No. 2103 requires the department of agriculture to create a restricted use pesticide amnesty program and provide restricted use pesticide amnesty bins within each county for the anonymous and proper disposal of illegal or unused restricted use pesticides, it is the position of the OCC Legislative Priorities Committee to support this measure.

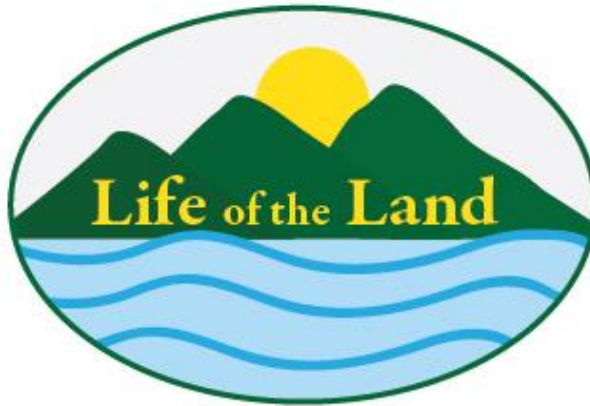
Thank you very much for your kind consideration.

Sincerely yours,

/s/ **Melodie Aduja**

Melodie Aduja, Chair, OCC Legislative Priorities Committee

Email: legislativepriorities@gmail.com, Tel.: (808) 258-8889



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COMMITTEE ON ENERGY & ENVIRONMENTAL PROTECTION

Rep. Chris Lee, Chair

Rep. Nicole E. Lowen, Vice Chair

Tuesday, January 30, 2018

8:30 a.m.

Conference Room 325

HB 2103 Relating to Pesticides

SUPPORT

Aloha Chair Lee, Vice Chair Lowen, and Members of the Committee,

Life of the Land is Hawai'i's own energy, environmental and community action group advocating for the people and `aina for 47 years. Our mission is to preserve and protect the life of the land through sound energy and land use policies and to promote open government through research, education, advocacy and, when necessary, litigation.

Currently, there is no amnesty program or place for proper disposal of illegal or unused restricted use pesticides, which leads to improper storage or illegal dumping. The purpose of this Act is to require the establishment of an amnesty program and bins in which illegal or unused restricted use pesticides may be properly disposed without fear of legal repercussions.

Mahalo

Henry Curtis

Executive Director



WPHA

Western Plant Health Association

January 30, 2018

Committee on Energy & Environmental Protection
House of Representatives
Hawaii State Capitol, Rm. 436
Honolulu, HI 96813

RE: HB 2103; RELATING TO PESTICIDE COLLECTIONS (SUPPORT)

Dear Chair Lee, Vice Chair Lowen, and Members of the Committee:

On behalf of the Western Plant Health Association (WPHA), I am writing to express our support of HB 2103, which will provide a collection program for the proper disposal of illegal or unused restricted use pesticides. WPHA appreciates the interest of House members to provide a mechanism whereby individuals may safely dispose of unused products. WPHA represents the interests of fertilizer and pesticide manufacturers, agricultural biotechnology providers, and agricultural retailers in Hawaii, California, and Arizona.

WPHA supports programs facilitating the safe disposal of all unused pesticides, so we suggest that the committee may want to consider providing a mechanism that provides the Chair of the Department of Agriculture (Chair) in consultation with the Department of Health, discretion in prioritizing what type of pesticide products require the most immediate action. Pesticide illness and accident reports around the country demonstrate that the greatest risk to public health or the environment is the illegal storage and disposal of consumer based pesticide products. The Hawaii Department of Health's own surface water monitoring projects have demonstrated that the highest detections of pesticides are in urban water systems. Monitoring programs have demonstrated that the inappropriate or illegal disposal of pesticide products into storm drains or waste collection programs contributes to these detections. Unlike restricted use pesticides which require handlers to demonstrate a professional level of knowledge in the handling and use of products, consumers are more likely to mishandle old or unused products due to their lack of awareness of environmental and health risks. As such, the committee should consider providing the Chair discretion to make determinations for prioritizing product collections.

While WPHA does recommend greater flexibility in identifying or prioritizing product collections, we do believe this is a worthwhile effort to help eliminate unused products from being used either accidentally or illegally. Therefore, we are pleased to support to HB 2103. We thank the committee for its consideration of our comments.

Sincerely,

Renee Pinel
President/CEO



P.O. Box 253, Kunia, Hawai'i 96759
Phone: (808) 848-2074; Fax: (808) 848-1921
e-mail info@hfbf.org; www.hfbf.org

January 30, 2018

HEARING BEFORE THE
HOUSE COMMITTEE ON ENERGY AND ENVIRONMENTAL PROTECTION

TESTIMONY ON HB 2103
RELATING TO PESTICIDES

Room 325
8:30 AM

Aloha Chair Lee, Vice Chair Lowen, and Members of the Committee:

I am Randy Cabral, President of the Hawaii Farm Bureau (HFB). Organized since 1948, the HFB is comprised of 1,900 farm family members statewide, and serves as Hawaii's voice of agriculture to protect, advocate and advance the social, economic and educational interests of our diverse agricultural community.

The Hawaii Farm Bureau offers the following **comments on HB 2103**, which would create a restricted use pesticide amnesty program and provide restricted use pesticide amnesty bins within each county for the anonymous and proper disposal of illegal or unused restricted use pesticides.

Although HFB would certainly support a State-sponsored pesticide disposal program to help farmers properly dispose of unwanted pesticides **of all types** (*not just RUPs*), that program would need to be in compliance with the strict requirements of the Environmental Protection Agency, the Hawaii Departments of Agriculture and Health, and the local fire departments, among others. And as a matter of safety, we don't believe that amnesty bins would meet those requirements.

However, HFB would like to partner with HDOA to help with a pesticide disposal program for agriculture similar to the one that the agency conducted some years ago. The counties already provide for *residential household* hazardous waste collection at various times throughout the year but farmers are not permitted to participate. Many mainland states periodically hold unwanted pesticide collection events specifically for farmers and ranchers. Unfortunately, because of Hawaii's isolated location and the need for numerous island collection sites, a program of this type is logistically complex and costly, but with proper planning and funding, it will benefit farmers and ranchers and their communities.

Thank you for the opportunity to provide comments on HB 2103.

HB-2103

Submitted on: 1/26/2018 4:45:36 PM

Testimony for EEP on 1/30/2018 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
John R. Gordines	Hawaii Floriculture & Nursery Ass.	Support	No

Comments:

HB-2103

Submitted on: 1/27/2018 5:09:54 AM

Testimony for EEP on 1/30/2018 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Charles Grigsby		Oppose	No

Comments:

I support the notion of a means of disposal of hazardous or toxic materials including restricted use pesticides. The best way to remove these items from use is to provide a path to disposal for the people or organizations that possess them. We should make it easier to do what is right (properly and safely dispose of hazardous wastes) than what is wrong (disposing hazardous wastes in the trash bins where they will wind up in the landfill, or worse, disposing these wastes directly to the environment).

My reservation about this bill is that there should be trained personnel present at the receiving bin to ensure that incompatible chemicals and leaking containers are not just left at the receiving bin. Perhaps a better option would be to increase the frequency and number of locations at which hazardous wastes could be received by trained personnel.

Currently, there are two days a year at the Kona and the Hilo transfer stations for receiving hazardous wastes. This is far too infrequent, and the long lines on those occasions may make some persons reluctant to spend the time and effort needed to properly dispose of their chemical wastes. A better option would be to expand the current program to higher frequency and to more locations. I suggest that there should be at least one day each quarter where a person could find a nearby (< 50 miles) hazardous waste disposal location.

Thank you for your consideration.

HB-2103

Submitted on: 1/27/2018 1:49:06 PM

Testimony for EEP on 1/30/2018 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Javier Mendez-Alvarez		Support	No

Comments:

HB-2103

Submitted on: 1/28/2018 4:55:22 PM

Testimony for EEP on 1/30/2018 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Gail Jackson		Support	No

Comments:

HB-2103

Submitted on: 1/28/2018 6:54:16 PM

Testimony for EEP on 1/30/2018 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Joy Fisher		Support	No

Comments:

I support this bill. It is very important to provide a legal way to dispose of illegal pesticides so they won't just get dumped.

Joy Fisher

Kamuela

HB-2103

Submitted on: 1/28/2018 5:08:19 PM

Testimony for EEP on 1/30/2018 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
William Simonsma		Support	No

Comments:

HB-2103

Submitted on: 1/28/2018 7:00:24 PM

Testimony for EEP on 1/30/2018 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Christopher Dean		Support	No

Comments:

In regards to the use of pesticides. There's a better way than spraying toxic poison all over the place. Industrial steam weeding equipment is cheaper, faster, non toxic and has the added benefit of washing salt off of highway infrastructure, greatly increasing longevity and saving us money again down the line. I've included a link to one manufacturer, but I'll leave it in your capable hands to shop for the best. In my experience, it's better to spend money on the best, most durable, most efficient and easiest to maintain equipment there is. <http://www.agriexpo.online/prod/cm-regero-industries/product-168720-15911.html>

HB-2103

Submitted on: 1/29/2018 9:18:02 AM

Testimony for EEP on 1/30/2018 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Joan Gannon	West Hawaii CHC	Support	No

Comments:

I support HB2103

HB-2103

Submitted on: 1/29/2018 9:41:57 AM

Testimony for EEP on 1/30/2018 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Shannon Rudolph		Support	No

Comments:

Strongly Support

HB-2103

Submitted on: 1/29/2018 9:11:50 PM

Testimony for EEP on 1/30/2018 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Maureen Garry		Support	No

Comments:

Aloha,

I encourage you to pass HB2103 to allow those with dangerous chemicals to dispose of them safely and without fear of negative repercussions. This model has been used successfully in many arenas, and it would help to clear potential contaminants from our precious island ecosystem.

Mahalo,

Maureen Garry

Waikoloa, HI