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WRITTEN
TESTIMONY
ONLY

In reply, please refer to:
File:

**Testimony in SUPPORT of SB0966
RELATING TO DISPOSAL OF SOLID WASTE**

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

Hearing Date: 3/21/2023

Room Number: 325

- 1 **Fiscal Implications:** Unknown
- 2 **Department Testimony:** The Department of Health supports this measure as it provides other
- 3 options for penalties to deter illegal dumping.
- 4 Thank you for the opportunity to testify.
- 5 **Offered Amendments:** None



Environmental Caucus of The Democratic Party of Hawai'i

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

Re: **SB 966 – RELATING TO DISPOSAL OF SOLID WASTE**
Hearing: Tuesday, March 21, 2023, 9:30 a.m., Conference 325, via videoconference

Position: **Strong Support**

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

The Environmental Caucus of the Democratic Party of Hawai'i and its 7,500 members stand in strong support of SB 966. This measure allows as punishment for felony disposal of solid waste, imprisonment of not more than five years. It allows as punishment for felony disposal of solid waste and petty misdemeanor disposal of solid waste, forfeiture of any vehicle used in the commission of the offenses.

As provided in the Democratic Party of Hawai'i Platform adopted at the DPH State Convention on May 28, 2022, our policy is to “protect and preserve Hawai'i's environment and achieve energy sustainability, advance measures to re-establish a healthy climate and environment for humans and fellow species, including actions to urgently address climate change, and work towards 100% renewable energy goals.

We believe that all people have the right to live in a clean, healthy and safe environment. We believe that the preservation of our natural environment and its ecological well-being is essential to ensuring a safe, healthy, bountiful life for future generations in Hawai'i. We support policies that create a more sustainable society. We support the restoration, preservation, and protection of native ecosystems.

We believe in the resource management principles outlined in the Public Trust doctrine of [Article XI, Section 1 of the] Hawai'i State Constitution.”

Illegal dumping involves the unauthorized disposal of numerous types of waste. Typical materials dumped include building materials from construction sites, such as drywall, roofing shingles, lumber, brick, concrete, and siding. Other frequently dumped materials include automobile parts, household appliances, household waste, furniture, yard scraps, and medical waste.

Effects of illegal dumping include health, environmental, and economic consequences. While legal waste disposal locations, such as [landfills](#), are designed to contain waste and its byproducts from infiltrating the surrounding environment, illegal dumping areas do not typically incorporate the same safeguards. Due to this, illegal dumping may sometimes lead to [pollution](#) of the surrounding environment. [Toxins](#) or hazardous materials infiltrating soil and drinking water threaten the health of local residents. Additionally, illegal dump sites that catch fire pollute the air with toxic particles. Environmental pollution due to illegal dumping causes short-term and long-term health issues. Short-term issues include [asthma](#); [congenital illnesses](#); [stress](#) and [anxiety](#); [headaches](#), [dizziness](#) and [nausea](#); and [eye](#) and [respiratory infections](#). Long-term concerns include [cancer](#) and [kidney](#); [liver](#); [respiratory](#); [cardiovascular](#); [brain](#); [nervous](#); and lymphohematopoietic diseases. Beyond negative health outcomes due to pollution and toxic waste, illegal



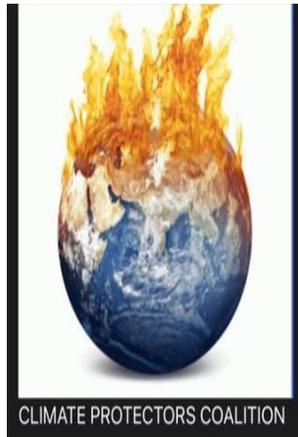
March 21, 2023

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dumps pose a physical threat. Unstable piles of material and exposed nails threaten harm to humans, specifically children who may be attracted to illegal dumps as play areas.

Allowing as punishment for felony disposal of solid waste, imprisonment of not more than five years per offense and allowing as punishment for such conduct, forfeiture of any vehicle used in the commission of the offenses are consistent with the Public Trust Doctrine and the policies of the Democratic Party of Hawaii as curbing illegal dumping by imprisonment of not more than five years per offense and forfeiture of the vehicle used in the criminal act would curtail future illegal dumping that threaten our healthy climate for humans and the environment.

/s/ Melodie Aduja and Alan Burdick, Co-Chairs, DPH Environmental Caucus



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

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

Re: Hearing **SB966 RELATING TO DISPOSAL OF SOLID WASTE**

Hearing: Tuesday, March 21, 2023, 9:30 a.m., room 325

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

The mission of the Climate Protectors Hawai'i is 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.

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.

The Climate Protectors Hawai'i and Hawai'i Reef and Ocean Coalition STRONGLY SUPPORT SB966!

Illegal solid waste dumping spoils our 'aina and hurts us all!

Without landfill safeguards, such dumping, especially of hazardous materials and construction and demolition waste, can pollute the neighboring environment, harm health, and have negative economic consequences. Toxins or other hazardous materials infiltrating soil and drinking water threatens the health of local residents.

Vehicles, either commercial or personal, are usually involved in the dumping. Forfeiture pursuant to HRS c. 712A of the vehicle used in the commission of an offense and owned and operated by one convicted of the violation pursuant to HRS c. 712A is an appropriate response to curtail this criminal activity.

Please protect the environment and pass this bill!

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

SB-966

Submitted on: 3/19/2023 1:37:01 PM

Testimony for EEP on 3/21/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Ruta Jordans	Kauai Climate Action Coalition (KCAC)	Comments	Written Testimony Only

Comments:

On reading the bill SB966 and testimony on it concerning illegal dumping I can see both sides of the issue, which apparently the writers of this bill missed.. One of the testifiers included homeless in the testimony - that they should also be fined! What the bill and all the testimony writers are missing is the larger picture. Disposal is expensive for commercial dumpers and probably close to impossible for the homeless. Do we have a good, convenient way to dispose of appliances, cars, and building materials? Some counties are developing solutions. Are we planning to give the dumpers an alternative place to take their "trash" or just penalize them? Are the legal ways to dispose of vehicles or building materials or other hard to dispose of materials made known to potential dumpers? Is this information shared beyond official notifications to reach the potential dumpers? Some counties are looking to advertise on social media. Since each county has its own solid waste system and infrastructure, does one penalty fit all counties? Is the penalty appropriate for places that have barriers to convenient locations and times for disposal? Because the solid waste infrastructure is different for each county, it would seem that penalties (and solutions) should be appropriate to each county. Has there been a study of why people are dumping illegally and was penalizing seen as the only solution to the problem? Is such a harsh penalty appropriate in every situation?

SB-966

Submitted on: 3/13/2023 8:23:37 PM

Testimony for EEP on 3/21/2023 9:30:00 AM

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

Comments:

The State and County are responsible not the People. The State and County should be the one that Get Punish for not doing there JOBS!!!!

SB-966

Submitted on: 3/15/2023 11:06:16 PM

Testimony for EEP on 3/21/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Cards Pintor	Individual	Support	Written Testimony Only

Comments:

Aloha,

I support this bill.

Mahalo nui,

Cards Pintor

SB-966

Submitted on: 3/16/2023 7:54:54 AM

Testimony for EEP on 3/21/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Caroline Azelski	Individual	Support	Written Testimony Only

Comments:

In support of. Thank you.

SB-966

Submitted on: 3/17/2023 7:51:20 AM

Testimony for EEP on 3/21/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Virginia Tincher	Individual	Support	Written Testimony Only

Comments:

Members of the Energy and Environmental Protection Committee,

Mahalo for this opportunity to testify.

It's sad that we need a bill like SB966 but we do. We need to send a strong message as a state that our aina is precious and delicate. Disposing of waste where it can be properly treated is critical.

I strongly support SB966 and appreciate the Legislature's attention to this bill.

Virginia Tincher

Oahu

SB-966

Submitted on: 3/19/2023 8:16:08 AM

Testimony for EEP on 3/21/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Helen Cox	Individual	Support	Written Testimony Only

Comments:

Aloha Chair and Committee Members,

Please pass SB966. We must protect our aina for future generations and property disposing of solid waste is an important component of protection. In addition, improper disposal only aggravates the climate crisis we face now. We must take appropriate action against those who dispose of solid waste improperly. Please pass SB966. Mahalo!