

IEM Committee

From: Dana Tollefson <mail@changemail.org>
Sent: Thursday, November 13, 2014 10:59 AM
To: IEM Committee
Subject: 10 new people signed: Support a ban on the use and sale of polystyrene disposable food service containers

10 new people recently signed Pacific Whale Foundation's petition "[Infrastructure and Environmental Management Committee: Support a ban on the use and sale of polystyrene disposable food service containers](#)" on Change.org.

There are now 70 signatures on this petition. Read reasons why people are signing, and respond to Pacific Whale Foundation by clicking here:

<http://www.change.org/p/infrastructure-and-environmental-management-committee-support-a-ban-on-the-use-and-sale-of-polystyrene-disposable-food-service-containers/responses/new?response=8d4ea5a741d8>

Dear Infrastructure and Environmental Management Committee,

Please support a ban on the use and sale of polystyrene disposable food service containers. Polystyrene is a serious threat to both the environment as well as public health. Commonly used in cheap food ware (plates, cups, 'clamshells', etc), polystyrene does not biodegrade and is responsible for leaching carcinogenic chemicals into food and the surrounding environment. Polystyrene has long been known to be detrimental to the environment, and is often spotted as unwelcome litter both on land and in water, due to its lightweight nature and disposability. In fact, McDonald's stopped using polystyrene containers for their hamburgers as far back as 1990. More and more cities across the country are banning the material, including Miami Beach, which just passed a ban on all Styrofoam products on July 24th. Made from petroleum, polystyrene products are never fully biodegraded and are made from a nonrenewable, rapidly disappearing resource. Their manufacture consumes much energy, and it is difficult to recycle the material. When polystyrene products make it to the ocean, they become harmful marine debris that is dangerous to ocean animals. Polystyrene products are not only dangerous for marine life; they pose a health risk to humans as well. In 2011, the U.S. Department of Health and Human Services listed styrene as a substance "reasonably anticipated to be a carcinogen". Polystyrene food containers, often received with take-out orders or hot beverages, can leach this toxin when in contact with hot foods or liquids. Compostable products are an economically viable and eco-friendly alternative to polystyrene. These products are non-toxic, plant-based and carried by every distributor in Hawai'i. Bills such as a ban on polystyrene food containers are important in reducing our dependency on single use plastics, while also improving environmental and public health.

Sincerely,

- 70. Dana Tollefson Kihei, Hawaii
- 69. Hailey Tollefson kihei, Hawaii
- 68. Renee Jorg Kahului, Hawaii
- 67. Rachel Nichols Wimauma, Florida
- 66. Hailie Kittner wailuku, Hawaii
- 65. Concerned Citizen New City, New York
- 63. Adam Weber Hood River, Oregon
- 61. Amy Mackinaw Fairbanks, Alaska

60. Ainsley Dineen , Australia

59. Andie Rose Pacifica, California



IEM Committee

From: Robi Campbell <bchillata@icloud.com>
Sent: Thursday, November 13, 2014 11:40 AM
To: IEM Committee
Subject: Polystyrene Ban Please
Attachments: RESTAURANT SUPPORT LETTER.pdf

**Maui County Council
Infrastructure and Environmental Management Committee
200 South High Street
Wailuku, HI 96793**

Re: Phase-out Polystyrene Food Ware ---- Support

Dear Council members,

Robi Campbell supports an ordinance to phase-out polystyrene food ware. Due to the environmental and public health issues associated with polystyrene, our restaurant is already using alternatives to foam containers that work well.

Most polystyrene products are made for single-use, yet persist in the environment for hundreds or thousands of years. EPS is lightweight and floats, and readily travels from land to inland waterways and out to the ocean. EPS foam easily breaks into small pieces which are commonly mistaken for food as birds and other marine wildlife ingest these plastic pieces

Restaurants like ours are concerned with both the environmental and economic impacts of foam food ware. We want to prevent litter and reduce taxpayer spending to control it. Our members also want to protect the health of their customers by avoiding exposure to Styrene -- a possible human carcinogen and a known lab animal carcinogen -- from foam containers.

Our transition away from foam has been accomplished without much difficulty or additional expense and many of our customers are pleased by the switch away from foam containers.

We support a bill that would phase-out polystyrene as a "win-win" measure that is good for the environment and good for business. We are proud to be at the forefront of this beneficial change and thank you for authoring this bill to stop foam plastic pollution in Maui County.

Sincerely,

Robi Campbell

bChill

IEM Committee

From: Karen Chun <karenchunmaui@gmail.com>
Sent: Friday, November 14, 2014 2:11 PM
To: IEM Committee
Subject: Please support phasing out plastic food containers

Please support phasing out plastic food containers and styrofoam. As someone who is always at the ocean, I see so much styrofoam littering our beaches. And a one-use styrofoam container is such a waste of oil.

I looked on the internet for the difference in price between a styrofoam take-out container (11 cents) and a fiber container that decomposes (17 cents)

The Chamber of Commerce Koch Brothers let campaign claiming that 6 cents is going to put the take-out places out of business is not credible.

thanks
Karen Chun
87 Lae St.
Paia HI 96779

IEM Committee

From: Lauren Campbell <lauren@pacificwhale.org>
Sent: Friday, November 14, 2014 3:49 PM
To: IEM Committee
Subject: Testimony IEM-5: POLYSTYRENE DISPOSABLE FOOD SERVICE CONTAINERS
Attachments: Testimony Supporting Polystyrene Ban_November 2014.pdf

Please see attached.

Lauren

--

Lauren Campbell Blickley
Conservation Manager
Pacific Whale Foundation

300 Ma'alaea Rd., Suite 211
Wailuku, HI 96793
Ph:808-856-8304
www.pacificwhale.org/conservation



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November 14, 2014

Maui County Council Members
200 South High Street
Wailuku, HI 96793

Dear Council Members,

I recently served as a member of the "Maui County Task Force", designed to discuss and develop legislation that would address the phase-out of polystyrene food service ware. The reality is that polystyrene foam is the cheap, dirty option for food ware. It is toxic to human health and it is a prevalent form of litter in Maui's natural environment. We need to take steps to eliminate polystyrene and other plastic, single-use materials from our waste stream.

Points to consider:

- **There are safe alternatives to polystyrene containers that keep hot foods hot and cold foods cold.** Ask Starbucks, Whole Foods or any number of food distributors on Maui that serve hot foods such as soups and coffee.
- **The price of eco-friendly alternatives is not cost prohibitive.** VIP Food Service provided a cost breakdown of multiple takeout items. Of 6", 8" and 9" clamshells, only 8" compostable clamshells are priced higher than traditional polystyrene, and then, only by about \$0.14. We've also found pricing of 8" compostable clamshells at only \$0.07 more per unit than 8" polystyrene foam containers. Of the 4,500 restaurants in San Francisco, not one has applied for an exemption due to financial reason.
- **The sky will not fall.** Despite much fear mongering on behalf of the plastics industry and those opposed to polystyrene legislation, Maui's local food industry will not collapse. In fact, a number of restaurants on Maui have already made the switch to more eco-friendly alternatives.
- **Reusable. Recyclable. Compostable.** It is not enough to ban one type of plastic, just to replace it with another. I encourage you, then, to support an initiative that is more comprehensive in scope. On Maui, this would require take-out containers to be either #1 or #2 plastics, or certified compostable.
- **We need to develop a new way of thinking about solid waste.** Opponents of proposed legislation argue that as there is no industrial compost facility on Maui, there is no point to champion compostable products over polystyrene products – it all goes to the landfill. Yet why can't we create a compost facility? Why can't we implement a more holistic solution to *eliminating* waste? By mandating compostable products, we have already taken the first step towards integrated waste management. Zero Waste is a concept that has been adopted by a number of municipalities, including Kaua'i. It is an integrated system wherein each material recovered from the waste stream is seen as a resource, not an end product. Instead of managing waste, then, you think in terms of managing resources and *strive to eliminate waste*.

I appreciate your consideration of the aforementioned points, and look forward to working with you all to develop solutions that will support a future of sustainability on Maui. Please support moving forward with legislation to phase-out polystyrene and other single-use plastic food ware.

Sincerely,

Lauren Campbell Blickley



IEM Committee

From: Lauren Campbell <lauren@pacificwhale.org>
Sent: Friday, November 14, 2014 4:22 PM
To: IEM Committee
Subject: Letters Supporting Polystyrene ban from Restaurants
Attachments: Signed letters Nov 2014.pdf

Please see attached.

Lauren

--

Lauren Campbell Blickley
Conservation Manager
Pacific Whale Foundation

300 Ma'alaea Rd., Suite 211
Wailuku, HI 96793
Ph:808-856-8304
www.pacificwhale.org/conservation



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**Maui County Council
Infrastructure and Environmental Management Committee**

Re: Phase-out Polystyrene Food Ware --- Support

Dear Council members,

BREAKWALL SHAVE ICE supports an ordinance to phase-out polystyrene food ware. Due to the environmental and public health issues associated with polystyrene, our restaurant is already using alternatives to foam containers that work well.

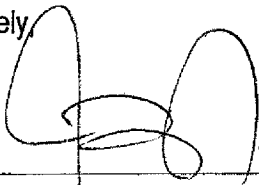
Most polystyrene products are made for single-use, yet persist in the environment for hundreds or thousands of years. EPS is lightweight and floats, and it readily travels from land to inland waterways and out to the ocean. EPS foam easily breaks into small pieces which are commonly mistaken for food as birds and other marine wildlife ingest these plastic pieces

Restaurants like ours are concerned with both the environmental and economic impacts of foam food ware. We want to prevent litter and reduce taxpayer spending to control it. Our members also want to protect the health of their customers by avoiding exposure to Styrene -- a possible human carcinogen and a known lab animal carcinogen -- from foam containers.

Our transition away from foam has been accomplished without much difficulty or additional expense and many of our customers are pleased by the switch away from foam containers.

We support a bill that would phase-out polystyrene as a "win-win" measure that is good for the environment and good for business. We are proud to be at the forefront of this beneficial change and thank you for authoring this bill to stop foam plastic pollution in Maui County.

Sincerely,



JAVIER BARBERI

**Maui County Council
Infrastructure and Environmental Management Committee**

Re: Phase-out Polystyrene Food Ware ----- Support

Dear Council members,

KIMO'S RESTAURANT supports an ordinance to phase-out polystyrene food ware. Due to the environmental and public health issues associated with polystyrene, our restaurant is already using alternatives to foam containers that work well.

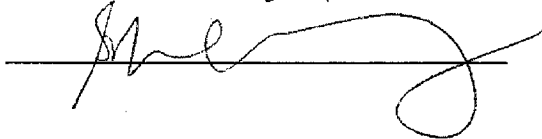
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We support a bill that would phase-out polystyrene as a "win-win" measure that is good for the environment and good for business. We are proud to be at the forefront of this beneficial change and thank you for authoring this bill to stop foam plastic pollution in Maui County.

Sincerely,

SARRINA ESPARZA


**Maui County Council
Infrastructure and Environmental Management Committee**

Re: Phase-out Polystyrene Food Ware ---- Support

Dear Council members,

Cafe Annuette supports an ordinance to phase-out polystyrene food ware. Due to the environmental and public health issues associated with polystyrene, our restaurant is already using alternatives to foam containers that work well.

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Sincerely,

Michelle Rudrock
Michelle

**Maui County Council
Infrastructure and Environmental Management Committee**

Re: Phase-out Polystyrene Food Ware ---- Support

Dear Council members,

Maui Ocean Center supports an ordinance to phase-out polystyrene food ware. Due to the environmental and public health issues associated with polystyrene, our restaurant is already using alternatives to foam containers that work well.

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We support a bill that would phase-out polystyrene as a "win-win" measure that is good for the environment and good for business. We are proud to be at the forefront of this beneficial change and thank you for authoring this bill to stop foam plastic pollution in Maui County.

Sincerely,

James J. Merrin
Food & Beverage Manager.

**Maui County Council
Infrastructure and Environmental Management Committee**

Re: Phase-out Polystyrene Food Ware ---- Support

Dear Council members,

Maui Macaroons supports an ordinance to phase-out polystyrene food ware. Due to the environmental and public health issues associated with polystyrene, our restaurant is already using alternatives to foam containers that work well.

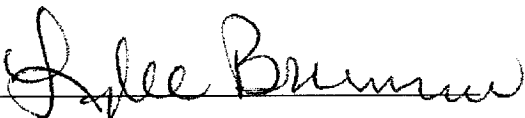
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Sincerely,


Leslie Brummer

**Maui County Council
Infrastructure and Environmental Management Committee**

Re: Phase-out Polystyrene Food Ware ---- Support

Dear Council members,

Localboys Shave Ice Labina supports an ordinance to phase-out polystyrene food ware. Due to the environmental and public health issues associated with polystyrene, our restaurant is already using alternatives to foam containers that work well.

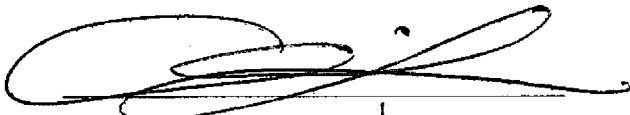
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We support a bill that would phase-out polystyrene as a "win-win" measure that is good for the environment and good for business. We are proud to be at the forefront of this beneficial change and thank you for authoring this bill to stop foam plastic pollution in Maui County.

Sincerely,



Christopher Lewis

**Maui County Council
Infrastructure and Environmental Management Committee**

Re: Phase-out Polystyrene Food Ware ---- Support

Dear Council members,

Farmany Waialuku supports an ordinance to phase-out polystyrene food ware. Due to the environmental and public health issues associated with polystyrene, our restaurant is already using alternatives to foam containers that work well.


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Sincerely,


Christopher Malik Lewis

**Maui County Council
Infrastructure and Environmental Management Committee**

Re: Phase-out Polystyrene Food Ware ---- Support

Dear Council members,

Localbays South supports an ordinance to phase-out polystyrene food ware. Due to the environmental and public health issues associated with polystyrene, our restaurant is already using alternatives to foam containers that work well.


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Sincerely,


Christopher Lewis

**Maui County Council
Infrastructure and Environmental Management Committee**

Re: Phase-out Polystyrene Food Ware ---- Support

Dear Council members,

WAILUKU COFFEE CO. supports an ordinance to phase-out polystyrene food ware. Due to the environmental and public health issues associated with polystyrene, our restaurant is already using alternatives to foam containers that work well.

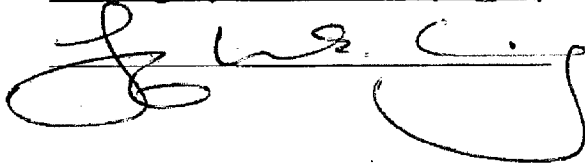
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Sincerely,

JACQUELINE E. GORING


**Maui County Council
Infrastructure and Environmental Management Committee**

Re: Phase-out Polystyrene Food Ware ----- Support

Dear Council members,

Pison Street Pizza supports an ordinance to phase-out polystyrene food ware. Due to the environmental and public health issues associated with polystyrene, our restaurant is already using alternatives to foam containers that work well.

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Sincerely,

Charles Clarke



**Maui County Council
Infrastructure and Environmental Management Committee**

Re: Phase-out Polystyrene Food Ware ---- Support

Dear Council members,

Sal Ann Bocca supports an ordinance to phase-out polystyrene food ware. Due to the environmental and public health issues associated with polystyrene, our restaurant is already using alternatives to foam containers that work well.

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Sincerely,

Sal Ann Bocca
Megan Leonhard

**Maui County Council
Infrastructure and Environmental Management Committee**

Re: Phase-out Polystyrene Food Ware ---- Support

Dear Council members,

Subway supports an ordinance to phase-out polystyrene food ware. Due to the environmental and public health issues associated with polystyrene, our restaurant is already using alternatives to foam containers that work well.

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Sincerely,

Mika Uyeno
Mika Uyeno

**Maui County Council
Infrastructure and Environmental Management Committee**

Re: Phase-out Polystyrene Food Ware --- Support

Dear Council members,

Hawaii Gilato - Lahaina supports an ordinance to phase-out polystyrene food ware. Due to the environmental and public health issues associated with polystyrene, our restaurant is already using alternatives to foam containers that work well.

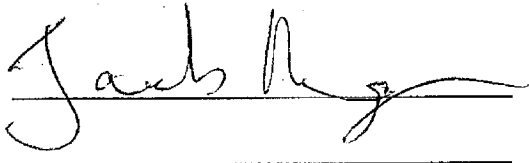
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Sincerely,



**Maui County Council
Infrastructure and Environmental Management Committee**

Re: Phase-out Polystyrene Food Ware ---- Support

Dear Council members,

Fleetwoods on Front St. supports an ordinance to phase-out polystyrene food ware. Due to the environmental and public health issues associated with polystyrene, our restaurant is already using alternatives to foam containers that work well.

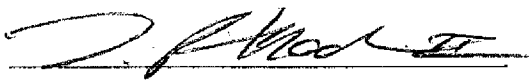
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Sincerely,


Stephen Rhodes II

IEM Committee

From: Renée George <renee@02films.com>
Sent: Friday, November 14, 2014 4:22 PM
To: IEM Committee
Subject: Please phase out polystyrene containers

We need renewable recyclable containers that biodegrade naturally and nontoxically or containers that are easily recyclable. Polystyrene is NEITHER of those. Please phase out. Thank you!!

Renée GEORGE

IEM Committee

From: Joy Gold <joy@joygoldunlimited.com>
Sent: Friday, November 14, 2014 10:51 AM
To: IEM Committee
Cc: Bob Kline (rk@kyd-inc.com)
Subject: KYD Inc, Bob Kline Testimony for IEM 5, IEM Committee Hearing, Monday November 17
Attachments: KYD_Kline_IEM5_11.17.14.pdf

Aloha,
On behalf of Robert Kline KYD, Inc. Senior Sales Representative, please accept the attached testimony for:
IEM 5, Polystyrene Disposable Food Service Containers
Infrastructure and Environmental Management Committee Hearing
Monday, November 17, 2014 – 1:30 pm

Please call me at 808-368-1146 if there are any questions about the testimony submittal.
Thank you,
Joy Gold

Joy Gold Unlimited
1136 Union Mall, Ste. 403
Honolulu, Hawaii 96813
Ph: 808-526-3770 Cell: 808-368-1146 www.joygoldunlimited.com

"Working with you to achieve your organization's mission and public policy goals"

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KYD, Inc. dba k. yamada distributors

An independent leader in packaging and wholesale distribution

P.O. BOX 29669, Honolulu, Hawaii 96820 Phone: (808) 836-3221 Fax: (808) 833-8995

INFRASTRUCTURE AND ENVIRONMENTAL MANAGEMENT COMMITTEE

Council of the County of Maui

Meeting Agenda

November 17, 2014

1:30 p.m.

IEM 5: A Bill For An Ordinance Establishing A New Chapter 200-26, Maui County Code, Pertaining to Polystyrene Disposable Food Service Containers

Position: Oppose

Chair Cochran and Members of the Infrastructure and Environmental Management Committee:

I am Robert Kline, Senior Sales Executive of KYD, Inc., doing business as K Yamada Distributors. Our company is a locally founded, family run business in Kalihi. KYD, Inc. began in the 1940's as a florist and a supplier of florist supplies. In 1958 we evolved into the packaging company we are today and later expanded into a distributor of many other fine products. KYD, Inc and its sister company, Hawaii Foam Products, LLC provide jobs to 100 men and women and contribute much to Hawaii's economy in the form of payroll and taxes.

A major portion of our business is the production and distribution of the packaging materials all of us see and use every day, such as food-grade expanded polystyrene food containers. We supply these containers to food processors, food establishments, supermarkets, hotels, hospitals, and other major institutions throughout the state.

A ban, or restriction of any type of food-grade, FDA approved EPS food container is a mandate to businesses and consumers for the use of alternative products that are not a good replacement product. Alternative products in comparison to food-grade, FDA approved EPS food containers:

- Are more costly;
- Do not hold up well to local style meals which are often soup/gravy based;
- Use more raw materials, water and electricity; and
- Require shipping and has a larger carbon footprint than locally manufactured food-grade EPS food containers.

In order to provide optimum value to the environment, alternative products will require Maui's investment for a commercial/industrial composting facility; otherwise it goes to the landfill like all other post-consumer trash.

It should be understood that KYD, Inc. also distributes alternative products to customers who want to use it and who can afford to pay for the additional cost or pass it on to their customers. We support the right of business and consumers to choose FDA-approved products they desire and their willingness to pay for such products based on their personal beliefs and lifestyle.

Further, we urge consideration of solutions to address inappropriate litter disposal of all things that harm our environment. We respectfully request that this measure be held in committee.

Thank you for the opportunity to provide this testimony.



IEM Committee

From: Joy Gold <joy@joygoldunlimited.com>
Sent: Friday, November 14, 2014 10:49 AM
To: IEM Committee
Cc: Stella Yasuda (sy@kyd-inc.com)
Subject: KYD Inc, Stella Yasuda Testimony for IEM 5, IEM Committee Hearing, Monday November 17
Attachments: KYD_SY_IEM5_11.17.14.pdf; KYD_SY_Dr George Cruzan.pdf

Aloha,
On behalf of Stella Yasuda, KYD, Inc. Maui Sales Representative and Participant of the Maui Task Force, please accept the attached testimony and attachment for:
IEM 5, Polystyrene Disposable Food Service Containers
Infrastructure and Environmental Management Committee Hearing
Monday, November 17, 2014 – 1:30 pm

Please call me at 808-368-1146 if there are any questions about the testimony submittal.
Thank you,
Joy Gold

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INFRASTRUCTURE AND ENVIRONMENTAL MANAGEMENT COMMITTEE

Council of the County of Maui

Meeting Agenda

November 17, 2014

1:30 p.m.

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Position: Oppose

Chair Cochran and Members of the Infrastructure and Environmental Management Committee:

I am Stella Yasuda, Maui Sales Executive of KYD, Inc., doing business as K Yamada Distributors. Our company is a locally founded, family run business in Kalihi. KYD, Inc. began in the 1940's as a florist and a supplier of florist supplies. In 1958 we evolved into the packaging company we are today and later expanded into a distributor of many other fine products. KYD, Inc and its sister company, Hawaii Foam Products, LLC provide jobs to 100 men and women and contribute much to Hawaii's economy in the form of payroll and taxes.

A major portion of our business is the production and distribution of the packaging materials all of us see and use every day, such as food-grade expanded polystyrene food containers. We supply these containers to food processors, food establishments, supermarkets, hotels, hospitals, and other major institutions throughout the state.

I have been a participating member of Council Member Victorino's Maui Task Force (MTF) regarding the ban on EPS single food containers that were held in August and September. Appreciation is expressed to Council Member Victorino for his efforts in facilitating a challenging situation and the Maui Task Force Report, which reflects the discussions of the group.

Upon review of the MTF report a few days ago, I would like to submit two clarifying addendums to:

Page 3 Item #1. Opponents of the prohibition note that:

b. Styrene, the material used in the manufacturing of polystyrene, is a naturally occurring substance found in common foods and beverages (notably beef, beer, and cinnamon).

Clarifying Addendum #1:

Styrene is a clear, colorless liquid that is a component of materials used to make thousands of everyday products. Styrene occurs naturally in many foods such as cinnamon, beef, coffee beans, peanuts, wheat, oats, strawberries and peaches. Synthetic styrene, which is chemically identical to naturally occurring styrene, is manufactured as a chemical building block for materials used to make packaging, insulation, automobiles, electronics, boats, and recreational vehicles.

Polystyrene is a solid, polymerized plastic. It is well known that molecules can be moved around and linked to create chemically different compounds. When styrene molecules become linked together into a polymer, polystyrene is created. Polystyrene is an inert plastic that can be used to make many products, such as FDA approved, food-grade polystyrene foam used to make disposable plates, cups and other foodservice packaging products.

Clarifying Addendum #2:

We request that Dr. George Cruzan's testimony to the Honolulu City Council on Bill 40, Disposable Food Containers be included as an exhibit to the report. (See attached) His testimony provides clarification about styrene and polystyrene, and states that no government agency considers polystyrene as carcinogenic or imposes health risks.

As a MTF participant, it is clear, in my mind, that a more robust litter management education initiative and infrastructure support is needed to address the consequences of inappropriate litter disposal of all materials that harm our environment. The proposed ban on EPS food-grade containers is not the solution for reducing landfill litter or marine debris. We respectfully request that this measure be held in committee. Thank you for the opportunity to provide this testimony.





ToxWorks

George Cruzan, Ph.D., D.A.B.T.

1153 Roadstown Road
Bridgeton, NJ 08302
phone: 856-453-3178
fax: 856-453-3179
e-mail: ToxWorks@aol.com

June 9, 2014

**Written Testimony to City Council – City and County of Honolulu, Honolulu,
Hawaii June 15, 2014**

**Subject: Proposed Bill 40 (2014) for An Ordinance Relating To Disposable Food
Containers - Safety of Polystyrene Foam Foodservice**

I am Dr. George Cruzan. I have been a professional toxicologist for more than 35 years and have been certified in toxicology by the American Board of Toxicology for more than 34 years. Study of the health and environmental effects of styrene and research to further understand any effects has been a main focus of my career since 1990. I am here to tell the City that the assertions that there are any health concerns about styrene in polystyrene foodservice products, which have been used safely for 50 years and sanctioned by the US FDA, are unfounded. This is simply not true from any scientific standpoint.

Styrene was classified in 2011 as “Reasonably anticipated to be a human carcinogen” in the 12th edition of the Report on Carcinogens by the US Department of Health and Human Services (HHS). That evaluation is disputed by many and is currently under review by the National Academy of Sciences. However, foodservice products are not made of styrene, which is a liquid and would not contain any food. Foodservice products may be made of polystyrene, large chains of styrene molecules chemically bonded together.

Based on the science and testing, here’s what government agencies and health experts do say about the safety of polystyrene foam products:

- a. **NTP - Dr. Linda Birnbaum, Ph.D., Director, U.S. National Toxicology Program** was quoted widely in Associated Press reports in June 2011: “Let me put your mind at ease right away about polystyrene foam*” ... [the levels of styrene from polystyrene containers] “are hundreds if not thousands of times lower than have

occurred in the occupational setting...In finished products, certainly styrene is not an issue." *Source: news reports of Associated Press story, June 2011*

- b. **Harvard Center for Risk Analysis** - A twelve-member panel of international experts selected by the Harvard Center for Risk Analysis reported in 2002 that the very low levels of styrene present in foods – whether naturally occurring or from polystyrene foodservice products – does not represent a concern to human health.
- c. **American Cancer Society - Otis Brawley, Chief Medical Officer, American Cancer Society** -Bloomberg News in June 2011 reported that Brawley said, "Consumers don't need to worry about polystyrene cups and food containers..." Quote: "I see no problems with polystyrene foam* cups." *Source: Bloomberg News, June 2011*
- d. **U.S. Food & Drug Administration** - Based on scientific tests over five decades, FDA has determined that polystyrene is safe for use in foodservice products. Polystyrene meets the FDA's stringent standards for use in packaging both to store and to serve food.

<http://www.plasticfoodservicefacts.com/main/Safety/National-Toxicology-Program>

There is a small amount of unreacted styrene within polystyrene; some of this may migrate into food in the container. The results of a 2013 study show that the maximum amount of styrene that could migrate from polystyrene food-contact packaging is calculated to be 6.6 micrograms (about 1 millionth of a teaspoon) per person per day. Several foods (e.g., coffee, cinnamon) naturally contain styrene; the average consumption of styrene from natural food sources is about 9 micrograms/day. The FDA's acceptable daily intake value of styrene is calculated to be 90,000 micrograms per person per day. This demonstrates a safety factor of more than four orders of magnitude (10,000 times).

You get 3000 more times exposure of styrene from cinnamon than from a polystyrene foam cup. Whether naturally occurring in foods and beverages such as strawberries, coffee beans or cinnamon, or produced synthetically, most people encounter styrene as a part of their daily lives, though in small amounts. Scientific studies have shown that the small amounts of styrene consumers may be exposed to are not harmful – styrene does not stay in the body for long and is rapidly metabolized or excreted.

In conclusion, no government agencies consider polystyrene to be a carcinogen, nor to pose any health risk.



George Cruzan, PhD, DABT

IEM Committee

From: Maui Chair <chair@maui.surfrider.org>
Sent: Friday, November 14, 2014 4:05 PM
To: IEM Committee
Subject: Testimony IEM-5: POLYSTYRENE DISPOSABLE FOOD SERVICE CONTAINERS
Attachments: Joint Support Letter Polystyrene Phaseout _ Nov 14_Signatures.pdf

Aloha,

Please see attached testimony.

November 14, 2014

Maui County Council Members
200 South High Street
Wailuku, HI 96793

Dear Council Members,

On behalf of our organizations, we would like to express our support for a bill that would phase-out polystyrene (EPS) foam food service containers.

All of us agree that EPS foam is one of the most littered forms of plastic (top 5) and least recycled (less than 1%). Though there is strong evidence that it is also very toxic (styrene is a known neurotoxin and suspected carcinogen), our organizations are focused on the undisputed environmental damage done by EPS foam products.

Results from the 2014 Maui County International Coastal Cleanup event (hosted by Malama Maui Nui) resulted in a total of **6,752 pieces of EPS foam collected from across 18 Maui County beaches** (including Kaho'olawe). Of that, 742 pieces were EPS takeout containers, and another 681 pieces were EPS cups and plates. Over 5,000 pieces of EPS foam were collected that were smaller than 2.5 centimeters.

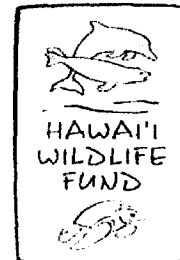
Polystyrene does not biodegrade and can persist in landfills for hundreds, even thousands, of years. Like other types of plastic, polystyrene photodegrades into small, micro-plastics that are then consumed by seabirds and other marine animals. The creation of polystyrene products is also energy and resource intensive.

Compostable products are an economically viable, eco-friendly alternative to polystyrene. Not only non-toxic and plant-based, compostable products are also less resource intensive. Furthermore, every distributor in Hawai'i carries compostable alternatives (www.bpiworld.org).

More than 100 cities in the US have banned polystyrene food packaging, and to date, there has been no evidence to support the argument that switching to compostable alternatives imposes a significant economic burden on the food service industry.

We have nearly 250 signatures from Maui County residents who are in support of such a bill (see attached), and ask you as the County Council to phase-out the use and distribution of polystyrene containers in Maui.

Aloha,





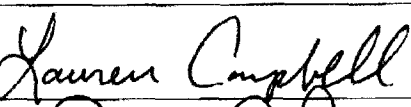
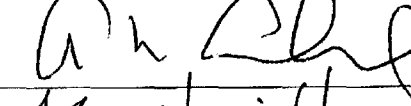
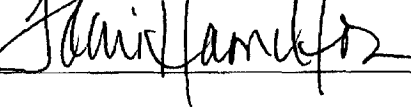
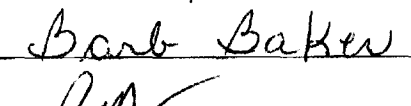
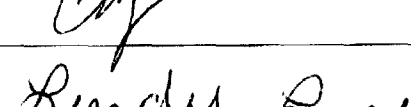
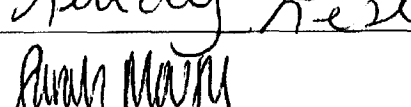
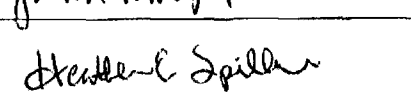

Name	City	State	Zip Code	Signed On
Amy Kuhns	Makawao	Hawaii	96768	7/26/2014
Shauna white	Honolulu	Hawaii	96816	7/26/2014
Sonya Niess	Haiku-Pauwela	Hawaii	96708	7/27/2014
Kristen Koba-Burd	Paia	Hawaii	96779	7/27/2014
Noelani Rivers	Lahaina	Hawaii	96761	7/27/2014
Val Frey	Makawao	Hawaii	96768	7/27/2014
Stephanie Austin	Haiku-Pauwela	Hawaii	96708	7/27/2014
Hakan Ucarer	Kihei	Hawaii	96753	7/27/2014
Courtney Bruch	Makawao	Hawaii	96768	7/27/2014
n NIKHILANANDA	MAKAWAO MAUI	Hawaii	96768-170	7/27/2014
Jenifer narragon	Honolulu	Hawaii	96821	7/27/2014
Jenna Kohler	Paia	Hawaii	96768	7/27/2014
Cari Taylor	Kihei	Hawaii	96753	7/27/2014
William Rice	Haiku-Pauwela	Hawaii	96798	7/27/2014
David Johnston	Puunene	Hawaii	96784	7/27/2014
Christopher Kasak	Wailuku	Hawaii	96793	7/27/2014
beau hawkes	makawao	Hawaii	96768	7/27/2014
Alan Crammatte	Haiku	Hawaii	96708	7/27/2014
Jessica Brant	Kula	Hawaii	96790	7/27/2014
Joseph Kohn MD	Wailuku	Hawaii	96793-976	7/28/2014
Denise Key	Kihei	Hawaii	96753	7/28/2014
Nicole Brown	Kula	Hawaii	96790	7/28/2014
chelsea hindley	paia	Hawaii	96779	7/28/2014
Ashley Fowler	Makawao	Hawaii	96768	7/28/2014
Thomas Craig	Makawao	Hawaii	96768	7/28/2014
Julia Cordi	Kihei	Hawaii	96753	7/28/2014
Cory Foht	Wailuku	Hawaii	96793	7/28/2014
Natalie Norberg	kihei	Hawaii	96753	7/28/2014
marek nagpal	Kihei	Hawaii	96753	7/28/2014
Paula Westphal	Kihei	Hawaii	96753	7/28/2014
Joel Goldfarb	Kihei	Hawaii	96753	7/28/2014
carrleen klingenbeck	Mawawao	Hawaii	96768	7/28/2014
Laurie Pyle	Kihei	Hawaii	96753	7/29/2014
Faith Ewbank	Kula	Hawaii	96790	7/29/2014
Cilandria Arnett	Wailuku	Hawaii	96793	7/29/2014
Aislinn Clevenger	Wailuku	Hawaii	96793	7/29/2014
David Wolf	Kula	Hawaii	96790	7/30/2014
Tim Lara	Kihei	Hawaii	96753	10/22/2014
Chris Stankis	Kihei	Hawaii	96753	10/22/2014
Jack Clapper	Lahaina	Hawaii	96761	10/22/2014
Miranda Kawalola	Kihei	Hawaii	96753	10/22/2014
Andrew O'Riordan	Lahaina	Hawaii	96761	10/22/2014
Dawn Hudson	Paia	Hawaii	96778	10/22/2014
antonia debevec	Kihei	Hawaii	96753	10/22/2014
Johanna Valente	Makawao	Hawaii	96768	10/22/2014
Erin Harkleroad	Makawao	Hawaii	96768	10/22/2014

Philip August	Wailuku	Hawaii	96793	10/22/2014
LEIGH FITZGERALD	LAHAINA	Hawaii	96761	10/22/2014
Diane Markham	Paia	Hawaii	96779	10/22/2014
Kat Tracy	Haiku-Pauwela	Hawaii	96708	10/22/2014
Lisa Bright	KIHEI	Hawaii	96753	10/22/2014
Kyle Ellison	Lahaina	Hawaii	96767	10/22/2014
carrie demott	Lahaina	Hawaii	96761	10/22/2014
Nicole Bear	Lahaina	Hawaii	96761	10/22/2014
Jaye Moreau	Lahaina	Hawaii	96761	10/22/2014
James Bryner	Kihei	Hawaii	96753	10/22/2014
Kelly Sullivan	Wailuku	Hawaii	96793	10/22/2014
Victoria Farrer	Lahaina	Hawaii	96751	10/22/2014
JASON HALL	Makawao	Hawaii	96768	10/22/2014
cindi Daigle	Wailuku	Hawaii	96793	10/22/2014
brian murphy	Mauai	Hawaii	96779	10/22/2014
Tracey Harrap	Paia	Hawaii	Hi96779	10/22/2014
John Fitzpatrick	Kihei	Hawaii	96753	10/22/2014
lorraine kais	Wailuku	Hawaii	8619	10/22/2014
Robi Campbell	Kihei	Hawaii	96753-521	10/22/2014
Debbie Hollomon	Lahaina	Hawaii	96761	10/22/2014
Daniel O'Brien	Kihei	Hawaii	96753	10/22/2014
Holly Kersten	Kailua-Kona	Hawaii	96740	10/22/2014
christina vicari	Honolulu	Hawaii	96822	10/22/2014
Gayleen Idica	Wailuku	Hawaii	96793	10/22/2014
Kimberley Nagel	Kihei	Hawaii	96753	10/22/2014
Gail Falkenbury	Lahaina	Hawaii	96761	10/22/2014
Tami Lester	Haiku	Hawaii	96708	10/22/2014
Desiree Paiz	Kihei	Hawaii	96753	10/22/2014
Jennifer Nill	Kihei	Hawaii	96753	10/22/2014
Schön Harunaga	Honolulu	Hawaii	96816	10/22/2014
Shawn Ravazzano	Kihei	Hawaii	96753	10/23/2014
jena fuentes	haiku	Hawaii	96708	10/23/2014
davis pitzer	Lahaina	Hawaii	96761	10/23/2014
Jennifer Ford	lahaina	Hawaii	96761	10/23/2014
lucy dreibelbis	Lahaina	Hawaii	96761	10/23/2014
Erika Huck	Lahaina	Hawaii	96761	10/23/2014
Elaine Shoemaker	Lahaina	Hawaii	96761	10/23/2014
Matt Piercy	Kamuela	Hawaii	96743	10/23/2014
Jen russo	Wailuku	Hawaii	96793	10/23/2014
Robyn Scarth	Kamuela	Hawaii	96743	10/23/2014
Alex Laetitia	Lahaina	Hawaii	96761	10/24/2014
nohelani roche	Honolulu	Hawaii	90025	10/24/2014
Jill Marzo	Lahaina	Hawaii	96761	10/24/2014
Pamela Wootton	Lahaina	Hawaii	96761	10/24/2014
Miranda McCafferty	Haiku-Pauwela	Hawaii	96708	10/24/2014
Michael Werth	Kihei	Hawaii	96753	10/24/2014
Delphine Berbigier	Kihei	Hawaii	96753	10/25/2014

Holly Oriordan	Kamuela	Hawaii	96743	10/26/2014
Lori Vandermeer	Wailuku	Hawaii	96793	10/30/2014
DIANE MOWER	LAHAINA	Hawaii	96761	10/30/2014
Tanya Helekahi	Hana	Hawaii	96713	10/30/2014
Jenny wisemark-Cerro	Kula	Hawaii	96790	10/30/2014
William Nill	Kihei	Hawaii	96753	10/31/2014
Theresa Kearney	Haiku	Hawaii	96708-040	11/2/2014
Janice Tumpap	wailuku	Hawaii	96793	7/26/2014
Catherine Cohan	Kihei	Hawaii	16851	7/26/2014
Robin Kory	Kihei	Hawaii	96753	7/26/2014
Dale Nelson-Floto	Kihei	Hawaii	96753	7/28/2014
Jennifer Meyers	Kihei	Hawaii	96753	7/28/2014
Lendy Leslie	Kihei	Hawaii	96753	7/29/2014
Hailie Kittner	wailuku	Hawaii	96793	11/9/2014
Renee Jorg	Kahului	Hawaii	96732	11/12/2014
Hailey Tollefson	kihei	Hawaii	96753	11/13/2014
Dana Tollefson	Kihei	Hawaii	96753	11/13/2014

SUPPORT a ban on polystyrene (Styrofoam) food containers

I, the undersigned, support a Maui County ban on polystyrene food containers. Polystyrene is commonly used in cheap food ware (plates, cups, 'clamshells', etc), but does not biodegrade and is responsible for leaching carcinogenic chemicals into food and the surrounding environment. Compostable products are an economically viable alternative to polystyrene and are non-toxic, plant based and eco-friendly.

Name	Signature	City	State
1. Robert Stenger		Kahului	HI
2. Erica Goldman		Kula	HI
3. Lauren Campbell		Paia	HI
4. ANNIE ALVARADO		Wailuku	HI
5. TAMI HAMILTON		Kihei	HI
6. Barb Baker		Wailuku	HI
7. Erin Iberg		Haiku	HI
8. Lendy Leslie		Kihei	HI
9. Sarah Mousel		Kihei	HI
10. Heather Spillane		Lahaina	HI



Protecting our oceans through science and advocacy

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Name	Signature	City	State
1. Kelly Vaughn	Kelly Vaughn	Makawao	HI
2. Janine Stewart	Janine Stewart	Kihei	HI
3. John Gaskins	John Gaskins	Kihei	HI
4. Greg Benson	Greg Benson	Makawao	HI
5. Nathan Reasoner	Nathan Reasoner	Makawao	HI
6. CHANTEL TODD	Chantel Todd	KIHEI	HI
7. Chelsea Whiting	Chelsea Whiting	Kihei	HI
8. Amy Simmons	Amy Simmons	Kihei	HI
9. Josh Balthazar	Josh Balthazar	Haikeu	HI
10. Benjamin Quinlan	Benjamin Quinlan	Mauiloa	HI



Protecting our oceans through science and advocacy

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Name	Signature	City	State
1. Lauren Antoniotti		Kihei	HI
2. Doreen Gilve		Paia	H
3. ANISON STEWART		KIHEI	HI
4. Ann W. Cooper		KIHEI	HI
5. JENA FUENTES		HAIKU	HI
6. Ann Marie Quinlan		Lahaina	HI
7. Kelly Montenero		Wailuku	HI
8. Lona M. Putnam		Kihei	HI
9. JEREMY WING		KIHEI	HI
10. KETH BURNETT		PUCALAWI	HI



Protecting our oceans through science and advocacy

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Name	Signature	City	State
1. Selket Guzman		Napi li	HI
2. Morgan Jones		MaKawao	HI
3. Stephanie Currie		Waikapu	HI
4. Micah Swabb		Haiku	HI
5. Joyce Bergantini		Kihei	HI
6. Shannon Easterly		Kihei	HI
7. Shannaleigh Roseby		Waikapu	HI
8. Linda Wyatt		Kihei	HI
9. Jens Currie		Waikapu	HI
10. Suzie Shoemaker		Kihei	HI

IEM Committee

From: Rosetta Hiranaga <rosehiranaga@gmail.com>
Sent: Saturday, November 15, 2014 1:39 PM
To: IEM Committee
Subject: Styrofoam Legislation

It is my understanding that Maui is going to come under an attack to keep styrofoam containers instead of outlawing them on our island.

As we move to make our island cleaner and more the way it once was when it was pristinely situated in the Pacific with pollutants nowhere to be seen, I'm asking that you consider letting styrofoam go the same way as plastic bags: **FOREVER GONE!**

Mahalo,

Rosetta Hiranaga
Rosetta Hiranaga
253-224-7553

IEM Committee

From: Tina Wildberger <tina@kiheiice.com>
Sent: Saturday, November 15, 2014 7:56 AM
To: IEM Committee
Subject: Single use foam containers: 'plate lunch' clam shells & foam coolers

Aloha Esteemed Councilmen,
Please demonstrate your concern for our beaches and environment and ban single use foam containers of all kinds. Sure, they're cheap but, at what cost?
Since our environment IS our economy, how nice it would be to see more forward thinking from our county government in areas that improve issues like solid waste. You did it with the plastic bag ban. You can do this too!
With aloha and appreciation,
Tina Wildberger

Sent from my iPad

IEM Committee

From: Donald S. Guzman
Sent: Monday, November 17, 2014 6:13 PM
To: IEM Committee
Cc: cp@masterheadcommunication.com
Subject: FW: Written Testimony for IEM-5 November 17

Aloha Cecilia,

The address looks ok, nonetheless I'll forward to the Committee and see if it goes through.

Thanks, Don

Don S. Guzman - Councilmember
Maui County Council
Tel: (808) 270-5501

From: Cecilia Potts [<mailto:cp@masterheadcommunication.com>]
Sent: Monday, November 17, 2014 1:04 PM
To: Elle Cochran; Donald S. Guzman; Mike White
Subject: Fwd: Written Testimony for IEM-5 November 17

Please see attached return message, the committee email address rejected my submission.

Thanks,
Cecilia Potts

Always GO, never regret.
Sent from somewhere far away.

Begin forwarded message:

From: Cecilia Potts <cp@masterheadcommunication.com>
Date: November 17, 2014 at 11:03:32 AM HST
To: iem.committee@mauicounty.us
Subject: Written Testimony for IEM-5 November 17

Dear Infrastructure and Environmental Management Committee members:

Two scoops rice, mac salad, and kalua pork served as to-go meal is more than a quick plate lunch, it's got more than one-million years of an after taste. According to many scientific studies, polystyrene disposable food containers are anything but disposable.

Please consider IEM-5 POLYSTYRENE DISPOSABLE FOOD SERVICE CONTAINERS - a bill introduced by Councilman Victorino for an ordinance establishing a new chapter 20.26 Maui County Code, pertaining to polystyrene disposable food service containers.

Maui County has an opportunity to be a leader in environmental awareness again by banning the use of styrofoam food containers. We did it with plastic bags! If you ever wonder if that "painful" change has been worth it, take a trip out to the dump and count the number of plastic

shopping bags you see plastered against the fence. Before the ban, it looked like a wall of plastic bags stuck to the fence. Today, there are so few you can barely count them on two hands. Big improvement!

This is our opportunity to do the same thing for those polystyrene food containers!

We don't need more room to bury our trash. We need legislation in place to stop allowing the use of forever products like polystyrene food containers.

People will adjust and adapt. As anything, it might be painful at first, but this is your opportunity to POSITIVELY impact the environment for future generations and visitors to this beautiful island.

Mahalo for your consideration to BAN POLYSTYRENE DISPOSABLE FOOD CONTAINERS in Maui County.

Cecilia Potts
Wailuku, HI

TRASH COLLECTED

Citizen scientist: Record the total number of items picked up by volunteers at the Cleanup site. The data you record are important for creating solutions for Trash Free Seas.[®]

Please DO NOT use words or check marks. Only **numbers** are useful data.

TOTAL #
↓
28

EXAMPLE
Plastic Bags

JEM-S *orig*

TOTAL #
↓

MOST LIKELY TO FIND ITEMS

- 10,282 Cigarette Butts
- 1025 Food Wrappers (candy, chips, etc.)
- 1012 Take Out/Away Containers (Plastic)
- 742 Take Out/Away Containers (Foam) *
- 2449 Bottle Caps (Plastic)
- 1910 Bottle Caps (Metal)
- 353 Lids (Plastic)
- 504 Straws/Stirrers
- 506 Forks, Knives, Spoons

TOTAL #
↓

FISHING GEAR:

- 1202 Fishing Buoys, Pots & Traps
- 456 Fishing Net & Pieces *plus 100lbs*
- 409 Fishing Line (1 yard/meter = 1 piece)
- 1064 Rope (1 yard/meter = 1 piece)

TOTAL #
↓

OTHER TRASH:

- 15 Appliances (refrigerators, washers, etc.)
- 48 Balloons
- 96 Cigar Tips
- 200 Cigarette Lighters
- 102 Construction Materials
- 94 Fireworks
- 29 Tires

TOTAL #
↓

PACKAGING MATERIALS:

- 99 6-Pack Holders
- 604 Other Plastic/Foam Packaging *
- 275 Other Plastic Bottles (oil, bleach, etc.)
- 182 Strapping Bands
- 144 Tobacco Packaging/Wrap

TOTAL #
↓

PERSONAL HYGIENE:

- 11 Condoms
- 148 Diapers
- 41 Syringes
- 36 Tampons/Tampon Applicators

ITEMS OF LOCAL CONCERN:

- | | TOTAL # |
|----|---------|
| 1. | |
| 2. | |
| 3. | |

TOTAL #
↓

TINY TRASH LESS THAN 2.5CM:

- 5335 Foam Pieces *
- 817 Glass Pieces
- 3559 Plastic Pieces

DEAD/INJURED ANIMAL	STATUS	ENTANGLED	TYPE OF ENTANGLEMENT ITEM
	Dead or Injured	Yes or No	
	Dead or Injured	Yes or No	
	Dead or Injured	Yes or No	

RECEIVED AT JEM MEETING ON 11/17/14
Cheryl King, Hawaii Wildlife Fund

Thank you for your valuable contributions to the Cleanup!

COORDINATOR OCEAN TRASH DATA FORM



Mani County Totals

DEAR CLEANUP COORDINATOR:

Thank you for your hard work, dedication and valuable time spent for this important cause! We appreciate your commitment and passion for trash free seas.

Before you complete this form, compile all data from the Volunteer Ocean Trash Data Form. For each item of trash, add the total number of pieces and enter this number in the "Total" box on the back of this data form. Numbers are the only valid form of data, so please DO NOT use words or check marks in the boxes next to ocean trash items.

NAME: _____

EMAIL: _____

CLEANUP SITE DESCRIPTION

Type of Environment (choose one):

- Saltwater (Ocean/Bay/Estuary)
- Freshwater (River/Stream/Lake)
- Inland (No Water Body Present)

Mode of Data Collection (choose one):

- Land (beach, shoreline or inland)
- Underwater
- Watercraft (powerboat, sailboat, kayak or canoe)

CLEANUP SITE LOCATION

Cleanup Site Name (beach, park, etc.): _____

State or Province: _____

Zone or County: *Mani County*

Country: _____

Nearest Crossroad/Landmark _____

CLEANUP SUMMARY

Month: _____

Day: _____

Year: *2014*

Total Number of Volunteers at this site: Adults: *311* Children: *179*

Total Weight of Trash Collected: *10,000 + (2) lbs.* or _____ kgs.

Total Number of Trash Bags Filled: _____

Estimated Distance Cleaned: 1/4 1/2 3/4 1 2 3 4 5 (circle one) Other: *17.75miles*

Distance Measured In: _____ Miles or Kilometers (circle one)

MOST UNUSUAL ITEM(S) COLLECTED:

1. _____
2. _____
3. _____



Please return this form along with all Data Forms to your State/Country Coordinator.



State/Country Coordinators: Please submit Summary Data into the online Data Collection and Reporting Tool at www.coastalcleanupdata.org.

OCEAN CONSERVANCY'S
International
**Coastal
Cleanup**[®]

If you are unable to contact your State or Country Coordinator, please mail or email this form to:

Ocean Conservancy
Attn: International Coastal Cleanup
1300 19th Street, NW, 8th Floor
Washington, DC 20036

cleanup@oceanconservancy.org
www.oceanconservancy.org/cleanup

IEM Committee

From: Kimberly Usher <kimberlyushermauirainbow@gmail.com>
Sent: Monday, November 17, 2014 7:51 PM
To: IEM Committee
Subject: In support of a phaseout of polystyrene containers!

Dears Ladies, Sirs, and Maui County Council,

I am in support of a phaseout of polystyrene containers!

I had a scientist/inventor friend who picked up Styrofoam off the ground...
He had a bottle of acetone (I think) he carried in his hip pocket.
He opened the bottle and dropped the scraps in.
He said it made glue, and that's how he used it.
The land fill stuck up with glue...hmmm...
I had never noticed the ground had so many scraps of Styrofoam on the ground before...

Mahalo,

Kimberly Usher

Aloha IEM Committee members,

The report of the working group for a single use plastics reduction bill (IEM-5) is not the definitive recommendation we had hoped to produce. It reflects a very flawed process. Originally limited to an invited group of participants with the task of aiding in the creation of a bill to reduce or eliminate the amount of environmentally damaging, single use plastic food service containers, it was subverted into a discussion of the need for a bill. The inclusion of industry representatives, while denying the addition of other residents, created an atmosphere where no consensus was possible on any further action.

At the original committee presentation, the Chamber of Commerce representative was tasked with collecting information from members as a way of assessing impacts. The task force never saw such a survey, but a number of very similar solicited letters were sent to your committee. We became aware of the activities of trade representatives through the dissemination of posters bearing American Chemical Council sponsored requests to talk to your City Council to "save our plate lunch" , and the aforementioned letters , written on the same yellow legal pads.

The meetings were largely ineffective. The result anticipated by those who received letters of invitation was to produce a solid working document which could be the basis for the office of corporation council to finalize a bill for submission. Being the working group as a whole failed in this endeavor, a sub-group of environmentally concerned members proffer the attached document. While incomplete, it is much closer to what we believe a responsible ordinance should contain for the benefit of our island and fellow citizens.

Please carefully consider the substance of our revised document (typos, formatting and alignment errors exempted) as a viable alternative to the working group report. The people involved with its creation are available to edit, refine and incorporate changes recommended by the IEM Committee. We stand ready to provide any additional material you feel necessary to make an informed decision.

On behalf of myself and the others who signed Exhibit 6 ,

Marjorie Bonar

RECEIVED AT IEM MEETING ON 11/17/14

ORDINANCE NO. _____

BILL NO. _____ (2014)

A BILL FOR AN ORDINANCE ESTABLISHING A NEW
CHAPTER 20.26, MAUI COUNTY CODE, PERTAINING TO
REDUCTION OF SINGLE USE EXPANDED POLYSTYRENE FOOD SERVICE WARE

BE IT ORDAINED BY THE PEOPLE OF THE COUNTY OF MAUI:

SECTION 1. Title 20, Maui County Code, is amended by adding a new chapter to be appropriately designated and to read as follows:

“Chapter 20.26

SINGLE USE EXPANDED POLYSTYRENE FOOD SERVICE WARE

Sections:

- 20.26.010 Purpose.
- 20.26.020 Definitions.
- 20.26.030 Administration.
- 20.26.040 Expanded Polystyrene disposable food service container restrictions.
- 20.26.050 Exemptions.
- 20.26.060 Application for exemption.
- 20.26.070 Violation and penalties.

20.26.010 Purpose.

A. The Maui County Council joins many jurisdictions and the Maui Island Plan 6.1.2-Action 2 (5) (Discourage slow degradable materials, e.g., Styrofoam.) in finding and declaring that to protect the health and welfare of the County’s unique environment, marine life and bird populations the use of polystyrene food service containers must be regulated.

B. Many businesses, individuals and organizations have voluntarily adopted the use of compostable food service items manufactured from renewable resources, yet some still provide disposable food service products made from polystyrene.

C. Polystyrene is not compostable, not readily recyclable and persists in the environment for an extensive, indeterminate length of time. Small degraded bits of styrene plastics have been found to impact the health of fish and birds when ingested in place of nutrients and contribute to the bacterial contamination of marine waters when colonized by pathogenic species.

D. The U.S. Environmental Protection Agency has stated that the physical

properties of polystyrene foam are such that “the material can have serious impacts on human health, wildlife, the aquatic environment and the economy,” and, according to the United States Food and Drug Administration, there is medical evidence to suggest that styrene, a primary component of polystyrene foam, leaches from polystyrene containers into food and drink and polystyrene also contains a suspected carcinogen that is detectable in the tissue of every man, woman, and child in the United States. Banning the use of non-recyclable food ware will protect public health and reduce the consumption of non-renewable petroleum products.

E. It is not economically feasible to recycle polystyrene single use food ware in Maui County and no local recycling programs accepts it. Recycling is possible, however, for some disposable food ware made from materials other than polystyrene.

20.26.020 Definitions. Whenever used in this chapter, the following terms shall have the meaning given in this section, unless it shall be apparent from the context that a different meaning is intended.

“ASTM Standard” means ASTM International’s D6400 Standard Specification for Compostable Plastics, as amended.

“Compostable” means all materials that comprise a single use food service container or utensil are able to undergo biological decomposition or become part of usable compost, in a safe and timely manner in an appropriate composting program or facility, or in a home compost pile or device. To qualify as compostable, disposable food service items must meet ASTM International standards for compostability, and any bioplastic or plastic-like product must be clearly labeled.

“Department” means the department of environmental management.

“Director” means the director of environmental management.

“Food provider” means any establishment located or providing food within the County that provides prepared food for public consumption on or off its premises, including any store, shop, sales outlet, restaurant, supermarket, delicatessen, catering vehicle, and any other person or organization who provides prepared or ready to eat food, including farmers’ markets and stands, sporting events and non-profit fundraising efforts.

“Polystyrene” means a thermoplastic petrochemical material utilizing a styrene monomer and processed by any number of techniques including fusion of polymer spheres (expandable bead polystyrene), injection molding, form molding, or extrusion-blow molding (extruded foam polystyrene). The term also includes clear or solid polystyrene that is known as oriented polystyrene.

“Prepared food” means any food or beverage that is served, packaged, cooked, chopped, sliced, mixed, brewed, frozen, squeezed, or otherwise prepared for consumption within the County. This does not include raw meats, fish, or poultry sold from a butcher case or similar retail appliance. Prepared food may be consumed on or off the premises and includes take-out food.

“Single use food service container” means disposable products used by a food provider for serving or transporting prepared food that is not specifically

designed and manufactured for multiple re-use. This includes plates, cups, trays, and hinged or lidded containers, straws, cup lids, and utensils.

20.26.030 Administration. A. The director shall administer this chapter and shall adopt administrative rules pursuant to chapter 91, Hawaii Revised Statutes, within one hundred eighty days from the effective date of this ordinance.

20.26.040 SINGLE USE Expanded Polystyrene food service ware restrictions.

A. Except as provided in section 20.26.050 of this chapter, all food providers, including retail or wholesale vendors, non-profit organizations and individuals are prohibited from dispensing prepared food to customers, donors, members or recipients in expanded polystyrene single use disposable food service “clam shell” containers, plates, dishes, trays, cups bowls or other service containers or providing such expanded polystyrene single use disposable food service ware to customers.

B. Expanded Polystyrene single use disposable food service ware shall not be used at County facilities, County-managed concessions, County-sponsored events, or County-permitted events, or within the County by franchisees, contractors, or vendors doing business with the County.

C. Except as provided in section 20.26.050 of this chapter, food providers are prohibited from retail sales of expanded polystyrene products used as disposable food containers.

20.26.050 Exemptions.

- A. Exemptions for food items packed out of state shall only apply to shelf stable food items that require specific packaging for product protection during shipment and commercially prepared frozen food, sold with the intention of being thawed and/ or prepared in a kitchen.
- B. Polystyrene foam coolers and ice chests that are specifically designed and manufactured for multiple re-use.
- C. Situations unique to the food provider where there are no reasonable alternatives to polystyrene disposable food service containers, and compliance with this chapter would cause significant economic hardship, provided that the food provider applies for an exemption and the exemption is granted by the director.
- D. Situations where no reasonably feasible available alternative exists to a specific and necessary polystyrene or non-recyclable plastic and that there is not a reasonable replacement being utilized by another vendor for a similar item, provided that the food provider applies for an exemption and the exemption is granted by the director. Financial considerations must be based on actual costs of production and packaging and must result in a net effect of rendering the item unsaleable.

- E. Exemptions shall be granted for the specific menu items requested in the application. Use of exempted single use items for other food items, not granted an exemption are subject to fine and / or rescission of exemption for approved items.
- F. Any situation deemed by the mayor or the council to be an emergency for the immediate preservation of the public peace, health, or safety.

20.26.060 Application for exemption.

A. Food providers may apply for a one-year exemption from this chapter pursuant to section 20.26.050(C) or 20.26.050(D) or 20.60.050(E). If granted, applicants must reapply for subsequent exemptions prior to the end of the one-year exemption period.

B. The application for exemption shall be provided by the department. The application shall request all information necessary for the making of a decision on the application, including documentation showing the factual support for the claimed exemption. The applicant may be required to provide additional information before a determination is made to grant the exemption.

20.26.070 Violation and penalties.

A. Violations of this chapter shall be subject to the civil penalties and enforcement procedures of section 19.530.030 of this code.

B. Fines collected pursuant to this chapter shall be deposited into the diversion program- with Solid Waste Index Code

20.26.080 Public information for commercial and non-commercial use

A. Applications for rental, reservation or event permits (including camping, picnics and other events in Maui County Parks) issued by the county shall include information about restrictions on use of expanded polystyrene products.

B. Where applicable, a statement that the applicant recognizes and agrees to abide by these rules shall be part of the application. In the event that preprinted applications are in existence, a separate instruction sheet shall be included and attached.

C. A penalty for use of prohibited items will be assessed. Expanded Polystyrene container presence in trash containers post-event shall be considered proof of violation and the permitted party shall be liable for such penalties.

D. There shall be no differentiation between commercial , non-commercial and non-profit uses for the purpose of this bill.

E. The Department shall maintain a publicly available list of current exemptions, including the name of the applicant and the specific food items carrying the exemption.

SECTION 2. This ordinance shall take effect on *TBD*



**TESTIMONY RE:
TASK FORCE ON POLYSTYRENE DISPOSIBLE FOOD SERVICE
CONTAINERS REPORT OF OCTOBER 31, 2014**
November 17, 2014

Dear Chair Cochran, Vice-Chair Crivello &
Members of the County Council's Infrastructure &
Environmental Management Committee,

Aloha and thank you for creating a task force on polystyrene disposable food service containers to address this controversial issue that has lingered for years to allow the stakeholder groups to review it again in more depth. We specifically want to thank Councilmember Victorino for taking on the role as Chair. As a result of this Task Force, many business people clearly saw how litter issues are impacting our marine environment and were motivated to create a solution and take action.

We quickly identified the first evening that the use of polystyrene is not a landfill issue and that the primary intent of the proposed bill is to protect marine animals and birds from the hazards of plastic litter. This seemed to be the only area where consensus was reached, however, from this came a plan to address the agreed upon problem. Exhibit "5", from the Maui Business Representatives who served on the task force, shares our ideas for a public/private partnership to create litter control program for residents and visitors to address post-consumer container disposal and reduce the amount of litter in the marine environment.

However, beyond this, we cannot support any recommendations that mandate a ban on polystyrene food service containers as:

- One of the initial justifications for the bill has already been thrown out. There is no significant landfill issues from polystyrene. The report notes that a ban "will not provide significant relief to the County's landfills" (IV. Findings, A. Purpose) and that "compostable or biodegradable alternatives will not be diverted from the landfill until a facility capable of receiving these alternative containers is constructed, with no known plans to construct such a facility in Maui County." (IV. Findings, A. Purpose, bullet #3)
- There would be a number of negative impacts to local residents and businesses, causing harm without achieving the state goal of "protecting marine animals and birds from the hazards of plastic litter."

We would also like to share a bit on process. Page 8 of the Task Force on Polystyrene Disposable Food Service Containers (PAF14-218) report, states that "The task force recommends that any further discussion on the proposed bill give consideration to the following... (listing six sections). We respectfully disagree that these are "task force recommendations" as there was no consensus between the two groups beyond the purpose on the proposed legislation being to protect marine animals and birds from the hazards of plastic and the need for improved litter control. The areas noted were things brought up in discussion, however, no agreement was reached. While the report notes "that any further discussion on the proposed bill give consideration to" these items, no headway was made.

RECEIVED AT 1EM MEETING ON 11/14/17

**TESTIMONY RE:
TASK FORCE ON POLYSTYRENE DISPOSIBLE FOOD SERVICE
CONTAINERS REPORT OF OCTOBER 31, 2014**

November 17, 2014

Page 2.

Throughout the process, Chair Victorino mentioned that he “wanted to do something” and talked about taking “baby steps,” hopeful that consensus would be reached. As were we. However, the more we heard, the more we saw a different problem that the ban would not solve. And, when no consensus was reached on banning any polystyrene product, Chair Victorino mentioned the possibility of adding his own recommendations to the report, noting it could include restricting only cups and clamshell type disposable food service containers, but it was our understanding that this would be clearly noted as his recommendations since there was no consensus on this by all task force members and no vote was taken.

Despite not agreeing on a polystyrene ban, the good news is that we identified a real problem that we are all interested in solving – addressing litter and keeping it from our marine environment. This was a winning solution that the business community is eager to work on. Controlling litter will better protect our environment, reduce marine debris and benefit our marine animals. And, we can begin now, which would be a fantastic outcome for the investment of time and energy that all have spent on this issue.

We hope the County Council will chose this avenue instead of further attempting to ban polystyrene products that will increase costs for residents and businesses, delay progress on reducing litter and preventing marine debris, and cost us all more in time and resources on an issue where consensus has not been possible for years.

Sincerely,



Pamela Tumpap
President

Task Force Final Report

From : Jordan Molina <Jordan.Molina@mauicounty.us>

Wed, Nov 12, 2014 12:43 PM

Subject : Task Force Final Report

📎 1 attachment

To : Amie M. Stokes <Amie.Stokes@mauicounty.us>, Ashleigh Tarango <execasst@mauichamber.com>, Elyse Ditzel <elyse.ditzel@wholefoods.com>, Eric Higa <erich@times-supermarket.com>, Gretchen Leisenring (gretchen@styrophobia.com) <gretchen@styrophobia.com>, Harry Nakagawa (harryn@mauichem.net) <harryn@mauichem.net>, Jacqueline Goring <jacquelinewcc@yahoo.com>, Jason Higa <jhiga@zippys.com>, Jerry Masaki <psgeneralmanager@hawaiiantel.net>, Jordan Molina <Jordan.Molina@mauicounty.us>, Kathleen Aoki <Kathleen.Aoki@co.maui.hi.us>, Kyle Ginoza <kyle.ginoza@co.maui.hi.us>, Lauren Campbell <laurencampbell@pacificwhale.org>, Marjorie Bonar <margebonar@gmail.com>, Michael Victorino <Michael.Victorino@mauicounty.us>, Nelson Okamura (nokumura@vipfoodservice.com) <nokumura@vipfoodservice.com>, Pamela Tumpap <pamela@mauichamber.com>, Richelle Thomson (Richelle.Thomson@co.maui.hi.us) <Richelle.Thomson@co.maui.hi.us>, Rob Parsons <robert.parsons@co.maui.hi.us>, Sarah Hoppe <sarahh@downtoearth.org>, Stella Yasuda <sy@kyd-inc.com>, Tim Lara <vicechair@maui.surfrider.org>, Timothy Botkin <botkin@hawaii.edu>

Hello Everyone,

Please find the attached task force final report that will be introduced by Councilmember Victorino at Monday's IEM Committee meeting.

If there are any concerns with the information as presented, please notify me so I can follow up accordingly.

Thank you,
Jordan

 **task force final report.pdf**
1 MBRECEIVED AT JEM MEETING ON 11/17/14Pamela Tumpap,
Maui Chamber of
Commerce

October 31, 2014

MEMO TO: Elle Cochran, Chair
and Members of the Infrastructure and Environmental Management Committee

F R O M: Michael P. Victorino,
Council Member

SUBJECT: **TASK FORCE ON POLYSTYRENE DISPOSABLE FOOD SERVICE CONTAINERS** (PAF 14-218)

The task force on polystyrene disposable food service containers, having met on August 27 and 28, and September 8 and 22, 2014, makes its report as follows.

I. Purpose

The task force was formed to make findings and recommendations on a proposed bill entitled "A BILL FOR AN ORDINANCE ESTABLISHING A NEW CHAPTER 20.26, MAUI COUNTY CODE, PERTAINING TO POLYSTYRENE DISPOSABLE FOOD SERVICE CONTAINERS".

II. Scope of Work

The scope of the task force's work included:

- Clarifying the purpose of the ordinance.
- Identifying the various types of polystyrene materials, disposable food service containers ("containers"), prepared foods, and food providers subject to the ordinance.
- Identifying the potential impacts of the proposed restrictions on food providers and County programs.
- Evaluating the proposed exemptions to the restrictions.
- Reviewing the reporting requirements of the administering agency.

III. Resources

The task force was comprised of the following stakeholder groups:

- Business advocates – Maui Chamber of Commerce, business consultants

- County officials – Department of Environmental Management, Office of the Mayor, Kaunoa Senior Services
- Environmental advocates – Surfrider Foundation, Pacific Whale Foundation, Styrophobia, private citizens
- Food providers – Pukalani Superette, Zippy’s Restaurants, Times Supermarkets, Wailuku Coffee Company, Whole Foods
- Manufacturers of disposable food service containers – KYD, Inc.
- Wholesalers of disposable food service containers – Maui Chemical and Paper Products and VIP Foodservice

Exhibit “1”, attached hereto, provides a list of the individual task force participants.

IV. Findings

A. Purpose

The primary intent of the proposed bill is to protect marine animals and birds from the hazards of plastic litter. All members of the task force agree that the County should protect these natural resources.

The task force finds that educational outreach and improved litter control are critical to addressing the impacts caused by litter.

The task force further finds that the proposed prohibition will not provide significant relief to the County’s landfills for the following reasons:

1. Polystyrene materials comprise less than one per cent of the waste stream entering the landfill.
2. Landfills are designed to inhibit the decomposition of materials. Compostable or biodegradable materials will not decompose at a significantly faster rate than polystyrene materials when these materials are disposed into a landfill.
3. Compostable or biodegradable alternatives to polystyrene containers will not be diverted from the landfill until a facility capable of receiving these alternative containers is constructed. There are currently no known plans to construct such a facility in Maui County.



4. Both polystyrene and non-polystyrene containers will have negligible impacts to the landfill should the proposed Integrated Waste and Energy Conversion project come to fruition.

The task force disagrees on whether a product ban specific to polystyrene disposable food service containers is a worthwhile strategy for mitigating the impacts of plastic litter.

1. Opponents of the prohibition note that:
 - a. The bill fails to address the other types and sources of plastic litter, besides polystyrene containers, that are more problematic in the environment.
 - b. A product ban is not intended to reduce litter, and will only result in the substitution of polystyrene litter with non-polystyrene litter.
2. Supporters of the prohibition note that:
 - a. Reducing the prevalence of single-use plastic products, such as polystyrene containers, is a manageable first-step towards combating the global problem of plastic marine debris.
 - b. Numerous coastal communities around the world have implemented similar prohibitions without realizing adverse effects.
 - c. Codifying a policy to phase-out single-use disposable plastic products solidifies the County's commitment to addressing the problem of plastic marine debris.

The task force disagrees over the public health risks of using food service containers made with polystyrene.

1. Opponents of the prohibition note that:
 - a. The use of polystyrene containers is legal and approved by the United States Food and Drug Administration.
 - b. Styrene, the material used in the manufacturing of polystyrene, is a naturally occurring substance found in common foods and beverages (notably beef, beer, and cinnamon).

c. The amount of styrene that may leach into prepared food served in a polystyrene container is significantly below the safety limits set by the United States Food and Drug Administration, and is similar to the amounts of styrene contained in commonly consumed foods.

2. Supporters of the prohibition note that:

a. Styrene has been shown to leach out from food containers that are in contact with prepared foods.

b. As of 2014, the National Academy of Sciences identified styrene as being reasonably anticipated to be a human carcinogen (Exhibit "2").

B. Types of polystyrene materials

Every type of foam and non-foam polystyrene plastic is subject to the ordinance. No other types of plastic are identified. Expanded polystyrene foam is the most common and inexpensive form of polystyrene used in the manufacturing of disposable food service containers.

Styrofoam is not used as disposable food service containers or subject to the ordinance. Styrofoam is a trademarked brand of an *extruded* polystyrene foam product used as a building material. Food service containers made from expanded polystyrene foam are commonly referred to as Styrofoam; this is incorrect.

C. Types of disposable food service containers

Every product used to serve or transport prepared food and not specifically designed for multiple re-use is subject to the ordinance; this specifically includes plates, cups, bowls, trays, hinged or lidded containers. Other "single-use disposable items" such as straws, cups, lids, or utensils are excluded.

D. Types of prepared foods:

Every food eaten and beverage drunk within the County, by anyone other than a food provider, is subject to the ordinance; this specifically references take-out food. Raw meats, fish or poultry sold from a butcher case or similar retail appliance are excluded.

E. Types of food providers

Every person and businesses in the County providing prepared food for public consumption is subject to the ordinance.

F. Restrictions

1. Every food provider is prohibited from (1) giving a polystyrene container to a customer, and (2) using a polystyrene container for dispensing prepared food to a customer. However, food providers can apply for an exemption from this restriction.
2. The use of polystyrene containers is prohibited from every County facility, program and County-approved activity. This restriction applies to parks, community centers, recreation areas, offices, County operations, and any activity that requires a county permit. No exemptions are allowed for this restriction.
 - a. Programs supported by the County, such as Meal on Wheels, will be subject to the prohibition. Kaunoha Senior Services provides over 100,000 meals per year, majority of which are served in polystyrene containers. The ability of non-polystyrene containers to maintain food temperatures and adequately transport meals is a significant concern to these programs.
3. Every retail food vendor is prohibited from selling polystyrene products used as disposable food service containers. Retail food vendors can apply for an exemption from this restriction.
 - a. No definition for “retail food vendor” is provided in the ordinance.
 - b. There is concern that a restriction on product sales may conflict with the interstate commerce regulations.

Opponents note the restrictions are detrimental to food providers and businesses for the following reasons:

1. Compostable alternatives to polystyrene containers are anticipated to have inferior performance and may adversely impact the operations of a food provider who is forced to use these products.
2. Non-polystyrene alternatives are anticipated to cost more than polystyrene disposable food service containers, and compliance with the ordinance may impose financial burden on food providers. Exhibit “3”, attached hereto, provides VIP Foodservice’s pricing for various polystyrene and non-polystyrene containers.

Supporters note the restrictions are not overburdening and support the trends observed in the food service industry for the following reasons:

1. No reported job loss or business closures have occurred in the other municipalities that have adopted similar prohibitions.
2. Some food providers in the County already use non-polystyrene containers without experiencing adverse performance or cost challenges.
3. Information shared by the wholesalers of disposable food service containers indicate that non-polystyrene containers sales are increasing and have surpassed polystyrene containers sale in certain instances. Exhibit "4", attached hereto, provides information from VIP Foodservice comparing recent sales of polystyrene cups against non-polystyrene cups.

G. Exemptions

Prepared foods packaged in polystyrene containers are not subject to the ordinance when packaging occurs entirely outside of the County. If a food provider re-packages prepared food within the County, then the packaging cannot be a polystyrene container.

1. The topic of food providers who import prepared foods from outside the County garnered significant discussion. Food providers unable to import prepared food must either pass on or absorb the cost associated with complying with the prohibition. This puts local food providers at a competitive disadvantage against those food providers that qualify for the exemption. The exemption creates a financial incentive for food providers to outsource their food preparation operations and may drive business activity away from the County.

Foam coolers and ice chests are not prohibited because these items are designed for multiple re-use.

Any food provider can apply for a one-year exemption if (1) no "reasonable" alternative to a specific polystyrene container exists, and (2) "significant" economic hardship results from complying with the ordinance.

1. Clarification on the process for determining the reasonableness of an alternative is needed.



2. Clarification on the process for identifying economic hardships caused by the ordinance and determining the significance of the hardship is needed.

H. Reporting

The Council is to receive an annual report on the increased number of food provider using compostable or recyclable containers. The scope of this reporting requirement is too limited as there will be no data to collect once all food providers come into compliance. The report will not produce qualitative information on the benefits and drawbacks of the ordinance.

V. **Recommendations**

The task force agrees education and public outreach to residents and visitors are critical to reducing the impacts of plastic litter. The County needs to dedicate resources and facilitate partnerships with community organizations and businesses to develop educational programs that raise awareness to the impacts of litter on the marine environment. In addition, improved litter control and litter prevention efforts are needed.

The task force strongly disagrees on the need to codify the proposed prohibition. Opponents of the prohibition (business advocates, manufacturers and wholesalers of disposable food service containers, and certain food providers) have submitted their own independent recommendations, attached hereto as Exhibit "5". They recommend that no action be taken for the following reasons:

- County resources should not support administering or enforcing a product ban that may impose financial hardships on businesses. Rather, these resources should be used to support improved litter control and litter reduction education.
- A law intended to eliminate the use of polystyrene containers is unnecessary when industry trends show food providers are already transitioning to non-polystyrene alternatives.
- Prior to taking any action, the County should conduct a triple bottom line assessment and review the study to be conducted by the City and County of Honolulu in order to gather more information on the impacts of a polystyrene ban.

Supporters of the proposed bill, primarily the environmental advocates, have also submitted their own independent recommendations, attached hereto as Exhibit "6". They recommend passage of the proposed bill for the following reasons:

- Many coastal communities have adopted similar prohibitions as it is an achievable first-step toward combating the global problem of plastic marine debris.

- Prohibiting polystyrene containers will reduce the amount of problematic litter entering the environment by displacing toxic plastic materials with non-toxic biodegradable materials.
- A codified policy is needed to reinforce the County's commitment to reduce plastic litter and to create the impetus for supporting improved litter control and litter education programs.

The task force recommends that any further discussion on the proposed bill give consideration to the following:

- **Section 20.26.010 Purpose.**
 - Clarify that the bill's primary intent is to address impacts to marine animals and birds attributable to plastic litter by reducing the prevalence of single-use plastic products.
- **Section 20.26.020 Definitions.**
 - Evaluate other types of "single-use disposable items" that may warrant exclusion from the definition of disposable food service containers. The task force specifically discussed that plastic films used for sealing a food service container or packaging a prepared food should be excluded.
- **Section 20.26.030 Administration.**
 - Incorporate a provision for providing marine debris and litter reduction education to residents and visitors, and consider designating a specific county agency or employee for this function.
 - Incorporate a provision for establishing litter control programs.
- **Section 20.26.040 Polystyrene disposable food service container restrictions.**
 - Clarify who is considered a "customer". It is unclear whether individuals attending a private event are considered "customers"; and, therefore, the event host would be subject to the ordinance.
 - Consider whether County programs should be allowed to apply for an exemption from the restrictions.



- Evaluate the legality of restricting retail sales of polystyrene products and potential conflicts with interstate commerce regulations.
- Consider whether to limit the restrictions to only cups and clamshell type disposable food service containers.
- Consider whether to limit the restrictions on polystyrene to only expanded polystyrene foam.
- **Section 20.26.050 Exemptions.**
 - Eliminate the exemption for prepared foods packaged outside of the County to maintain a level playing field with those food providers unable to qualify for the exemption.
 - Consider whether to exempt charitable and youth organizations that sell prepared food to fundraise.
 - Need to clarify the meaning of the terms “reasonable alternative” and “significant economic hardship”
 - Need to clarify the process for determining when a certain polystyrene container qualifies for an exemption.
- **Effective Date.**
 - The effective date of the ordinance should allow for a two-year grace period after passage of the ordinance.

paf:jkm:14-218f

Attachments

cc: Members of the Task Force on Polystyrene Disposable Food Service Containers

TASK FORCE ON POLYSTYRENE DISPOSABLE FOOD SERVICE CONTAINERS

Task Force Participants

Name	Organization	Attendance			
		8/27	8/28	9/8	9/22
Kathleen Aoki	Kaunoa Senior Services	X	X	X	
Stacia Ash	Individual			X	
Marjorie Bonar	Individual	X	X	X	X
Lauren Campbell	Pacific Whale Foundation	X	X	X	X
Kyle Ginoza	Department of Environmental Management	X	X		X
Jacqueline Goring	Wailuku Coffee Company				X
Eric Higa	Times Supermarket			X	X
Jason Higa	Zippy's Restaurants	X	X	X	X
Crystal Kahihikolo	Pukalani Superette			X	
Tom Knox	Business consultant			X	X
Tim Lara	Surfrider Foundation			X	X
Gretchen Leisenring	Styrophobia	X	X	X	X
Jerry Masaki	Pukalani Superette	X	X		X
Harry Nakagawa	Maui Chemical and Paper Products	X	X		X
Nelson Okamura	VIP Foodservice	X		X	X
Rob Parsons	Office of the Mayor	X	X	X	X
Michael Poulter	Zippy's Restaurants	X			
Pamela Tumpap	Maui Chamber of Commerce	X	X	X	X
Stella Yasuda	KYD, Inc.	X	X	X	
Sandra	Whole Foods				X

EXHIBIT "1"



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NEWS

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INSTITUTE OF MEDICINE
NATIONAL RESEARCH COUNCIL

FROM THE NATIONAL ACADEMIES

Styrene Reasonably Anticipated to Be a Human Carcinogen, New Report Confirms

A new report from the National Research Council has upheld the listing of styrene as "reasonably anticipated to be a human carcinogen" in the National Toxicology Program's 12th Report on Carcinogens (RoC). The committee that wrote the report found that the listing is supported by "limited but credible" evidence of carcinogenicity in human studies, "sufficient" evidence from animal studies, and "convincing relevant information" in mechanistic studies that observed DNA damage in human cells that had been exposed to styrene. The committee reached the same conclusion after conducting both a peer review of the RoC and an independent assessment of the styrene literature.

The NTP is an interagency program that produces the RoC. Styrene is a substance of interest for the RoC because many people in the United States are exposed. It is an oily, colorless to yellow liquid and it is found in many consumer products such as plastic packaging, food containers, and household goods. Sources of environmental exposure include cigarette smoke and vehicle exhaust. Occupational exposure can occur during the industrial processing of styrene.

Based on RoC listing criteria, a substance can be classified as reasonably anticipated to be a human carcinogen based on sufficient evidence in animals or limited evidence in human studies. In its peer review of the 12th RoC, the committee examined the primary literature cited in the document as well as other research published before June 10, 2011, and found that the RoC identified the most important studies and described the limitations and strengths of each, and that the arguments supported listing styrene as reasonably anticipated to be a human carcinogen.

In its independent assessment, the committee considered additional research published through Nov. 13, 2013. It found that "compelling evidence" exists in human, animal, and mechanistic studies to support listing styrene, at a minimum, as reasonably anticipated to be a human carcinogen.

The committee noted, however, that there was ambiguity with respect to weighing the mechanistic evidence when applying the listing criteria, and that a strong argument could be made to support the listing of styrene as a known human carcinogen if data derived from the study of human tissues or cells alone were considered sufficient. Further clarification and expanded guidance by the National Toxicology Program regarding the types and strength of mechanistic evidence and how it is used in the context of the RoC listing criteria is needed, the report says.

DETAILS:

Review of the Styrene Assessment in the National Toxicology Program 12th Report on Carcinogens is available for immediate release at http://www.nap.edu/catalog.php?record_id=18725. Media inquiries should be directed to the Office of News and Public Information; tel. 202-334-2138 or e-mail news@nas.edu.



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Advisors to the Nation on Science, Engineering, and Medicine

EXHIBIT "2"

VIP Foodservice Price List

Item	Pack	Size	Brand	Size	Material	Compo stable	Description	Price	Unit
938001	6	84	COMPANIONS	6 inch	Polystyrene	No	#HINGE TRAY FOAM 5.75IN HAMBURGER (Y)	\$69.16	\$0.1372
	1	500	WORLD CENT	6 inch	Plant Fiber	Yes	Fiber Burger Box 6x6x3	\$69.26	\$0.1385
938130	4	100	BRIDGE-GAT	6 inch	Molded Fiber	Yes	#HINGE TRAY BROWN 6IN BRDG GATE (Y)	\$60.31	\$0.1508
956029	9	50	Fold Pak	6 inch	Recycled paper	No	Blo Earth Paper Box #1 5x4.5x2.5	\$80.14	\$0.1781
938119	1	500	TATERWARE	6 inch	Potato Starch	No	HINGE TRAY 6IN 1 SEC TATERWARE (Y)	\$100.21	\$0.2004
938087	4	100	PACTIV	6 inch	Polypropylene	No	#HINGE TRAY 6 IN EARTHCHOICE (Y)	\$79.59	\$0.1990
938021	1	150	PACTIV	8 inch 1-compt	Polystyrene	No	#HINGE TRAY FOAM MED 1 SEC SHAL (Y)	\$20.81	\$0.1387
938177	6	50	WORLD CENT	8 inch 1-compt	Plant Fiber	Yes	HINGE CONT 8 IN 1COMP FIBER TOSCU85 (Y)	\$82.19	\$0.2740
938008	2	75	PACTIV	8 inch 1-compt	Polystyrene	No	#HINGE TRAY FOAM 1 SEC MED DL (Y)	\$42.51	\$0.2834
956033	4	50	Fold Pak	8 inch 1-compt	Recycled paper	No	Blo Earth Paper Box #3 8.5x6.25x2.5	\$65.80	\$0.3290
938088	2	100	PACTIV	8 inch 1-compt	Polypropylene	No	#HINGE TRAY 8IN 1 EARTHCHOICE (Y)	\$80.51	\$0.4026
938121	1	200	TATERWARE	8 inch 1-compt	Potato Starch	No	HINGE TRAY 8IN 1 SEC TATERWARE (Y)	\$86.08	\$0.4304
938022	1	150	PACTIV	8 inch 3-compt	Polystyrene	No	#HINGE TRAY FOAM MED 3 SEC SHAL (Y)	\$20.81	\$0.1387
	1	300	World Centric	8 inch 3-compt	Plant Fiber	Yes	Fiber clamshell 8X8" 3-compt	\$80.92	\$0.2697
938133	2	100	BRIDGE-GAT	8 inch 3-compt	Molded Fiber	Yes	#HINGE TRYA 8IN 3 SEC BROWN BRDGATE (Y)	\$54.55	\$0.2728
938018	2	75	PACTIV	8 inch 3-compt	Polystyrene	No	#HINGE TRAY FOAM MED 3 SEC DL PACTIV (Y)	\$42.51	\$0.2834
	1	300	WORLD CENT	9 inch 1-compt	Plant Fiber	Yes	Fiber Clamshell 9x9x3 1-compt	\$88.59	\$0.2953
938023	1	150	PACTIV	9 inch 1-compt	Polystyrene	No	#HINGE TRAY FOAM 1 SEC LARGE DL (Y)	\$44.74	\$0.2983
938135	2	100	BRIDGE-GAT	9 inch 1-compt	Molded Fiber	Yes	#HINGE TRAY 9IN BROWN BRDG GATE (Y)	\$62.71	\$0.3136
956034	4	40	Fold Pak	9 inch 1-compt	Recycled paper	No	Blo Earth Paper Box #4 8.75x6.5x3.5	\$71.72	\$0.4483
938093	1	120	PACTIV	9 inch 1-compt	Polypropylene	No	#HINGE TRAY LG 1 SEC EARTHCHOICE (Y)	\$58.45	\$0.4871
938125	1	125	TATERWARE	9 inch 1-compt	Potato Starch	No	HINGE TRAY 9IN 1SEC TATERWARE (Y)	\$61.64	\$0.4931
	1	300	WORLD CENT	9 inch 3-compt	Plant Fiber	Yes	Fiber Clamshell 9x9x3 3-compt	\$85.80	\$0.2860
938028	1	150	PACTIV	9 inch 3-compt	Polystyrene	No	#HINGE TRAY FOAM 3 SEC LG DL (Y)	\$47.69	\$0.3179
938095	1	120	PACTIV	9 inch 3-compt	Polypropylene	No	#HINGE COMP LG 3COMP EARTHCHOICE TFP (Y)	\$58.46	\$0.4872

EXHIBIT "3"

rec'd from Stella Yasuda 8/28

Fact:

VIP Foodservice conducted an inquiry over a period of time using current sales data to determine the percentage food containers which not made from type 6 resins compared to food containers made with type 6 resins. VIP Foodservice also conducted an inquiry over the same period of time to determine the percentage of both hot cups and cold cups which are not made from type 6 resins compared to hot and cold cups made from type 6 resins.

The findings are as follows:

		Percentage
Food containers made without type 6 resins	14824 cs	65%
Food containers made with type 6 resins	8089 cs	35%
Total food containers	22913 cs	100%
		Percentage
Hot and cold cups made without type 6 resins	10341 cs	87%
Hot and cold cups made with type 6 resins.	1516 cs	13%
	11857 cs	100%
		Percentage
Total food container and cups made without type 6 resins.	25165	72%
Total food containers and cups made with type 6 resins.	9605	28%
Total food containers and cups	34770	100%

Fact:

In 2007 VIP Foodservice sold a negligible amount of food containers and cups made without type 6 resins. Since then the major hotels and restaurants have on their own initiative made a concerted effort to convert their disposables to compostable or products not made with type 6 resins. We do not need a law. The industry has and is still changing to more environmentally friendly products on its own accord.

rec'd by Pam Tunnap 8/28

To: Council Member Victorino

From: Maui Business Representatives on Maui Task Force

Date: September 23, 2014

Council Member Victorino, as businesses serving the Maui community, we appreciate your efforts to voluntarily convene the Maui Task Force (MTF) for the purpose to collaboratively develop policy recommendations about the proposed ban of polystyrene (PS) disposable food service containers (IEM-5). As you stated from the beginning, this is a controversial issue and your facilitation of the meetings to strive for respectful, science-based discussion was much appreciated.

We believe that all MTF participants have a deep love for Maui's environment and people. We are all seeking solutions to better manage systems that protect Maui's environment.

Based upon the MTF meetings, we cannot support any recommendations that mandate a ban on PS disposable food service containers for the following reasons:

- **Such a ban does not solve the stated problem of marine debris and impact on marine life.**
- **Litter of all materials, including post-consumer use of compostable products and PS, is the problem that must be managed more effectively.**
 - **PS products across the nation make up 1.5% of the litter stream. The Maui Waste Characterization Study finds the amount of PS entering the landfill is less than 1 % of the total tonnage received.**
 - **When PS is banned, litter does not decrease. It only changes the type of material that is littered, as seen in the 2008 City of SF Streets Litter Re-Audit.**
- **A ban on PS would negatively impact Maui food service businesses and residents.**
 - **FDA approved PS food service containers are safe, economical, and effective with many of Hawaii's foods which are often served with gravy or are soup-based.**
 - **Cost to businesses and consumers are 3 to 5 times more for compostable products than PS containers.**
 - **The marketplace, Maui businesses and consumers, should have the choice of what type of FDA approved disposable food containers to use and at what expense. Legislation should not ban one type of product and mandate the use of another product.**

We strongly support a community education program in conjunction with Maui County and Maui's visitor and business industry to strengthen Maui's residents' and visitors' post-consumer food service container disposal. This program could be integrated with Maui's pending state-of-the-art Maui Resource Recovery Facility, which is vital to the solution for litter management as well as renewable fuels and land-use sustainability.

EXHIBIT "5"

RECOMMENDATIONS:

1. Follow in the footsteps of nearly 100 other cities and municipalities that have, in some fashion, addressed the issue of disposable food service ware (particularly expanded polystyrene) by allowing only items that are readily compostable or recyclable.
2. Expanded polystyrene foam food service ware products to be covered in this ordinance shall include: cups, bowls, plates, clamshell containers, soup containers and trays.
3. Provide adequate time allowed for food providers (includes retailers) to make the transition to alternatives.

FINDINGS:

- Polystyrene foam is a threat to natural ecosystems due to its tendency to break into smaller pieces that wildlife species can mistake for food and ingest. In addition, polystyrene foam contains styrene, a possible carcinogen and neurotoxin that can leach into food and drink posing a human health risk.
- The Maui Island Plan specifically directs the County to avoid 6.1.2-Action 2 "Develop regulations, programs, funding opportunities, and/or incentives to: (5) Discourage slow degradable materials, e.g., Styrofoam."
- Numerous alternatives exist to polystyrene food service ware that are renewably-sourced rather than fossil-fuel based and are thus more environmentally sound
- It is not economically feasible to recycle polystyrene single use food ware in Maui County and no local recycling programs accept it. Recycling is possible, however, for some disposable food ware made from materials other than polystyrene.
- A ban on expanded polystyrene food containers will improve our quality of life, the natural environment, our local waterways and potential negative impacts such as windblown litter and marine debris, and impacts on marine life and birds.
- Many food providers have already made the switch to more environmentally friendly options, however there are still food providers that have not switched. Public education is of course important; but as we know, will not alone solve the issue.

Supported by:

Pat Basson
Gretchen Leisenring (by e-mail)
Lauren Campbell

Timothy Lora
Peggy Bonar

EXHIBIT "6" Stacia Ash (in absentia)

IEM-5 orig.

----- Forwarded message -----

From: **Dmitriew, Alex (ENV)** <alex.dmitriew@sfgov.org>

Date: Tue, Jul 1, 2014 at 4:41 AM

Subject: RE: Disposable Food Containers Ban in Honolulu - Can SFE help?:-)

To: "yeary.asia@gmail.com" <yeary.asia@gmail.com>, "scoleman34@gmail.com" <scoleman34@gmail.com>

Hi,

I work with Robert and am responsible for our Food Service Ware Reduction Ordinance (banned Styrofoam). Since 2007, we have visited every one of the 4,500 restaurants in our data base to confirm compliance (took about 4 years). Currently we're at 99.9% compliance and now only occasionally respond to citizen complaints regarding Styrofoam usage. I personally went to over 2,000 locations and rarely heard complaints about the cost. What I did hear was that employees and customers welcomed the change. The remarkable thing is that even though our ordinance provides for a waiver request due to financial hardship (based on the cost differential of Styrofoam to alternatives) we only received 2 such requests and both were inventory issues, not cost. There are plenty of alternatives to Styrofoam and over the years the prices have gotten more competitive. It's a little disheartening to hear the your are considering dropping compostable alternatives. A Styrofoam ban coupled with a comprehensive food scrap and food soiled paper composting collection program would have a much more positive impact on the environment. If fact, if I could only do one of these programs I would choose composting.

Best,

Alex Dmitriew

Commercial Zero Waste Coordinator

San Francisco Department of the Environment

1455 Market Street, Suite 1200, San Francisco, CA 94103

alex.dmitriew@sfgov.org T: (415) 355-3768



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RECEIVED AT IEM MEETING ON 11/17/14
Rob Parsons

>>> Robert Parsons 9/15/2014 12:16 PM >>>
Aloha Council member Victorino and Jordan,

I'd like to express my feelings about the status of our collaborative work on the Polystyrene Task Force to date. I purposely waited since our meeting a week ago to share some concerns, in order to separate my rational thinking from the emotions that arose last week, and at previous meetings.

Specifically, I believe the presence of representatives from KYD Inc. and the American Chemistry Council has been disruptive, due to outrageous and inflammatory claims made by these individuals. I will address some of those remarks to illustrate just how far off the mark they are.

I generally am willing to welcome anyone who may offer a unique perspective to the discussion, and have served on task forces in the past where there was ample opportunity for members to "agree to disagree." But in this case, I do not believe either individual asked to attend, and were invited by someone other than the two of you. The result has not helped advance the work to be done, which is establishing where we can find agreement to forward recommendations to the IEM Committee. These are paid lobbyists, willing to say almost anything in order to advance their own agendas, while the rest of us are volunteering our time to assist in drafting a fair and worthwhile ordinance for Maui County.

Stella Yasuda stated at our first meeting that she felt that this ordinance was aimed specifically at her business and that the result would be the loss of jobs. Yet she has done nothing to substantiate that claim. It is clear from looking at their website the KYD is a large, diverse business. <http://www.kydinc.com/> She has not indicated what percentage of their business polystyrene represents, or what percentage of sales Maui County represents. Using strong language like, "This is killing our business," does not advance the discussion, and clearly is untrue.

Similarly, when Eric Higa of Times Supermarket stated that the Maui partial ban on single-use plastic bags was "killing us," that type of hyperbole is unproductive. He went on to say that it was a corporate decision not to charge for paper bags, so at best they are "killing" themselves, though again no accounting has been provided for actual costs incurred, or percentage of overall revenue the switch from plastic to paper represents.

Tom Knox of the American Chemistry Council made a number of misleading statements, some of them absolutely outlandish. These quotes are taken from his chalkboard talk:

--"**It's really only 20-25 cities [in California] that have a ban.**" This response was after I held up the list of 84 California municipalities that have passed legislation. His statement is absolutely FALSE. Here is the full list: http://www.cawrecycles.org/issues/plastic_campaign/polystyrene/local

--"**No material is beneficial in the environment.**" Perhaps he was trying to compare plastics with other toxics, but plant-based, renewably-sourced food containers are CLEARLY better in and for the environment than a fossil-fuel based product which may take hundreds of years to degrade in our landfills, or wherever it is discarded or wind-blown.

--"**Compost facilities are decreasing.**" First, this is unsubstantiated. Secondly, it should not be used as an excuse for landfilling or combusting plastics. Many communities that have banned the usage of expanded polystyrene food service products have concurrently bolstered their municipal composting programs. e.g.: <http://www.sanjoseca.gov/index.aspx?nid=1511>

--"**Waste To Energy is a straightforward way to get rid of waste.**" Well, if you believe that waste is waste, then this sort of illogical reasoning is right up your alley. But if you see "waste" as a resource, or are pursuing Zero Waste practices and policies, then the idea of combusting polystyrene or any plastic is frightening. "The National Bureau of Standards Center for Fire Research identified 57 chemical byproducts released during the combustion of polystyrene foam."

Source: <http://www.firefighterswithparkinsons.net/index.cfm?section=10&pagenum=208>

--"**Food compost mandates will never get anywhere.**" Wrong! Massachusetts recently passed mandatory prohibition of commercial food service waste from their landfills. New York City is considering a similar ban, and in fact has already banned polystyrene food service products! <http://www.recyclingworksma.com/article-new-york-council-votes-to-ban-foam-food-containers/> San Francisco has a robust collection of commercial and residential food waste that goes to a successful compost program. <http://news.nationalgeographic.com/news/2013/06/130618-food-waste-composting-nyc-san-francisco/>

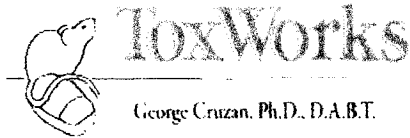
The EPA is supporting a big push in programs that collect and process food waste. <http://www.epa.gov/foodrecovery/>

--"**The San Francisco litter study [after polystyrene ban] was inconclusive.**" The study was anything but inconclusive. It showed a 36% reduction in expanded polystyrene after the ban.
https://www.google.com/?gws_rd=ssl#q=san+francisco+litter+study+polystyrene

I am well aware that any recommendations sent forth from our task force will not be the result of a show of hands and vote. In fact, I strongly believe that we will likely send forth conflicting recommendations, given the strong feelings expressed by industry representatives as well as the paid lobbyists.

I thank you for your consideration of my concerns, and look forward to tackling the language of an ordinance to benefit the people of Maui County and the environment we share.

Mahalo, ROB



George Cruzan, Ph.D., D.A.B.T.

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Bridgeton, NJ 08302
phone: 856-453-3178
fax: 856-453-3179
e-mail: ToxWorks@aol.com

June 9, 2014

**Written Testimony to City Council – City and County of Honolulu, Honolulu,
Hawaii June 15, 2014**

**Subject: Proposed Bill 40 (2014) for An Ordinance Relating To Disposable Food
Containers - Safety of Polystyrene Foam Foodservice**

I am Dr. George Cruzan. I have been a professional toxicologist for more than 35 years and have been certified in toxicology by the American Board of Toxicology for more than 34 years. Study of the health and environmental effects of styrene and research to further understand any effects has been a main focus of my career since 1990. I am here to tell the City that the assertions that there are any health concerns about styrene in polystyrene foodservice products, which have been used safely for 50 years and sanctioned by the US FDA, are unfounded. This is simply not true from any scientific standpoint.

Styrene was classified in 2011 as “Reasonably anticipated to be a human carcinogen” in the 12th edition of the Report on Carcinogens by the US Department of Health and Human Services (HHS). That evaluation is disputed by many and is currently under review by the National Academy of Sciences. However, foodservice products are not made of styrene, which is a liquid and would not contain any food. Foodservice products may be made of polystyrene, large chains of styrene molecules chemically bonded together.

Based on the science and testing, here’s what government agencies and health experts do say about the safety of polystyrene foam products:

- a. **NTP - Dr. Linda Birnbaum, Ph.D., Director, U.S. National Toxicology Program** was quoted widely in Associated Press reports in June 2011: “Let me put your mind at ease right away about polystyrene foam*” ... [the levels of styrene from polystyrene containers] “are hundreds if not thousands of times lower than have

RECEIVED AT ITEM MEETING ON 11/17/14
Stella Yasuda, KYD, Inc.

occurred in the occupational setting...In finished products, certainly styrene is not an issue." *Source: news reports of Associated Press story, June 2011*

- b. **Harvard Center for Risk Analysis** - A twelve-member panel of international experts selected by the Harvard Center for Risk Analysis reported in 2002 that the very low levels of styrene present in foods – whether naturally occurring or from polystyrene foodservice products – does not represent a concern to human health.
- c. **American Cancer Society - Otis Brawley, Chief Medical Officer, American Cancer Society** -Bloomberg News in June 2011 reported that Brawley said, "Consumers don't need to worry about polystyrene cups and food containers..." Quote: "I see no problems with polystyrene foam* cups." *Source: Bloomberg News, June 2011*
- d. **U.S. Food & Drug Administration** - Based on scientific tests over five decades, FDA has determined that polystyrene is safe for use in foodservice products. Polystyrene meets the FDA's stringent standards for use in packaging both to store and to serve food.

<http://www.plasticfoodservicefacts.com/main/Safety/National-Toxicology-Program>

There is a small amount of unreacted styrene within polystyrene; some of this may migrate into food in the container. The results of a 2013 study show that the maximum amount of styrene that could migrate from polystyrene food-contact packaging is calculated to be 6.6 micrograms (about 1 millionth of a teaspoon) per person per day. Several foods (e.g., coffee, cinnamon) naturally contain styrene; the average consumption of styrene from natural food sources is about 9 micrograms/day. The FDA's acceptable daily intake value of styrene is calculated to be 90,000 micrograms per person per day. This demonstrates a safety factor of more than four orders of magnitude (10,000 times).

You get 3000 more times exposure of styrene from cinnamon than from a polystyrene foam cup. Whether naturally occurring in foods and beverages such as strawberries, coffee beans or cinnamon, or produced synthetically, most people encounter styrene as a part of their daily lives, though in small amounts. Scientific studies have shown that the small amounts of styrene consumers may be exposed to are not harmful – styrene does not stay in the body for long and is rapidly metabolized or excreted.

In conclusion, no government agencies consider polystyrene to be a carcinogen, nor to pose any health risk.



George Cruzan, PhD, DABT

IEM Committee

From: Evan Walters <mail@changemail.org>
Sent: Thursday, November 20, 2014 6:00 PM
To: IEM Committee
Subject: 10 new people signed: Support a ban on the use and sale of polystyrene disposable food service containers

10 new people recently signed Pacific Whale Foundation's petition "[Infrastructure and Environmental Management Committee: Support a ban on the use and sale of polystyrene disposable food service containers](#)" on Change.org.

There are now 80 signatures on this petition. Read reasons why people are signing, and respond to Pacific Whale Foundation by clicking here:

<http://www.change.org/p/infrastructure-and-environmental-management-committee-support-a-ban-on-the-use-and-sale-of-polystyrene-disposable-food-service-containers/responses/new?response=8d4ea5a741d8>

Dear Infrastructure and Environmental Management Committee,

Please support a ban on the use and sale of polystyrene disposable food service containers. Polystyrene is a serious threat to both the environment as well as public health. Commonly used in cheap food ware (plates, cups, 'clamshells', etc), polystyrene does not biodegrade and is responsible for leaching carcinogenic chemicals into food and the surrounding environment. Polystyrene has long been known to be detrimental to the environment, and is often spotted as unwelcome litter both on land and in water, due to its lightweight nature and disposability. In fact, McDonald's stopped using polystyrene containers for their hamburgers as far back as 1990. More and more cities across the country are banning the material, including Miami Beach, which just passed a ban on all Styrofoam products on July 24th. Made from petroleum, polystyrene products are never fully biodegraded and are made from a nonrenewable, rapidly disappearing resource. Their manufacture consumes much energy, and it is difficult to recycle the material. When polystyrene products make it to the ocean, they become harmful marine debris that is dangerous to ocean animals. Polystyrene products are not only dangerous for marine life; they pose a health risk to humans as well. In 2011, the U.S. Department of Health and Human Services listed styrene as a substance "reasonably anticipated to be a carcinogen". Polystyrene food containers, often received with take-out orders or hot beverages, can leach this toxin when in contact with hot foods or liquids. Compostable products are an economically viable and eco-friendly alternative to polystyrene. These products are non-toxic, plant-based and carried by every distributor in Hawai'i. Bills such as a ban on polystyrene food containers are important in reducing our dependency on single use plastics, while also improving environmental and public health.

Sincerely,

- 78. Nick Bean Gothenburg, Sweden
- 74. Matthew Nall Haiku, Hawaii
- 72. Nathan Yospe Fremont, California
- 71. Chloe Harris Kahului, Hawaii
- 70. Dana Tollefson Kihei, Hawaii
- 69. Hailey Tollefson kihei, Hawaii
- 68. Renee Jorg Kahului, Hawaii
- 67. Rachel Nichols Wimauma, Florida

66. Hailie Kittner wailuku, Hawaii

65. Concerned Citizen New City, New York



IEM Committee

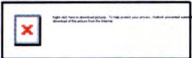
From: Alexis Chapman <alexisapchapman@gmail.com>
Sent: Monday, December 01, 2014 9:48 AM
To: IEM Committee
Subject: IEM-5 HFIA testimony in opposition
Attachments: HFIA testimony_Maui IEM-5_oppose_12.5.14.doc

Hello, attached please find HFIA's testimony for the Dec 5 IEM hearing, in opposition to IEM-5.

Thank you,
Alexis

--

Alexis Chapman
Grassroots Director



Hawaii Food Industry Association

<http://hawaiifood.com/>

AlexisAPChapman@gmail.com

info@hawaiifood.com

C: 808 358 6753



Executive Officers:

John Schilf, RSM Hawaii - Chairperson
Derek Kurisu, KTA Superstores – Vice Chair
Lisa DeCoito, Aloha Island Mart – Treasurer
John Erickson, Frito-Lay - Secretary
Lauren Zirbel, Executive Director

1050 Bishop St. PMB 235
Honolulu, HI 96813
Fax : 808-791-0702
Telephone : 808-533-1292

TO: INFRASTRUCTURE AND ENVIRONMENTAL MANAGEMENT COMMITTEE, COUNCIL OF THE COUNTY OF MAUI

FROM: HAWAII FOOD INDUSTRY ASSOCIATION
Lauren Zirbel, Executive Director

DATE: December 5, 2014
TIME: 1:30 p.m.
PLACE: Council Chamber, 8th Floor, 200 South High Street, Wailuku, Hawaii

RE: IEM-5 POLYSTYRENE DISPOSABLE FOOD SERVICE CONTAINERS, "A BILL FOR AN ORDINANCE ESTABLISHING A NEW CHAPTER 20.26, MAUI COUNTY CODE, PERTAINING TO POLYSTYRENE DISPOSABLE FOOD SERVICE CONTAINERS"

Position: Opposition

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.

The Hawaii Food Industry Association is in opposition to this measure, as it is a mandate on businesses that will increase costs for consumers and provide no upside for the environment, as Maui County does not have a commercial composting facility. Consumers are already being asked to pick up a twelve-fold increase in cost due to the recent plastic bag ban. Please do not pass on this additional cost to consumers. Instead, allow consumer demand and behavior to change product offerings.

Biodegradable products are much more expensive than polystyrene options. However, biodegradable products, under our current system of waste disposal will meet the same end as polystyrene. Both compostable and polystyrene options will not biodegrade in modern landfills. Landfills are designed to protect the environment from the liquids and gases produced by reducing the exposure of garbage to air, water and sunlight – conditions essential for degradation. Without an investment in commercial composting facilities, this increased cost for food establishments and consumers will result in negligible environmental benefits.

Not one county in Hawaii has a commercial composting facility where these products can be sent to compost. Most of the trash debris seen on beaches is the result of haphazard disposal of waste from all over the world and on the seas, which are brought here by ocean currents. Many products do not biodegrade which is why waste management is such an important issue. It is unreasonable to try to ban all products that do not

biodegrade.

Hundreds of jobs may be eliminated if the council continues to threaten this locally produced, favorably priced, FDA approved product.

The market is creating its own commercially viable and money generating solutions to the problem, solutions which don't put people out of work or force the market to act in premature ways, but instead generate jobs and profit for government and private enterprise. These solutions are especially promising given the need for energy sustainability, especially in Hawaii, and given the rising cost of fuel. Technology is now available and widely used in Japan to turn plastics into high-grade diesel fuel. On Oahu, H-POWER recycles plastics and other trash into energy.

While polystyrene is a petroleum byproduct, it is also a resource. It is currently being recycled in Kalihi on a small scale, and is becoming a major recyclable resource in schools on the Mainland. In fact, more than 57 million pounds of packaging were recycled in 2004. Also, in accordance with EPA priorities, polystyrene manufacturers have placed precedence on source reduction and reuse as well as recycling, locally here in Hawaii as well as nationally.

Looking at this from a resource conservation prospective, source reduction is much more effective than recycling. According to Franklin and Associates, in order for polystyrene packaging and disposables' recycling efforts to save as much energy as the 408 million pounds source reduced in 1997, a recycling rate of 51% would have to be achieved. On a side note, we invite all council members to visit KYD, Inc. (K. Yamada Distributors) manufacturing and recycling facility in Kalihi to see how they are reusing leftover production materials.

There are very real concerns associated with the manufacturing of biodegradable packaging, as *Smithsonian Magazine* put forth in 2006, stating that biodegradable alternatives have considerable drawbacks that haven't been publicized. One drawback is that the cultivation of corn requires more nitrogen fertilizer, more herbicides and more insecticides than any other U.S. crop, and that practice contributes to soil erosion and water pollution when nitrogen runs off fields into streams and rivers. One must acknowledge the environmental trade-offs associated with the use of any packaging material and whether a mandate to use one particular type of container or product will have the desired result of reducing litter and/or marine debris.

All foodservice products – regardless of the material from which they are made – require the use of various natural resources, i.e. energy, water, etc. A 2006 Life Cycle Inventory study by Franklin and Associates showed that polystyrene, when compared to other food service containers, is very efficient in terms of minimizing air emissions and energy used in the manufacturing process and in reducing the amount of waterborne waste generated during the manufacturing process.

This bill makes the false assumption that products that would replace polystyrene are somehow manufactured in a vacuum without the use of any raw materials, energy, or water, or fuel to deliver the product. This is especially important considering many bio-degradable options are produced in China where labor, quality and environmental standards are known to be well below the labor, quality and environmental standards practiced in plants which produce polystyrene on the island of Oahu.

We should consider the carbon footprint of shipping supplies from China, especially given that we have a more economically viable product produced right here in Hawaii, providing hundreds of jobs to the community.

The FDA, Health Canada and Environment Canada concluded extensive studies that polystyrene is "non-toxic" and that styrene "does not constitute a danger to human life and health" and "does not constitute a danger to the environment on which human life depends."

It appears that the effective date is backdated, we feel this is not an appropriate amount of time for businesses to comply with this law, especially considering that the definitions are unclear and we have no idea which products would qualify under this bill. The definitions used for biodegradable will be impossible to enforce as there is no standard associated with them and the department will have no idea which products qualify and which products do not. The definition of compostable does not work for Hawaii because we don't have a commercial composting facility, so technically no product would qualify. **How can we comply with the definition for compostable, "means all materials that comprise a disposable food service container are able to undergo biological decomposition or become part of the usable compost, in a safe and timely manner in an appropriate composting program or facility, or in a home compost pile or device..." when there is no compost facility where products could break down in a timely manner?**

From 1999 to 2002, a 12 member international expert panel selected by the Harvard Center for Risk Analysis conducted a comprehensive review of potential health risks associated with workplace and environmental exposure to styrene. The scientists had expertise in toxicology, epidemiology, medicine, risk analysis, pharmacokinetics, and exposure assessment. The complete findings were published in the Journal of Toxicology and Environmental Health (referenced below).

The Harvard study reported that styrene is naturally present in food such as strawberries, beef, and spices, and is naturally produced in the processing of foods such as wine and cheese. The study noted that "federal regulations also permit low concentrations of styrene in food" as an additive.

The scientists reviewed all of the published data on the quantity of styrene contributed to the diet due to migration from food contact packaging. The scientists concluded that there is no cause for concern from exposure to styrene from food or from polystyrene used in food contact applications, such as packaging and foodservice containers.

Reference: "A Comprehensive Evaluation of the Potential Health Risks Associated with Occupational and Environmental Exposure to Styrene", Harvard Center for Risk Analysis, Harvard School of Public Health, Boston, MA (Journal of Toxicology and Environmental Health, Volume 5, Number 1-2, January – June 2002, published quarterly by Taylor & Francis.) Findings also were published in the Harvard Center for Risk Analysis's Risk in Perspective.

For all of these reasons we would ask that this bill be held.

Thank you so much for your time and for the opportunity to testify.

IEM Committee

From: Cassidy Magrath <mail@changemail.org>
Sent: Tuesday, December 02, 2014 7:18 PM
To: IEM Committee
Subject: 10 new people signed: Support a ban on the use and sale of polystyrene disposable food service containers

10 new people recently signed Pacific Whale Foundation's petition "[Infrastructure and Environmental Management Committee: Support a ban on the use and sale of polystyrene disposable food service containers](http://www.change.org/p/infrastructure-and-environmental-management-committee-support-a-ban-on-the-use-and-sale-of-polystyrene-disposable-food-service-containers)" on Change.org.

There are now 100 signatures on this petition. Read reasons why people are signing, and respond to Pacific Whale Foundation by clicking here:

<http://www.change.org/p/infrastructure-and-environmental-management-committee-support-a-ban-on-the-use-and-sale-of-polystyrene-disposable-food-service-containers/responses/new?response=8d4ea5a741d8>

Dear Infrastructure and Environmental Management Committee,

Please support a ban on the use and sale of polystyrene disposable food service containers. Polystyrene is a serious threat to both the environment as well as public health. Commonly used in cheap food ware (plates, cups, 'clamshells', etc), polystyrene does not biodegrade and is responsible for leaching carcinogenic chemicals into food and the surrounding environment. Polystyrene has long been known to be detrimental to the environment, and is often spotted as unwelcome litter both on land and in water, due to its lightweight nature and disposability. In fact, McDonald's stopped using polystyrene containers for their hamburgers as far back as 1990. More and more cities across the country are banning the material, including Miami Beach, which just passed a ban on all Styrofoam products on July 24th. Made from petroleum, polystyrene products are never fully biodegraded and are made from a nonrenewable, rapidly disappearing resource. Their manufacture consumes much energy, and it is difficult to recycle the material. When polystyrene products make it to the ocean, they become harmful marine debris that is dangerous to ocean animals. Polystyrene products are not only dangerous for marine life; they pose a health risk to humans as well. In 2011, the U.S. Department of Health and Human Services listed styrene as a substance "reasonably anticipated to be a carcinogen". Polystyrene food containers, often received with take-out orders or hot beverages, can leach this toxin when in contact with hot foods or liquids. Compostable products are an economically viable and eco-friendly alternative to polystyrene. These products are non-toxic, plant-based and carried by every distributor in Hawai'i. Bills such as a ban on polystyrene food containers are important in reducing our dependency on single use plastics, while also improving environmental and public health.

Sincerely,

100. Cassidy Magrath Ashland, Oregon
98. Hannah Machiorlete Kihei, Hawaii
97. Gary Marks Kihei, Hawaii
96. Julia Strathmann Kihei, Hawaii
95. Macie Duran Kihei, Hawaii
94. Macey Vierra Kihei, Hawaii
93. Tristan Riley Makawao, Hawaii
92. Eryn Sweeney Kihei, Hawaii

91. Makenzie Stroupe Kihei, Hawaii

90. Ivy Adkison Kihei, Hawaii



IEM Committee

From: Ivy Adkison <mail@changemail.org>
Sent: Tuesday, December 02, 2014 4:32 PM
To: IEM Committee
Subject: 10 new people signed: Support a ban on the use and sale of polystyrene disposable food service containers

10 new people recently signed Pacific Whale Foundation's petition "[Infrastructure and Environmental Management Committee: Support a ban on the use and sale of polystyrene disposable food service containers](http://www.change.org/p/infrastructure-and-environmental-management-committee-support-a-ban-on-the-use-and-sale-of-polystyrene-disposable-food-service-containers)" on Change.org.

There are now 90 signatures on this petition. Read reasons why people are signing, and respond to Pacific Whale Foundation by clicking here:

<http://www.change.org/p/infrastructure-and-environmental-management-committee-support-a-ban-on-the-use-and-sale-of-polystyrene-disposable-food-service-containers/responses/new?response=8d4ea5a741d8>

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Sincerely,

90. Ivy Adkison Kihei, Hawaii
89. Skylar marks Kihei, Hawaii
88. Abril Quintana Kihei, Hawaii
87. Yevgeniy Kibitskiy Marysville, Washington
86. Chana Boone Wailuku, Hawaii
85. Ric Brown Kihei, Hawaii
84. Stephanie Gilgoff Haiku, Hawaii
83. Heig Beck Paia, Hawaii

82. Brady Manor Kihei, Hawaii

81. Alan Kittmer Wailuku, Hawaii



IEM Committee

From: mail@changemail.org
Sent: Saturday, September 12, 2015 5:08 AM
To: IEM Committee
Subject: 100 more people signed "Infrastructure and Environmental Management Committee: Support a ban on the use and sale of polystyrene disposable food service containers"

change.org New signatures

Infrastructure and Environmental Management Committee – This petition addressed to you on Change.org has new activity. See progress and respond to the campaign's supporters.

Infrastructure and Environmental Management Committee: Support a ban on the use and sale of polystyrene disposable food service containers



Petition by Pacific Whale Foundation · 100 supporters

100 more people signed

[View petition activity](#)

RECENT SUPPORTERS



Dawn Mansour

west chester, OH · Aug 15, 2015

I'm signing because the use of Styrofoam has long lasting environmental impact and it is widely used throughout restaurants and homes. In just one day without Styrofoam we can improve our environment ...without Styrofoam all together, we all win and so do our grandkids.



Joanna Villano

Danville, CA · Jul 08, 2015

I feel strongly about anything that litters our beaches and is non-biodegradable. These items are dangerous to our precious marine life, birds and other wild life. They are virtually non recyclable and should not be used by the food and restaurant industry on the islands.



Julie Rogers

Tavistock, GB · Mar 29, 2015

I care about our environment



Dianne Reed

Overland Park, KS · Mar 29, 2015

we need to care for the planet and animals



Torsten Durkan

Haiku, HI · Jan 08, 2015

I am a waterman and ocean advocate and styrofoam is not a sustainable material, which is harmful to Hawaii's ocean environment!

[View all 100 supporters](#)

CHANGE.ORG FOR DECISION MAKERS

On Change.org, decision makers like you connect directly with people around the world to resolve issues. Respond to let the people petitioning you know you're listening, say whether you agree with their call to action, or ask them for more information. [Learn more.](#)

This notification was sent to IEM.committee@mauicounty.us, the address listed as the decision maker contact by the petition starter. If this is incorrect, please [post a response](#) to let the petition starter know.

Change.org · 548 Market St #29993, San Francisco, CA 94104-5401, USA

IEM Committee

From: Marie Vondersonne <marievondersonne@gmail.com>
Sent: Wednesday, September 16, 2015 10:24 AM
To: IEM Committee
Subject: Support a phaseout of polystyrene take-out containers

Dear IEM Committee,

Polystyrene (EPS foam) take-out containers are toxic to both human health and the environment and they need to go! There are a number of affordable, environmentally friendly alternatives to polystyrene food ware that food establishments could use in place of polystyrene. Maui has lead the charge against single-use plastics, and was a model for legislation outlawing single-use plastic bags. Let's keep up the momentum and continue to support a healthy and sustainable future for our island.

Marie Vondersonne
140 Uwapo Road #43-201
Kihei, HI 96753

IEM Committee

From: Gylan Solay <gylan@youremergentself.net>
Sent: Saturday, July 26, 2014 9:06 PM
To: IEM Committee
Subject: IEM-5 POLYSTYRENE DISPOSABLE FOOD SERVICE CONTAINERS

Aloha Council Members

Big Mahalos to Committee Chair Elle Cochran and Councilmember Michael Victorino, who introduced the bill to ban the use and sale of polystyrene disposable food service containers
IEM-5 POLYSTYRENE DISPOSABLE FOOD SERVICE

I support this bill and all efforts to return our environment to a healthy standard. CONTAINERS

There are biodegradable containers for restaurants to use that will be cost effective in the long run.

Yes, we stopped using plastic bags, now let's broaden our consciousness to Styrofoam and all derivatives of materials that will harm us, the land, and our future...

In appreciation for your efforts..... Refer to:

Keep Smiling

Gylan Solay, MS
Organize Your Life
Kihei, Maui, Hawaii 96753
808-344-8068
gylan@youremergentself.net
www.gyliansolay.com

IEM Committee

From: Hakan Ucarer <mail@changemail.org>
Sent: Saturday, July 26, 2014 11:09 PM
To: IEM Committee
Subject: Support a ban on polystyrene food service containers

Dear Infrastructure and Environmental Management Committee,

I just signed Surfrider Foundation: Maui Chapter's petition "[Infrastructure and Environmental Management Committee: Support a ban on polystyrene food service containers](#)" on Change.org.

Please support a ban on polystyrene food service containers. Polystyrene foam products are bad for human health and the environment: * Polystyrene does not biodegrade, but instead breaks down into micro-plastics that are often consumed by seabirds and other marine animals; * Polystyrene products are more than 90% air, causing them to break apart easily and litter waterways or blow out to sea; * Polystyrene products are made from styrene, a known carcinogen and neurotoxin that leaches into hot, greasy food; * According to the U.S. Environmental Protection Agency, 100% of Americans have styrene in their bodies. * Polystyrene foam products are the most toxic and least recycled (less than 1%) type of plastic; * The resources and energy to make 1 polystyrene container could make 3 compostable containers; Compostable products are an economical and eco-friendly alternative to polystyrene. They are non-toxic, plant-based and carried by every distributor in Hawai'i. To date, there are have been no documented cases of restaurants or food providers going out of business because of these bans. Maui County's environment and community would greatly benefit from a ban on polystyrene food containers. Thank you for supporting this important initiative!

Sincerely,
Hakan Ucarer Kihei, Hawaii

There are now 12 signatures on this petition. Read reasons why people are signing, and respond to Surfrider Foundation: Maui Chapter by clicking here:
<http://www.change.org/petitions/infrastructure-and-environmental-management-committee-support-a-ban-on-polystyrene-food-service-containers/responses/new?response=8d4ea5a741d8>



IEM Committee

From: Joel Finley <mail@changemail.org>
Sent: Saturday, July 26, 2014 8:00 PM
To: IEM Committee
Subject: Support a ban on polystyrene food service containers

Dear Infrastructure and Environmental Management Committee,

I just signed Surfrider Foundation: Maui Chapter's petition "[Infrastructure and Environmental Management Committee: Support a ban on polystyrene food service containers](#)" on Change.org.

Please support a ban on polystyrene food service containers. Polystyrene foam products are bad for human health and the environment: * Polystyrene does not biodegrade, but instead breaks down into micro-plastics that are often consumed by seabirds and other marine animals; * Polystyrene products are more than 90% air, causing them to break apart easily and litter waterways or blow out to sea; * Polystyrene products are made from styrene, a known carcinogen and neurotoxin that leaches into hot, greasy food; * According to the U.S. Environmental Protection Agency, 100% of Americans have styrene in their bodies. * Polystyrene foam products are the most toxic and least recycled (less than 1%) type of plastic; * The resources and energy to make 1 polystyrene container could make 3 compostable containers; Compostable products are an economical and eco-friendly alternative to polystyrene. They are non-toxic, plant-based and carried by every distributor in Hawai'i. To date, there are have been no documented cases of restaurants or food providers going out of business because of these bans. Maui County's environment and community would greatly benefit from a ban on polystyrene food containers. Thank you for supporting this important initiative!

Sincerely,
Joel Finley Ogdensburg, New York

There are now 8 signatures on this petition. Read reasons why people are signing, and respond to Surfrider Foundation: Maui Chapter by clicking here:
<http://www.change.org/petitions/infrastructure-and-environmental-management-committee-support-a-ban-on-polystyrene-food-service-containers/responses/new?response=8d4ea5a741d8>



IEM Committee

From: Kristen Koba-Burdt <mail@changemail.org>
Sent: Saturday, July 26, 2014 7:43 PM
To: IEM Committee
Subject: Support a ban on polystyrene food service containers

Dear Infrastructure and Environmental Management Committee,

I just signed Surfrider Foundation: Maui Chapter's petition "[Infrastructure and Environmental Management Committee: Support a ban on polystyrene food service containers](#)" on Change.org.

Please support a ban on polystyrene food service containers. Polystyrene foam products are bad for human health and the environment: * Polystyrene does not biodegrade, but instead breaks down into micro-plastics that are often consumed by seabirds and other marine animals; * Polystyrene products are more than 90% air, causing them to break apart easily and litter waterways or blow out to sea; * Polystyrene products are made from styrene, a known carcinogen and neurotoxin that leaches into hot, greasy food; * According to the U.S. Environmental Protection Agency, 100% of Americans have styrene in their bodies. * Polystyrene foam products are the most toxic and least recycled (less than 1%) type of plastic; * The resources and energy to make 1 polystyrene container could make 3 compostable containers; Compostable products are an economical and eco-friendly alternative to polystyrene. They are non-toxic, plant-based and carried by every distributor in Hawai'i. To date, there are have been no documented cases of restaurants or food providers going out of business because of these bans. Maui County's environment and community would greatly benefit from a ban on polystyrene food containers. Thank you for supporting this important initiative!

Sincerely,
Kristen Koba-Burdt Paia, Hawaii

There are now 7 signatures on this petition. Read reasons why people are signing, and respond to Surfrider Foundation: Maui Chapter by clicking here:
<http://www.change.org/petitions/infrastructure-and-environmental-management-committee-support-a-ban-on-polystyrene-food-service-containers/responses/new?response=8d4ea5a741d8>



IEM Committee

From: Noelani Rivers <mail@changemail.org>
Sent: Saturday, July 26, 2014 8:42 PM
To: IEM Committee
Subject: Support a ban on polystyrene food service containers

Dear Infrastructure and Environmental Management Committee,

I just signed Surfrider Foundation: Maui Chapter's petition "[Infrastructure and Environmental Management Committee: Support a ban on polystyrene food service containers](#)" on Change.org.

Please support a ban on polystyrene food service containers. Polystyrene foam products are bad for human health and the environment: * Polystyrene does not biodegrade, but instead breaks down into micro-plastics that are often consumed by seabirds and other marine animals; * Polystyrene products are more than 90% air, causing them to break apart easily and litter waterways or blow out to sea; * Polystyrene products are made from styrene, a known carcinogen and neurotoxin that leaches into hot, greasy food; * According to the U.S. Environmental Protection Agency, 100% of Americans have styrene in their bodies. * Polystyrene foam products are the most toxic and least recycled (less than 1%) type of plastic; * The resources and energy to make 1 polystyrene container could make 3 compostable containers; Compostable products are an economical and eco-friendly alternative to polystyrene. They are non-toxic, plant-based and carried by every distributor in Hawai'i. To date, there are have been no documented cases of restaurants or food providers going out of business because of these bans. Maui County's environment and community would greatly benefit from a ban on polystyrene food containers. Thank you for supporting this important initiative!

Sincerely,
Noelani Rivers Lahaina, Hawaii

There are now 9 signatures on this petition. Read reasons why people are signing, and respond to Surfrider Foundation: Maui Chapter by clicking here:
<http://www.change.org/petitions/infrastructure-and-environmental-management-committee-support-a-ban-on-polystyrene-food-service-containers/responses/new?response=8d4ea5a741d8>



IEM Committee

From: Stephanie Austin <mail@changemail.org>
Sent: Saturday, July 26, 2014 9:04 PM
To: IEM Committee
Subject: Support a ban on polystyrene food service containers

Dear Infrastructure and Environmental Management Committee,

I just signed Surfrider Foundation: Maui Chapter's petition "[Infrastructure and Environmental Management Committee: Support a ban on polystyrene food service containers](#)" on Change.org.

Please support a ban on polystyrene food service containers. Polystyrene foam products are bad for human health and the environment: * Polystyrene does not biodegrade, but instead breaks down into micro-plastics that are often consumed by seabirds and other marine animals; * Polystyrene products are more than 90% air, causing them to break apart easily and litter waterways or blow out to sea; * Polystyrene products are made from styrene, a known carcinogen and neurotoxin that leaches into hot, greasy food; * According to the U.S. Environmental Protection Agency, 100% of Americans have styrene in their bodies. * Polystyrene foam products are the most toxic and least recycled (less than 1%) type of plastic; * The resources and energy to make 1 polystyrene container could make 3 compostable containers; Compostable products are an economical and eco-friendly alternative to polystyrene. They are non-toxic, plant-based and carried by every distributor in Hawai'i. To date, there are have been no documented cases of restaurants or food providers going out of business because of these bans. Maui County's environment and community would greatly benefit from a ban on polystyrene food containers. Thank you for supporting this important initiative!

Sincerely,
Stephanie Austin Haiku-Pauwela, Hawaii

There are now 11 signatures on this petition. Read reasons why people are signing, and respond to Surfrider Foundation: Maui Chapter by clicking here:
<http://www.change.org/petitions/infrastructure-and-environmental-management-committee-support-a-ban-on-polystyrene-food-service-containers/responses/new?response=8d4ea5a741d8>

