

IEM Committee

IEM-5 ✓

From: Anne Rice <anne.rice@me.com>
Sent: Monday, November 14, 2016 12:48 PM
To: IEM Committee
Subject: Please ban styrofoam!

Dear Respected Council Members,

*I'm in support of IEM-05, prohibiting the use of disposable polystyrene food service containers.
We have environmentally better options for our restaurants and an obligation to our visitors, Ocean and aina
to make more earth friendly choices.*

Please pass this very important measure.

Mahalo for your consideration

Anne Rice
Makawao

IEM Committee

From: Arianna Feinberg <ariannafeinberg@gmail.com>
Sent: Wednesday, October 26, 2016 11:49 AM
To: IEM Committee
Subject: Support of the Ban of Polystyrene Disposable Foodservice Containers

Aloha Councilors,

Please prohibit the use of Polystyrene disposable foodservice containers throughout Maui County. Restaurants offer polystyrene because it is the cheapest option but the price does not include the environmental externalities. Polystyrenes are not recyclable and end up filling up our landfill. Polystyrene is extremely light weight and often is windswept out of trashcans or the landfill into the ocean where it floats and may be eaten by birds or ocean creatures.

Personally I do order a lot of takeout. I attempt to only order from places that do not use Styrofoam. Frequently though I will forget to ask so I end up buying something that I would prefer to avoid. As a consumer I will not mind paying a little bit more for non-styrofoam containers.

Thank you for your hard work and consideration of this issue.

Mahalo,
Arianna

Arianna Feinberg
Aloha Natural Brokers Inc.
Vice President of Natural Sales
808-280-0988
ariannafeinberg@gmail.com

IEM Committee

IEM -5

From: begoniabarry@gmail.com on behalf of Barbara Barry <gardenmeister@msn.com>
Sent: Monday, November 14, 2016 8:02 PM
To: IEM Committee
Subject: Polystyrene food service containers IEM -05

Aloha Respected Council Members,

*I'm in support of IEM-05, prohibiting the use of disposable polystyrene food service containers.
We have environmentally better options for our restaurants and an obligation to our visitors, Ocean and aina to make more earth friendly choices. We can and must do better for our Islands!*

Please pass this very important measure.

*Mahalo for your consideration,
Ms. Barbara Barry
1220 W. Kuiaha RD.
Ha'iku,
HI 96708*

From: Bill Evans <billev2k@gmail.com>
Sent: Saturday, October 29, 2016 5:48 PM
To: IEM Committee
Subject: I support IEM-56 and IEM-05

Aloha,

I am writing to express my support for IEM-56 and IEM-05, to reduce the use of plastic bags and prohibit the use of disposable polystyrene food service containers. As we know so well, these long lived items accumulate and degrade the environment of our beautiful Island, not to mention the entire planet. They present a danger to fish, birds, and other wildlife, and are an eyesore upon the beauty of Maui. Excellent low cost and environmentally responsible alternatives are readily available to both plastic bags and polystyrene containers.

Please support these two measures.

Respectfully,

Bill Evans
Haiku

IEM Committee

IEM-5

From: Carrie Frank <alahh108@gmail.com>
Sent: Monday, November 14, 2016 8:17 PM
To: IEM Committee
Subject: Yes IEM-05

Aloha Respected Council Members,

*I'm in support of IEM-05, prohibiting the use of disposable polystyrene food service containers.
We have environmentally better options for our restaurants and an obligation to our visitors, Ocean and aina
to make more earth friendly choices.*

Please pass this very important measure.

Mahalo for your consideration,

*Carrie Hisatomi Frank
808-268-8460*

LEM-5

RECEIVED

2014 NOV 17 AM 10:39

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

OFFICE OF THE
COUNTY COUNCIL

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

Dear Council members,

CHARLIE QUESNELL 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,

C. Quesnell
882 NEVELEA ST., HALLIMALE, HI
96768



THE AQUARIUM OF HAWAII

Monday, October 31, 2016

Council of the County of Maui
Infrastructure and Environmental Management Committee
Kalana O Maui Building, 8th Floor
200 South High Street, Wailuku, Hawaii

To Whom It May Concern,

We are here today to pledge our support of the proposed bill to prohibit the use of disposable polystyrene food service containers by food providers in the County of Maui.

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.

As an operator of several retail and food establishments, the Maui Ocean Center implemented the use of compostable products in recognition of the positive impacts to human and environmental health. The Maui Ocean Center's mission is to foster understanding, wonder and respect for Hawaii's Marine life and we believe the Council's decision today can greatly impact this mission.

As stewards of our local environment, we all have an important role to play in protecting and preserving its beauty and cultural significance. We commend the Council for having this meeting and appreciate the opportunity to provide our whole-hearted support for the prohibition on the use of disposable polystyrene food service containers by food providers in the County of Maui.

Most sincerely,
Elyse Ditzel, Director of Marketing

IEM Committee

From: Erick Avera <erick@icloud.com>
Sent: Wednesday, October 26, 2016 4:30 PM
To: IEM Committee
Subject: In Support of Banning Styrofoam

Aloha,

I would like to express my support for the initiative towards banning styrofoam containers, as well as taking the final step towards banning the availability of plastic bags in Maui County.
May we all become (or continue to be) better caretakers of the Aina.

Sincerely,

Erick

Sent from my iPhone

IEM Committee

IEM-5

From: Fred Spanjaard <fred@globalmediaproductions.com>
Sent: Monday, November 14, 2016 2:18 PM
To: IEM Committee
Subject: Please support IEM-05...

Aloha Respected Council Members,

I'm in support of IEM-05, prohibiting the use of disposable polystyrene food service containers. We have environmentally better options for our restaurants and an obligation to our visitors, Ocean and aina to make more earth friendly choices.

Please pass this very important measure.

Mahalo for your consideration,
Fred Spanjaard
Kihei

From: Feather Blangiardo <sixtytwocents@gmail.com>
Sent: Monday, March 07, 2016 3:25 PM
To: IEM Committee
Subject: Polystyrene Fact Sheet
Attachments: Polystyrene Fact Sheet.pdf

Hello,

I would like to submit the attached document as testimony relating to IEM- 5 "POLYSTYRENE DISPOSABLE FOOD SERVICE CONTAINERS". Please let me know if this would be a possibility and if there's anything else I might need to do.

Thanks,

Feather Blangiardo

Facts about Styrofoam® Litter (Expanded Polystyrene Foam)

“Polystyrene Foam” in the Marine Environment

- Expanded polystyrene foam (EPS), (commonly known as Styrofoam®) is pervasive in the marine environment. Like most plastics, polystyrene is lightweight and floats. When littered, it is carried from streets and through storm drains out to the ocean.¹
- Plastics, including EPS, *photodegrade*. That is, they break down into smaller and smaller pieces and marine animals easily mistake polystyrene for food.²
- The lifetime of plastics in the marine environment is unknown. Some researchers feel that the composition of conventional petroleum-based plastics as durable polymers means they will degrade to increasingly smaller sizes but never disappear.³
- Roughly 80 percent of marine debris originates from land-based sources. Plastics comprise 90 percent of floating marine debris.⁴
- A study of beach debris at 43 sites along the Orange County coast found EPS was the second most abundant form of beach debris.⁵

Human Health Effects from PS and Styrene

- EPS is made using the monomer, Styrene, a lab animal carcinogen and a possible human carcinogen and neurotoxin. Styrene can migrate from polystyrene containers into food and beverages when heated, or in contact with fatty or acidic foods.⁶
- Over 13 billion pounds of Styrene were produced in the US in 2006, 65% of it was used in manufacturing polystyrene.
- Styrene residues are found in 100% of all samples of human fat tissue.⁷
- The Food and Drug Administration has determined that the styrene concentration in bottled drinking water should not exceed 0.1 part per million (ppm).⁸ The U.S. EPA drinking water standard is 1 ppm.
- Styrene can be found in air, water, and soil after release from the manufacture, use, and disposal of styrene-based products.⁹
- Styrene exposure increases the risk of leukemia and lymphoma and is a neurotoxin.¹⁰
- Workers in polystyrene products manufacturing are exposed to many harmful chemicals, including Styrene, Toluene, Xylene, Acetone, Methyl Chloride, and Methyl Ketone.¹¹
- Occupational exposure to Styrene increases risk of lymphoma, leukemia, lung tumors, pancreatic cancer, urinary bladder cancer, prostate cancer, and colorectal cancer. High rates of neurotoxicological effects have been reported in workers, including slowed reaction time, effects on balance and spatial orientation, hearing problems, concentration problems, and decreased color discrimination. Some studies also show significant decrease in sperm count and increased sperm abnormality.¹²

Local jurisdictions spend millions cleaning litter¹³

- Caltrans spends approximately \$60 million a year to remove litter and debris from roadsides and highways.
- The County of Los Angeles (L.A.) spends \$18 million annually on litter cleanup and education.



CLEAN WATER ACTION

CALIFORNIA

- Some coastal communities spend considerable funds on beach cleaning. For example, L.A. County collects over 4,000 tons of trash annually on its beaches. In 1994, it cost the County over \$4 million to clean 31 miles of beaches.
- Since 2001, Southern California cities have spent in excess of \$1.7 billion cleaning trash out of storm drain systems leading to the L.A. River and Ballona Creek in order to comply with stormwater regulations.

PS Litter – Measureable Reductions from PS Foodware Ban

- One year after implementation of the San Francisco ordinance that prohibits the use of EPS foodware, San Francisco's litter audit showed a 36% decrease in EPS litter.¹⁴

PS Food Packaging is Not Recyclable

- EPS food packaging is typically not "clean" enough to be recycled.¹⁵
- EPS has a very low recycling rate. According to a 2004 study by the California Integrated Waste Management Board, of the 377,580 tons of polystyrene produced in the state, only 0.8% is recycled. Of that, only 0.2% (310 tons) of polystyrene food service packaging is recycled.¹⁶

Alternatives to Polystyrene for Food Packaging

- Clean Water Action does not support the use of non-recycled (virgin) paper products as this trades the environmental burden posed by EPS for a burden on precious forest resources- trees are absolutely essential to combat global warming and maintain healthy ecosystems.
- Compostable and biodegradable plastic does not break down in the marine environment.
- Compostable and degradable plastics are designed to degrade only in compost. Therefore, compostable and degradable plastic packaging should only be used in jurisdictions that collect compostable waste. These products must meet ASTM standards.

Local Jurisdictions Responding with Prohibitions on PS Foodware

- To date, 47 cities and counties in California have banned or restricted the use of polystyrene food packaging. <http://www.cleanwateraction.org/feature/ban-the-foam>
- In the City of Santa Monica, for example, local businesses have successfully switched to more sustainable alternatives.¹⁷

Local Business Unaffected

- The City of San Francisco has had over 3,000 businesses come into compliance with the ban and none have filed any notices of financial hardship which is an option under the city's ordinance.
- The City of Millbrae Chamber of Commerce surveyed their members when the city was considering a ban. They decided that they would support the ban and make it a publicity opportunity- several restaurants joined the Green Business program and transitioned earlier than the ban. They were happy with the PR they received from being early adopters. Now, according to the Chamber, the costs of alternative packaging are decreasing and the products are much more widely available. Their members find these products at Costco and Smart & Final.¹⁸

¹ California Coastal Commission / Miriam Gordon (2006) "Eliminating Land-based Discharges of Marine Debris in California: A Plan of Action from The Plastic Debris Project," at 2 and 15 www.plasticdebris.org

² J.G.B. Derraik, "The pollution of the marine environment by plastic debris: a review" *Marine Pollution Bulletin* 44 (2002): 843; Gregory, M.R., Ryan, P.G. "Pelagic plastics and other seaborne persistent synthetic debris: a review of Southern Hemisphere perspectives" in Coe, J.M. Rogers, D.B. (Eds.), *Marine Debris—Sources, Impacts and Solutions*, (1997) Springer-Verlag, New York, pp. 49-66.

³ Coastal Commission at 22; H. Kanehiro, T. Tokai, K. Matuda, "Marine litter composition and distribution on the seabed of Tokyo Bay," *Fisheries Engineering* 31 (1995): 195-199.

⁴ U.S. Department of Commerce, National Oceanic and Atmospheric Administration, Office of Public and Constituent Affairs, (1999) "Turning to the Sea: America's Ocean Future," United Nations Environment Programme (1995) "Global Programme of Action for the Protection of the Marine Environment from Land-based Activities." Note by the secretariat. UNEP (OCA) /LBA/IG.2/7.

⁵ S. Moore *et al.*, (2001) "Composition and Distribution of Beach Debris in Orange County, California," *Marine Pollution Bulletin* 42.3: 241-245. Plastic pellets used to manufacture plastic products was the most abundant type of debris.

⁶ Agency for Toxic Substances & Disease Registry, U.S. Department of Health and Human Services: *ToxFAQs for Styrene*, September 2007: <<http://www.atsdr.cdc.gov/tfacts53.pdf>>; International Agency for Research on Cancer, "Overall Evaluations of Carcinogenicity to Humans," <<http://monographs.iarc.fr/ENG/Classification/crthalllist.php>>. J.L. O'Donoghue, *Neurotoxicity of Industrial and Commercial Chemicals*: Vol. 2, CRC Press, Inc., Boca Raton, Florida, 1985, pages 127-137.

⁷ *Styrene, CASRN: 100-42-5 (Human Health Effects)*. Toxnet Hazardous Substances Data Bank, National Library of Medicine, Revised November 1, 1994.

⁸ Ibid.

⁹ ASTDR (see note 6)

¹⁰ US EPA, Air Toxics Website, <http://www.epa.gov/ttn/atw/hlthef/styrene.html#ref3>; see also note 7.

¹¹ CASRN, note 7.

¹² CASRN, note 7.

¹³ Cost information cited from the following: Gordon Environmental Consulting and Ocean Protection Council, "An Implementation Strategy for the California Ocean Protection Council Resolution to Reduce and Prevent Ocean Litter," November 2008, p. 4

¹⁴ City of San Francisco Streets Litter Re-Audit 2008. Available at: http://sfenvironment.org/downloads/library/2008_litter_audit.pdf.

¹⁵ Ibid.

¹⁶ California Integrated Waste Management Board (December 2004), "Use and Disposal of Polystyrene in California: A Report to the California Legislature," Table 4, Page 14.

¹⁷ City of Santa Monica Environmental Programs Division, "Container Successes," <http://www.smgov.net/epd/business/container_successes.htm> (Accessed 7/21/08).

¹⁸ Conversation with John Ford, President Millbrae Chamber of Commerce

Aloha Council,

I was a member of the task force put together by Mr. Victorino 2 years ago and I would have been here today if I could. My 3 month old son woke up feeling quite miserable today and given the echoey nature of the council chambers and outside hallway, I thought I would spare you all that same emotion.

At the conclusion of the task force there was only one thing agreed upon by all of the members, and that was the need for more education regarding polystyrene and single use plastics, and the conversation was left at that. A year went by and we kept waiting for some sort of educational website, brochure, something to be put forth by those members and their organizations who had so vehemently opposed the previous bill reducing polystyrene, but saw nothing. So I decided to change that.

I started giving presentations about the dangers of single use plastics, including polystyrene, in high schools. The idea of these presentations is to get feedback from teachers and students and create an educational template that we can use in every elementary school, middle school and high school in Hawaii. I have teamed up with organizations both on this island (Maui Huliau Foundation) and on other islands (Kokua Foundation) to streamline our efforts in reducing single -use plastic.

After giving about 8 of these presentations so far I have realized that although these kids care about their future and are being equipped with great information to make their own decisions, they are not actually making their own decisions yet. Sure some of them may be able to influence their parents, but as most of us parents know...that only goes so far! For most of the kids, it will be years before they are on their own, making their own decisions on a daily basis.

For our environment's sake, the change needs to start NOW. We cannot afford to wait. We can't wait for the Anaergia project (which wouldn't change the amount of polystyrene blowing into the ocean NOR would it affect the amount going into the landfill), and we can't wait until these kids grow up and start adamantly refusing single-use plastics. We need to start with some legislation. This bill is only restricting one type of single-use plastic...there are still 3 other types, #1, #2, and #5 that are all currently used and not recyclable in Maui County. But this bill represents where we can start today, and we need to start, because right now, we are barely scratching the surface.

Mahalo,

Gretchen Losano

RECEIVED AT IEM MEETING ON 10/31/16

IEM Committee

IEM-5

IEM-56

From: helga fiederer <helgaonmaui@yahoo.com>
Sent: Thursday, October 27, 2016 4:33 PM
To: IEM Committee
Subject: In support of banning plastic bags and polystyrene containers

Aloha

I am very much in support of the initiative regarding the total ban of plastic bags and single use polystyrene food service containers. For example both plastic bags and food containers can be made out of 100% biodegradable industrial hemp and other types of plants.

Thank you very much,
Helga Fiederer

P.O. Box 790761
Paia, HI 96779

helgaonmaui@yahoo.com
phone: 808-250-6709

IEM Committee

IEM-5

From: Javi Barberi <info@dthmaui.com>
Sent: Friday, October 28, 2016 11:20 AM
To: IEM Committee
Subject: Styrofoam Containers

Aloha to Whom this May Concern,

I am Javier Barberi, the owner of Breakwall Shave Ice and Down the Hatch Restaurant. We have stopped using styrofoam containers and it has not affected our business financially, we now charge a small Togo fee and our customers don't mind at all.

Mahalo

Javier

--

Javier Barberi
404.374.6149

IEM Committee

IEM-5

From: Julius Geis <jgeis@juliusgeis.com>
Sent: Monday, November 14, 2016 11:39 AM
To: IEM Committee
Subject: VOTE on IEM-05

Aloha Respected Council Members,

I'm in support of IEM-05, prohibiting the use of disposable polystyrene food service containers. We have environmentally better options for our restaurants and an obligation to our visitors, Ocean and aina to make more earth friendly choices.

Please pass this very important measure.

Mahalo for your consideration

Julius Geis

Julius Geis
CEO and Founder

-
JULIUS GEIS –
BRAND AESTHETE® LLC

U.S. AND ASIA-PACIFIC

P +1.866.2562602 (toll free) C +1.808.2763610

EUROPE

P +49.40.60940518-0 F +49.49.60940518-9

JGEIS@JULIUSGEIS.COM
WWW.JULIUSGEIS.COM

CEO: Julius Geis



Please don't print this e-mail if you don't need to.

From: mauikeith@gmail.com on behalf of Keith Kessler <keith@keithkessler.org>
Sent: Monday, October 31, 2016 11:18 AM
To: IEM Committee
Subject: IEM-56 for plastic bag reduction and IEM-05 for polystyrene food service containers.

Honorable Members of the Maui County Council.

Thank you for the opportunity to share my mana'o concerning proposed measures IEM-05 and IEM-56.

Nearly all acts have unforsen consequences. Examples:

First commercial oil well - Titusville, PA 1859 - 157 years ago.
First synthetic plastic (Baekelite) - NYC 1907 - 109 years ago.

Everybody thought they were great advances at the time. Cheap fuel. New material for manufacturing.

Anybody who would have spoken of rising sea levels or a great garbage gyre at the time would have been thought of as a nutcase.

The law now in force had some unintended consequences, otherwise we wouldn't be reconsidering it. But new bill has some too.

I support the goal of protecting the beauty of our island, and the well-being of our wildlife, but I think the law currently in place goes too far in some areas, and nees to have some small exceptions carved out. One thing never considered is the way bag bill affected people who don't have cars. You can keep your reuseable bags in the trunk, so you never have to think about them. I challange you to try this experiment, thogh. Take your reuseables out of your trunk. Only put them in when you plan to go shopping. If you forget them, only take what you can carry in two paper bags. And don't take anything cold, because the condensation will weaken

the paper bags so they tear through when you carry them for any distance.

This is what pedestrians and transit users have to deal with.

I travel a lot, and they do two things in Europe I think we should do here. First of all, in Italy, they have very thin special bags made of starches and special polymers that begin to degrade the very next day after use. They turn to tatters in just a few days. I think these should be allowed here. I also think any bag that substantially degrades within 72 hours of contact with water should be allowed. These would still allow for some measure of convenience for pedestrians users without affecting sea turtles.

The other thing they do in Europe is that stores charge about \$0.50-\$1.00 for reusable bags of the type contemplated to be banned under the new law. I would instead propose a tax on such bags that would encourage people to reuse them, rather than an outright ban.

I favor these bags because they are lightweight and pack small, something important to pedestrians. They are much more portable than the fiber type reusable bags.

Recently I went to a store and did a considerable amount of shopping. When I went to the checkout I asked to purchase some of these fiber type bags. I was told they were out of stock but that I could purchase expensive bags (\$5-\$7) each.

I had to inconvenience the store and ask them to put everything back because I had to catch my bus in 5 minutes.

As to polystyrene foam / styrofoam.

I favor the widest possible ban on styrofoam products. They should be banned entirely for all food applications as they are a known human carcinogen. I would include all styrofoam cups in such a ban. I favor an

immediate ban on importation, but I would allow would allow a year for full nban be phased in to allow businesses to deplete existing inventories.

Individual styrofoam beads are nearly indestructable, and cause longlasting and widespread environmental damage.

I favor the widest possible ban on styrofoam products of all kinds. I would like to see a total ban on importation and sale of all styrofoam products with certain categories still permitted: Health, safety, research, scientific, and manufacturing process uses. Construction materials should be permitted for three more years, but banned after that. Perhaps hobbyist and craft applications. Floatation devices.

Obviously one cannot ban importation of incidental packing materials. I would, however ban the importation of bulk packing peanuts, but I would encourage the sale, trade, and use of ones already on island for an indefinite period as a way to deal with the constant influx of this commodity.

There should also be an easy way for items to be added or removed from the list by simple vote of the council.

Thank you for your time and attention.

Keith Kessler

Kihei, HI

keith@keithkessler.com

(646) 926-7399 [Google Voice: home & cell]

The quickest and most reliable way to contact me is usually by voice telephone.:

+1 (646) 926-7399. [Google Voice](#).

I will not receive pictures, video, or other multimedia files sent to me by MMS ("text") message. Please email such items to me at keith@keithkessler.com.

From: Kenyon Smith <kenyonsmith@live.com>
Sent: Thursday, October 27, 2016 4:45 PM
To: IEM Committee
Subject: Polystyrene Legislation Testimony

Aloha,

I was born and raised in Hawaii and have spent most of my life on the island of Maui. I **support** legislation to ban all polystyrene food containers from use within Maui County. Eliminating polystyrene containers will help us be better stewards of our islands and surrounding waters, and will reduce the accumulation of non-biodegradable waste in our environment. Thank you for your consideration of my opinion on this matter.

Kenyon Smith

From: Lauren <laurenelaine721@yahoo.com>
Sent: Wednesday, November 09, 2016 11:53 PM
To: IEM Committee
Subject: IEM-56 and IEM-05

Dear Council Members,

Please accept this email as testimony on the upcoming votes on IEM-56 and IEM-05.

Please vote to close the loophole which allows retailers to continue using plastic bags that are supposedly thick enough for "multiple use." This is problematic, as the intention of the original measure is to reduce the use of plastic. Many have switched to no bags or paper bags and this is the way it should be in order to protect our environment.

Additionally, please vote to ban the use of styrofoam. There are plenty of reasonable alternatives that are environmentally- and health-friendly, which won't significantly increase the cost of business. In addition to the clear environmental challenges, this material is also hazardous to human health.

Thank you for your attention to this matter. I do hope you all show up to vote on these important issues.

Aloha,
Lauren Ampolos

Sent from my iPhone.
Please excuse any typos.

IEM Committee

From: Leslie Hutchinson <lesliek@deborahdaniells.com>
Sent: Thursday, October 27, 2016 12:04 PM
To: IEM Committee
Subject: YES YES YES

Thank you for considering Councilwoman Cochran's proposed expansion of the plastic bag ban.

Finding loopholes to the single use bag ban has become fairly common so clearly a heavier hand from the Council is warranted. And adding a ban on Styrofoam is *absolutely* necessary. The sooner the better on these proposals.

Thank you.

Leslie E. Hutchinson
Haiku

IEM Committee

From: Liz Foote <lfoote@hawaii.rr.com>
Sent: Monday, October 31, 2016 4:03 PM
To: IEM Committee
Subject: Plastic Bag Reduction & Polystyrene measures

Aloha,

I hope it is not too late to submit this, but I would like to echo the testimony of Maui Surfrider Foundation and the many local conservation NGOs supporting the measure to reduce the use of plastic bags (deemed "reusable," but actually a loophole in the law), and to prohibit the use of single-use polystyrene food service containers. With the recent cuts to Maui's recycling capacity, and the constraints already in place that make recycling and waste disposal challenging for businesses and individuals, these measures would be a big improvement in reducing the waste generated on Maui.

Thank you for your consideration.

Liz Foote
Wailuku, Maui
(808) 283-1631

IEM Committee

From: Marge Bonar <margebonar@gmail.com>
Sent: Tuesday, September 06, 2016 2:23 PM
To: IEM Committee
Subject: Revised IEM-5
Attachments: Cleaned EPS Bill.doc

Attached is the revised bill that the environmental members of the Special Committee would like to offer as an alternative to that which was heavily influenced by the plastic industry and off-island participants.

With reams of support material offered at the time, there is a plethora of more recent arguments for eliminating plastic (especially EPS) single use food service ware. Awareness provided by both local plastic elimination movements and by the WCC in Oahu, may have made the need for supplying this information moot. Whatever is needed, we stand ready to supply.

Mahalo,
Marge Bonar on behalf of our ad hoc committee

ORDINANCE NO. _____

BILL NO. _____ (2016)

A BILL FOR AN ORDINANCE ESTABLISHING A NEW
CHAPTER 20.26, MAUI COUNTY CODE, PERTAINING TO
RESTRICTION 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 County General Plan 6.1.2.-Action 2. "Develop regulations, programs, funding opportunities, and/or incentives to: (5) Discourage the use of slow degradable materials, e.g. Styrofoam.", in finding and declaring that to protect the health and welfare of the public, the County's unique natural environments, marine life, and terrestrial wildlife, 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 foodservice products made from polystyrene.

C. Polystyrene is not compostable, not readily recyclable and, once in the environment, persists for an extensive, indeterminate length of time. The light weight and disposable nature of EPS food service products contributes to their potential as wind-borne litter on land, beaches and in waterways. In addition, once in the environment, polystyrene containers break down into smaller fragments which have been found to adversely impact the health of marine life, including

fish, turtles, and birds. Specifically, when this material is ingested in place of nutrients, the results are reduced appetite, reduced nutrient absorption, and death. These bits of polystyrene plastic additionally 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". According to the United States Food and Drug Administration, there is medical evidence to suggest that styrene, a known neurotoxin and primary component of polystyrene foam, can leach out when exposed to hot liquids or foods. Styrene is also a suspected carcinogen. Banning the use of non-recyclable and non-compostable food service ware will protect public health and reduce the proliferation of non-renewable petroleum-based products.

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

F. Polystyrene foodservice products are energy intensive to produce and are petroleum-based, a nonrenewable and heavily polluting resource. In planning for a healthy and sustainable future for Maui County, it is recognized that compostable materials derived from plants and other renewable resources are a preferable alternative to petroleum-based products.

G. In the Hawai'i Marine Debris Action Plan 2012-2013, NOAA cited the need to address marine debris. This corresponds with the Honolulu Strategy: A global framework for prevention and management of marine debris,

Strategy 4.6: The Hawaiian Islands have limited disposal options for solid waste. Currently waste is disposed of in landfills, incinerated at the H-Power facility, or end up as trash in watersheds and on beaches, and eventually as marine debris. Ultimately, we need to decrease our use of disposable items and reduce the importation and use of non-compostable items. Consumers and suppliers of non-reusable and non-compostable items should be the target of education and outreach activities on the benefits of reusable and compostable products as well as the impacts of marine debris. A multi-pronged approach is needed to reduce land-based debris in Hawaii's waterways, including passing legislation to minimize the continued use and production of single-use plastics, such as plastic bottles and Styrofoam food containers.

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 but is not limited to 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 Restrictions of use

- A. Except as provided in section 20.26.050 of this chapter, all food providers, 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 containers, plates, dishes, trays, cups, bowls, clamshells 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 food using expanded polystyrene products or sale of disposable food containers.

- D. Wholesale and retail sales of single use expanded polystyrene products, except where a valid exemption has been granted, shall not be allowed after the effective dates of this bill.

20.26.050 Exemptions.

- A. Exemptions for food items filled and sealed 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 as components or raw ingredients with the intention of being thawed and/ or further prepared in a kitchen.
- B. Polystyrene foam coolers and ice chests that are specifically designed and manufactured for multiple re-use.
- C. Foam blocks or pieces used as protective packaging in shipping.
- D. A food provider applies for an exemption and the exemption is granted by the director for a specified product where no packaging alternative exists to a specific and necessary polystyrene or non-recyclable plastic food service container, for which there is not an alternative available or in use by any vendor selling a substantially similar product.
- E. Use of and/or sale of exempted single-use items for other food products, not expressly granted an exemption are subject to being fined and /or rescission of exemption for approved items.
- F. Any situation deemed by the Mayor or the County Council to be an emergency for the immediate preservation of the public peace, health, or safety.

20.26.060 Violation and penalties.

- A. Administrative rules for regulation and enforcement of this chapter shall be formulated by the Department of Environmental Management.
- B. Fines collected pursuant to this chapter shall be deposited into the Environmental Protection and Sustainability Division, Recycling Section, of the Department of Environmental Management

20.26.070 Public information

- A. Applications for rental, reservation or event permits (including camping, picnics, community center 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 pre-existing applications forms for facility use are submitted, a separate instruction sheet shall be included and attached, with all restrictions clearly defined and a separate signature required.
- C. A penalty for use of prohibited items will be assessed. Photographs of their usage or expanded polystyrene container presence in trash receptacles post-event at County facilities 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 and effective dates for which the exemption is granted.

20.27.80 Effective Date

- A. This ordinance shall take effect 12 months after adoption by the Maui County Council.
- B. Wholesalers, distributors and retail sellers of the prohibited products shall cease sales to all customers within 8 months after adoption of this bill.

Testimony by Marjorie Bonar 10/31/2016

In 2014, Councilman Victorino assembled a task force to craft as fair bill as possible for elimination of single use EPS foam, based upon his preliminary proposal from 2009. It was sidetracked by inclusion of off island trade representatives and opponents of any restrictive legislation. The value of their input was to make the environmental representatives, investigate solutions for a range of potential problems, and found none of them insurmountable. Many hours of additional work by this small, dedicated group revised and fine-tuned the proposal before you today.

Each of you realizes that it is necessary to reduce our trash generation. How logical to start with that which is unnecessary and also persistent in the environment.

Having no idea of when the Council will be addressing the recent audit and legal standing of the Anergia contract nor of any timeline on building a commercial composting facility, we did not include specific requirements for food containers. We are not listing which products should be allowed, but rather asking you to start by eliminating what we know to be the most damaging. When our county wide solid waste plans change, the ordinance can be amended to keep pace.

Replacing EPS foam with other materials is no longer a "tree hugger" issue, but one of genuine concern to everyone. Even fancy fundraising events are going to a zero waste model. Other testifiers will address the large number of places that have banned foam and not closed down businesses. A recent French law imposes strict guidelines on the content and post use handling of all single use disposable plastic plates, cups and cutlery country wide by 2020 and incrementally increases requirements thereafter.

I have a background in chemistry and botany. Maybe I know too much for my own good, but I find it pretty disconcerting that my granddaughter may be exposed to hormone disrupters every time she eats take-out food. The cumulative effect on people and the bacterial bioaccumulation in our environment from landfilled foam, that will not be degraded for eternity, 500 or more years, should concern us all.

Many environmentally responsible restaurants have converted to non-foam containers, so one can be reasonably certain that all others can. Examples: Local style Da Kitchen, it took them a while to experiment, but they are now using paper pulp and hip and touristy Fleetwood's on Front Street no longer uses foam, either. Both are seeking inclusion as Ocean Friendly restaurants.

Prices have gone down and product choices have increased since our research a year ago. Collecting this data is pretty time intensive, but the county can and should help ease the transition with information and education and by coordinating the collection of data about acceptable alternatives.

Nothing is gained by waiting, only more plastic opala.

IEM Committee

IEM-5 ✓

From: marksheehan8@gmail.com on behalf of Mark Sheehan <mark@marksheehan.com>
Sent: Monday, November 14, 2016 12:42 PM
To: IEM Committee
Subject: IEM-05

Aloha Respected Council Members,

I'm in support of IEM-05, prohibiting the use of disposable polystyrene food service containers. We have environmentally better options for our restaurants and an obligation to our visitors, Ocean and aina to make more earth friendly choices.

It's tragic that styrofoam winds up in our landfill and oceans. We can do better and I know you will do what is best for our ocean environment.

Please pass this very important measure.

Mahalo for your consideration

Mark Sheehan

IEM Committee*IEM-5**IEM-56*

From: Melissa Takaaze <m.takaaze@gmail.com>
Sent: Friday, October 28, 2016 11:32 AM
To: IEM Committee
Subject: HFIA's Testimony on IEM-05 & IEM-56 (10/31/16)
Attachments: IEM-05 Polystyrene Containers_HFIA Testimony_10-31-16.pdf; IEM-56 Plastic Bag Reduction_HFIA Testimony_10-31-16.pdf

Dear Committee,

Attached is the Hawaii Food Industry Association's testimony for IEM-05 (polystyrene foam containers) and IEM-56 (plastic bag reduction), which are scheduled on the Oct. 31 agenda.

If there are any questions, please feel free to contact me.

Thanks,

Melissa Takaaze
Director of Grassroots
Hawaii Food Industry Association
(808) 554-2798



Executive Officers:

John Erickson, Young's Market Company –Chair
Beau Oshiro, C&S Wholesale – Vice Chair
Toby Taniguchi, KTA Superstores – Secretary/Treasurer
John Schilf, Rainbow Sales and Marketing – Advisor
Stan Brown, Acosta – Advisor
Paul Kosasa, ABC Stores – Advisor
Barry Taniguchi, KTA Superstores – Advisor
Derek Kurisu, KTA Superstores – Immediate Past Chair
Lauren Zirbel, Executive Director

1050 Bishop St. PMB 235
Honolulu, HI 96813
Fax: 808-791-0702
Telephone: 808-533-1292
<http://www.hawaiiifood.com>

TO: COMMITTEE ON INFRASTRUCTURE & ENVIRONMENTAL MANAGEMENT
Councilmember Elle Cochran, Chair
Councilmember Riki Hokama, Vice-Chair

FROM: HAWAII FOOD INDUSTRY ASSOCIATION
Lauren Zirbel, Executive Director

DATE: October 31, 2016
TIME: 1:30 p.m.
PLACE: Council Chamber, Wailuku, Hawaii

RE: IEM-05 Polystyrene Disposable Food Service Containers

Position: Oppose

The Hawaii Food Industry Association is comprised of two hundred member companies representing retailers, suppliers, producers, and distributors of food and beverage related products in the State of Hawaii.

HFIA is in opposition to this measure, 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. Please allow consumer demand and behavior change to determine product offerings.

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. Leaks from compostable containers may burn customers, leaving retailers liable when they are unable to supply suitable containers.

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 currents. Many products do not biodegrade which is why waste management is such an important issue.

Hundreds of jobs may be eliminated if legislation continues to threaten this locally produced, favorably priced, FDA approved product. Passing this measure will ban a safe, locally created product and mandate the use of a product that must be shipped from China to the mainland and from the mainland to Hawaii. The environmental footprint of transporting these products far outweighs using them!

The market is creating its own commercially viable and money generating solutions to the problem— solutions that 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 the rising cost of fuel. Technology is now available and widely used in Japan to turn plastics into high-grade diesel oil.

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 and nationally.

There are very real concerns associated with the manufacturing of biodegradable packaging. A Smithsonian Magazine article (2006) wrote that biodegradable alternatives have considerable drawbacks that haven't been publicized ... for example the cultivation of corn uses more nitrogen fertilizer, more herbicides and more insecticides than any other U.S. crop; those practices contribute to soil erosion and water pollution when nitrogen runoff enters 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). **A 2006 Life Cycle Inventory study by Franklin and Associates showed that polystyrene, when compared to other food service containers, is very efficient in 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 biodegradable 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 in the State of Hawaii.

It is important to consider the carbon footprint of shipping supplies from China, especially given that local businesses currently produce a more economically viable product while also providing hundreds of jobs to the community.

Extensive studies from the FDA, Health Canada and Environment Canada concluded 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."

We are also concerned about the bill's impact on valued entities in the Maui community, including non-profits, which rely heavily on food fundraisers, and locally owned "plate lunch" businesses that already operate at small profit margins. In general, food retailers operate at a profit margin of around one percent and small businesses, grocers and non-profits have comparably low or non-existent profit margins. With Hawaii's high prices, they struggle everyday to survive.

These businesses and organizations use polystyrene products as a primary means of dispensing food because polystyrene is cost effective and sanitary and its sturdiness protects customers from spills and burns. In addition to being FDA approved, polystyrene containers promote food safety and help to keep food fresh for longer periods of time by insulating and maintaining appropriate temperature.

While we understand the environmental concerns, there is currently no comparable, cost effective alternative available that provides the same level of durability, temperature regulation and overall efficacy as polystyrene.

We believe it is unfair to require local businesses to use packaging alternatives that cost two to three times more than polystyrene products. The only ways to offset this proposed prohibition are to increase prices or to take a substantial financial loss, which may lead to layoffs or closures and leaving people without jobs. Increases to the price of food will also impact Hawaii families and individuals who are already struggling to pay for basic living necessities.

We strongly encourage the County of Maui to look into establishing a polystyrene recycling program, which would mitigate environmental concerns and reduce solid waste on the island.

Please remember that the proposed ban will not be a negligible cost against a large company; rather it will hurt non-profits, school cafeterias, grocers, restaurants, small

mom and pop establishments and local families- all struggling with high food and living costs.

Financially hurting non-profits and small businesses, fostering job layoffs and closures in the food industry and driving up the price of food for families is not the right choice for Maui County and for these reasons we ask that this measure be held.

Thank you for the opportunity to submit testimony.

IEM Committee

IEM -5

From: Mike Moran <mmmmahalo2000@aol.com>
Sent: Sunday, October 30, 2016 11:33 AM
To: IEM Committee
Subject: SUPPORT FOR IEM 56 & 05 from South Maui via KCA

Aloha Chair and IEM Committee,

Mahalo for resurrecting these two needs for the *kai* and *aina*..
Please pass both of these on first reading this afternoon.
The only objections we hear are economic. To those who object we offer this

Hawaii's near shore reefs annually generate about \$800 million in gross revenue.

NOAA gives the total economic value of Hawaii's coral reef ecosystem an estimated \$34 BILLION annually.

For KCA we borrow from the old credit card commercial: PRICELESS!

KCA offers strong support for both IEM 05 and 56.

Mahalo,

Mike Moran, President Kihei Community Association (KCA)
www.gokihei.org



**Testimony on the Proposed Bill Regarding
Plastic Bag Reduction and Polystyrene
(IEM-56)
October 31, 2016**

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

Aloha, we are pleased to be here today as you take up these two bills and consider environmental priorities for our County. The Maui Chamber of Commerce was a supporter of the plastic bag ban when that initiative was proposed years ago as our members saw how those bags took flight and created a great deal of trash throughout our County and wanted to be a part of that solution.

The Maui Chamber of Commerce was also pleased to sit on the Polystyrene Task Force and to participate in that discussion. From that effort, we felt litter control was the bigger issue and was more clearly documented as a problem than polystyrene. We learned that polystyrene was less than 1% of the trash going into the landfill and that the bigger issue with marine animals were plastics overall. Therefore we had hoped to see the County embark on a litter control campaign and had offered to partner on such an initiative. We still stand ready to do so however, to date the County has not moved forward with such efforts. During the Task Force, we also learned that local businesses are moving towards using recyclable containers on their own as they have become more affordable and customers are requesting them. We recently circled back with distributors who sell both polystyrene and recyclable products and learned that the movement towards recyclables is continuing.

Today we are here to hear the council's rationale for why these two efforts are needed and where these two items fit within the County's top environmental and other overall priorities.

Sincerely,

Pamela Tumpap
President

IEM Committee

IEM-5

From: Creative Impressions <shirlye@hawaii.rr.com>
Sent: Monday, November 14, 2016 1:55 PM
To: IEM Committee

Aloha Respected Council Members,

I'm in support of IEM-05, prohibiting the use of disposable polystyrene food service containers.

We have environmentally better options for our restaurants and an obligation to our visitors, Ocean and aina to make more earth friendly choices.

Since we were able to get rid of most of the disposable shopping bags, now is the time to do the same with the disposable polystyrene food service containers

Please pass this very important measure.

Mahalo for your consideration ~

Shirlye Sonsteby
Maui Meadows
South Kihei

IEM Committee

IEM-5 ✓

From: Tina Wildberger <tina@fabflatsf.com>
Sent: Monday, November 14, 2016 7:13 PM
To: IEM Committee
Subject: Ban foam!

Aloha committee,
Please follow-through with this environmentally important legislation. There is no need to use foam. Many restaurants have already converted to products free from petro-chemicals.
Mahalo,
Tina Wildberger

IEM Committee

IEM-5

From: Tina Yamaki <tyamaki@rmhawaii.org>
Sent: Saturday, October 29, 2016 9:48 PM
To: IEM Committee
Subject: October 31 IEM Hearing
Attachments: IEM-5_Polystyrene Disposable Food Containers_TESTIMONY_Oct 31.pdf; IEM-56_Plastic Bag Reduction_TESTIMONY_Oct 31.pdf

Aloha!

Attached is the Retail Merchants of Hawaii's testimony on the following measures for the October 31st IEM Committee Meeting at 1:30 pm:

- **IEM-56 A Bill for an Ordinance Amending Chapter 20.18, Maui County Code, Relating to Plastic Bag Reduction**
-
- **IEM-5 A Bill for an Ordinance Establishing a New Chapter 20.26, Maui County Code, Pertaining to Restriction of Single Use Expanded Polystyrene Food Service Ware**

If you have any questions or concerns, please feel free to contact me. Mahalo!

--

A Hui Hou Kākou!

Tina Yamaki

President • Retail Merchants of Hawaii
P.O. Box 1956 • Honolulu, HI • 96805
T: (808) 592-4200 • C: (808) 554-8444
E: tyamaki@rmhawaii.org • W: rmhawaii.org



RETAIL
MERCHANTS
OF HAWAII

**TESTIMONY OF TINA YAMAKI
PRESIDENT
RETAIL MERCHANTS OF HAWAII
OCTOBER 31, 2016**

**Re: IEM-5 A Bill for an Ordinance Establishing a New Chapter 20.26, Maui County Code,
Pertaining to Restriction of Single Use Expanded Polystyrene Food Service Ware**

Good afternoon Chair Cochran and members of the Maui County Council's Infrastructure and Environmental Management Committee. I am Tina Yamaki, President of the Retail Merchants of Hawaii and I appreciate this opportunity to testify.

The Retail Merchants of Hawaii (RMH) is a statewide not-for-profit trade organization representing 200 members and over 2,000 storefronts, and is committed to support the retail industry and business in general in Hawaii. The retail industry is one of the largest employers in the state, employing 25% of the labor force.

The Retail Merchants of Hawaii strongly opposes IEM-5 A Bill for an Ordinance Establishing a New Chapter 20.26, Maui County Code, Pertaining to Restriction of Single Use Expanded Polystyrene Food Service Ware. Retailers continue to be concerned about our aina and have supported many initiatives that preserve and protect our environment.

We need to maintain a fair balance regarding the food service containers. This government mandate would place an undue burden on grocers, restaurants, mom & pop establishments, non-profits organizations and others as their cost of business would increase. Alternative non-polystyrene containers are far more expensive than the current polystyrene ones being used. In some cases the price can be 2 to 3 more. Many businesses are already operating on a very thin profit margin. They look for cost effective food containers that ensure that products are durable enough to protect people from spills and burns as well as keep food fresh longer by sustaining appropriate temperature. The market/customers should dictate the use of polystyrene containers. Businesses are already voluntarily transitioning to non-polystyrene containers due to their customer demands.

It is also our understanding that currently Maui does not have the recycling facilities capable of receiving alternative non polystyrene containers. As a result, these non polystyrene containers will continue to be part of the landfills. We would like to also note that these type of biodegradable and compostable alternative type food containers will not decompose faster than polystyrene in landfills.

Hawaii's retailers unquestionably support initiatives to preserve and protect our environment. The solution to the polystyrene containers is not in a total ban, but in the wise management of this resource, i.e., the "reduce, reuse and recycle" principle. The focus should be on litter control education and looking into establishing a polystyrene recycling program.

Again mahalo for this opportunity to testify.

From: Tracy Mills <tracy.emills@gmail.com>
Sent: Thursday, October 27, 2016 8:09 PM
To: IEM Committee
Subject: Styrofoam

Aloha,

If we walk into a restaurant and see they use styrofoam, we go somewhere else. Styrofoam is so insidious and it breaks down in such an ugly way for our already damaged environment, I believe it should NO LONGER be used in any way.

We have other and far better products to use aside from styrofoam. Let's use them!!!

Thank you for your time and your hard work!

Best regards--

Tracy Mills
Haiku

IEM Committee

From: Val Frey <mail@changemail.org>
Sent: Saturday, July 26, 2014 8:52 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](http://www.change.org/petitions/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 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,
Val Frey Makawao, Hawaii

There are now 10 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>

