

## IEM Committee

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**From:** Kress, Christian <christiankress@kiheicharter.org>  
**Sent:** Monday, November 28, 2016 12:56 PM  
**To:** County Clerk; IEM Committee; Mike White; Donald S. Guzman; Michael Victorino; Gladys Baisa; robert.carrol@mauicounty.us; Don Couch; Stacy S. Crivello; Elle Cochran; Riki Hokama  
**Subject:** IEM-05 Is AWESOME!

Hello, my name is Christian Kress, I go to Kihei Charter High School, and I think that **IEM-05** should not be passed.

The Chemicals Leach Into Your Food. Styrofoam is made from the plastic polystyrene, which is based on building blocks called styrene monomers. ... "This is a problem, because polystyrene is very commonly used as disposable packaging for hot food and beverages" — and has been for many years!

Thanks for the consideration.

## IEM Committee

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**From:** Alicia Rittenberry <ar31@hawaii.edu>  
**Sent:** Monday, November 28, 2016 12:58 PM  
**To:** IEM Committee  
**Subject:** Nov 28th testimony

Good afternoon. I am a student at University of Hawaii Maui College and I support the bill to ban single use polystyrene food containers in order to protect our marine environment.

**EPS foam foodware is very cheap to manufacture and cheap to buy for restaurants, but can wreak havoc on the marine environment:**

1. EPS foam does not biodegrade in our lifetimes. It may photodegrade and/or break into small pieces if littered, which are harder to clean up.
2. EPS foam is typically made from non-renewable fossil fuels and synthetic chemicals that may leach out over time, especially if in contact with hot, greasy or acidic food.
3. Animals can mistake EPS foam for food or nesting materials.[1]
4. Although inexpensive to buy, EPS can be expensive to clean up. Since they are so inexpensive, polystyrene products are often thrown away or littered after a single use. Many municipalities that have to comply with storm water regulations limiting trash in waterways have already spent substantial taxpayer dollars trying to control, capture, and remove trash, including EPS.
5. EPS recycling is often not economical, so most of it gets landfilled or littered. Very few communities have access to polystyrene recycling. This form of plastic pollution should be addressed at the source instead of relying on more trashcans and 'end of the pipe' solutions of capturing and removing litter.
6. The 'Two Rivers' study in Los Angeles found that over 1.6 billion pieces of plastic foam were headed to the ocean over a three-day period during surveys in 2004/5. 71% of 2.3 billion plastic items in the survey were foam items and that made up 11% of the overall weight of plastic pollution collected during the surveys. [2]
7. And there is concern regarding human health impacts. Research published in 2014 describes how polystyrene debris polluting Hawaii's beaches breaks down into the monomer styrene, a suspected human carcinogen.

gathered from <http://www.beachapedia.org/Polystyrene>

There are people that sell polystyrene who claim "Melted-down polystyrene is reusable and that adding that compostable products require heavier materials to make, which would result in higher shipping costs for businesses." However, there is no facility that on Maui that has the capability to reuse polystyrene containers but there is one capable of breaking down compostable containers (Maui EKO systems). Also, the cost of biodegradable containers has gone down, those that are part of the 3 can plan can easily put biodegradable/compostable containers in their green waste can, and businesses can charge a small fee for takeaway containers to cover any additional cost. This is already done at Coconut's and there is no backlash from customers. They also encourage people to bring in their own takeaway containers for a discount. Many businesses were nervous about the plastic bag ban but in the end the only businesses that ended up hurting were the ones that sold the plastic bag.

Mahalo  
Alicia Wood

## IEM Committee

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**From:** Fanara, Kobie <kobiefanara@kiheicharter.org>  
**Sent:** Monday, November 28, 2016 12:59 PM  
**To:** County Clerk; IEM Committee; Mike White; Donald S. Guzman; Michael Victorino; Gladys Baisa; robert.carrol@mauicounty.us; Don Couch; Stacy S. Crivello; Elle Cochran; Riki Hokama; John Fitzpatrick  
**Subject:** Single Use And Plastic And Styrofoam Container Ban.

Dear City Council Members

Hello County Council Members, my name is Kobie form Kihei Charter High School and i agree with the IEM-05 bill because replacing polystyrene plastic containers with compostable alternatives with not completely fix the problem at hand, but make it less of an issue than it is at this moment. Regular plastic styrofoam containers are hurting the environment and causing more pollution than it should at a very fast rate. Although compostable alternatives aren't perfect, their a better option than the styrofoam that we use now. And you could bring up the argument that compostable materials are a lot more expensive when buying in bulk, but it's the price that has to be paid to slowly put pollution at a decline rather than an increase at least in Hawaii.

Thank You.  
Kobie Fanara  
Kihei Charter School

## IEM Committee

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**From:** Nguyen, Sean <snguyen@kiheicharter.org>  
**Sent:** Monday, November 28, 2016 1:04 PM  
**To:** County Clerk; IEM Committee; Mike White; Donald S. Guzman; Michael Victorino; Gladys Baisa; robert.carrol@mauicounty.us; Don Couch; Stacy S. Crivello; Elle Cochran; Riki Hokama  
**Subject:** Pass the IEM-05 Bill

Hello my name is Sean Nguyen and I am from Kihei Charter Highschool.

I believe that the council should pass the IEM-05. Plastic is really bad because, certain chemicals in plastics, like Bisphenol-A (BPA), have gotten media exposure for his or her potential health issues however there's rather more to the matter that a number of isolated chemicals.

BPA is commonly accessorial to plastics to form them additional sturdy, however it had been once given to animals like cows and chickens to cause them to realize weight before slaughter. BPA is thought to disrupt hormones and may mimic the result of steroid hormone within the body, resulting in weight gain and endocrine imbalance.

Phthalates also are found in several plastics and in high levels in indoor air. the eu Union illegal them in 2005 and lots of different countries have illegal them additionally.

Phthalates are thought of to be particularly harmful to men and boys, particularly those exposed in utero. they're coupled to system impairment, reduced androgen, physiological state in men and lots of different issues.

## **IEM Committee**

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**From:** Webb, VandeLa <vandelawebb@kiheicharter.org>  
**Sent:** Monday, November 28, 2016 1:06 PM  
**To:** County Clerk; Don Couch; Donald S. Guzman; Elle Cochran; Gladys Baisa; IEM Committee; Michael Victorino; Mike White; Riki Hokama; robert.carrol@mauicounty.us; Stacy S. Crivello  
**Cc:** John Fitzpatrick  
**Subject:** Plastic and Styrofoam Container Ban

Dear Maui County Council,

I am a student from Kihei Charter High School. First off, I'd like to say that I support Bill IEM-05 which puts a ban on plastic and styrofoam. I think it should be passed. Although financially this might affect restaurants, it is a better for the ocean and environment. Polystyrene and plastic is less expensive than compostable boxes and lids. However, if more restaurants use the compostable containers instead of plastic or styrofoam, the cost may go down. As I said, an alternative is the compostable containers and or biodegradable plastic. The ocean could be greatly affected if this bill does not pass. All the plastic and styrofoam we use blows into the ocean, due to it not being degradable. The sea animals think it's food, so they end up eating it. Obviously plastic/styrofoam isn't good for the sea animals. If we could use something that can be compostable, then it wouldn't be a problem. Plastic and styrofoam take about 500 years to degrade, which is a lot compared to three to six months for biodegradable products.

Thank you for reading

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Vande'la Webb.

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**Vande' la Webb**  
**10th grade**

## IEM Committee

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**From:** Oshita, Kayla <koshita@kiheicharter.org>  
**Sent:** Monday, November 28, 2016 1:08 PM  
**To:** County Clerk; IEM Committee; Mike White; Donald S. Guzman; Michael Victorino; Gladys Baisa; robert.carrol@mauicounty.us; Don Couch; Stacy S. Crivello; Elle Cochran; Riki Hokama  
**Subject:** Single Use Plastic and Styrofoam Container Ban Student Opinion

Dear Maui County Council Members,

I am a student at Kihei Charter High School. I wanted to share my thoughts with you all about the IEM-05 bill. I personally think that this bill should be passed because polystyrene containers are not good for our environment.

When you have hot food or drink in a styrofoam cup or bowl, the chemicals can leak into the food and get into your system. There are other alternatives that we can use for our containers. There are plates and bowls that are made out of cardboard, that can be compostable after use. There are also eating materials that are made out of corn, potatoes, rice, and limestone. These can also be compostable after you use it. Plastic and styrofoam can not be compostable, and they will never degrade. They will always be around, even if they are the tiniest molecule, they will be floating around in the air. If this bill is not passed, more trash is going to go into our oceans than there already is. Millions of pieces of trash go into the ocean each day, and it is not good. The marine animals end up mistaking the trash for food, and die because of it. **You have the power to fix this problem by passing IEM-05.**

Please pass this bill for the sake of our earth and future generations.

Mahalo,  
Kayla Oshita

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*Kayla Oshita*  
*10th Grade*

## IEM Committee

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**From:** Villanueva, Ethan <evillanueva@kiheicharter.org>  
**Sent:** Monday, November 28, 2016 1:13 PM  
**To:** County Clerk; IEM Committee; Mike White; Donald S. Guzman; Michael Victorino; Gladys Baisa; robert.carrol@mauicounty.us; Don Couch; Stacy S. Crivello; Elle Cochran; Riki Hokama; John Fitzpatrick  
**Subject:** IEM-05

Aloha Maui County Council,

My Name is Ethan and I am a Student at Kihei Charter School.

It has come to my attention that you will be debating weather pass or deny bill IEM-05. Passing this bill would prohibit the use of disposable polystyrene causing lots of food restaurants to quickly convert to other food container options. Compostable containers will probably be the main option for restaurants. The price of these containers will cause slightly more than the polystyrene but the large quantity of containers purchased by restaurants would show large differences between the two. There is a good chance that the demand for these compostable products will rise and the price should drop. Polystyrene also takes many years to break down while it floats around the ocean to be eaten by another animal or put on a beach either close or far away from us.

In my opinion I would pass this bill and ban polystyrene. I see styrofoam littered everywhere on Maui beaches both as full or cut up pieces. Compostable alternatives would breakdown over time which gives be some peace of mind but I bet I would see them scattered all over the beach. The alternatives would also breakdown into dirt and nutrients in rubbish piles and wont look edible to animals passing by. I'm sure that the prices would rise at my favorite plate lunch place but I wouldn't mind paying a little bit more for some delicious Katsu Curry or some tasty Loco Moco.

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Ethan Villanueva  
10th Grade

## **IEM Committee**

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**From:** Stewart, Savannah <savannahstewart@kiheicharter.org>  
**Sent:** Monday, November 28, 2016 1:13 PM  
**To:** County Clerk; IEM Committee; Mike White; Donald S. Guzman; Michael Victorino; Gladys Baisa; robert.carrol@mauicounty.us; Don Couch; Stacy S. Crivello; Elle Cochran; Riki Hokama  
**Subject:** Single Use Plastic and Styrofoam Container Ban Student Opinion

Dear Maui County Council Members,

I am a 10th grade student at Kihei Charter High School. In our Chemistry class we are talking about the effects plastic and styrofoam have on our island. I wanted to share my thoughts on the IEM-05 bill you are considering passing today.

I support the passing of this bill. Although the effects of this bill could have negative impacts on consumers and restaurants financially because each plate is a few cents extra, I don't think the extra cost would have that much of an effect. We could possibly raise the prices on styrofoam and plastic so that the price on the alternative could be cheaper and better to our environment. Some alternatives to polystyrene containers are corn products, reusable containers, edible containers, EarthShell products, and many more. Some effects on the ocean if this bill is not passed are the animals can eat or get tangled in the plastic and die. Sea life can also eat the pieces of styrofoam that end up in the ocean which is very toxic. If these single use plastics get in our oceans it can easily harm our marine ecosystems. Even considering the plastic and styrofoam that end up on land, it takes over 500 years for it to decompose.

Overall, I hope you end up passing this bill for the sake of us and our wildlife. You have my full support and I can't wait what other ways you plan to save the planet in the future.

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***Savannah Stewart***  
***10th Grade***



## **IEM Committee**

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**From:** Gillis, Lauryn <lgillis@kiheicharter.org>  
**Sent:** Monday, November 28, 2016 1:13 PM  
**To:** County Clerk; IEM Committee; Mike White; Donald S. Guzman; Michael Victorino; Gladys Baisa; robert.carrol@mauicounty.us; Don Couch; Stacy S. Crivello; Elle Cochran; Riki Hokama; John Fitzpatrick  
**Subject:** IEM-05

Aloha Council of Maui County,

I Lauryn Gillis of Kihei Charter School, agree with the bill IEM-05 being passed. This bill needs to be passed to start the change of our future for the better. Little steps like these need to be made before our situation of pollution gets any worse than it already is. This change is for the earth and everyone's health. We can substitute the ban products with biodegradable, eco friendly, slightly more expensive products. The con being, they are slightly more expensive is all perspective when you take into account that we can not buy ourselves a new earth, putting in that extra money and time to try and save it doesn't even seem like a question? Us being in Maui affects us even more when it comes to pollution as we are surrounded by the ocean which holds the biggest amount of the world's pollution. This is our right to save it and do anything we can, this bill being passed a good start.

Thank you for your time,  
Lauryn Gillis

## IEM Committee

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**From:** Boston, David <davidboston@kiheicharter.org>  
**Sent:** Monday, November 28, 2016 1:15 PM  
**To:** County Clerk; IEM Committee; Mike White; Donald S. Guzman; Michael Victorino; Gladys Baisa; robert.carrol@mauicounty.us; Don Couch; Stacy S. Crivello; Elle Cochran; Riki Hokama  
**Subject:** Single Use Plastic and Styrofoam Container Ban

Hello Maui County Council,

My name is David, and I am a tenth grade student attending Kihei Charter School. Very recently it was brought to my attention that your building is deciding whether or not to pass the bill IEM-05, a.k.a. the bill that would ban polystyrene containers from being used in restaurants. I would like to tell you that even though little finance problems would surface; it would be a great bill to pass. Everything it entails hasn't been made one hundred percent clear yet, but it does sound like it would help reduce our plastic/foam waste and usage. I hope that this bill will be passed, and also that more bills like it will be made in the near future to reduce our waste.

Thank you,

David Boston Angel

## IEM Committee

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**From:** Ben Gershom, Yaakov <ybengershom@kiheicharter.org>  
**Sent:** Monday, November 28, 2016 1:15 PM  
**To:** County Clerk; IEM Committee; Mike White; Donald S. Guzman; Michael Victorino; Gladys Baisa; robert.carrol@mauicounty.us; Don Couch; Stacy S. Crivello; Elle Cochran; Riki Hokama  
**Subject:** IEM-05

This afternoon you as a Maui County Council member will be deciding whether you should pass IEM-05. This proposed bill would "prohibit the use of disposable polystyrene food service containers by food providers

in the County of Maui." I am emailing you to try to persuade you to pass IEM-05 as polystyrene is manufactured with HCFC-22, this is bad as HCFCs are greenhouse gases, which according to a 1992 study by the Institute for Energy and Environmental Research, HCFCs are three to five times more destructive to the ozone layer than previously believed.

-*"Study Finds CFC Alternatives More Damaging Than Believed," The Washington Post, December 10, 1989.*

Also not only is it detrimental to the ozone layer but it is also immediately detrimental to many people do to its association with Styrene. Which causes a multitude of health problems including depression, headache, fatigue, and weakness, and can cause minor effects on kidney function and blood

-*OSHA (US Dept of Labor, Occupational Safety & Health Administration*

Sincerely,

Yaakov Bengershom

10th Grade Kihei charter High school

## IEM Committee

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**From:** Jen Cox <mjencox@gmail.com>  
**Sent:** Monday, November 28, 2016 1:49 PM  
**To:** IEM Committee  
**Subject:** Testimony in support of IEM-5

Hello my name is Jennifer Cox and I support the proposed bill to prohibit the use of disposable polystyrene products by food providers in Maui County.

In this discussion, It is important to keep in mind that plastic in itself is not inherently evil; it is the way we humans have been using and abusing the conveniences of plastic that have made the material such a hot environmental issue. So here's hoping the focus on education and litter prevention continues to be a part of this discussion.

At the heart of this issue is the fact that as a society, we have adopted a throw-away culture, in large part because the cost to buy something new is often negligible or even cheaper than maintaining the old. This is the main issue we must solve, but it is also important to take whatever steps we can in the meantime to mitigate the harm that our dependency on single-use products causes. Looking for alternatives to plastic that provide the same convenience, at approximately the same cost, and with less negative effects on the environment is a solid step forward.

While I recognize that substituting commercially compostable products isn't as ideal of a solution as we would like it to be, those alternative plant-based products do have the benefit of having NOT been made out of oil, meaning they will NOT leach toxins into the environment if, Heaven Forbid, They find themselves littered. That should count for something.

We all have a choice to refuse, but when the choice is between something we know is harmful and something we know is not, why continue making room for the harmful material? As Exhibit 4 on the Task Force Report showed, the industry seems to be moving toward non-type 6 resin products anyway, so why not use this bill to give that trend a County-mandated boost? Businesses have a right to change prices according to a change in the cost of doing business — we have certainly seen that scenario play out repeatedly in our recycling practices on-island.

With an additional charge, it might help me remember to bring my own containers and my own bags more often. Though I might add, from Exhibit 3, it looks like only two of the 5 product types had any significant difference in cost between polystyrene and plant fiber products, so per unit, the up charge on a eco-friendly container should be minimal, if any.

I sincerely appreciate the Council for valuing this issue enough to create the task force and provide the public with the opportunity to speak on this bill. I think this bill would have more positive effects than negative, and move folks into the right direction of thinking about their use of disposable products. Thank you.

Jen Cox

[mjencox@gmail.com](mailto:mjencox@gmail.com)

808-446-2450

## **IEM Committee**

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**From:** Natalie Wohner <natalie.wohner@googlemail.com>  
**Sent:** Monday, November 28, 2016 3:05 PM  
**To:** IEM Committee  
**Subject:** Strong Support for Bill IEM-5

### **Strong Support for Bill Relating to Reduction of Polystyrene Disposable Food Containers (IEM-5)**

#### **Maui County Hearing on Mon., Nov. 28, 1:30pm**

Dear Council Members,

I am writing in strong support of IEM-5, the bill to regulate and reduce the use of polystyrene food containers.

Expanded polystyrene (EPS) foam containers are the least recycled form of plastic and the most littering items found at beach cleanups. EPS foam is also the most toxic food container according to numerous studies, especially when served with hot liquids.

I am very confident in saying that such food containers are simply still in usage because of the lower cost compared to compostable food containers. The main argument in keeping EPS foams around is usually that small businesses could not afford alternatives. But this is wrong. In the state of Hawai'i the number of EPS foam free restaurants is steadily increasing. These restaurants are consciously not using EPS foams because of the above reasons. The Surfrider Foundation initiated a movement called Ocean Friendly Restaurants where such restaurants are certified as being EPS foam free. In the past few month 87 restaurants on the hawaiian islands have been certified, mostly small businesses. It is not acceptable to risk the health of the consumer and the health of the environment by using EPS foam simply because of saving money.

The Aina and our health should be our highest priority and it is our role to protect it. I am very optimistic that Maui can play a leader role in protecting our environment from such health and environmental hazards by reducing or better banning EPS foam containers.

Thank you very much for considering my testimony and thank you for your time.

Mahalo nui loa,

Natalie Wohner

## IEM Committee

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**From:** Catherine Jordan <csjordan19@gmail.com>  
**Sent:** Monday, November 28, 2016 3:54 PM  
**To:** IEM Committee  
**Subject:** please ban foam cups and food containers!

To Whom it May Concern:

I strongly support the banning of foam food containers on Maui and all the islands, as I was shocked as a frequent visitor to Maui and Oahu to see how much styrofoam is used.

I strongly encourage you to have restaurants use small, simple, sustainable cardboard or seagrass boxes of the type used by, for instance, Whole Foods. This will support the beauty and health of your island paradise and communicate to tourists and locals that you are committed to environmental health of the islands.

Thank you,

Catherine Jordan



## **IEM Committee**

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**From:** Frate, Luana <luanafrate@kiheicharter.org>  
**Sent:** Monday, November 28, 2016 4:49 PM  
**To:** IEM Committee; County Clerk  
**Subject:** IEM-05 BILL

Aloha Maui County Council,

My name is Luana Frate I am a student in 10th grade at Kihei Charter High school. I would not pass the IEM-05 bill because it is more expensive than plastic, It would create a difficulty for the business but I do think it is better for the environment. I wouldn't band plastic and foam but I would encourage people to wash and reuse their plastic, foam, and "unreasonable thing". I have a family business named java cafe and we have both foam and eco friendly to- go containers but we charge an additional fee for the eco friendly container because it is more expensive but we give people the option and they still choose to buy the foam containers so I think it is a lack of education in the people but I do not think that this bill should be passed.

Thank you for your time, Luana Frate  
Kihei Charter High School

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Luana Frate  
9th Grade  
Kihei Charter Highschool

## **IEM Committee**

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**From:** Tracy Butterfield <earthgirl62t@hotmail.com>  
**Sent:** Monday, November 28, 2016 5:25 PM  
**To:** IEM Committee  
**Subject:** IEM-05

Aloha Respected Council Members,

I am a tourist who has visited your lovely islands many times. I also have friends that live on the islands. I definitely support 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 ama 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,  
Tracy Butterfield

Tracy B. iPhone

## IEM Committee

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**From:** County Clerk  
**Sent:** Monday, November 28, 2016 7:50 AM  
**To:** IEM Committee  
**Subject:** Fw: KYD, Inc. Testimony for IEM Committee, Mon Nov 28  
**Attachments:** KYD\_IEM\_5\_Nov28\_16.pdf

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**From:** Joy Gold <joy@joygoldunlimited.com>  
**Sent:** Friday, November 25, 2016 9:11 AM  
**To:** County Clerk  
**Cc:** Dexter Yamada  
**Subject:** KYD, Inc. Testimony for IEM Committee, Mon Nov 28

Aloha,  
On behalf of Dexter Yamada, President of KYD, Inc, please accept the following testimony for:  
Proposed Revised IEM-05, A Bill For An Ordinance Establishing A New Chapter 20.26, Maui County Code, Restricting the  
Use and Sale of Polystyrene Food Service Containers  
IEM Committee Hearing – Monday, November 28, 2016  
1:30 PM

Please call me if there are any questions about the testimony submittal.  
Thank you,  
Joy Gold

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Joy Gold Unlimited  
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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**

**November 28, 2016 - 1:30 p.m.**

**IEM 5: Revised proposed bill 11-21-2016**

**A Bill For An Ordinance Establishing A New Chapter 20.26, Maui County Code, Restricting the Use and Sale of Polystyrene Food Service Containers**

**Position: Oppose**

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

I am Dexter Yamada, President of KYD, Inc. dba: 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. We locally manufacture and distribute food-grade expanded polystyrene food containers throughout the State.

KYD's representative Stella Yasuda participated on the Maui Task Force, led by CM Michael Victorino. Despite science-based information about the safety, functionality and affordable cost of polystyrene food service containers, this revised proposal perpetuates misinformation. Please see the attached testimony by Dr. George Cruzan to the Honolulu City Council on Bill 40, Disposable Food Containers. His testimony provides clarification about styrene and polystyrene, and states that no government agency considers polystyrene as carcinogenic or imposes health risks.

We, as life-long residents of our island-state, are concerned about ocean debris and the care of our islands. A ban that singles out polystyrene food service containers does little to reduce ocean debris. In fact, the 5 most common items found during International Coastal Cleanup are plastic cigarette butts, food wrappers, plastic beverage bottles, plastic bottle caps, and plastic straws and drink stirrers. Plastics can enter into the ocean through ineffective or improper waste management, intentional or accidental dumping and littering on shorelines or at sea, or through storm water runoff. (Trash Talk: Marine Debris and Plastics, NOAA, Sept. 17, 2015)

Rather than impose a discriminating ban on only polystyrene food service containers and mandate the use of an alternative product, the County of Maui is urged to focus on the cause of ocean debris, much of it from land-based origins. Note that better litter management was a unifying recommendation from the Maui Task Force.

Maui County is encouraged to join two, free, private sector litter management programs that support personal responsibility by residents and visitors to Maui:

1) **Malama 808 ([www.malama808.org](http://www.malama808.org))**

This can serve as a model for Maui restaurants and businesses to participate and join more than 100 restaurants and businesses in Malama 808's pledge to:

- \* Keep trash control at the forefront of our management practices and conduct regular reviews of trash control procedures.





**KYD, Inc. dba k. yamada distributors**

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

- \* Survey our establishments to ensure that there are enough receptacles, and they are in the correct places to make disposing trash and recyclables convenient and effective.
- \* Ensure that trash and recycling receptacles are appropriately covered to prevent trash from flying away.
- \* Assess the trash that's collected on and around our establishments, and when there is a problem with trash escaping, take steps to correct the problem.
- \* Educate our employees and customers on the importance of making sure trash is managed properly.
- \* Consult best management practices for trash control and adapt them to our local needs; and

2) Litterati, (<http://www.litterati.org/> )

This is a free web program founded by Jeff Kirschner that encourages people to send digital photographs identifying the type and location of litter to the litterati internet data base.

By following the app instructions to photograph, identify, and tag by geographic location, each piece of litter's digital photographs are collected via #litterati-tagged photos on Instagram, and the photographer will properly disposed of it.

By joining Litterati, the County, through its participating employees, will collect data about the type and location of litter found and will pin-point litter hot spots. This can assist the County and others to target specific geographic locations and types of litter reduction needed.

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 12<sup>th</sup> 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



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**From:** Alicia Rittenberry <arittenberry888@gmail.com>  
**Sent:** Monday, November 28, 2016 2:34 PM  
**To:** IEM Committee  
**Subject:** Example of compostable containers  
**Attachments:** container quote.pdf

Good afternoon. I testified today and was asked about specific pricing. I did not have the information at hand but this is an example of one company's price list for compostable containers. This price list was provided by the local company Sustainable Island Products. Two other local companies that provide alternatives to polystyrene containers are VIP and Hansen Maui.

RECEIVED AT IEM MEETING ON 11/28/16  
Committee Chair

# Quote



**SUSTAINABLE**  
ISLAND PRODUCTS

4/21/2016

Alicia Rittenberry

Salesperson: John

| Item          | Description   | # of Packs/ Case | Qty per Pack | Qty per Case | Case      | Each    |
|---------------|---|------------------|--------------|--------------|-----------|---------|
| CL-B-15oz-BR  | 15 oz Square Clam TAN (6x6x3) -500/cs (10/50)                       | 10               | 50           | 500          | \$ 78.00  | \$ 0.16 |
| CL-B-HG-BR    | Hoagie Box Tan (9 x 6 x 2.5') 500/cs (10/50)                        | 10               | 50           | 500          | \$ 115.00 | \$ 0.23 |
| CL-B-8-BR     | 1-Comp. Medium TAN Clam (8.5 x 8 x 3) -300/cs (6/50)                | 6                | 50           | 300          | \$ 86.28  | \$ 0.29 |
| CL-B-8-3-BR   | 3-Comp. Medium TAN Clam (8.5 x 8 x 3) -300/cs (6/50)                | 6                | 50           | 300          | \$ 86.28  | \$ 0.29 |
| CL-B-9-BR     | 1-Comp. LARGE Clam TAN (9x9 x3) -300/cs (6/50)                      | 6                | 50           | 300          | \$ 96.54  | \$ 0.32 |
| CL-B-9-3-BR   | 3-Comp. LARGE Clam TAN (9x9 x3) -300/cs (6/50)                      | 6                | 50           | 300          | \$ 96.54  | \$ 0.32 |
| CL-B-9-HW-BR  | 1-Comp. LARGE Heavy Weight Clam TAN (9x9 x3) -300/cs (6/50)         | 6                | 50           | 300          | \$ 105.00 | \$ 0.35 |
| HB-8          | 8 oz Hot Food Container- Paper/PLA 1K/cs (20/50)                    | 20               | 50           | 1000         | \$ 116.80 | \$ 0.12 |
| HB-12         | 12 oz Hot Food Container- Paper/PLA 500/cs (10/50)                  | 10               | 50           | 500          | \$ 88.40  | \$ 0.18 |
| HB-16         | 16 oz Hot Food Container- Paper/PLA 500/cs (10/50)                  | 10               | 50           | 500          | \$ 100.70 | \$ 0.20 |
| HB-24         | 24 oz Hot Food Container- Paper/PLA 500/cs (20/25)                  | 20               | 25           | 500          | \$ 107.40 | \$ 0.21 |
| HB-32         | 32 oz Hot Food Container- Paper/PLA 500/cs (20/25)                  | 20               | 25           | 500          | \$ 127.20 | \$ 0.25 |
| HB-L-8-C      | LID - 8 oz Hot Food Container 1K/cs (20/50)                         | 20               | 50           | 1000         | \$ 71.20  | \$ 0.07 |
| HB-L-12-32-C  | LID - 12/16/32 oz Hot Food Container- 1k/cs (20/50)                 | 20               | 50           | 1000         | \$ 110.20 | \$ 0.11 |
| HB-DL-12-32-C | DOMED LID - 12/16/24/32 oz Hot Food Container, Clear 500/cs (10/50) | 10               | 50           | 500          | \$ 45.40  | \$ 0.09 |
| UT-ST-8       | 7.7" Straw, UN-Wrapped, .25" Compostable 10,000/cs (100/100)        | 100              | 100          | 10000        | \$ 155.00 | \$ 0.02 |
| HC-12         | 12 oz Hot Cup - Compostable - 1k/cs (20/50)                         | 20               | 50           | 1000         | \$ 121.80 | \$ 0.12 |
| HC-L-12-24-C  | LID- 12-24 oz (COMPOSTABLE) Sipper Dome (W) -1k/cs (20/50)          | 20               | 50           | 1000         | \$ 76.00  | \$ 0.08 |
| P-DN          | Dinner Napkins -Recycled (W) -2ply (15'x17') -3k/cs (30/100)        | 30               | 100          | 3000         | \$ 72.00  | \$ 0.02 |
| UT-F          | Fork -Compostable -1K/cs (20/50)                                    | 20               | 50           | 1000         | \$ 46.00  | \$ 0.05 |
| UT-S          | Spoon -Compostable -1K/cs (20/50)                                   | 20               | 50           | 1000         | \$ 46.00  | \$ 0.05 |
| UT-K          | Knife -Compostable -1K/cs (20/50)                                   | 20               | 50           | 1000         | \$ 46.00  | \$ 0.05 |
| UT-S-LG       | SOUP Spoon -Compostable -1K/cs (20/50)                              | 20               | 50           | 1000         | \$ 48.00  | \$ 0.05 |
| UT-SPK        | SPORK -Compostable -1K/cs (20/50)                                   | 20               | 50           | 1000         | \$ 46.00  | \$ 0.05 |
| UT-TS         | Taster Spoon 3' Cold Only -Compostable - 3k/cs (15/200)             | 15               | 200          | 3000         | \$ 60.00  | \$ 0.02 |
| EF-4          | EcoFlame Warming Gel, 4Hr can, 36/cs                                | 36               | 36           | 36           | \$ 56.16  | \$ 1.56 |

**We offer a price match guarantee for like products.**

## VOLUME DISCOUNTS:

1.5% volume discount for 11-20 cases

3% volume discount for 21-40 cases

4.5% volume discount for 41-60

6% volume discount for 61+

Sleeve Prices are additional cost.

NOTICE: Estimates are valid and will be honored for 30 days from the date on this form. Otherwise, all prices are subject to change without notice. Estimates are not a guarantee of availability of product.

## Sustainable Island Products

831 Leilani Street, Bay N

Hilo, Hawaii 96720

Office: 808.769.4905

Fax: 808.769.4910

john@sustainableislandproducts.com





# MAUI

CHAMBER OF COMMERCE

VOICE OF BUSINESS

## Testimony on IEM-05

Re: Polystyrene Disposable Food Service Containers  
before the Infrastructure & Environmental Management Committee  
Monday, November 28, 2016

Dear Chair Cochran, Vice-Chair Hokama &  
Members of the Committee

Aloha and Mahalo for providing the opportunity to ring in on the bill regarding polystyrene disposable food service containers.

We attended the previous meeting on October 31<sup>st</sup> in order to hear the proposed bill on polystyrene and the testimony. We came to that meeting with an open mind and still have an open mind about this bill despite the fact that many negative things were being said in testimony about the business community including claims that we tried to hijack the process on the past Polystyrene Task Force (which Councilmember Victorino clarified was untrue) and that the Chamber did not support the Plastic Bag Ban (which was also untrue). It was a bit disturbing that all resource people at the last meeting were there to address environmental concerns about polystyrene, but there were no affected business people to address the challenges they would face if the bill passes. We also learned at this meeting about the Ocean Friendly Restaurant Initiative gaining momentum, which is consistent with our research about shifts towards recyclable containers. Yet despite these positive notes, several community members still feel that legislative action is required. Lastly, we heard environmental concerns surrounding polystyrene, yet the larger issue of plastics was not discussed and we did not hear where this bill fits into the County's overall environmental protection priorities.

We believe the overall issue of litter control in our County is more significant and should be viewed more broadly than just banning reusable plastic bags and polystyrene containers. We understand that plastic is causing a serious issue for our native seabirds, but according to a number of studies, plastic litter in general is the problem. The National Oceanic and Atmospheric Administration divers "removed thousands of pieces of plastic, including 7,436 hard plastic fragments, 3,758 bottle caps, 1,469 plastic beverage bottles and 477 lighters," from the shorelines of Midway Atoll according to a 2014 article. This is consistent with the seabird dissection pictures we saw during the Task Force. These statistics are alarming, but also reveal that the real problem is litter in our oceans. We feel that litter control should be the County's primary focus as polystyrene is only a small part of the problem and that is already being addressed by the marketplace.

To advance and promote a healthy economic environment for business, advocating for a responsive government and quality education, while preserving Maui's unique community characteristics.

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Submitted by Amber Coutses





# MAUI

## CHAMBER OF COMMERCE

VOICE OF BUSINESS

### Testimony on IEM-05

Re: Polystyrene Disposable Food Service Containers  
before the Infrastructure & Environmental Management Committee  
Monday, November 28, 2016

One of the outcomes from the 2014 proposed bill to ban polystyrene is the offer from the business community to partner with the County on a litter control campaign. To date, there has been no response from the County to work with us on such an initiative. We think that a litter control program would be more valuable to the community and environment as a whole. We feel the County would and should be a leader in a litter control reduction initiative by; installing fillable water stations in all County facilities to reduce plastic beverage bottle and bottle cap consumption (which is one of the largest categories of litter in our ocean); County filling stations could also include materials to educate the public on the benefits of reusable bottles; and recycling bins at County facilities where plastics can be easily separated from other trash and recycled would show leadership and again be a model for the entire community. Maui County has already been an innovator and leader in renewable energy resources like solar power, reducing the use of fossil fuels, and electric car chargers. We hope the County will be a leader in this arena as well by incorporating the above suggestions and partnering with the business community on litter control.

We also have great concerns about a number of other environmental issues like little fire ants, coqui frogs, deer, and now with the onslaught of new research, feral cats.

Feral cats pose a number of extreme dangers to our island, people, and wildlife. There have been numerous reports from islands across the state on the extreme hazards of feral cat feces. This has become such an issue that it has not only reached local news, but articles have also been shared through national news (Buzzfeed News, The Washington Post). Feral cat feces pose a number of health and environmental issues, but the most significant impact is on our treasured Hawaiian monk seal. According to a recent Maui News article, a parasite found in cat feces can cause the disease toxoplasmosis after being ingested in contaminated water or food. Cats are the only species that can spread *Toxoplasma gondii* eggs (oocysts), which can survive in a multitude of environments, through their feces which gets washed into the ocean. Eight Hawaiian monk seals have already fallen victim to this deadly disease and it has been blamed for the extinction of wild Hawaiian crows (Alala). With only about 1,300 Hawaiian monk seals in existence, we cannot afford to lose anymore to a disease that can be prevented. Along with the deaths of the Hawaiian monk seals, the disease caused by feral cat feces has infected a significant number of Nene (21-48% of Nene are infected, according to a peer-reviewed study) and the disease can even infect humans and pregnant women are especially susceptible to this disease which can cause a number of harmful fetal abnormalities. Our endangered monk seals, sea birds, other cherished wildlife, and our people depend on us to save them from the deadly toxoplasmosis disease by turning our attention to the immediate issue of feral cats in our islands. However this was not even brought up at the last meeting and we feel that this issue should be a higher priority over what is being discussed today.

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To advance and promote a healthy economic environment for business, advocating for a responsive government and quality education, while preserving Maui's unique community characteristics.





# MAUI

CHAMBER OF COMMERCE

VOICE OF BUSINESS

## Testimony on IEM-05

Re: Polystyrene Disposable Food Service Containers  
before the Infrastructure & Environmental Management Committee  
Monday, November 28, 2016

Lastly, we appreciate the two exemptions added to the bill, but feel this should not be an arduous process and clarity is needed as to how these exemptions would be claimed. In the past, businesses have had to submit extremely large and unnecessary amounts of documentation to the State and County to prove they qualify for particular exemptions and have had to open their lives and books to various departments. We do not want this to be the case with polystyrene exemptions. Item E under 20.26.050 Exemptions states that polystyrene containers would be allowed if there are no reasonable alternatives suitable for the specific food type. In this situation, the food provider must apply for an exemption, which could be granted by the Director of Environmental Management. We feel that if a food provider is able to provide picture evidence as to why the recyclable/biodegradable container does not work for a particular food item that should suffice. Item F under 20.26.050 Exemptions states that if compliance to the polystyrene ban should cause significant financial hardship and there is no affordable alternative to polystyrene food service containers, the food provider may apply for an exemption. We understand affordable to mean "purchasable for not more than 40 percent more than the purchase cost of an equivalent polystyrene food service container". We feel 40 percent is too high because businesses have to deal with what the market will bear and feel that this exemption process needs to be further defined. Further the process should detail how long the exemption is for. We believe these exemptions should not be a laborious process for businesses who should be able to focus their time and energy on their services and their additions to the Maui County economy.

With the market already shifting on polystyrene, the bigger issue of litter control and plastics overall and other environmental priorities that need to be addressed, we feel that the County and public's time and energy would be better suited addressing the most critical challenges we face first.

Mahalo for your consideration on this important matter.

Sincerely,

Pamela Tumpap  
President

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To advance and promote a healthy economic environment for business, advocating for a responsive government and quality education, while preserving Maui's unique community characteristics.

I had considered recreating something I saw on Haleakala Highway Friday afternoon, but then I would have had to bring a vacuum cleaner. A car ran over a foam plate lunch container. It just exploded into a huge number of small pieces, carried by the wind created by the cars, it became a snow flurry of plastic. Unfortunately, I was driving and couldn't reach for my cell phone to record a too common event.

Therein is the problem with this very specific type of construction. It has the tendency to shatter.

This graphic display says more than I can. The person who lost the container may or may not have realized they were littering. I could have blown out of a trash container. Disposal methods are not the question, nor is public education. If the material is not present, it cannot be abused.

The timing of this meeting has precluded most people working in food service from attending. This who have been responsible and already adopted non- foam containers should be applauded and followed. Those who haven't, need a small nudge, and this bill will do such. Waiting for voluntary compliance is not an answer.

There are people here to testify with a vested business interest. My potential business interest is in preserving our biggest source of employment, tourism , and in cleaning our environment, which is in all of our best interests.

There can be all sorts of replacement materials, we are not mandated which, just rid us of the one that causes the most pollution.

As my personal preference is for reusable, not disposable, I am pursuing a way for a model program, probably at UHMC, to follow a system in effect on some mainland campuses and very effective in Portland. There are logistics to be worked out here, but I have samples of the same reusable clamshells and soup containers used by the food vendors in Portland. The manufacturer claims will withstand 3-5000 commercial washing cycles. Some of these same containers have been through over 800 washing and redistribution cycles in the Portland program.

This should be perfect for Meals on Wheels and similar recurring feeding programs, as well as use by the general public, and I hope a source of funds for an environmental organization that can handle logistics.

While reusables will not be possible in all instances, let's take a step in the right direction by eliminating the worst containers.

Marjorie Bonar margebonar@gmail, (808) 573-1960

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\* Price

• Pass through cost to customers 17,000 styro

Cost per capita use

(13)

(\* No suitable alternatives for heated foods

Exemptions  
not arduous

• >25 OFR on Maui / >100 HI  
• >40 pgs alternatives to polystyrene San Jose  
• San Fran

(\* KYD is a diversified business

"Business community..."

• 30% ↓ in EPS litter w/n  
1 yr

• Sophomore chemistry class from KCS

### VIP Foodservice Price List

| Item   | Pack | Size | Brand         | Size            | Material       | Compo<br>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  | \$0.1388 |
| 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              | Bio 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  | \$0.1980 |
| 938021 | 1    | 150  | PACTIV        | 8 inch 1-compot | Polystyrene    | No              | #HINGE TRAY FOAM MED 1 SEC SHAL (Y)      | \$20.81  | \$0.1387 |
| 938177 | 6    | 50   | WORLD CENT    | 8 inch 1-compot | Plant Fiber    | Yes             | HINGE CONT 8 IN 1COMP FIBER TOSCUBS (Y)  | \$82.19  | \$0.2740 |
| 938008 | 2    | 75   | PACTIV        | 8 inch 1-compot | Polystyrene    | No              | #HINGE TRAY FOAM 1 SEC MED DL (Y)        | \$42.51  | \$0.2834 |
| 956033 | 4    | 50   | Fold Pak      | 8 inch 1-compot | Recycled paper | No              | Bio Earth Paper Box #3 8.5x6.25x2.5      | \$65.80  | \$0.3280 |
| 938088 | 2    | 100  | PACTIV        | 8 inch 1-compot | Polypropylene  | No              | #HINGE TRAY 8IN 1 EARTHCHOICE (Y)        | \$80.51  | \$0.4028 |
| 938121 | 1    | 200  | TATERWARE     | 8 inch 1-compot | Potato Starch  | No              | HINGE TRAY 8IN 1 SEC TATERWARE (Y)       | \$86.08  | \$0.4304 |
| 938022 | 1    | 150  | PACTIV        | 8 inch 3-compot | Polystyrene    | No              | #HINGE TRAY FOAM MED 3 SEC SHAL (Y)      | \$20.81  | \$0.1387 |
|        | 1    | 300  | World Centric | 8 inch 3-compot | Plant Fiber    | Yes             | Fiber clamshell 8X8" 3-compot            | \$80.92  | \$0.2887 |
| 938133 | 2    | 100  | BRIDGE-GAT    | 8 inch 3-compot | Molded Fiber   | Yes             | #HINGE TRYA 8IN 3 SEC BROWN BRDGATE (Y)  | \$54.55  | \$0.2728 |
| 938018 | 2    | 75   | PACTIV        | 8 inch 3-compot | Polystyrene    | No              | #HINGE TRAY FOAM MED 3 SEC DL PACTIV (Y) | \$42.51  | \$0.2834 |
|        | 1    | 300  | WORLD CENT    | 9 inch 1-compot | Plant Fiber    | Yes             | Fiber Clamshell 9x9x3 1-compot           | \$88.59  | \$0.2963 |
| 938023 | 1    | 150  | PACTIV        | 9 inch 1-compot | Polystyrene    | No              | #HINGE TRAY FOAM 1 SEC LARGE DL (Y)      | \$44.74  | \$0.2983 |
| 938135 | 2    | 100  | BRIDGE-GAT    | 9 inch 1-compot | Molded Fiber   | Yes             | #HINGE TRAY 9IN BROWN BRDG GATE (Y)      | \$62.71  | \$0.3138 |
| 956034 | 4    | 40   | Fold Pak      | 9 inch 1-compot | Recycled paper | No              | Bio Earth Paper Box #4 8.75x6.5x3.5      | \$71.72  | \$0.4483 |
| 938093 | 1    | 120  | PACTIV        | 9 inch 1-compot | Polypropylene  | No              | #HINGE TRAY LG 1 SEC EARTHCHOICE (Y)     | \$58.45  | \$0.4871 |
| 938125 | 1    | 125  | TATERWARE     | 9 inch 1-compot | Potato Starch  | No              | HINGE TRAY 9IN 1SEC TATERWARE (Y)        | \$61.64  | \$0.4931 |
|        | 1    | 300  | WORLD CENT    | 9 inch 3-compot | Plant Fiber    | Yes             | Fiber Clamshell 9x9x3 3-compot           | \$85.80  | \$0.2880 |
| 938028 | 1    | 150  | PACTIV        | 9 inch 3-compot | Polystyrene    | No              | #HINGE TRAY FOAM 3 SEC LG DL (Y)         | \$47.69  | \$0.3179 |
| 938095 | 1    | 120  | PACTIV        | 9 inch 3-compot | Polypropylene  | No              | #HINGE COMP LG 3COMP EARTHCHOICE TFP (Y) | \$58.46  | \$0.4872 |

Cheaper

Cheaper!

EXHIBIT "3"

rec'd from Stella Yavoda 8/28

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Committee Chair  
(Lauren Blickley)

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

From: **Dmitriew, Alex (ENV)** <[alex.dmitriew@sfgov.org](mailto: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](mailto:yeary.asia@gmail.com)" <[yeary.asia@gmail.com](mailto:yeary.asia@gmail.com)>, "[scoleman34@gmail.com](mailto:scoleman34@gmail.com)" <[scoleman34@gmail.com](mailto: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. In 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](mailto:alex.dmitriew@sfgov.org) T: (415) 355-3768



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**INFRASTRUCTURE AND ENVIRONMENTAL MANAGEMENT COMMITTEE**

**Council of the County of Maui**

**November 28, 2016 - 1:30 p.m.**

**IEM 5: Revised proposed bill 11-21-2016**

**A Bill For An Ordinance Establishing A New Chapter 20.26, Maui County Code, Restricting the Use and Sale of Polystyrene Food Service Containers**

**Position: Oppose**

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

I am Dexter Yamada, President of KYD, Inc. dba: 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. We locally manufacture and distribute food-grade expanded polystyrene food containers throughout the State.

KYD's representative Stella Yasuda participated on the Maui Task Force, led by CM Michael Victorino. Despite science-based information about the safety, functionality and affordable cost of polystyrene food service containers, this revised proposal perpetuates misinformation. Please see the attached testimony by Dr. George Cruzan to the Honolulu City Council on Bill 40, Disposable Food Containers. His testimony provides clarification about styrene and polystyrene, and states that no government agency considers polystyrene as carcinogenic or imposes health risks.

We, as life-long residents of our island-state, are concerned about ocean debris and the care of our islands. A ban that singles out polystyrene food service containers does little to reduce ocean debris. In fact, the 5 most common items found during International Coastal Cleanup are plastic cigarette butts, food wrappers, plastic beverage bottles, plastic bottle caps, and plastic straws and drink stirrers. Plastics can enter into the ocean through ineffective or improper waste management, intentional or accidental dumping and littering on shorelines or at sea, or through storm water runoff. (Trash Talk: Marine Debris and Plastics, NOAA, Sept. 17, 2015)

Rather than impose a discriminating ban on only polystyrene food service containers and mandate the use of an alternative product, the County of Maui is urged to focus on the cause of ocean debris, much of it from land-based origins. Note that better litter management was a unifying recommendation from the Maui Task Force.

Maui County is encouraged to join two, free, private sector litter management programs that support personal responsibility by residents and visitors to Maui:

1) Malama 808 ([www.malama808.org](http://www.malama808.org))

This can serve as a model for Maui restaurants and businesses to participate and join more than 100 restaurants and businesses in Malama 808's pledge to:

- \* Keep trash control at the forefront of our management practices and conduct regular reviews of trash control procedures.





**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

- \* Survey our establishments to ensure that there are enough receptacles, and they are in the correct places to make disposing trash and recyclables convenient and effective.
- \* Ensure that trash and recycling receptacles are appropriately covered to prevent trash from flying away.
- \* Assess the trash that's collected on and around our establishments, and when there is a problem with trash escaping, take steps to correct the problem.
- \* Educate our employees and customers on the importance of making sure trash is managed properly.
- \* Consult best management practices for trash control and adapt them to our local needs; and

2) Litterati, (<http://www.litterati.org/> )

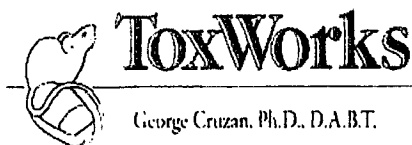
This is a free web program founded by Jeff Kirschner that encourages people to send digital photographs identifying the type and location of litter to the litterati internet data base.

By following the app instructions to photograph, identify, and tag by geographic location, each piece of litter's digital photographs are collected via #litterati-tagged photos on Instagram, and the photographer will properly disposed of it.

By joining Litterati, the County, through its participating employees, will collect data about the type and location of litter found and will pin-point litter hot spots. This can assist the County and others to target specific geographic locations and types of litter reduction needed.

We respectfully request that this measure be held in committee. Thank you for the opportunity to provide this testimony.





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

1153 Roadstown Road  
Bridgeton, NJ 08302  
phone: 856-453-3478  
fax: 856-453-3479  
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 12<sup>th</sup> 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**

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**From:** Quintana Ruiz, Ariella Leinani <arquintana@kiheicharter.org>  
**Sent:** Tuesday, November 29, 2016 12:37 PM  
**To:** County Clerk; IEM Committee; Mike White; Donald S. Guzman; Michael Victorino; Gladys Baisa; robert.carrol@mauicounty.us; Don Couch; Stacy S. Crivello; Elle Cochran; Riki Hokama  
**Subject:** Polystyrene Food Service Containers

Aloha Maui County Council Members,

My name is Ariella Quintana. I am a sophomore at Kihei Charter High School. I wanted to discuss about polystyrene food service containers. Polystyrene foam is a huge issue that is very important to inform the public about. Polystyrene takes about 1+ million years to decompose, and it is just littering our oceans. It might seem that it is not affecting us, but it would greatly affect future generations. Instead of decomposing, these small pieces of plastics will start to pile up and litter our oceans. Fishes and turtles would be mistaken by these small pieces and accidentally eat these plastics. These fishes would later end up on our dinner table, and no one wants to eat fish with plastic. Some might not notice the problem, but if you think about it polystyrene affects all of our lives. We want to make a difference before we start hurting our beautiful oceans, and we want to create a beautiful place for future generations. There are some alternative to polystyrene containers such as bowls and plates made from fiber (plant fiber clamshell, plant fiber bowl, etc). It might only cost some cents more, but I am sure the customer is willing to pay a little more to help the environment. For instance, Farmacy Health Bar in Wailuku uses organic ingredients and compostable take-out containers and utensils. Their business is very successful and has great reviews. It is not too late to help our environment and make a difference in our island. This change can be very impactful and can be the start of helping our world become a better place. Thank you for reading my opinion.

Mahalo,  
Ariella Quintana

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**Ariella Quintana**  
**10th Grade**

## IEM Committee

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**From:** Bello, Kaleb <kalebbello@kiheicharter.org>  
**Sent:** Tuesday, November 29, 2016 2:03 PM  
**To:** County Clerk; Don Couch; robert.carrol@mauicounty.us; Elle Cochran; IEM Committee; micheal.victorino@mauicounty.us; Donald S. Guzman; Riki Hokama; Mike White; Gladys Baisa; Stacy S. Crivello  
**Subject:** Bill IEM-05: Opinion

Aloha,

I am a tenth-grader currently enrolled in Kihei Charter High School, and I possess a vested interest in bill IEM-05, which was presented to you in the County Council at 1:30 PM yesterday. This bill, if passed, would ban the use of food containers made out of EPS foam in suppliers across Maui County. It goes without saying that such a bill is extremely controversial, and I have no doubt that you have been following both sides to great extent. Nonetheless, my fellow classmates and I would like to express our opinions on IEM-05, which while perhaps uneducated will provide an accurate image of our positions as the next generation of voters.

Personally, I am a supporter of IEM-05, coming from an environmentally-conscious family and being of a political inclination that is best described as lukewarm liberal. These are biases that I acknowledge may affect my argument for better or for worse, but thanks to the Foam Free Future campaign, I was able to research into the attributes and disadvantages of plastic, EPS foam, and their proposed replacements. A list of information on these materials follows.

- EPS foam is made from hundreds of polystyrene beads (polystyrene is made from styrene, a derivative of petroleum) formed into a useable shape, which is thrown away after use due to its fragility.
- The most popular alternatives to plastic and EPS foam are paper and bioplastics. Bioplastics are made "from renewable resources such as corn starch, tapioca roots, wood chips or sugar cane then mixed with lactic acid to form hardier containers that resemble petroleum based plastics and withstand grease and heat well (Foam Free Future. "Eco-Friendly Alternatives")." Unless petroleum in some form is used in production these bioplastics are compostable under intense heat in special factory, making them superior to current products. Unfortunately Hawaii does not possess such a facility.
- EPS foam is more widely used, and both subjects are arguably cheaper than the alternatives.

From this information, many conclusions can be drawn, but I believe that the facts point to the passing of IEM-05. Sustainable materials are a market in and of themselves, and retailers who use these products often gather considerable support. In fact, many companies have realized this and used loopholes in terminology and regulations to market their products as biodegradable when they are not strictly so. The county's previous transition from plastic to paper bags in stores was, as far as my memory goes, considerably well-received, which suggests a similar response to IEM-05. Finally, the prohibition of EPS foam in food suppliers is a better long-term choice. I understand that in the chaos of running an entire county with wants, needs, and an almost complete dependence on outside parties for resources long-term thinking is a lofty goal, but I would implore the County Council to look beyond election cycles and economics on this issue. As previously mentioned, EPS foam is derived from oil, which is the foremost producer of greenhouse gases discounting volcanoes. Global warming is a serious world issue, and by definition requires a change in lifestyle to combat it. EPS foam is not recyclable here in Hawaii, and conversion to other products via transport to Asia does nothing but

waste resources. There are already several businesses who use eco-friendly alternatives in Maui County, and these establishments would multiply if IEM-05 was passed, whether through the conversion of foam-using retailers or the starting of new businesses. Therefore, I support the prohibition of EPS foam in Maui County. Thank you for your time.

Sincerely,  
Kaleb Bello  
11/29/2016

Sincerely,  
Kaleb Bello  
11/29/2016

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**Kaleb Bello**

To: Maui County Council

November 28, 2016

Aloha,

Please accept my testimony. I support the Styrofoam ban.

Mary Whispering Wind,  
Puunene, HI



To: Maui County Council

November 28, 2016

Aloha,

Please accept my testimony. I support the Styrofoam ban.

Brian Murphy  
Makawao, HI

**IEM Committee**

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**From:** Coulter, Jade <jcoulter@kiheicharter.org>  
**Sent:** Tuesday, November 29, 2016 8:57 PM  
**To:** County Clerk; IEM Committee; Mike White; Donald S. Guzman; Michael Victorino; Gladys Baisa; robert.carrol@mauicounty.us; Don Couch; Stacy S. Crivello; Elle Cochran; Riki Hokama; John Fitzpatrick  
**Subject:** IEM-05 Bill -- Kihei Charter Highschool

Aloha County Council Members,

My name is Jade, and I am a Kihei Charter student in the tenth grade. I am concerned with the consideration of the IEM - 05 bill. I believe that Maui needs to pass this bill. We are an island community. Therefore, the protection of the ocean and island wildlife is especially important. Expanded polystyrene or EPS foam is not biodegradable, is not recyclable, and endangers marine lives, among other issues. These plastics break down into molecular substances so small that creatures ingest them and enter the food chain. Green sea turtles, Hawaiian monk seals, and spinner dolphins have been hurt by these plastics, and will continue to if this bill is not passed. The environment, creatures, and our communities deserve to have protection from issues like these. This bill may only be a percentage of the problem, but this can lead to future bills, decisions, and choices like it. We could stop these issues, and this bill may be an introduction to stopping them.

In addition, the local businesses that are most affected by this bill will only need to pay a few cents more than the polystyrene alternative. The consumers would also have to pay a couple cents more. If the public was informed by these businesses of the dangers of "styrofoam" meals, many people would oblige to the price increase. In conclusion, there are more benefits to passing this bill than there are disadvantages. It is in the interest of our short and long-term future. Thank you for your consideration. I look forward to your decision.

Sincerely,  
Jade Coulter  
10th Grade  
Kihei Charter High School

**IEM Committee**

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**From:** De Laveaga, Nicholas <ndelaveaga@kiheicharter.org>  
**Sent:** Tuesday, November 29, 2016 7:38 PM  
**To:** County Clerk; IEM Committee; Mike White; Donald S. Guzman; Michael Victorino; Gladys Baisa; robert.carrol@mauicounty.us; Don Couch; Stacy S. Crivello; Elle Cochran; Riki Hokama  
**Subject:** A Letter to the County Council: Single Use Plastic and Styrofoam Container Ban.

Aloha County Council Members,

It is to my understanding that this afternoon, around 1:30 pm, The Council Committee itself will be considering to pass a bill to prohibit the use of disposable polystyrene food service containers by food providers in the County of Maui, otherwise known as IEM-05. As a local resident of the island Maui, I can express nothing but joy for the passing of this bill, as it promises a great future for both the local environment and my residency here upon the island of Maui. I believe that this bill will provide a great opportunity for the betterment of the local environment here on Maui as much of the pollution related problems here revolve around plastic and Styrofoam being thrown about and disposed of improperly. Because of this, I believe that it is incredibly important that we in fact replace these plastic and Styrofoam food service containers with their much more Eco-friendly counterparts, such as plant fiber containers that breakdown quite easily compared to the almost 500 years it takes for Styrofoam to decompose. While a complete switch may cost a large some of money, I believe that it is in fact completely worth the expense, as this change will have an extremely positive impact on the local environment. I am confident you all will make the right choice.

Thank You For Your Time.

- Nicholas deLaveaga  
Kihei Charter High School  
10th Grade

## IEM Committee

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**From:** Xander Roberts <xanderroberts@kiheicharter.org>  
**Sent:** Wednesday, November 30, 2016 2:00 PM  
**To:** County Clerk; IEM Committee; Mike White; Donald S. Guzman; Michael Victorino; Gladys Baisa; robert.carrol@mauicounty.us; Don Couch; Stacy S. Crivello; Elle Cochran; Riki Hokama  
**Cc:** John Fitzpatrick  
**Subject:** IEM-05 Polystyrene ban

Good afternoon,

I'd like to take a short amount of your time to tell you why I feel it would be a good thing if you were to ban polystyrene containers.

First off I would like to talk about how polystyrene is bad for our environment. Polystyrene breaks up into small pieces very easily, when these pieces make there way to the ocean the fish eat them thinking that it's food. This poisons the fish, the fish are then caught and eaten by us humans, indirectly contaminating us.

Last, I would like to inform you that there are other more friendly ways of containing food. These ways are only 10-15¢ more than polystyrene, if you were to ask the population I bet they would be willing to pay a small fee to keep our beaches healthy.

Thank you for your time,  
Xander Roberts  
Kihei Charter Highschool

-Xander

-Xander

## **IEM Committee**

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**From:** Catherine DeBoni <hawaiicatherine@gmail.com>  
**Sent:** Thursday, December 01, 2016 8:10 AM  
**To:** IEM Committee  
**Subject:** Polystyrene Ban Bill

Aloha,

I wanted to contribute testimony to the polystyrene ban bill...

I see no reason why Maui should continue the use of this material particularly for food containers. It is dangerous to the environment and there are many affordable and biodegradable options that can be used in their place. The cost difference to consumers will be negligible but the difference to the environment and the community will be significant. Please consider the polystyrene ban as a way to consciously plan for Maui's future.

Sincerely,

Catherine DeBoni

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*Catherine DeBoni, L.M.T.*  
*WellSpring Therapeutic Massage*  
808 344 9512