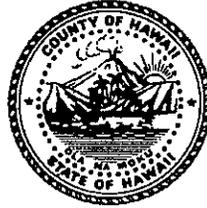


HB 2239



William P. Kenoi
Mayor

William T. Takaba
Managing Director

Lono A. Tyson
Director

Ivan M. Torigoe
Deputy Director

County of Hawai'i
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
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March 8, 2010

The Honorable Mike Gabbard, Chair
The Honorable J. Kalani English, Vice Chair
Committee on Energy and Environment
Hawai'i State Capitol
Honolulu, Hawai'i 96813

HEARING DATE: Tuesday, March 9, 2010
HEARING TIME: 2:50 p.m.
HEARING LOCATION: Conference Room 225

Re: Support House Bill 2239

Dear Senators Gabbard and English and Committee Members,

Thank you for the opportunity to present testimony on House Bill 2239.

The County of Hawai'i Department of Environmental Management is pleased to testify in support of this bill.

Best Regards and Aloha,

Lono Tyson
DIRECTOR

cc: Mayor William Kenoi



HAWAII FOOD INDUSTRY ASSOCIATION (HFIA)

1188 Bishop St., Suite 608, Honolulu, Hawaii 96813
Phone (808)533-1292 - Fax (808)539-2606 - Email: hawaiifoodind@aol.com

Tuesday, March 9, 2010 @ 2:50 p.m. in CR 225

To: Senate Committee on Energy & Environment
Senator Mike Gabbard, Chair
Senator J. Kalani English, Vice Chair

By: Richard C. Botti, President
Lauren Zirbel, government Relations

HB 2239 RELATING TO THE DEPOSIT BEVERAGE CONTAINER PROGRAM

Chairs & Committee Members:

The Hawaii Food Industry Association opposes this bill.

While we may have the same ultimate goals in protecting our environment, it appears that the Legislature spends their time attempting to solve the symptom of the problem, while we address the problem, and practical cost effective solutions to the problem. To do this, we must first identify the problem.

Because this measure is aimed at glass, we are looking at glass, and not a one size fits all solution where everything we don't like gets a deposit to force its return. Glass has little value, but is necessary for packaging. We can't ban glass. Spending millions of dollars to collect glass to recycle is not only cost ineffective, it does not make sense, since there is so much of it, and it has little recycling value. In fact, we believe it to have a negative value, based on our experience with it over the past fifteen years when the first glass ADF (Advance Disposal Fee) came into existence in Hawaii at the initiation of the Hawaii Food Industry Association. It cost too much to collect, too much to ship, and in essence, it is only good for creating low paying jobs. Anything we have to ship back to the Mainland other than aluminum is wasting resources.

So, what is glass, and where is it needed in Hawaii? The answer to what is glass is that it was sand, and it can be sand again. The answer to where is it needed in Hawaii is in our beaches.

We have identified the problem, and a need. Next comes to how to collect glass, make it back into sand, and replenish one of our most valuable resources, the beaches. To accomplish this, we don't have to re-invent the wheel. It is being done in Florida. What we do have to do is re-invent how we collect the glass. Our recommendations are as follows;

- Remove glass from the Beverage Deposit law, and require all glass to once again come under the glass ADF. It is currently 1.5 cents per unit;
- Re-allocate this money to each County as it now is, but require each county to collect glass separately from the waste stream (The Big Island already does this);

- Create a reasonable penalty for disposing of glass with other refuse to encourage consumers to separate their glass for proper disposal; and
- Use the Florida Broward County Office of Integrated Waste Management's Beach Renourishment Pre-Feasibility Study as a starting point to design the Hawaii Beach Renourishment Program.

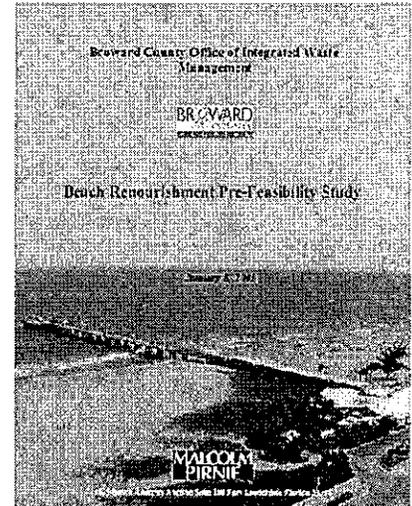
Important issues that should be addressed are:

- Glass will have to be separated by color in order to match the beach requirement, as discussed in the Broward County Study. This can be done up front, or through a MRF (Material Recovery Facility), or by consumers, which would be far less expensive on the system;
- The option of convincing the Professional Golf Assn. (PGA) to allow sand made from glass to be used in sand traps as another alternative.

Glass has no BTU rating as you can see by the charts to the right. Since it will not create energy, it does not belong in the waste stream. It does not burn in HPOWER, and in fact is a negative, because it can melt onto the walls, requiring sandblasting to remove it. It is being suggested that we will be mining our landfills in future years, thus the less glass in our landfills will increase the value of the Btu recovery for use in generating energy.

So, here is a blueprint for solving the environmental problems created by spent glass, while controlling costs, and addressing our beach erosion issue. This is why we oppose HB 2239. It addresses the symptom of one challenge, while we are looking at addressing three issues:

- Land Fills becoming landfills;
- Increasing the value of landfills as a future source of energy by removing as much glass as possible;
- Glass having little value as a recyclable product;
- Waste to Energy plants can't burn glass; and
- Solving our beach erosion problem.



The Energy Values Of Different Materials When Incinerated*

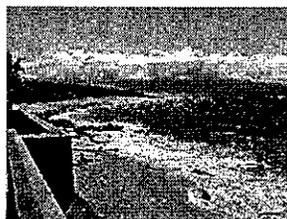
Material	**BTU per pound
Plastics	11,000-20,000
Rubber	10,000
Newspaper	8,000
Corrugated Boxes (paper)	7,000
Yard Wastes	3,000
Food Wastes	2,000
Average for MSW	4,500-4,500



*Source: Council on Plastics and Packaging in the Environment

**BTU stands for British Therand is defined as the amount of heat re-

Material	Btu/(pound)
Plastics	
PET	10,000
HDPE	19,000
Other Plastic Containers	16,400
Other Plastics	17,000
Rubber	12,800
Newspaper	8,000
Corrugated Boxes	7,000
Textiles	9,400
Wood	7,300
Average for MSW	5,900
Yard Waste	2,900
Food Waste	2,900
Common Fuels	
Fuel Oil	20,000
Western Coal	9,600





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HB 2239
RELATING TO THE DEPOSIT BEVERAGE CONTAINER PROGRAM

Senate Committee on Energy and Environment
Public Hearing – March 9, 2010
2:50 p.m., State Capitol, Conference Room 225

By
Peter Rappa, Environmental Center
Nicole Lowen, Environmental Center

HB 2239 removes the exemption for dietary supplements from the deposit beverage container program. This includes the increasing numbers of “energy” and “dietary supplement” drinks, which are often sold in recyclable plastic, glass, or aluminum containers.

Hawaii’s deposit beverage container program has been a huge success, diverting waste from landfills, reducing litter, creating jobs, and providing fundraising opportunities. It can be further improved by passing this legislation so that this policy covers dietary supplement drinks, which are often similar to or the same as other drinks sold in containers that are subject to the deposit beverage container program.

This bill would also reduce consumer confusion over what is and what is not a deposit beverage container. This would contribute to efficiency at redemption centers, helping both consumers and redemption center operators.

Thank you for the opportunity to comment on this bill.



Sierra Club Hawai'i Chapter

PO Box 2577, Honolulu, HI 96803
808.538.6616 hawaii.chapter@sierraclub.org

SENATE COMMITTEE ON ENERGY & ENVIRONMENT

March 9, 2010, 2:50 P.M.
(Testimony is 1 page long)

TESTIMONY IN SUPPORT OF HB 2239 WITH PROPOSED AMENDMENT

Aloha Chair Gabbard and Committee Members -

The Sierra Club, Hawai'i Chapter, supports HB 2239, which extends the deposit beverage container program to include dietary supplements. We suggest, however, this bill be amended to reflect the language contained in SB 2420 so as to include hard spirits and wine bottles in the beverage container program.

Hawaii's bottle law has proven to be an overwhelming success for Hawaii's environment, with ***over 930 million bottles and cans diverted from Hawaii's landfills annually.*** Beyond waste diversion, our recycling law reduces litter, creates jobs, and provides opportunities for churches, charities, and schools to fundraise. The recycling program proves that a little change can make a big difference.

Despite its success with redeeming over four billion beverage containers, ***the bottle law can be improved.*** Energy drinks are becoming increasingly popular and, unfortunately, these drinks are utilizing a loophole -- a "dietary supplement" exemption -- in order to evade complying with our beverage container (HI-5) law. There is no logical basis to exempt this growing class of beverages from our incredibly successful recycling program.

Further, expanding our beverage container program to include hard spirits and wine bottles is a necessary expansion of our recycling policy. The advance deposit fee of one cent is plainly not working. Millions of bottles and containers are not being recycled. If we want to move Hawai'i to a sustainable future and help solve our growing landfill crisis, we need to start taking the "small changes" necessary to eliminate our problems.

Thank you for the opportunity to testify.