



STATE OF HAWAII
DEPARTMENT OF HEALTH
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**Testimony in SUPPORT of SCR0023 SD1
URGING THE DEPARTMENT OF HEALTH'S ENVIRONMENTAL MANAGEMENT
DIVISION TO ENSURE THAT DESTINATIONS TO WHICH THE STATE'S
RECYCLABLE WASTE IS TRANSPORTED FOR OUT-OF-STATE PROCESSING
ABIDE BY THE ENVIRONMENTAL STANDARDS AS OUTLINED BY THE
BASEL CONVENTION**

REPRESENTATIVE NICOLE E. LOWEN, CHAIR
HOUSE COMMITTEE ON ENERGY & ENVIRONMENTAL PROTECTION
Hearing Date: 4/6/2021 Room Number: Via Videoconference

1 **Fiscal Implications:** None.

2 **Department Testimony:** The Department of Health (Department) supports SCR0023 SD1 to
3 ensure that recyclable plastic waste collected by the Department's Deposit Beverage Container
4 Program redemption centers are transported in compliance with the 2021 amendments to the
5 Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their
6 Disposal. The Department respectfully requests that SCR0023 SD1 be amended to acknowledge
7 that the Department does not have the enforcement authority to compel out-of-state recycling
8 destinations to which the State's recyclable waste may be transported to abide by the
9 environmental standards as outlined by the Basel Convention.

10 **Offered Amendments:** "BE IT RESOLVED by the Senate of the Thirty-first
11 Legislature of the State of Hawaii, Regular Session of 2021, the House of Representatives
12 concurring, that the Department of Health's Environmental Management Division is urged to
13 ensure that [~~destinations to which~~] the State's recyclable waste which is transported for out-of-
14 state processing abide by the environmental standards as outlined by the Basel Convention; and"

15 Additions appear as underlines and deletions appear as bracketed strikeouts.

16 Thank you for the opportunity to testify on this measure.



Environmental Caucus of The Democratic Party of Hawai'i

April 6, 2021

To: House Committee on Energy & Environmental Protection
Representative Nicole E. Lowen, Chair
Representative Lisa Marten, Vice Chair, and
Members of the House Committee on Energy & Environmental Protection

Re: SCR23 SD1: URGING THE DEPARTMENT OF HEALTH'S
ENVIRONMENTAL MANAGEMENT DIVISION TO ENSURE THAT
DESTINATIONS TO WHICH THE STATE'S RECYCLABLE WASTE
IS TRANSPORTED FOR OUT-OF-STATE PROCESSING ABIDE BY
THE ENVIRONMENTAL STANDARD AS OUTLINED BY THE BASEL
CONVENTION

Meeting: Tuesday, April 6, 2021, 10:00 a.m., Room 325 via videoconference

Position: **STRONG SUPPORT**

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

The Environmental Caucus of the Democratic Party of Hawai'i and its Natural Resources Committee are in **strong support** of SCR 23, SD1 as this Resolution urges the Department of Health's Environmental Management Division to Ensure that destinations to which the State's recyclable waste is transported for out-of-state processing abide by the environmental standards as outlined in the Basel Convention.

The overarching objective of the Basel Convention is to protect human health and the environment against the adverse effects of hazardous wastes. Its scope of application covers a wide range of wastes defined as "hazardous wastes" based on their origin and/or composition and their characteristics, as well as two types of wastes defined as "other wastes" – household waste and incinerator ash.

The provisions of the Convention center around the following principal objectives;

- (1) The reduction of hazardous waste generation and the promotion of environmentally sound management of hazardous wastes, wherever the place of disposal;
- (2) The restriction of transboundary movement of hazardous wastes except where it is



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perceived to be in accordance with the principles of environmentally sound management;
and

(3) A regulatory system applying to cases where transboundary movements are permissible.

The regulatory system is the cornerstone of the Basel Convention. Based on the concept of prior informed consent, it requires that, before an export may take place, the authorities of the State of export, i.e., Hawaii, notify the authorities of the prospective States of import and transit, providing them with detailed information on the intended movement. The movement may only proceed if and when all States concerned have given their written consent (articles 6 and 7). In the event of a transboundary movement of hazardous wastes having been carried out illegally, i.e., in contravention of the provisions of articles 6 and 7, or cannot be completed as foreseen, the Convention attributes responsibility to one or more of the States involved, and imposes the duty to ensure safe disposal, either by re-import into the State of generation or otherwise (articles 8 and 9). [Basel Convention > The Convention > Overview](#)

The Democratic Party of Hawai'i (Party) has adopted at its 2018 State Convention, clear safeguards to promote and protect our clean and healthy environment. At page 17 of the Party Platform, it specifically provides, to wit:

ENVIRONMENT

The Democratic Party of Hawai'i believes that the preservation and restoration of our natural environment is essential. We support a sustainable society that utilizes the earth in such a way that future generations will benefit from the practices of our generation. We support the restoration, preservation, and protection of our native ecosystems on each island. We believe in integrated approaches, practices, and support public policies that create and maintain a sustainable way of life in Hawai'i.

We believe in supporting best management practices in sustaining our environment and in increased citizen involvement. We support programs that encourage sustainable clean, efficient, creative and environmentally friendly modes of transportation, recycling and waste reduction.

The conservation, preservation and restoration of Hawai'i's natural resources are connected to health and welfare of our people; therefore, we support the conservation and protection of our natural environment, which includes reducing our carbon footprint for the benefit of current and future generations.



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We support the protection of our *'āina* against destruction by corporate, government, or military usage and expect full restoration and reparation of environmental damage.

We believe in the vigorous enforcement of our environmental laws and increased public-private stewardships and citizen involvement in protecting our resources.

We know that climate change is a real threat to our islands and the world. We strongly urge our candidates and elected officials to take immediate action to mitigate and adapt to the consequences of climate change. This includes funding adaptation measures including coastal retreat, effective participation of indigenous peoples in climate change governance, and recognition that indigenous, local, and traditional ecological knowledge is key in climate change adaptation solutions.

We strongly urge you to pass SCR 23, SD 1 as this Resolution urges the Department of Health's Environmental Management Division to ensure that destinations to which the State's recyclable waste is transported for out-of-state processing abide by the environmental standards as outlined in the Basel Convention, all of which requirements are consistent with the Democratic Party Platform as they require the vigorous enforcement of our environmental laws to observe the fundamental principles of environmentally sound waste management in protecting our resources.

Thank you very much for the opportunity to testify on this important measure.

Respectfully yours,

Alan B. Burdick
Co-Chair, Environmental Caucus
Co-Chair, Natural Resources Committee
Democratic Party of Hawai'i
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Melodie R. Aduja
Co-Chair, Environmental Caucus
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Derek Kurisu, KTA Superstores, *Advisor*
Beau Oshiro, C&S Wholesale Grocers, *Advisor*
Toby Taniguchi, KTA Superstores, *Advisor*

TO:
Committee on Energy and Environmental Protection
Rep. Nicole E. Lowen, Chair
Rep. Lisa Marten, Vice Chair

FROM: HAWAII FOOD INDUSTRY ASSOCIATION
Lauren Zirbel, Executive Director

DATE: April 6, 2021
TIME: 10am
PLACE: Via Videoconference

RE: SCR23 SD1 Urging the Department of Health's Environmental Management Division to Ensure That Destinations to Which the State's Recyclable Waste is Transported For Out of State Processing Abide by the Environmental Standards Outlines by the Basel Convention

Position: Support

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

HFIA is in support of these resolutions. Recyclable materials are a valuable resource and new technologies and developments are creating options for more effective and efficient recycling. We believe the ultimate goal of our State's waste management efforts should be to have affordable recycling options here in Hawaii for materials including glass, plastic, paper, and metal. Until those options can be created it makes sense to ensure that our recyclable materials are sent to locations where they can be responsibly processed for reuse. We thank you for the opportunity to testify.

SCR-23-SD-1

Submitted on: 4/4/2021 12:01:58 PM

Testimony for EEP on 4/6/2021 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Virginia Tincher	Individual	Support	No

Comments:

I strongly support SCR23 and appreciate the legislators who submitted this resolution. We are all one world and we must meet the standards of the Basel Convention to protect our world's environment.

SCR-23-SD-1

Submitted on: 4/5/2021 4:53:54 AM

Testimony for EEP on 4/6/2021 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Noel Morin	Individual	Support	No

Comments:

Dear Chair Lowen, Vice-chair Martin, and members of the Committee on Energy & Environmental Protection,

I'm am testifying in SUPPORT of SCR23 SD1.

We must be vigilant about how we manage our waste stream. One only needs to learn about the large garbage patches found in the gyres in our oceans to appreciate this need. If we are not cautious about where our trash ends up, we may further pollute and poison our planet and be impacted by the consequences.

SCR23 SD1 will help ensure that our waste management processes don't come back to 'bite' us. Please support it.

Sincerely,
Noel Morin