
A BILL FOR AN ACT

RELATING TO ENVIRONMENTAL PROTECTION.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that polystyrene foam
2 represents one of the most common forms of litter pollution in
3 Hawaii. The consumption of polystyrene foam containers in
4 Hawaii, none of which is recycled, is the highest per capita in
5 the United States. Polystyrene foam is ultra-light, which
6 allows it to easily escape collection systems and accumulate on
7 land and in waterways where it quickly aggregates and fragments
8 to form a highly visible and toxic litter stream. Polystyrene
9 foam fragments leach styrene, a known carcinogen, and other
10 toxins that then poison the local food chain. This poisonous
11 food chain impacts all species including birds, whales, turtles,
12 seals, and the fish that form the foundation of the local
13 fishing industry. Polystyrene foam pollution also defaces
14 Hawaii's iconic landscapes, which serve as the basis for the
15 tourism industry.

16 The legislature further finds that the cost to the State
17 and counties to clean polystyrene foam and other plastics from



1 storm drains, waterways, marine ecosystems, and other
2 aggregation points is well documented and increasingly
3 burdensome. A study by the Natural Resources Defense Council
4 showed that California taxpayers are shouldering \$428,000,000
5 per year to prevent litter, including plastics like polystyrene
6 foam, from becoming harmful pollution. For a city in California
7 with a population size comparable to that of Hawaii's, such as
8 San Diego, the cost is over \$14,000,000 per year in taxpayer
9 money. In 2016, following the continued flooding due to litter
10 in Hawaii's storm drains, the department of transportation
11 released a trash plan indicating that a prohibition on the sale
12 of polystyrene foam service ware and packaging would result in a
13 ten per cent reduction of the total cleanup costs of litter in
14 the State under the department of transportation's highway
15 division alone. This translates into millions of dollars in
16 savings to the Hawaii taxpayer. Given the unacceptable
17 environmental and economic impacts of polystyrene foam
18 pollution, the legislature believes that the use of polystyrene
19 foam containers by all establishments operating in Hawaii should
20 be prohibited, beginning with state agencies and departments
21 operating in state buildings or facilities.



1 beverages, including but not limited to plates, cups, bowls,
2 trays, and hinged or lidded containers. "Disposable food
3 service container" does not include single-use disposable straws
4 or utensils.

5 "Polystyrene" means a thermoplastic petrochemical material
6 utilizing a styrene monomer, including all polystyrene, meaning
7 any styrene or vinyl chloride polymer that is blown into a foam-
8 like material. Polystyrene includes materials created from
9 techniques including the fusion of polymer spheres (expandable
10 bead polystyrene), injection molding, foam molding, and
11 extrusion-blow molding (extruded foam polystyrene).

12 "Polystyrene foam container" means a container that is made
13 using polystyrene material.

14 § -2 **Prohibition on the use of polystyrene foam**
15 **containers.** (a) Beginning on January 1, 2018, no state agency
16 or department operating within any state-owned or state-run
17 building or facility shall enter into new contracts with vendors
18 to purchase polystyrene foam containers for serving food or
19 beverages.

20 (b) Beginning on January 1, 2020, no state agency or
21 department operating within any state-owned or state-run



1 building or facility shall serve food or beverages using
2 polystyrene foam containers.

3 (c) Beginning on January 1, 2020, any state agency or
4 department operating within any state-owned or state-run
5 building or facility using disposable food or beverage service
6 containers shall use containers made of compostable material.

7 § -3 Rules. The department shall adopt rules pursuant
8 to chapter 91 necessary to implement this chapter."

9 SECTION 3. This Act shall take effect upon its approval.

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H.B. NO. 1545

Report Title:

Food and Beverage Service Containers

Description:

Prohibits the use of polystyrene food and beverage containers in state-owned and state-run buildings and facilities beginning 1/1/2020. Requires that food and beverages be packed in compostable containers. Prohibits new contracts to purchase polystyrene food or beverage containers beginning 1/1/2018.

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