

NOTICE OF PUBLIC HEARING

Pursuant to Section 91-3(a), Hawaii Revised Statutes, the Department of Environmental Management of the County of Maui (“Department”) hereby provides notice of a Public Hearing to all persons interested, regarding the proposed adoption of amendments to administrative rules entitled “Rules Relating to Plastic Disposable Foodware” (“Rules”). The proposed Rules incorporate amendments prohibiting certain types of plastic disposable foodware in addition to polystyrene foodware, and establishing administrative guidelines, requirements, regulations, and procedures for the Department’s implementation of Chapter 20.26, Maui County Code, entitled “Rules Relating to Plastic Disposable Foodware,” which prohibits the sale, use, or provision of “plastic disposable foodware,” as defined.

Provisions contained in the proposed Rules are:

17-402-1	Title
17-402-2	Purpose
17-402-3	Definitions
17-402-4	Prohibition
17-402-5	Exemptions
17-402-6	Application for exemption under §17-402-5(3) for packaging in situations unique to the type of food
17-402-7	Application for exemption under §17-402-5(4) for packaging in situations unique to the food provider
17-402-8	Duration, renewal, and revocation of exemptions
17-402-9	Appeal
17-402-10	Violations and penalties

A copy of the proposed Rules may be downloaded in PDF format from the Department’s Environmental Protection & Sustainability Division (“EPS Division”) website at <https://www.mauicounty.gov/742/Environmental-Protection-Sustainability-> free of charge. A printed copy of the proposed Rules will also be mailed to any interested person who requests a copy and pays the required fees for copying and postage. Requests for a copy of the proposed Rules may be made at the Department of Environmental Management, EPS Division, 2145 Wells Street, Suite 103, Wailuku, Hawaii 96793, by email to recycle.mau@mauicounty.gov, or by calling (808) 270-7631. The proposed Rules may be reviewed in person free of charge at the Department of Environmental Management, EPS Division, between the hours of 8:00 a.m. to 12:00 p.m. and 1:00 p.m. to 4:00 p.m., Monday through Friday, excluding State holidays.

The Public Hearing will be conducted in accordance with the Hawaii Revised Statutes and the Maui County Code, as they may be suspended by Mayor or Gubernatorial Emergency Proclamation. Representatives from the Department will conduct the Public Hearing on the proposed Rules on July 14, 2021, at 12:30 p.m., or as soon thereafter as practicable, remotely using interactive conference technology, with the Department and testifiers participating via the BlueJeans platform. To watch or provide video testimony, use meeting link <https://bluejeans.com/920528764>. To join the meeting or provide oral testimony by phone, dial (408)915-6290 and enter Meeting ID: 920528764.

Any interested person may submit data, views, arguments, or other testimony on the proposed Rules, orally or in writing, at the Public Hearing noted above. Also, written testimony may be submitted by email to recycle.maui@mauicounty.gov or by mail to: Department of Environmental Management, EPS Division, 2145 Wells Street, Suite 103, Wailuku, Hawaii 96793. Written testimony must be received by the Department of Environmental Management before the Public Hearing closes on July 14, 2021.

Any person requesting accommodations due to disabilities must call the Department of Environmental Management at (808) 270-8230 at least six (6) days before the date of the scheduled Public Hearing.

If further information or clarification is needed, please call the Department of Environmental Management, EPS Division, at (808) 270-7631.

ERIC A. NAKAGAWA
Director, Department of
Environmental Management