
A BILL FOR AN ACT

RELATING TO SOLID WASTE.

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

1 SECTION 1. The legislature finds that the current solid
2 waste disposal surcharge of 35 cents per ton applies to waste
3 that is disposed at solid waste disposal facilities within the
4 State. The surcharge is applied to both landfilled waste and
5 waste that is disposed at the H-Power waste-to-energy facility
6 on Oahu.

7 The current annual revenue from the surcharge is
8 approximately \$500,000. However, current personnel costs of the
9 office of solid waste management, which oversees the State's
10 solid waste management program, exceed revenue from the
11 surcharge. The workload and personnel expenses of this office
12 continue to increase in relation to the increase in the number
13 of permitted landfills and waste disposal facilities that it
14 oversees.

15 The legislature finds that emerging solid waste disposal
16 practices in Hawaii are not subject to the solid waste disposal
17 surcharge. For example, solid waste that is accepted for
18 shipment out-of-state is not subject to the solid waste disposal



1 surcharge even though it is destined for disposal. In addition,
2 new waste processing technologies are entering the market that,
3 while disposing of waste, do not meet the current definition of
4 disposal under section 342G-1, Hawaii Revised Statutes. Despite
5 their innovative approaches to solid waste disposal, facilities
6 that use these new technologies require a solid waste permit and
7 are subject to regulation by the office of solid waste
8 management; however, they do not support the administration of
9 the solid waste management program through surcharge payments.
10 The net effect of these developments is an increasing workload
11 for the office of solid waste management combined with a
12 decreasing revenue stream.

13 The purpose of this Act is to extend the solid waste
14 management surcharge to the solid waste transferred to a solid
15 waste reduction facility.

16 SECTION 2. Section 342G-62, Hawaii Revised Statutes, is
17 amended by amending subsection (a) to read as follows:

18 "(a) There is established a solid waste management
19 surcharge. The solid waste management surcharge shall be 35
20 cents per ton of solid waste either disposed of within the State
21 at permitted or unpermitted solid waste disposal facilities[-]



1 or transferred to a solid waste reduction facility with the
2 State, including:

- 3 (1) Waste-to-energy facilities; and
4 (2) Facilities that collect solid waste for transport to
5 any landfill, incineration facility, or waste-to-
6 energy facility outside the State.

7 The surcharge shall be paid by the person or entity doing
8 the disposal. The owner or operator of the facility shall
9 transfer all moneys collected from the surcharge to the
10 department through a quarterly reporting and payment schedule.
11 Estimates of quarterly solid waste disposal shall be submitted
12 prior to the first day of each quarter and the transfer of
13 moneys collected shall occur within thirty days of the end of
14 each quarter."

15 SECTION 3. Statutory material to be repealed is bracketed
16 and stricken. New statutory material is underscored.

17 SECTION 4. This Act shall take effect on July 1, 2010.

18

INTRODUCED BY: *Humina Novita*

JAN 25 2010



Report Title:

Solid Waste; Disposal Surcharge

Description:

Applies the solid waste disposal surcharge to waste that is deposited in a landfill, incinerator, or waste-to-energy facility, and applies the surcharge to waste that is shipped out of state for disposal.

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