
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 only to
3 waste that is disposed at solid waste disposal facilities within
4 the state. The surcharge is applied to both landfilled waste
5 and waste that is disposed at the H-Power waste-to-energy
6 facility on Oahu.

7 The legislature finds that emerging solid waste disposal
8 practices in Hawaii are not subject to the solid waste disposal
9 surcharge. For example, collected solid waste destined for
10 shipment out-of-state is not subject to the solid waste disposal
11 surcharge even though it is regulated by the office of solid
12 waste management. In addition, facilities using new waste
13 processing technologies that, even though they dispose of solid
14 waste, do not meet the current definition of solid waste
15 disposal facility under section 342G-1, Hawaii Revised Statutes.
16 These new technologies require a solid waste permit and are
17 subject to regulation by the office of solid waste management;
18 however, they currently are not assessed the surcharge payments



1 to support the administration of the solid waste management
2 program. The net effect of these new disposal methods is an
3 increase in workload for the office of solid waste management
4 without a corresponding revenue stream.

5 The purpose of this Act is to clarify that the solid waste
6 management surcharge is applicable for all solid waste disposal
7 facilities that receive solid waste for ultimate disposal
8 through landfilling, incineration, or through a waste-to-energy
9 facility whether in state or out-of-state which are regulated by
10 the office of solid waste management.

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

13 "(a) There is established a solid waste management
14 surcharge. The solid waste management surcharge shall be 35
15 cents per ton of solid waste either disposed of within the State
16 at permitted or unpermitted solid waste disposal facilities[-]
17 and waste-to-energy facilities, or transferred to solid waste
18 reduction facilities within the State that collect solid waste
19 for transport to an out-of-state landfill, incineration
20 facility, or waste-to-energy facility.

21 The surcharge shall be paid by the person or entity doing
22 the disposal or the person or entity responsible for the



1 preparation for the out-of-state transfer of collected solid
2 waste. The owner or operator of the facility shall transfer all
3 moneys collected from the surcharge to the department through a
4 quarterly reporting and payment schedule. Estimates of
5 quarterly solid waste disposal shall be submitted prior to the
6 first day of each quarter and the transfer of moneys collected
7 shall occur within thirty days of the end of each quarter."

8 SECTION 3. Statutory material to be repealed is bracketed
9 and stricken. New statutory material is underscored.

10 SECTION 4. This Act shall take effect on July 1, 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. (HB2644 HD1)

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