
A BILL FOR AN ACT

RELATING TO LANDFILLS.

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

1 SECTION 1. The legislature finds that the Waimanalo gulch
2 landfill, located on the leeward coast, is the only existing
3 landfill on Oahu capable of receiving the total daily output of
4 non-reusable municipal solid waste.

5 The legislature further finds that prior to the
6 establishment of the municipal solid waste landfill at Waimanalo
7 gulch eighteen years ago, there were other municipal solid waste
8 landfills that operated on the leeward coast. The residents of
9 the leeward coast had the burden of all of Oahu's construction
10 and demolition waste, including asbestos, being deposited into a
11 privately-owned landfill that is adjacent to and mauka of
12 Nanakuli town. Additionally, there are two other privately-
13 owned landfills that operate on the leeward coast.

14 Besides the obvious health risks the leeward coast
15 residents may suffer as a result of these four landfills, they
16 are also impacted by certain other environmental concerns: the
17 H-power plant, the abandoned military ordnance, the

1 disproportionately large number of homeless, and horrendous
2 daily traffic conditions. Every day, approximately four hundred
3 trucks, many in the semi-tractor trailer category, travel to and
4 from privately-owned landfills or other business establishments
5 adding significantly to the traffic. Accordingly, the
6 legislature finds that there would be significant gridlock for
7 leeward coast residents if another landfill were opened in
8 Nanakuli, Maili, Waianae, Makaha, or Makua.

9 The purpose of this Act is to place a moratorium on the
10 construction of any new landfills or the expansion of any
11 existing private solid waste landfill unit on the leeward coast
12 including Nanakuli, Waianae, Maili, Makaha, and Makua on or
13 after August 1, 2009.

14 SECTION 2. Chapter 342H, Hawaii Revised Statutes, is
15 amended by adding a new section to part IV to be appropriately
16 designated and to read as follows:

17 "§342H- Leeward coast landfills; moratorium. Any law to
18 the contrary notwithstanding, no person, including any
19 government agency or entity, shall construct or operate a new
20 solid waste landfill unit, including a municipal solid waste
21 landfill or otherwise, or expand any existing private solid

1 waste landfill unit, or any component thereof, on or after
2 August 1, 2009, within the Oahu areas of:

3 (1) Nanakuli;

4 (2) Waianae;

5 (3) Maili;

6 (4) Makaha; and

7 (5) Makua;

8 provided that this section shall not apply to any municipal
9 solid waste landfill units existing prior to August 1, 2009, in
10 these areas.

11 For purposes of this section, "new solid waste landfill
12 unit" means any solid waste landfill unit that has not received
13 waste prior to August 1, 2009."

14 SECTION 3. New statutory material is underscored.

15 SECTION 4. This Act shall take effect upon its approval.

S.B. NO. 701
S.D. 1
S.D. 2
Proposed

Report Title:

Waianae Coast Landfills; Moratorium

Description:

Places a moratorium on any new solid waste landfill units and the expansion of any existing private solid waste landfill units on the leeward coast on or after 8/1/09. (SD2)

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