

Honolulu, Hawaii

Feb 11, 2010

RE: H.B. No. 2922

H.D. 1

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Fifth State Legislature
Regular Session of 2010
State of Hawaii

Sir:

Your Committee on Energy & Environmental Protection, to which was referred H.B. No. 2922 entitled:

"A BILL FOR AN ACT RELATING TO SOLID WASTE,"

begs leave to report as follows:

The purpose of this measure is to prohibit the disposal of fluorescent and compact fluorescent light bulbs in landfills and waste-to-energy facilities and incinerators in Hawaii.

Testimony in support of the intent of this measure was submitted by Waste Management of Hawaii and the Sierra Club, Hawaii Chapter. Testimony in opposition to this measure was submitted by the Department of Health and the Department of Environmental Services, City and County of Honolulu. Comments were submitted by Covanta Energy Group and Energy Management, Consulting, and Construction, LLC.

Your Committee finds that fluorescent and compact fluorescent light bulbs contain small amounts of mercury that are released into the environment when bulbs are crushed in landfills or during the incineration process. Mercury, even in small amounts, is hazardous and poses a serious threat to human health and the environment. Your Committee finds that prohibiting the disposal of fluorescent and compact fluorescent light bulbs in landfills, waste-to-energy facilities, and incinerators will prevent the release of mercury and encourage the recycling of the reusable components of these bulbs.



Your Committee notes that this measure, as written, could unintentionally impose liability on facilities that unknowingly accept fluorescent and compact fluorescent light bulbs for disposal or incineration. Accordingly, your Committee has amended this measure by:

- (1) Adding a knowledge requirement to the prohibition on the disposal or incineration of fluorescent and compact fluorescent light bulbs;
- (2) Requiring owners and operators of landfills, waste-to-energy facilities, and incinerators to provide written notice of the prohibition to their customers; and
- (3) Making technical non-substantive amendments for the purposes of clarity and style.

As affirmed by the record of votes of the members of your Committee on Energy & Environmental Protection that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2922, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2922, H.D. 1, and be referred to the Committee on Judiciary.

Respectfully submitted on
behalf of the members of the
Committee on Energy &
Environmental Protection,

Hermina Morita

HERMINA MORITA, Chair



State of Hawaii
House of Representatives
The Twenty-fifth Legislature

H9CR 270-10

Record of Votes of the Committee on Energy & Environmental Protection

Bill/Resolution No.: HB 2922	Committee Referral: EEP, JUD	Date: 2-9-2010 DC 2-4-10		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
EEP Members	Ayes	Ayes (WR)	Nays	Excused
1. MORITA, Hermina M. (C)	✓			
2. COFFMAN, Denny (VC)	✓			
3. CABANILLA, Rida	✓			
4. CHANG, Jerry L.				✓
5. CHONG, Pono				✓
6. HAR, Sharon E.	✓			
7. HERKES, Robert N.				✓
8. ITO, Ken	✓			
9. LEE, Chris	✓			
10. LUKE, Sylvia				✓
11. SAGUM, Roland D., III				✓
12. CHING, Corinne W.L.	✓			
13. THIELEN, Cynthia	✓			
TOTAL (13)	8	0	0	5
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. <div style="text-align: center; font-size: 0.8em;">committee acronym(s)</div>				
Vice Chair's or designee's signature: <u> Denny Coffman </u>				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				