

JAN 25 2012

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 sanitary landfill, located on the leeward coast, is the only
3 landfill on Oahu capable of receiving the total daily output of
4 non-reusable municipal solid waste. It is also the only
5 municipal solid waste facility owned by the city and county of
6 Honolulu. The island of Oahu produces more than 1.74 million
7 tons of municipal solid waste a year, and the Waimanalo gulch
8 sanitary landfill accepts about 300,000 tons of municipal solid
9 waste and about 100,000 tons of ash and residue from H-POWER
10 annually.

11 The legislature further finds that the department of health
12 has issued citations and fines to the city and county of
13 Honolulu and to the Waimanalo gulch sanitary landfill's
14 contracted operator, Waste Management Hawaii, for violations,
15 such as exceeding the landfill's allowed height, failure to
16 cover garbage with soil daily, failure to monitor levels of
17 methane gas, failure to measure and maintain records of liquid



1 levels in landfill sump pumps, and failure to record locations
2 of asbestos disposal.

3 Because of these conditions, residents along the leeward
4 coast continue to experience many health-related problems
5 including asthma, cancer, and other serious illnesses that may
6 be a result of the presence of the landfill.

7 With the expected growth in the amount of municipal solid
8 waste generated on Oahu, the city and county of Honolulu created
9 a blue ribbon panel in 2003 to study the possibility of a new
10 location for municipal solid waste disposal. Despite the
11 existence of the Waimanalo gulch sanitary landfill on the
12 leeward coast for eighteen years, the blue ribbon panel's
13 recommendations for a new location were still largely biased
14 toward siting a new landfill on the leeward coast.

15 The purpose of this Act is to place a moratorium for any
16 new landfills on the leeward coast including Nanakuli, Waianae,
17 Maili, Makaha, and Makua on or after August 1, 2012.

18 SECTION 2. Chapter 342H, Hawaii Revised Statutes, is
19 amended by adding a new section to be appropriately designated
20 and to read as follows:

21 "§342H- Leeward coast landfills; moratorium. Any law to
22 the contrary notwithstanding, no person, including any



1 government agency or entity, shall construct or operate a new
2 solid waste landfill unit on or after August 1, 2012, within the
3 Oahu areas of:

- 4 (1) Nanakuli;
- 5 (2) Waianae;
- 6 (3) Maili;
- 7 (4) Makaha; and
- 8 (5) Makua;

9 provided that this section shall not apply to any landfill units
10 existing prior to August 1, 2012, in 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, 2012."

14 SECTION 3. New statutory material is underscored.

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

16

INTRODUCED BY:  _____



S.B. NO. 2907

Report Title:

Landfills; Leeward Coast; Moratorium

Description:

Places a moratorium for any new landfills on the leeward coast including Nanakuli, Waianae, Maili, Makaha, and Makua on or after August 1, 2012.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

