
A BILL FOR AN ACT

RELATING TO SOLID WASTE.

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

1 SECTION 1. The purpose of this Act is to:

2 (1) Clarify that the solid waste management surcharge
3 applies to certain solid waste disposed of in
4 landfills or shipped outside the State for disposal;

5 (2) Clarify that the solid waste management surcharge
6 applies to solid waste disposed of at waste-to-energy
7 facilities that accept at least one hundred fifty
8 thousand tons of solid waste annually; and

9 (3) Amend solid waste management surcharge amounts using a
10 tiered structure commensurate with the impact of the
11 means of disposal on the department of health.

12 SECTION 2. Section 342G-1, Hawaii Revised Statutes, is
13 amended by adding a new definition to be appropriately inserted
14 and to read as follows:

15 "Waste-to-energy facility" means a facility that uses a
16 waste source either to create energy in the form of electricity
17 or heat or to derive a form of fuel through processes that
18 include incineration, gasification, thermal depolymerization,



1 pyrolysis, plasma arc gasification, anaerobic digestion,
2 fermentation, or mechanical biological treatment."

3 SECTION 3. Section 342G-62, Hawaii Revised Statutes, is
4 amended by amending subsection (a) to read as follows:

5 "(a) There is established a solid waste management
6 surcharge. The solid waste management surcharge shall be [35
7 cents]:

8 (1) \$ _____ per ton of solid waste disposed of within
9 the State at a permitted or unpermitted [~~solid waste~~
10 ~~disposal facilities.~~] landfill or transferred to a
11 solid waste reduction facility within the State that
12 collects solid waste for transport to an out-of-state
13 landfill or incineration facility; provided that there
14 shall be no surcharge for ash originating from waste-
15 to-energy facilities within the State that is disposed
16 of at any permitted or unpermitted landfill within the
17 State; and

18 (2) _____ cents per ton of solid waste disposed of
19 within the State at a permitted or unpermitted waste-
20 to-energy facility; provided that there shall be no
21 surcharge for solid waste disposed of within the State
22 at a permitted or unpermitted waste-to-energy facility



1 that accepts less than one hundred fifty thousand tons
2 of solid waste annually.

3 The surcharge shall be paid by the person or entity doing the
4 disposal[-] at a permitted or unpermitted landfill or at a
5 permitted or unpermitted waste-to-energy facility, or the person
6 or entity responsible for the preparation of the out-of-state
7 transfer of collected solid waste, as the case may be. The
8 owner or operator of the landfill or facility shall transfer all
9 moneys collected from the surcharge to the department through a
10 quarterly reporting and payment schedule. Estimates of
11 quarterly solid waste disposal shall be submitted prior to the
12 first day of each quarter and the transfer of moneys collected
13 shall occur within thirty days of the end of each quarter."

14 SECTION 4. Statutory material to be repealed is bracketed
15 and stricken. New statutory material is underscored.

16 SECTION 5. This Act, upon its approval, shall take effect
17 on January 1, 2014.



Report Title:

Solid Waste; Disposal Surcharge

Description:

Amends the solid waste management surcharge for solid waste disposed of in landfills, shipped out-of-state, or disposed of at waste-to-energy facilities. Provides for no surcharge for small waste-to-energy facilities and for ash disposed that originates from a waste-to-energy facility. (HB901 HD1)

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