

JAN 24 2013

---

# 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 1.6 million  
7 tons of waste a year, and the Waimanalo gulch sanitary landfill  
8 accepts about 400,000 tons of waste per year including about  
9 100,000 tons of ash from H-POWER generators.

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



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

5           With the expected growth in the amount of municipal solid  
6 waste generated on Oahu, the mayor's landfill site advisory  
7 committee identified and ranked eleven potential locations for a  
8 new landfill last year. Two of these sites are located on the  
9 leeward coast.

10           The purpose of this Act is to place a moratorium for any  
11 new municipal solid waste landfills on the leeward coast  
12 including Nanakuli, Waianae, Maili, Makaha, Makua, Honokai Hale,  
13 and Ko Olina on or after November 1, 2017.

14           SECTION 2. Chapter 342H, Hawaii Revised Statutes, is  
15 amended by adding a new section to be appropriately designated  
16 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 municipal solid waste landfill unit on or after November 1,  
21 2017, within the Oahu areas of:

22           (1) Nanakuli;



- 1        (2) Waianae;
- 2        (3) Maili;
- 3        (4) Makaha;
- 4        (5) Makua;
- 5        (6) Honokai Hale; and
- 6        (7) Ko Olina;





7    provided that this section shall not apply to any municipal  
 8    solid waste landfill units existing prior to November 1, 2017,  
 9    in these areas.

10        For purposes of this section, "new municipal solid waste  
 11    landfill unit" means any municipal solid waste landfill unit  
 12    that has not received waste prior to November 1, 2017."

13        SECTION 3. New statutory material is underscored.

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

15

INTRODUCED BY:   
  
  


# S.B. NO. 1341

**Report Title:**

Landfills; Leeward Coast; Moratorium

**Description:**

Places a moratorium for any new municipal solid waste landfills on the leeward coast including Nanakuli, Waianae, Maili, Makaha, Makua, Honokai Hale, and Ko Olina on or after November 1, 2017.

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

