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# A BILL FOR AN ACT

RELATING TO FOOD WASTE DISPOSAL.

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

1           SECTION 1. The legislature finds that, according to the  
2 United States Environmental Protection Agency and the United  
3 States Department of Agriculture, food waste is the second  
4 largest component in our waste stream and accounts for twenty-  
5 five per cent of all materials sent to our landfills. The city  
6 and county of Honolulu alone disposes of 20,000 tons of food  
7 waste per year to HPOWER, and incinerating wet food waste  
8 requires additional energy to process and dry, resulting in  
9 HPOWER's reduced operational efficiency.

10           The legislature also finds that high disposal tipping fees  
11 due to food waste weight are passed on to consumers, and can be  
12 reduced through food waste diversion strategies; and that the  
13 city and county of Honolulu is already operating a successful  
14 model program that requires food waste diversion from the  
15 municipal solid waste stream for commercial food waste  
16 generators.



1           The legislature further finds that recycling food waste and  
2 turning it into compost has high environmental benefits such as  
3 improving soil health, increasing drought resistance, and  
4 reducing the need for supplemental water, fertilizers and  
5 pesticides. Furthermore, applying compost and organic matter to  
6 soils sequesters carbon from the atmosphere, forming the largest  
7 land-based carbon sink, mitigating climate change, and  
8 effectively reducing greenhouse gas emissions. The legislature  
9 believes that food waste diversion will help move Hawaii towards  
10 the Aloha+ Challenge commitment of seventy per cent waste stream  
11 reduction by 2025.

12           The purpose of this Act is to:

- 13           (1) Remove food waste in the municipal solid waste stream;  
14           and  
15           (2) Create an advisory committee to investigate existing  
16           solid waste management infrastructure and resources  
17           necessary to support a food waste disposal reduction  
18           program.

19           SECTION 2. A commercial food wholesaler or distributor,  
20 industrial food manufacturer or processor, supermarket, resort  
21 or conference center that generates source separated organic



1 material and is located within twenty miles of a recycling  
2 facility that can accept that material, shall ensure that that  
3 those materials are recycled if the projected annual volume of  
4 source separated organic material is:

- 5 (1) One hundred or more tons per year beginning in 2018;
- 6 (2) Fifty or more tons per year beginning in 2020; and
- 7 (3) Ten or more tons per year beginning in 2022.

8 SECTION 3. (a) The office of solid waste management shall  
9 convene a solid waste infrastructure advisory committee to:

- 10 (1) Review the current solid waste management  
11 infrastructure in the State;
- 12 (2) Evaluate the sufficiency of existing solid waste  
13 management infrastructure to meet the requirements for  
14 eliminating food waste in the municipal solid waste  
15 stream by 2025; and
- 16 (3) Recommend development or construction of new solid  
17 waste management infrastructure in the State.

18 (b) The solid waste infrastructure advisory committee  
19 shall be composed of the following members, to be appointed by  
20 the director of health:



- 1           (1) Four representatives from the solid waste management
- 2                 districts from Oahu, Kauai, Maui, and Hawaii Island;
- 3           (2) One representative from the solid waste collection
- 4                 industry, who shall own or operate a material recovery
- 5                 facility;
- 6           (3) Two representatives from the solid waste commercial
- 7                 hauling industry; provided that one of the
- 8                 representatives shall serve rural or underserved areas
- 9                 of the State;
- 10          (4) One representative from the recycling industry for
- 11                 food residuals or leaf and yard residuals; and
- 12          (5) One representative from a Hawaii institution or
- 13                 business subject to the requirements of food waste
- 14                 diversion from the municipal solid waste stream.

15           The state solid waste management coordinator or the  
16 coordinator's designee shall serve as an ex officio member of  
17 the advisory committee.

18           (c) The solid waste infrastructure advisory committee  
19 shall have the following duties:

- 20           (1) Review the existing systems analysis of the State
- 21                 waste stream to determine whether the existing solid



1 waste management facilities operating in the State  
2 provide sufficient services to comply with the  
3 requirements of food waste diversion from the  
4 municipal solid waste stream by 2025, and meet any  
5 demand for services;

6 (2) Summarize the locations or service sectors where the  
7 State lacks sufficient infrastructure or resources to  
8 comply with the requirements of food waste diversion  
9 from the municipal solid waste stream by 2025,  
10 including the infrastructure necessary in each  
11 location;

12 (3) Estimate the cost of constructing the necessary  
13 infrastructure identified in paragraph (2);

14 (4) Review options for generating the revenue sufficient  
15 to fund the costs of constructing necessary  
16 infrastructure; and

17 (5) Review and determine additional needs for enforcement  
18 of food waste diversion from the municipal solid waste  
19 stream.

20 (d) On or before January 15, 2018, the solid waste  
21 infrastructure advisory committee shall submit, to the subject



1 matter committees in the senate and the house of representatives  
 2 that have jurisdiction over solid waste management issues, a  
 3 report of its findings and recommendations, including the  
 4 information in subsection (c).

5 (e) Members of the solid waste infrastructure advisory  
 6 committee shall serve without compensation but shall be  
 7 reimbursed for all expenses necessary for the performance of  
 8 their duties.

9 (f) The solid waste infrastructure advisory committee  
 10 shall be dissolved on June 30, 2018.

11 SECTION 4. There is appropriated out of the general  
 12 revenues of the State of Hawaii the sum of \$ or so  
 13 much thereof as may be necessary for fiscal year 2016-2017 for  
 14 the counties to comply with the new mandates imposed under this  
 15 Act.

16 The sum appropriated shall be expended by the counties for  
 17 the purposes of this Act, in the following amounts:

- 18 City and County of Honolulu \$
- 19 County of Hawaii
- 20 County of Kauai
- 21 County of Maui



# H.B. NO. 2648

1 SECTION 5. The legislature finds that the appropriations  
 2 to the counties under section 4 satisfies requirements under  
 3 article VIII, section 5, of the state constitution regarding the  
 4 sharing of costs for state-imposed mandates to the counties.

5 SECTION 6. This Act shall take effect on July 1, 2016.

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INTRODUCED BY:

*[Signature]*

*[Signature]*

*[Signature]*

*[Signature]*

*Nicole E. Lowen*

*Felhi Pouch*

*[Signature]*

JAN 27 2016



# H.B. NO. 2648

**Report Title:**

Solid Waste; Food; Disposal; Advisory Committee; Appropriation

**Description:**

Establishes a phased reduction of food waste in the municipal solid waste stream. Establishes an advisory committee to evaluate solid waste infrastructure needs. Makes an appropriation.

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

