

MAR 11 2016

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## SENATE CONCURRENT RESOLUTION

REQUESTING ALL STATE AND COUNTY AGENCIES TO ADOPT PROCEDURES  
REQUIRING CONTRACTS THAT INCLUDE THE DISPOSAL OF LIQUID OR  
SOLID WASTE OR INERT FILL MATERIAL TO INCLUDE A RECEIPT  
FROM A RECEIVING FACILITY SHOWING THAT THE WASTE WAS  
PROPERLY RECEIVED AND LAWFULLY DISPOSED OF PRIOR TO MAKING  
PAYMENT TO THE CONTRACTOR.

1           WHEREAS, the City and County of Honolulu conducted a public  
2 survey to assess perspectives about illegal dumping and found  
3 the public's frustration with illegal dumping was apparent, with  
4 ninety-one percent of the residents surveyed describing illegal  
5 dumping as a "somewhat or very serious" problem; and  
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7           WHEREAS, the City and County of Honolulu surveyed illegal  
8 dumping prevention programs in other states and found, across  
9 the board, that engaging communities affected by the problem is  
10 the most effective means of cleaning up illegal dumping sites  
11 and preventing recurrence; and  
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13           WHEREAS, illegal dumping is sometimes a deliberate criminal  
14 act, and reports of illegal dumping have led to criminal  
15 investigations and reductions of dumping frequency in certain  
16 areas, but culprits are difficult to catch in the act and  
17 prosecute; and  
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19           WHEREAS, in April 2015, Hawaii News Now reported that the  
20 Department of Health fined a landscaping and tree trimming  
21 company and a recycling company nearly \$40,000 for illegally  
22 dumping in a former pineapple field in Wahiawa; and  
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24           WHEREAS, it was reported that much of the illegally dumped  
25 trash came from the State and the City and County of Honolulu  
26 (City) because the landscaping and tree trimming company was  
27 hired by the Department of Land and Natural Resources to haul  
28 away dredging debris from the Ala Wai Canal in 2010 and the



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1 recycling company removed ash and metal debris from the City's  
2 HPower plant; and

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4 WHEREAS, one particular type of illegal dumping occurs when  
5 people dispose of liquid or solid waste or inert fill material  
6 illegally; and

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8 WHEREAS, there is a need to help control and monitor the  
9 disposal of liquid and solid waste and inert fill material at  
10 permitted waste facilities or other sites authorized to accept  
11 inert fill material and prevent companies from dumping waste  
12 anywhere else; and

13  
14 WHEREAS, sometimes liquid or solid waste or inert fill  
15 material waste results from government construction projects;  
16 and

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18 WHEREAS, requiring contractors who work on government  
19 projects to provide receipts that waste or fill material was  
20 received at authorized facilities before payment is made for  
21 those services would serve as a deterrent to illegal dumping and  
22 benefit the safety, health, and welfare of residents, streams,  
23 and the land and ocean; now, therefore,

24  
25 BE IT RESOLVED by the Senate of the Twenty-eighth  
26 Legislature of the State of Hawaii, Regular Session of 2016, the  
27 House of Representatives concurring, that all state and county  
28 agencies are requested to adopt procedures requiring a contract  
29 that includes the disposal of liquid or solid waste to include a  
30 receipt from a licensed waste management facility showing that  
31 the waste was properly received and lawfully disposed of in an  
32 appropriate, licensed waste facility in order for payment to be  
33 made by the state or county agency; and

34  
35 BE IT FURTHER RESOLVED that a receipt from a contract that  
36 includes the disposal of inert fill is requested to show that  
37 inert fill was disposed of at one or more of the following  
38 locations:

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40 (1) Recycling facility;

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(2) Facility used to repurpose material for other construction projects; or

(3) Farm lot with an approved soil and water conservation plan or construction site with a permit to grade and fill the site or stockpile fill on site; and

BE IT FURTHER RESOLVED that receipts from licensed facilities are requested to be by weight and receipts from other facilities, such as farms or construction sites, note the following:

(1) Number of truck loads accepted by the site;

(2) Type of material received;

(3) Address of the site and name of the agent authorized to accept the fill; and

(4) Reference number of the farm soil and water conservation plan or construction permit number, as applicable; and

BE IT FURTHER RESOLVED that certified copies of this Concurrent Resolution be transmitted to the Governor; Administrator of the State Procurement Office, who in turn is requested to distribute a copy to each Chief Procurement Officer of the State and counties; Mayor of the City and County of Honolulu; Mayor of the County of Maui; Mayor of the County of Hawaii; Mayor of the County of Kauai; City and County of Honolulu Director of the Department of Environmental Services; County of Maui Director of the Department of Environmental Management; County of Hawaii Director of the Department of Environmental Management; and County of Kauai County Engineer of the Department of Public Works.

OFFERED BY: 

  
  


  


