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



1 Wai Canal in 2010 and the recycling company removed ash and
2 metal debris from the City's HPower plant; and

3
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

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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,

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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

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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:

- 39
40 (1) Recycling facility;
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- 1 (2) Facility used to repurpose material for other
- 2 construction projects; or
- 3
- 4 (3) Farm lot with an approved soil and water conservation
- 5 plan or construction site with a permit to grade and
- 6 fill the site or stockpile fill on site; and
- 7

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

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- 13 (1) Number of truck loads accepted by the site;
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- 15 (2) Type of material received;
- 16
- 17 (3) Address of the site and name of the agent authorized
- 18 to accept the fill; and
- 19
- 20 (4) Reference the holder of the farm soil and water
- 21 conservation plan or construction permit number, as
- 22 applicable; and
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24 BE IT FURTHER RESOLVED that certified copies of this
 25 Concurrent Resolution be transmitted to the Governor;
 26 Administrator of the State Procurement Office, who in turn is
 27 requested to distribute a copy to each Chief Procurement Officer
 28 of the State and counties; Mayor of the City and County of
 29 Honolulu; Mayor of the County of Maui; Mayor of the County of
 30 Hawaii; Mayor of the County of Kauai; City and County of
 31 Honolulu Director of the Department of Environmental Services;
 32 County of Maui Director of the Department of Environmental
 33 Management; County of Hawaii Director of the Department of
 34 Environmental Management; and County of Kauai County Engineer of
 35 the Department of Public Works.

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