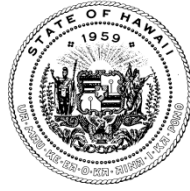


SB 498

DAVID Y. IGE
GOVERNOR



FORD N. FUCHIGAMI
DIRECTOR

Deputy Directors
JADE T. BUTAY
ROSS M. HIGASHI
EDWIN H. SNIFFEN
DARRELL T. YOUNG

STATE OF HAWAII
DEPARTMENT OF TRANSPORTATION
869 PUNCHBOWL STREET
HONOLULU, HAWAII 96813-5097

IN REPLY REFER TO:

February 19, 2015
3:00 p.m.
State Capitol, Room 225

S.B. 498
RELATING TO WASTE MANAGEMENT

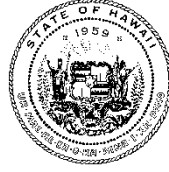
Senate Committees on Energy and Environment, Government Operations, and Public
Safety, Intergovernmental and Military Affairs

The Department of Transportation (DOT) **strongly supports** the intent of this bill, which would require all state or county agency contracts that include disposal of liquid or solid waste to provide a receipt that the waste was received and disposed of at a licensed facility before full or partial payment for those contractual services.

However, DOT also recognizes that not all waste materials require disposal in a licensed facility. The bill should be clarified to state that this requirement only applies to waste that requires disposal in a licensed facility.

Thank you for the opportunity to provide testimony.

DAVID Y. IGE
GOVERNOR



DOUGLAS MURDOCK
Comptroller

STATE OF HAWAII
DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES
P.O. BOX 119, HONOLULU, HAWAII 96810-0119

WRITTEN TESTIMONY
OF
DOUGLAS MURDOCK, COMPTROLLER
DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES
TO THE
SENATE COMMITTEES
ON
ENERGY AND ENVIRONMENT,
GOVERNMENT OPERATIONS
AND
PUBLIC SAFETY, INTERGOVERNMENTAL AND MILITARY AFFAIRS
ON
FEBRUARY 19, 2015

S.B. 498

RELATING TO WASTE MANAGEMENT

Chair Gabbard, Chair Dela Cruz, Chair Espero, and members of the Committees, thank you for the opportunity to submit written testimony on S.B. 498.

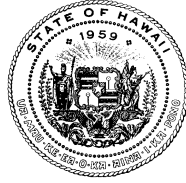
The Department of Accounting and General Services (DAGS) does not support S.B. 498. The proposed requirement for contractors to submit a receipt from a “licensed waste management facility” showing that waste was properly received and lawfully disposed of in an appropriate, “licensed waste facility” as a condition for full or partial payment by the contracting agency creates an undue burden on the State or County contracting agency for enforcement.

Under some contracts, the State or County may have an obligation to make partial payments before the need for waste disposal. This bill would block partial payments until the contractor begins the waste disposal process.

In addition, if the contractor is willing to engage in improper disposal this bill will not stop the contractor. They could properly dispose of enough waste to submit a receipt and then improperly dispose of the remainder, or alternatively the contractor could submit waste disposal receipts from other projects in satisfaction of this requirement. Without an established chain-of-custody system in place, there is no means to track what a contractor does with construction waste once it is created. That is, there is no way to ensure that the receipt is directly related to waste from any specific project. Chain-of-custody logs are cumbersome, costly, and currently used solely for regulated and hazardous waste disposal.

DAGS also understands that the Department of Health only issues “permits” to waste management facilities. If you go forward with the bill, we recommend you change “licensed waste facility” to “permitted waste facility”.

Thank you for the opportunity to submit written testimony on this matter.



STATE OF HAWAII
DEPARTMENT OF HEALTH
P. O. Box 3378
Honolulu, HI 96801-3378
doh.testimony@doh.hawaii.gov

Testimony in SUPPORT of S.B. 498
RELATING TO WASTE MANAGEMENT

SENATOR MIKE GABBARD, CHAIR
SENATE COMMITTEE ON ENERGY AND ENVIRONMENT
SENATOR DONOVAN DELA CRUZ, CHAIR
SENATE COMMITTEE ON GOVERNMENT OPERATIONS
SENATOR WILL ESPERO, CHAIR
SENATE COMMITTEE ON PUBLIC SAFETY, INTERGOVERNMENTAL AND
MILITARY AFFAIRS

Hearing Date: February 19, 2015 Room Number: 225
Time: 3:00pm

1 **Fiscal Implications:** None.

2 **Department Testimony:** The Department supports this measure. This measure proposes to
3 require all state and county agency contracts that include disposal of liquid or solid waste to
4 provide a receipt that the waste was received and disposed of at a licensed facility before full or
5 partial payment is made for those contractual services.

6 Hawaii Revised Statutes 342H-30 requires that, “No person, including any public body, shall
7 discard, dispose of, deposit, discharge, or dump solid waste, or by contract or otherwise arrange
8 directly or indirectly for the disposal of solid waste...anywhere other than a permitted solid
9 waste management system without the prior written approval of the director.” This measure will
10 not only help state and county waste generators comply with this law, but also will help prevent
11 their contractors from illegal dumping.

12 Thank you for the opportunity to testify on this measure.

13

14

15

16

From: mailinglist@capitol.hawaii.gov
To: [ENETestimony](#)
Cc: prentissc001@hawaii.rr.com
Subject: Submitted testimony for SB498 on Feb 19, 2015 15:00PM
Date: Wednesday, February 11, 2015 10:10:49 PM

SB498

Submitted on: 2/11/2015

Testimony for ENE/GVO/PSM on Feb 19, 2015 15:00PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Charles Prentiss	Kailua Neighborhood Board	Support	No

Comments: We strongly support this measure to require that all state and county agency contracts that include disposal of liquid or solid waste to provide a receipt that the waste was received and disposed of at a licensed facility before full or partial payment is made for those contractual services. . There have been recent examples of undocumented dumping in Ewa, Waianae and Kailua (into a wetland/wildlife Sanctuary). It is irresponsible for governments to contract for dumping without knowing where the dumping will occur.

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

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From: mailinglist@capitol.hawaii.gov
To: [ENETestimony](#)
Cc: psgegen@hotmail.com
Subject: Submitted testimony for SB498 on Feb 19, 2015 15:00PM
Date: Monday, February 09, 2015 9:59:40 PM

SB498

Submitted on: 2/9/2015

Testimony for ENE/GVO/PSM on Feb 19, 2015 15:00PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
pat gegen	Zero Waste Kauai	Support	No

Comments: Make sure it is done right!

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

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**LARRY JEFTS FARMS, LLC
PO BOX 27
KUNIA, HAWAII 96759
(808) 688-2892**

SB 498, Relating to Waste Management
Senate ENE/GVO/PSM Committee
Thursday, February 19, 2015
3:00 pm
Conference Room 225

Testimony by: Larry Jeffs
Position: Support

Chairs Gabbard, Dela Cruz, Espero and Members of the Senate
ENE/GVO/PSM Committees:

I am Larry Jeffs, owner and operator of Larry Jeffs Farms, LLC, which is part of our family-run business of farms on Oahu and Molokai, under the administrative umbrella of Sugarland Growers, Inc. We have more than 35 years of Hawaii farm experience on Molokai and Oahu.

The illegal disposal of liquid or solid waste is a problem for protection of Hawaii's soil and water resources.

SB 498 proposes a mechanism that will make it harder for the illegal disposal of liquid or solid waste by requiring state and county contracts to express that state contractors must show evidence of receipt of such waste disposal by a licensed facility. Failure to show a receipt of proper disposal shall mean that the contractor will not receive full payment.

Please support this two-step solution to manage proper disposal of liquid or solid waste.

Thank you for the opportunity to present testimony.

From: mailinglist@capitol.hawaii.gov
To: [ENETestimony](#)
Cc: amybrinker@mac.com
Subject: *Submitted testimony for SB498 on Feb 19, 2015 15:00PM*
Date: Wednesday, February 18, 2015 10:21:17 PM

SB498

Submitted on: 2/18/2015

Testimony for ENE/GVO/PSM on Feb 19, 2015 15:00PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Amy Brinker	Individual	Support	No

Comments:

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