
A BILL FOR AN ACT

RELATING TO COMPOSTING.

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

1 SECTION 1. The legislature finds that the human-induced
2 global climate requires a thoughtful, bold, and coordinated
3 response on many fronts in order to reverse global warming and
4 make Hawai'i communities more resilient to the impact of storms,
5 floods, fire, and sea level rise that threaten the very
6 survivability of these fragile islands. Lest Hawai'i lose its
7 leadership position in meeting the future, and in the arenas of
8 labor, justice, and equity, the legislature embraces aloha 'āina
9 to decarbonize Hawai'i's systems of food, energy, and
10 transportation, and to sequester carbon through systems of
11 agriculture, waste management, and ecosystem restoration. The
12 good jobs created thereby also expand access to health, housing,
13 and education, ensuring justice and equity for Hawai'i's
14 citizens. The following measure represents a forward step in
15 mitigating in adapting Hawai'i to inevitable change.



1 As evidence mounts that our survival depends on
2 transitioning away from carbon based fuels, a greater
3 understanding of the relationship between human activities and
4 the earth's natural systems points to the additional need for an
5 equally ambitious effort to remove carbon from the atmosphere by
6 increasing the carbon sequestration capacity of earth's soils.
7 The rationale for this strategy can be found in long-standing
8 soil science as well as current sober assessments that
9 greenhouse gas reduction efforts alone would be inadequate to
10 restore livable climatic conditions.

11 Even if humans stop emitting greenhouse gases (GHGs)
12 immediately, the volume of GHGs already present in the
13 atmosphere is enough to ensure increased warming for 30 years.
14 While climate scientists have determined that 106.25 gigatons of
15 carbon must be withdrawn from the atmosphere to reverse global
16 warming, soil scientists have demonstrated that the potential
17 for earth's soils to absorb carbon far exceeds this amount.
18 Scientific studies demonstrate that because healthy soils are
19 capable of holding twice the carbon stocks of plants, the key to
20 building soil carbon sequestration capacity lies in building
21 healthy soil.



1 The legislature further finds that the use of composted
2 organics with their vast stores of macro- and micro- nutrients
3 greatly improves the health of all soils in ways that protect
4 and enhance natural systems, while imported, petroleum-based and
5 energy-intensive fertilizers destabilize a healthy soil
6 microbiome.

7 The legislature also acknowledges that actions taken to
8 improve soil health as a means to reverse climate change support
9 Hawai'i's goal, as outlined in the Aloha+ Challenge, of a seventy
10 per cent reduction in the State's solid waste stream.

11 Although the exact percentage varies from island to island,
12 organics constitute the largest single component of Hawai'i's
13 waste stream, and account for at least fifty per cent of the
14 materials discarded each year, with this category including
15 food, food-contaminated paper, and yard trimmings. As
16 grassroots initiatives like the City and County of Honolulu's
17 recent single-use plastics ban expand statewide, and as
18 businesses voluntarily adopt earth-friendly plastic substitutes,
19 the percentage of organics in the waste stream will grow, making
20 the diversion of waste organics into composting programs the



1 least costly and most direct method for the State to meet its
2 solid waste reduction goals.

3 The legislature further finds that because organics in
4 landfilled waste are the largest source of human-generated
5 methane, and because methane is a GHG with a global warming
6 potential thirty-six times that of carbon dioxide over a twenty-
7 year period, the diversion of waste organics into composting
8 programs offer the least costly and most direct method for
9 significantly reducing the amount of methane emitted from
10 Hawai'i's landfills.

11 The legislature further seeks to acknowledge the economic
12 benefits that accrue to Hawai'i's farmers when they are able to
13 include compost sales and carbon sequestration incentives to
14 their income streams.

15 The purpose of this Act is to address the urgent need to
16 expand the State's capacity for capturing and processing the
17 organic waste its residents and visitors generate in a way that
18 reduces landfill waste while supporting local farmers and the
19 State's commitment to take effective climate action. This Act
20 proposes to create a class of artisan-scale composting
21 operations that are exempt from department of health regulations



1 and easily established by farmers and others as a means to
2 divert organic materials from Hawai'i's landfills and sequester
3 atmospheric carbon.

4 SECTION 2. Chapter 225P, Hawaii Revised Statutes, is
5 amended by adding a new section to be appropriately designated
6 and to read as follows:

7 "§225P- Artisan-scale composting program. There is
8 established within the department a class of artisan-scale
9 composting operations that are sited on land zoned industrial or
10 agricultural and are exempt from department of health rules
11 given that such operations do not produce vectors, dust or odors
12 that unreasonably impact neighbors of the operation, as
13 determined by the department, and when no waste accepted remains
14 on-site for more than thirty-six months. No more than one
15 exempt facility specified in this section can be located on
16 geographically contiguous land owned or operated by the same
17 person. Sufficient bulking agent must be used to provide proper
18 aeration and control leachate migration. For these facilities,
19 precipitation, surface water, and groundwater that has come in
20 contact with yard trimmings or the resultant product is not
21 considered leachate, if it is managed within the site and is



1 allowed to enter a surface waterbody or a conveyance to a
2 surface waterbody, and does not cause a violation of state water
3 quality standards."

4 SECTION 3. Section 225P-2, Hawaii Revised Statutes, is
5 amended by adding two new definitions to be appropriately
6 inserted and to read as follows:

7 "Artisan scale" means a composting operation that accepts,
8 measured on a monthly average, no more than one thousand pounds
9 or one cubic yard, whichever is greater, of organic materials
10 per week; provided no more than two thousand pounds are accepted
11 in any one week; a composting facility located at a site
12 controlled by the waste generator; or a composting facility that
13 accepts no more than three thousand cubic yards of yard
14 trimmings per year.

15 "Department" means the department of health."

16 SECTION 4. New statutory material is underscored.

17 SECTION 5. This Act shall take effect on July 1, 2020.

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INTRODUCED BY: Alan O'R
JAN 22 2020



H.B. NO. 2394

Report Title:

Organic Waste; Composting; Department of Health

Description:

Establishes a class of artisan-scale composting operations exempt from department of health regulations to divert organic materials from Hawai'i's landfills.

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

