
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. The Green New Deal, a
7 proposed package of United States legislation that aims to
8 address climate change and economic inequality, is one such
9 response. Lest Hawai'i lose its leadership position in meeting
10 the future, and in the arenas of labor, justice, and equity, the
11 legislature embraces aloha 'āina to decarbonize Hawai'i's systems
12 of food, energy, and transportation, and to sequester carbon
13 through systems of agriculture, waste management, and ecosystem
14 restoration. The good jobs created thereby also expand access
15 to health, housing, and education, ensuring justice and equity
16 for Hawai'i's citizens. This Act represents a forward step in
17 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 immediately,
12 the volume of greenhouse gases already present in the atmosphere
13 is enough to ensure increased warming for thirty years. While
14 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15 carbon must be withdrawn from the atmosphere to reverse global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 greenhouse gas with a global
6 warming potential thirty-six times that of carbon dioxide over a
7 twenty-year period, the diversion of waste organics into
8 composting programs offers the least costly and most direct
9 method for significantly reducing the amount of methane emitted
10 from 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 to reduce
18 landfill waste while supporting local farmers and the State's
19 commitment to take effective climate action. This Act proposes
20 to create a class of artisan-scale composting operations that
21 are exempt from department of health regulations and easily



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

4 SECTION 2. Chapter 342H, Hawaii Revised Statutes, is
5 amended by adding a new section to be appropriately designated
6 and to read as follows:

7 "§342H- Artisan-scale composting program. There is
8 established within the department of health a class of artisan-
9 scale composting operations that are sited on land zoned
10 industrial or agricultural and are exempt from department of
11 health compost permitting requirements; provided that such
12 operations do not produce vectors, dust, or odors that
13 unreasonably impact neighbors of the operation, as determined by
14 the department; provided further that no waste accepted remains
15 on-site for more than thirty-six months. No more than one
16 exempt facility specified in this section shall be located on
17 geographically contiguous land owned or operated by the same
18 person. Sufficient bulking agent shall be used to provide
19 proper aeration and control leachate migration. In order to
20 maintain the compost permitting exemption, artisan composters
21 shall maintain documentation that they are complying with this



1 section. Documentation shall include but is not limited to the
2 amount and type of waste accepted and when and where the
3 finished compost is land-applied. Artisan composters shall make
4 records available for department review upon request.

5 For purposes of this section, "artisan scale" means a
6 composting operation that accepts, measured on a monthly
7 average, no more than one cubic yard of green waste or yard
8 trimmings, agricultural plant materials, vegetable and fruit
9 waste, or coffee grounds and tea leaves per month at a site
10 controlled and owned by the waste generator with the finished
11 compost applied and controlled by the same waste generator."

12 SECTION 3. New statutory material is underscored.

13 SECTION 4. This Act shall take effect on July 1, 2020.



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 Hawaii's landfills. (SD2)

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