

JAN 20 2023

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 crisis requires a thoughtful, bold, and
3 coordinated response on many fronts to reverse global warming
4 and make the State's communities more resilient to the impact of
5 storms, 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 Hawaii lose its leadership position in meeting
10 the future, and in the arenas of labor, justice, and equity, the
11 legislature embraces aloha aina to decarbonize Hawaii's systems
12 of food, energy, and transportation, and to sequester carbon
13 through systems of agriculture, waste management, and ecosystem
14 restoration. The quality of jobs resulting from these efforts
15 also expand access to health, housing, and education, ensuring
16 justice and equity for Hawaii's citizens. This Act represents a
17 forward step in adapting Hawaii to inevitable change.



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

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14 have determined that 106.25 gigatons of carbon must be withdrawn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



1 The legislature also 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 to reverse climate change support Hawaii's
9 goal, as outlined in the Aloha+ Challenge, of a seventy per cent
10 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 Hawaii'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 offers the least costly and most direct method for
9 significantly reducing the amount of methane emitted from
10 Hawaii's landfills.

11 The legislature further seeks to acknowledge the economic
12 benefits that accrue to Hawaii's farmers when they include
13 compost sales and carbon sequestration incentives to their
14 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 by exempting
20 artisan-scale composting operations from department of health
21 regulations.



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

4 "§225P- Artisan-scale composting operations. (a)

5 Artisan-scale composting operations that are sited on land zoned
6 industrial or agricultural shall be exempt from department of
7 health rules; provided that such operations do not produce
8 vectors, dust, or odors that unreasonably impact neighbors of
9 the operation, as determined by the department; provided further
10 that no waste accepted shall remain on-site for more than
11 thirty-six months.

12 (b) No more than one artisan-scale composting operation
13 shall be located on geographically contiguous land owned or
14 operated by the same person.

15 (c) Sufficient bulking agent shall be used to provide
16 proper aeration and control leachate migration. Precipitation,
17 surface water, and groundwater that has come in contact with
18 yard trimmings or the resultant product of an artisan-scale
19 composting operation shall not be considered leachate if it is
20 managed within the site and is allowed to enter a surface



1 waterbody or a conveyance to a surface waterbody and does not
2 cause a violation of state water quality standards.

3 (d) For purposes of this section, "artisan scale
4 composting operation" means a facility that accepts, measured on
5 a monthly average, not more than one cubic yard of non-
6 pathogenic organic materials, at a site controlled and owned by
7 the waste generator with the finished compost applied and
8 controlled by the same waste generator."

9 SECTION 3. New statutory material is underscored.

10 SECTION 4. This Act shall take effect on July 1, 2023.

11

INTRODUCED BY:





S.B. NO. 514

Report Title:

Organic Waste; Composting; Department of Health; Exemption

Description:

Exempts artisan-scale composting operations from department of Health regulations to divert organic materials from Hawaii's landfills.

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