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## A BILL FOR AN ACT

RELATING TO CESSPOOLS.

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

1           SECTION 1. The legislature finds that the vast number of  
2 cesspools in the State pose significant risks to the health and  
3 safety its people and the environment. There are approximately  
4 eighty-three thousand cesspools across the State, with nearly  
5 forty-nine thousand on Hawaii island, over fourteen thousand on  
6 Kauai, over eleven thousand on Maui, nearly seven thousand five  
7 hundred on Oahu, and approximately one thousand four hundred on  
8 Molokai. These cesspools are contaminating the State's ground  
9 water, streams, drinking water, and coastal ecosystems. The  
10 legislature notes that the State is obligated to protect,  
11 control, and regulate the use of the State's water resources  
12 under article XI, section 7, of the Hawaii State Constitution.

13           The legislature further finds that Act 125, Session Laws of  
14 Hawaii 2017 (Act 125), requires every cesspool in the State,  
15 excluding cesspools granted exemptions by the director of  
16 health, to be upgraded or converted to an approved wastewater  
17 system or connected to a sewerage system by January 1, 2050.



# H.B. NO. 1586

1 Act 132, Session Laws of Hawaii 2018, authorized the department  
2 of health to establish a cesspool conversion working group to  
3 develop a long-range, comprehensive plan for cesspool conversion  
4 statewide for all cesspools by 2050. As part of its work, the  
5 cesspool conversion working group developed a Hawaii cesspool  
6 hazard assessment and prioritization tool report, which in 2021  
7 identified four cesspool conversion priority categories, with  
8 priority 1 being cesspools in areas that have a significant risk  
9 of human health impacts, drinking water impacts, or draining to  
10 sensitive waters. According to the prioritization tool, the  
11 areas of Haleiwa and Waialua on Oahu contain three hundred  
12 twenty-four cesspools that are designated as priority 1.

13 The purpose of this Act is to require the department of  
14 health to conduct a feasibility study on the establishment of a  
15 wastewater treatment works project in Waialua, Oahu, to assist  
16 with the conversion of cesspools in this area in compliance with  
17 Act 125 .

18 SECTION 2. (a) The department of health shall conduct a  
19 feasibility study on the establishment of a wastewater treatment  
20 works project in the Waialua region of Oahu.



# H.B. NO. 1586

1 (b) The study shall examine the capabilities and potential  
2 for interconnection of neighborhoods to the sewerage system,  
3 beginning with the community of Ranch Camp in Waialua, Oahu, and  
4 later the entire Waialua region.

5 (c) The department of health shall submit a report of its  
6 findings and recommendations, including any proposed  
7 legislation, to the governor and legislature no later than  
8 twenty days prior to the convening of the regular session of  
9 2025.

10 SECTION 3. There is appropriated out of the general  
11 revenues of the State of Hawaii the sum of \$ or so  
12 much thereof as may be necessary for fiscal year 2024-2025 for  
13 the department of health's feasibility study required by section  
14 2 of this Act.

15 The sum appropriated shall be expended by the department of  
16 health for the purposes of this Act.

17 SECTION 4. In accordance with section 9 of article VII of  
18 the Hawaii State Constitution and sections 37-91 and 37-93,  
19 Hawaii Revised Statutes, the legislature has determined that the  
20 appropriations contained in H.B. No. , will cause the state  
21 general fund expenditure ceiling for fiscal year 2024-2025 to be



# H.B. NO. 1586

1 exceeded by \$                    or                    per cent. In addition, the  
2 appropriation contained in this Act will cause the general fund  
3 expenditure ceiling for fiscal year 2024-2025 to be further  
4 exceeded by \$                    or                    per cent. The combined total  
5 amount of general fund appropriations contained in only these  
6 two Acts will cause the state general fund expenditure ceiling  
7 for fiscal year 2024-2025 to be exceeded by  
8 \$                    or                    per cent. The reasons for exceeding the  
9 general fund expenditure ceiling are that:

- 10            (1) The appropriation made in this Act is necessary to  
11                    serve the public interest; and  
12            (2) The appropriation made in this Act meets the needs  
13                    addressed by this Act.

14            SECTION 5. This Act shall take effect on July 1, 2024.

15

INTRODUCED BY:



JAN 16 2024



# H.B. NO. 1586

**Report Title:**

DOH; Wastewater Treatment; Feasibility Study; Cesspool  
Conversion; Appropriation; Expenditure Ceiling

**Description:**

Requires the Department of Health to conduct a feasibility study on the establishment of a wastewater treatment works project in Waialua, Oahu. Appropriates funds.

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

