
A BILL FOR AN ACT

RELATING TO THE ENVIRONMENT.

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

1 SECTION 1. The legislature finds that Hawaii does not have
2 a sustainable solid waste management system. Most waste created
3 in the State is landfilled or incinerated, which represents a
4 linear waste stream, is costly, and creates pollution that is
5 harmful to the health of the environment and to the residents of
6 the State. Landfills discharge leachate, a contaminated and
7 often highly toxic fluid, which has the potential for leakage
8 that can harm groundwater, surrounding communities, and the
9 nearshore and marine resources downslope. On Oahu, the landfill
10 produces around nine thousand eight hundred gallons of leachate
11 per day, where the potential for leakage of leachate threatens
12 Oahu's drinking water supply. Waste that is incinerated can be
13 used to produce energy, but this process still produces air
14 pollutants, greenhouse gases, and toxic ash, as more than four
15 hundred tons of toxic ash from H-Power are buried in the
16 landfill every day.



1 A linear waste management system is characterized by a
2 take-make-dispose model, where virgin resources are extracted
3 and goods are produced and then discarded, leading to waste
4 production and the depletion of resources. In a linear waste
5 economy, taxpayers and their local government bear the costs
6 associated with waste management. In contrast, a circular waste
7 economy is designed to keep resources in use for as long as
8 possible, reducing waste and promoting sustainability. A
9 circular waste economy prioritizes waste reduction and creates a
10 closed-loop system where producers are accountable for the cost
11 of disposal of their products, creating market-based incentives
12 for waste reduction and product redesign that reduce waste at
13 the source and facilitate reuse, composting, and recycling.

14 A zero-waste initiative in Hawaii would elevate these
15 circular waste economy principles and put them at the center of
16 the State's waste management strategies. It would redirect
17 state agencies tasked with overseeing solid waste management to
18 prioritize source reduction, reuse, refill, organic waste
19 diversion, and the improvement of recycling services for waste
20 that cannot be avoided or reused.



1 The adoption of a zero-waste initiative would lead the
2 shift away from the linear waste system and toward a circular
3 waste economy that is more sustainable, will create green jobs,
4 and will reduce costs for waste management that are currently
5 borne by taxpayers. It would also address environmental and
6 public health concerns posed by Hawaii's overflowing landfills.

7 Extended producer responsibility is an essential component
8 of a circular waste economy, as it places shared responsibility
9 for a product's lifecycle, including end-of-life management,
10 onto the producers of the product. This encourages more
11 sustainable product design that leads to less waste and more
12 reusable and fully recyclable products.

13 Extended producer responsibility programs can exist for
14 almost any product type. There are existing programs in other
15 jurisdictions that cover a range of products including carpets,
16 large appliances, e-waste, packaging waste, prescription drugs,
17 batteries, paint, pesticides, tires, photovoltaic panels, used
18 motor oil, and mattresses. Under these programs, producers are
19 responsible for ensuring that services are available to reclaim
20 and recycle products when they reach the end of their useful
21 life. Countless tons of waste and virgin resources are avoided



1 when these programs are implemented. Additionally, extended
2 producer responsibility programs for packaging waste exist in
3 Canada and Europe and in recent years have been adopted in
4 California, Colorado, Maine, and Oregon and proposed in many
5 other state legislatures.

6 The goal of this Act is to lay the foundation for the
7 creation of a sustainable future for Hawaii and its residents by
8 reducing waste, minimizing resource inputs, and promoting a
9 closed-loop system through reuse and recycling that will benefit
10 the environment and the economy.

11 Specifically, the purpose of this Act is to establish the
12 Hawaii zero waste initiative within the department of health
13 with the goal of zero waste deposited in landfills or
14 incinerated.

15 SECTION 2. The Hawaii Revised Statutes is amended by
16 adding a new chapter to be appropriately designated and to read
17 as follows:

18 **"CHAPTER**

19 **HAWAII ZERO WASTE INITIATIVE**

20 **§ -1 Hawaii zero waste initiative; established. (a)**

21 There is established within the department of health a Hawaii



1 zero waste initiative with the goal of sending zero waste to the
2 landfill or to incineration.

3 (b) Under the Hawaii zero waste initiative, the department
4 of health shall:

5 (1) Facilitate a transition from a linear waste economy to
6 a circular waste economy;

7 (2) Establish policies and programs that reduce waste and
8 consumption and maximize reuse, refill, composting,
9 and recycling;

10 (3) Seek to reduce the amount of toxic and hazardous waste
11 that is imported into the State and poses a risk to
12 air quality, water quality, and groundwater resources
13 and otherwise creates dangerous pollution when used or
14 disposed of;

15 (4) Where feasible, seek market-based solutions that
16 internalize the external costs to producers that have
17 been borne by taxpayers in the past, beginning with
18 considering programs for products that have successful
19 extended producer responsibility programs in other
20 jurisdictions, including but not limited to carpets,
21 large appliances, electronic waste, packaging waste,



- 1 prescription drugs, batteries, paint, pesticides,
2 tires, photovoltaic panels, used motor oil, and
3 mattresses;
- 4 (5) Seek to learn from policies implemented in other
5 jurisdictions, while also considering the State's
6 unique needs and the needs of each county;
- 7 (6) Work with other state agencies, counties, and the
8 private sector to implement the Hawaii zero waste
9 initiative;
- 10 (7) Conduct public outreach and education statewide about
11 the Hawaii zero waste initiative; and
- 12 (8) Provide an annual report to the legislature on the
13 progress and implementation of the Hawaii zero waste
14 initiative.
- 15 (c) The department of health shall establish rules
16 pursuant to chapter 91 to implement the purposes of this
17 chapter."

18 SECTION 3. This Act shall take effect upon its approval.
19

INTRODUCED BY: *Nicole E. Lowen*

JAN 24 2024



H.B. NO. 2740

Report Title:

Hawaii Zero Waste Initiative; Department of Health; Solid Waste

Description:

Establishes the Hawaii zero waste initiative to manage the State's transition to a zero solid waste economy.

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

