



STATE OF HAWAII
DEPARTMENT OF HEALTH
KA 'OIHANA OLAKINO
P. O. Box 3378
Honolulu, HI 96801-3378
doh.testimony@doh.hawaii.gov

Testimony in OPPOSITION to HB0751 HD1
RELATING TO ORGANIC WASTE.

REPRESENTATIVE KYLE T. YAMASHITA, CHAIR
HOUSE COMMITTEE ON FINANCE

February 25, 2025; 2:00 p.m.; Room Number: 308

1 **Fiscal Implications:** This measure would impact the priorities identified in the Governor's
2 executive budget request for the Department of Health (Department) by an undetermined
3 amount. The Department therefore requests that this measure be considered as a vehicle to
4 provide this needed funding so long as it does not supplant the priorities and requests outlined
5 in the Governors executive budget request.

6 **Department Position:** The Department opposes this measure and offers the following
7 comments.

8 **Department Testimony:** The Environmental Management Division Solid and Hazardous Waste
9 Branch (EMD-SHWB) provides the following testimony on behalf of the Department.

10 This measure proposes to amend Hawaii Revised Statutes (HRS) Chapter 342G to:
11 (1) require organic waste generators to divert "material" to any department-approved facility
12 within 20 miles by specific dates for specified generators that generated specified amounts of
13 organic waste per year, ultimately leading to a landfill and co-generation plant ban; (2) define
14 "organic waste" to include "compostable food packaging;" (3) require each county to
15 incorporate into its next integrated solid waste management plan revision a plan to divert
16 organic waste within the county in alignment with the aforementioned requirements

1 established by this measure; and (4) appropriate general funds to reimburse the counties for
2 incorporating the new requirements into their respective integrated solid waste management
3 plan revisions as required by this measure.

4 While the proposed amendments in this measure offer conflicting information
5 (Section 2, specifies a landfill and co-generation plant ban for organic waste by 2040, while
6 Section 4, states that it is a goal to divert organic waste from landfills and waste-to-energy
7 facilities by 2040), we understand from House Standing Committee Report 604 that the intent of
8 this measure is to require organic waste diversion. While organic waste generators are
9 required to divert “material to any department-approved facility,” (Page2, Line 9), we
10 understand that it is intended to mean organic waste is to be primarily diverted to composting
11 facilities, as some other technologies, such as anaerobic digestors, gasification units, or
12 biodiesel plants may also be co-generation plants. With this understanding, the Department
13 opposes this measure for the following reasons:

14 First, the mandate of diverting compostable food packaging away from landfills and
15 co-generation plants, and directing them to composting facilities is premature. As discussed in
16 U.S. Environmental Protection Agency’s study, “Emerging Issues in Food Waste Management,
17 Persistent Chemical Contaminants¹,” August 2021, much more information is needed to better
18 understand the contaminant level of Per- and Polyfluoroalkyl Substances (PFAS) in food
19 packaging and in the fate and transport of PFAS. This data needs to be obtained and fully
20 understood before the State mandates that food packaging be composted and land applied.
21 The Department is currently conducting a study evaluating PFAS concentrations and risks in
22 compost made from select compostable food containers and food crops grown in compost
23 generated with these compostable food containers. This ongoing study is intended to help the
24 Department begin to evaluate the potential human health risks from compost that may contain

¹ <https://www.epa.gov/system/files/documents/2021-08/emerging-issues-in-food-waste-management-persistent-chemical-contaminants.pdf>

1 PFAS found in foodservice ware. In addition, there is little data on PFAS in food packaging,
2 despite laws prohibiting the intentional addition of PFAS to certain containers (wraps, liners,
3 plates, food boats, and pizza boxes). Costly testing will be required of the composting industry
4 to demonstrate that the finished compost does not contain PFAS and therefore doesn't pose a
5 threat to public health. Until we can further evaluate the potential risks of food packaging,
6 compostable food packaging should not be included in the mandate.

7 Second, limiting the waste management technology to primarily composting appears
8 restrictive. Typical composting operations take a lot of space, and with the increasing
9 restrictions to site any solid waste management facility, other technologies should remain as
10 options. Anaerobic digestors can often manage larger amounts of waste, including liquid
11 waste, such as fats, oils, and grease, on a smaller footprint, while generating biogas. The solids
12 portion of the digestate will likely be composted, but at smaller volumes. Additionally, the
13 allowance of other technologies will allow greater flexibility in offering landfill diversion
14 options, especially if siting becomes an issue. There are also instances where incineration or
15 waste-to-energy may be the preferred option to manage waste quickly and safely. For
16 example, air-curtain incinerators have been utilized to quickly manage coconut rhinoceros
17 beetle infested green waste. Similarly, green waste generated from a PFAS contaminated
18 remediation site was directed to the HPOWER facility rather than to a composting operation.

19 Third, the responsibility of ensuring adequate composting operations to prepare for the
20 landfill ban by 2040 will ultimately fall on the counties. While the language for the first few
21 stages of implementation of this measure only applies if there are composting operations
22 within 20 miles of a generator, that requirement will become critical in 2040 if no alternative
23 for composting is available. According to the current measure, the counties are expected to
24 ensure that organic waste composters are available within 20 miles of an organic waste
25 generator, which means many counties will require multiple operations, regardless of whether
26 the operation is profitable or not. The general fund appropriation planned for the counties to

1 update their integrated management plans should also include funds for the establishment of
2 composting operations. We anticipate that this cost would be in the millions.

3 Fourth, the Department estimates that it will be cost-prohibitive and resource intensive
4 to identify and quantify the amount of organic waste generated by organic waste generators.
5 The Department would be required to conduct waste characterization studies of every organic
6 waste generator and regularly track tonnages of every organic waste generator to measure
7 solid waste reductions and to determine which generator the measure applies. While the
8 committee report suggests that the waste hauler or the receiving processing facility can
9 calculate the diversion rate, this may not be true. In order to calculate diversion rates, one
10 would first need to know how much waste is being generated. The hauler does not weigh the
11 loads received from each generator, especially when collecting from a collection route. They
12 would only know the weight of the load transported to a end location. The hauler would also
13 not know other destinations and quantities that a generator may be sending organic waste to.
14 For example, fats, oils, and grease could go to a biodiesel plant, while meat scraps could go to a
15 rendering plant, vegetable waste to a piggery, and green waste to a composter. If the
16 Legislature does not wish for the Department to strictly enforce organic waste generators to
17 participate in the early stages of the program, the Legislature could place the responsibility of
18 measuring organic waste generation on the generators potentially covered by this program.
19 This would include the initial measurement to determine the generator's eligibility status and
20 ongoing measurement for eligible facilities to quantify the reduction of solid waste produced
21 prior to landfilling. This option of self-reporting by organic waste generators will reduce the
22 financial burden on the State, but will still require added positions and funding for the
23 Department to identify, track and monitor incoming reports from organic waste generators and
24 to oversee development of organic waste diversion facilities.

25 Finally, a full organic waste landfill ban, although well-intentioned, may too burdensome
26 on the counties to the point of being impossible to implement and enforce. Examples for this

1 include: (1) organic waste from residential settings where it would be difficult to impossible to
2 visually inspect the contribution from each resident; and (2) instances when the waste is
3 already commingled and is not appropriate to completely sort, such as following a flood event,
4 or from a remediation site that involves clearing and grubbing (e.g., grass covering over
5 chlordane-contaminated soil, where chlordane is a common termiticide that was used
6 throughout the islands). Recognizing this, the Department effectively has a green waste ban
7 specified in section 11-58.1-65, Hawaii Administrative Rules, requiring diversion of 75% of all
8 commercially generated green waste and 50% of all residential green waste from landfilling,
9 although we believe that the counties achieve greater rates of diversion than is specified.

10 **Offered Amendments:** None.

11 Thank you for the opportunity to testify on this measure.

C. Kimo Alameda, Ph.D.
Mayor

William V. Brilhante Jr.
Managing Director



Wesley R. Segawa
Director

Craig Kawaguchi
Deputy Director

County of Hawai'i

DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

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February 24, 2025

COMMITTEE ON FINANCE

Rep. Kyle T. Yamashita, Chair
Rep. Jenna Takenouchi, Vice Chair
Hawai'i State Capitol
Honolulu, HI 96813

Re: Testimony in Opposition of House Bill (HB) 751 HD1 Relating to Organic Waste Diversion, which establishes statewide goals for solid waste reduction and organic waste diversion. Requires each county to incorporate into its next integrated solid waste management plan revision a plan to divert certain organic waste generated within the county in alignment with established state benchmarks. Appropriates funds.

Dear Chair Yamashita, Vice Chair Takenouchi and Committee Members,

The County of Hawai'i Department of Environmental Management (DEM) respectfully submits this testimony in opposition to HB 751 HD1, which mandates the diversion of organic waste from landfills and incineration. While we share the bill's laudable goal of reducing waste and increasing diversion, the bill presents significant challenges that render its current form impractical for Hawai'i County.

- 1. Inadequate Infrastructure and Permitting:** Hawai'i Island lacks the necessary commercial composting infrastructure to process the increased volume of organic waste mandated by this bill. Moreover, the development of new composting facilities faces substantial hurdles due to stringent permitting requirements from the Hawai'i State Department of Health.
- 2. Disruption of Existing Beneficial Use:** A significant portion of food waste from restaurants and grocery stores is currently utilized by local pig farmers, providing a valuable resource for both waste management and local food production. This bill's mandates could disrupt this beneficial system, forcing businesses and farmers to seek more costly and potentially less effective alternatives.
- 3. Unfunded Mandates:** While the bill allocates funds for updating the Integrated Solid Waste Management Plan, it fails to provide adequate funding for the critical infrastructure, outreach, education, and enforcement necessary for successful implementation. This leaves Hawai'i County to bear the substantial financial burden of developing new processing facilities, hiring enforcement personnel, and educating the public and businesses on the new requirements.
- 4. Existing Green Waste Surplus:** Hawai'i County currently grapples with a surplus of green waste, exceeding 3,000 cubic yards per month. Introducing additional organic material without a viable market or processing capacity will exacerbate this challenge and potentially strain existing waste management systems.

Hawai'i County is an Equal Opportunity Provider and Employer

5. **Burden on Businesses and Residents:** Compliance with this bill will necessitate significant changes to waste management practices for restaurants, grocery stores, apartment complexes, and even single-family homes. Without adequate education and sufficient enforcement resources, businesses and residents will face difficulties in complying, potentially leading to increased disposal costs and the risk of penalties.

Recommendations:

To address these concerns, DEM urges the committee to:

- **Invest in Composting Infrastructure:** Prioritize funding for the development of commercial composting facilities on Hawai'i Island.
- **Streamline Permitting:** Simplify the permitting process for composting facilities to encourage their establishment.
- **Provide Adequate Funding:** Ensure sufficient funding for county implementation, including infrastructure development, outreach, education, and enforcement.
- **Explore Market Solutions:** Investigate and develop viable markets for the increased volume of organic waste.
- **Phased Implementation:** Consider a phased implementation approach to allow for gradual adjustments and infrastructure development.

By addressing these concerns, the committee can ensure that organic waste diversion efforts in Hawai'i County are successful, sustainable, and beneficial to both the environment and the local economy.

Thank you for your consideration.

Best Regards,


Craig Kawaguchi
DEPUTY DIRECTOR

cc: Mayor Kimo Alameda
Gene Quiamas, Acting Hawai'i County Solid Waste Division Chief
Tanya Buckley, Acting Hawai'i County Recycling Coordinator

RICHARD T. BISSEN, JR.
Mayor

JOSIAH K. NISHITA
Managing Director



OFFICE OF THE MAYOR
COUNTY OF MAUI
200 SOUTH HIGH STREET
WAILUKU, MAUI, HAWAII 96793
www.mauicounty.gov

TO: Representative Kyle T. Yamashita, Chair
Representative Jenna Takenouchi, Vice Chair
Committee on Finance

FROM: Richard T. Bissen, Jr., Mayor
Shayne Agawa, Director of Environmental

DATE: February 24, 2025

SUBJECT: OPPOSITION OF HB751 HD1 RELATING TO ORGANIC WASTE

We are in **OPPOSITION** of HB751. This Act establishes statewide goals for solid waste reduction and organic waste diversion. Requires each county to incorporate into its next integrated solid waste management plan revision a plan to divert certain organic waste generated within the county in alignment with established state benchmarks. Appropriates funds.

We **OPPOSE** this bill for the following reasons:

1. There are already existing regulations on landfills to divert 50% residential green waste and 70% commercial green waste. Adding more regulations when there are limited places to take organics is counter intuitive. This bill puts the responsibility on businesses when organic processing facilities have permitting setbacks around PFAS. A bill that would assist organic processing facilities in getting solid waste management permits would be more effective in diverting organic waste.
2. The Tier 1 benchmark of January 1, 2026 is not feasible and needs to be pushed back. The County of Maui Recycling Section would need additional staff, time, and funding to educate, draft the administrative rules, and implement enforcement procedures.
3. Under the definitions for “organic waste”: “food-soiled paper that is acceptable for food storage” should be removed or revised since some food ware is

marketed as sustainable but are neither compostable or biodegradable because they have plastic liners and/or are composed of a percentage of plastic.

4. The definition for “compostable” should be included along with the definition for “biodegradable”. Compostable is comprised of an organic product(s) that can disintegrate into non-toxic, natural elements at a rate consistent with similar organic materials, and requires microorganisms, humidity, and heat to yield a finished compost product (CO₂, water, and biomass).
5. This Act also restricts the development of the County’s future waste to energy facility as green waste cannot be used as an additional fuel source.
6. Food waste contains PFAS. This Act may not be achievable if the Federal Government regulates PFAS.
7. To offset the use of cover soil resources for landfilling, mulch may be utilized as an alternative daily cover. HB751 would ban this use in 2035.
8. Similarly, the County of Maui utilizes mulch to better solidify wastewater sludge prior to disposal, HB751 would ban this use in 2035.

Mahalo for your consideration.

HB-751-HD-1

Submitted on: 2/22/2025 8:43:33 PM

Testimony for FIN on 2/25/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Ted Bohlen	Climate Protectors Hawaii and Hawaii Reef and Ocean Coalition	Support	Written Testimony Only

Comments:

Climate Protectors Hawaii and Hawaii Reef and Ocean Coalition **STRONGLY SUPPORT** removing organic waste from landfills!

This measure is critical because organic waste in landfills produces methane, a climate-heating greenhouse gas that is 80 times more potent than carbon dioxide over a twenty year horizon!

Please pass this bill!

Climate Protectors Hawaii and Hawaii Reef and Ocean Coalition (by Ted Bohlen)



House Committee on Finance

Hawai'i Alliance for Progressive Action (HAPA) Supports: HB751, HD1

Tuesday, February 25, 2025 at: 2:00 p.m.; Conference Room 308

Aloha Chair Yamashita, Vice Chair Takenouchi and members of the committee,

On behalf of Hawai'i Alliance for Progressive Action (HAPA) we submit this testimony in strong support of HB751, HD1.

Organic waste takes up valuable space in our landfills where it produces potent greenhouse gases that threaten our fragile ecosystems and coastal communities. An estimated 50% of our landfill waste is organic matter which produces methane at a rate of about one ton of CO₂eq per ton of waste.¹

Diverting waste is an opportunity to recover and recycle valuable resources including minerals and other important nutrients, and return carbon to our soils. Diverting this waste from the landfill is a critical step towards the carbon neutral and circular economy that can sustain our keiki for generations.

Moving forward with waste diversion now will pay dividends in the extension of our landfill lifespans and in the production of composts and fertilizers to support our farmers and bring us a step closer to food sovereignty.

Thank you for your consideration.

Respectfully,

A handwritten signature in black ink, appearing to read 'Anne Frederick', written in a cursive style.

Anne Frederick
Executive Director

1

<https://www.hawaiipublicradio.org/local-news/2020-01-09/hawaii-island-has-decades-of-landfill-space-but-still-faces-challenges-in-dealing-with-its-waste>

The Hawai'i Alliance for Progressive Action (HAPA) is a public non-profit organization under Section 501(c)(3) of the Internal Revenue Code. HAPA's mission is to catalyze community empowerment and systemic change towards valuing 'aina (environment) and people ahead of corporate profit.

Representative Kyle T. Yamashita, Chair
Representative Jenna Takenouchi, Vice Chair
House Committee on Finance

Tuesday, February 25, 2025
2:00 PM Via Video Conference Conference Room 308
Hawaii State Capitol

Support for H.B. No.751

Aloha, Chair Gates and Members of the House Committee on Finance,

My name is Isaac Montayre and I am a student at Mililani High School. I am testifying in support of H.B.No.751.

I would like to testify specifically on the idea of incorporating solid waste management plans to each county to reduce the amount of solid waste and organic waste diversion. I understand that solid waste can produce many harmful gases such as methane and carbon dioxide. So I believe that it is important to use funding to help our waste management programs so that solid waste does not contaminate our waters and expose the environment to harmful gases. Personally I want every community to have access to a proper waste management plan so that we can live with cleanliness and without worries of waste damaging our land. The long term benefits of doing so are higher quality food products and an increase in our wildlife's health.

I hope you will consider passing H.B.No.751 because it is a crucial step to moving our state to a more sustainable, cleaner, and healthier future. Mahalo for this opportunity to testify.

Sincerely,

Isaac Montayre
Mililani High School

HB-751-HD-1

Submitted on: 2/24/2025 1:31:05 PM

Testimony for FIN on 2/25/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Tyler Cole Tamashiro	Individual	Support	Written Testimony Only

Comments:

Representative Lowen, Nicole E, Chair

Representative Peruso, Amy C, Vice Chair

House Committee of Energy and Environment Protection

Representative Yamashita, Kyle T, Chair

Representative Takenouchi, Jenna Vice Chair

House Committee on Finance

Monday, February 4, 2024

1:30AM, House conference room

Hawaii State Capitol

Support for H.B. No.751

Aloha, Chair Gates and Members of the House of Finance committee and Energy and Environment protection committee.

My name is Tyler Cole Tamashiro and I am a student at Mililani High School. I am testifying

in support of H.B.No.751.

Hawaii's natural environment is one of its greatest assets, and effective waste management is essential to preserving it for future generations. This bill establishes crucial statewide goals for solid waste reduction and organic waste diversion, helping to move our state toward a more sustainable future. By requiring each county to integrate organic waste diversion plans into their solid waste management strategies, we can significantly reduce landfill waste, lower greenhouse gas emissions, and promote responsible resource use. Organic waste, such as food scraps and green waste, makes up a large portion of the waste stream. Without proper diversion efforts, it contributes to methane emissions and environmental degradation. Implementing structured plans for organic waste processing such as composting or anaerobic digestion will not only help mitigate these environmental concerns but also create opportunities for local agriculture and soil enrichment.

I urge you to pass H.B. No. 751, as it is a necessary step toward protecting our environment, reducing landfill dependency, and ensuring a sustainable waste management system for our state. Mahalo for the opportunity to testify.

Sincerely,

Tyler Cole Tamashiro

Mililani High School

HB-751-HD-1

Submitted on: 2/24/2025 1:32:29 PM

Testimony for FIN on 2/25/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
kyan ching	Individual	Support	Written Testimony Only

Comments:

Representative Lowen, Nicole E Chair

Representative Perruso, Amy A Vice Chair

House of Energy & Environmental protection

Representative Yamashita, Kyle T. Chair

Representative Takenouchi, Jenna Vice Chair

House of Finance

Monday, February 24 2025

9:30AM, House conference room 436, 306

Hawaii State Capitol

Support for H.B. No.751

Aloha, Chair Gates and Members of the House of Energy & Environmental Protection

My name is Kyan Ching and I am a student at Mililani High School. I am testifying

in support of H.B.No. 751

I am testifying to support of HB751 HD1, which aims to reduce solid waste and divert organic waste across the state of Hawaii. As a young person growing up in Hawaii, I'm really concerned about our environment and the future of our islands. A lot of the waste we throw away can actually be composed or used in better ways, and this bill is all the amount making that happen. By diverting organic waste like food scraps and yard trimmings, we can reduce the amount of stuff going into our landfills and cut down harmful greenhouse gasses. This bill is super important because it sets clear goals for each country to follow. It's not just about talking the talk but actually walking the walk. The benchmarks will help us keep track of our progress and make sure we're moving in the right direction.

In short HB751 HD1 is a big step towards a greener and more sustainable Hawaii. I hope the committee will pass this bill and support our efforts to take better care of our waste and our planet.

Sincerely,

Kyan Ching

Mililani High School

HB-751-HD-1

Submitted on: 2/24/2025 1:39:49 PM

Testimony for FIN on 2/25/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Maya Redoble	Individual	Support	Written Testimony Only

Comments:

Chair Rep Yamashita

Vice Chair Rep Takenouchi

Tuesday February 25, 2025 2PM

House Conference Room 308

Dear Members of the House Finance Committee,

My name is Maya Redoble and I am currently a student at Mililani High School and I am testifying for H.B. 751.

I believe finding diversions for organic waste and reducing solid waste is important for our community. As you know, solid waste has many harmful effects to our community. It pollutes our land, water, air, and more. If our resources like water get impacted, it can eventually lead to our healthy community.

If we implement H.B. 751 into our community, it has many beneficial factors such as cost savings and reducing risks in public health. If plastics get into our drinking water, it can severely harm human health, especially young ones and pregnant women. It is crucial that we take these measures into hand and use them in our community for positive impacts.

Sincerely,

Maya Redoble

HB-751-HD-1

Submitted on: 2/24/2025 9:14:28 PM

Testimony for FIN on 2/25/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Kencho Gurung	Individual	Support	Written Testimony Only

Comments:

Please support this bill which would help curb our overflowing landfills

HB-751-HD-1

Submitted on: 2/24/2025 9:36:56 PM

Testimony for FIN on 2/25/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Jonathan	Individual	Support	Remotely Via Zoom

Comments:

Landfills on our islands are a finite and expensive resource and they are filling up quickly. Diverting organic waste is critical to slow their filling, reduce harmful methane emissions, and recycle nutrients. This bill is an important first step to building resilient circular systems.

I strongly support HB751.