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# A BILL FOR AN ACT

RELATING TO ENVIRONMENTAL PROTECTION.

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

1       SECTION 1. The legislature finds that the State is  
2 committed to maintaining the stringent environmental standards  
3 that govern the operations of waste-to-energy facilities and  
4 preventing any backsliding on existing emission limits that may  
5 be proposed by the United States Environmental Protection  
6 Agency.

7       Therefore, to protect against any weakening of applicable  
8 emission limits by the United States Environmental Protection  
9 Agency, the purpose of this Act is to require an owner or  
10 operator of a waste-to-energy facility to comply with certain  
11 United States Environmental Protection Agency regulations as  
12 they existed on December 31, 2024, unless the emission limits  
13 are made more stringent by federal regulations or by the state  
14 air pollution control permit issued to that owner or operator by  
15 the department of health.

16       SECTION 2. An owner or operator of a waste-to-energy  
17 facility shall comply with the emission limitations of the



1 following subparts of title 40 Code of Federal Regulations part  
2 60 entitled "Standards of Performance for New Stationary  
3 Sources", as those subparts existed on December 31, 2024, which  
4 shall hereby be incorporated by reference, unless the emission  
5 limitations are made more stringent by federal regulations or by  
6 the state air pollution control permit issued to that owner or  
7 operator by the department of health:

8 (1) Subpart A, "General Provisions";

9 (2) Subpart Cb, "Emissions Guidelines and Compliance Times  
10 for Large Municipal Waste Combustors That are  
11 Constructed on or Before September 20, 1994";

12 (3) Subpart Ea, "Standards of Performance for Municipal  
13 Waste Combustors for Which Construction Is Commenced  
14 After December 20, 1989 and On or Before September 20,  
15 1994";

16 (4) Subpart Eb, "Standards of Performance for Large  
17 Municipal Waste Combustors for Which Construction is  
18 Commenced After September 20, 1994 or for Which  
19 Modification or Reconstruction is Commenced After  
20 June 19, 1996"; and



1           (5)   Subpart AAAA, "Standards of Performance for Small  
2                   Municipal Waste Combustion Units for Which  
3                   Construction is Commenced After August 30, 1999 or for  
4                   Which Modification or Reconstruction is Commenced  
5                   After June 6, 2001".

6           SECTION 3.   This Act shall take effect on December 31,  
7   2050, and shall be repealed on June 30, 2027.



**Report Title:**

Waste-to-energy Facility; Emissions; Standards; Air Pollution  
Control Permit

**Description:**

Requires an owner or operator of a waste-to-energy facility to comply with certain United States Environmental Protection Agency regulations for emission limitations as they existed on 12/31/2024, unless emission limitations are made more stringent by federal regulations or by the state air pollution control permit issued to that owner or operator by the Department of Health. Sunsets 6/30/2027. Effective 12/31/2050. (SD1)

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

