S.B. NO. ⁷⁰¹ S.D. 1 S.D. 2 Proposed

A BILL FOR AN ACT

RELATING TO LANDFILLS.

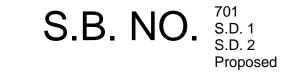
BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

SECTION 1. The legislature finds that the Waimanalo gulch
landfill, located on the leeward coast, is the only existing
landfill on Oahu capable of receiving the total daily output of
non-reusable municipal solid waste.

5 The legislature further finds that prior to the 6 establishment of the municipal solid waste landfill at Waimanalo 7 qulch eighteen years ago, there were other municipal solid waste 8 landfills that operated on the leeward coast. The residents of 9 the leeward coast had the burden of all of Oahu's construction 10 and demolition waste, including asbestos, being deposited into a 11 privately-owned landfill that is adjacent to and mauka of 12 Nanakuli town. Additionally, there are two other privately-13 owned landfills that operate on the leeward coast.

Besides the obvious health risks the leeward coast residents may suffer as a result of these four landfills, they are also impacted by certain other environmental concerns: the H-power plant, the abandoned military ordnance, the

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1 disproportionately large number of homeless, and horrendous 2 daily traffic conditions. Every day, approximately four hundred 3 trucks, many in the semi-tractor trailer category, travel to and 4 from privately-owned landfills or other business establishments 5 adding significantly to the traffic. Accordingly, the 6 legislature finds that there would be significant gridlock for 7 leeward coast residents if another landfill were opened in 8 Nanakuli, Maili, Waianae, Makaha, or Makua. 9 The purpose of this Act is to place a moratorium on the 10 construction of any new landfills or the expansion of any 11 existing private solid waste landfill unit on the leeward coast 12 including Nanakuli, Waianae, Maili, Makaha, and Makua on or after August 1, 2009. 13

SECTION 2. Chapter 342H, Hawaii Revised Statutes, is amended by adding a new section to part IV to be appropriately designated and to read as follows:

17 "<u>§342H-</u> Leeward coast landfills; moratorium. Any law to 18 the contrary notwithstanding, no person, including any 19 government agency or entity, shall construct or operate a new 20 solid waste landfill unit, including a municipal solid waste 21 landfill or otherwise, or expand any existing private solid

1	waste landfill unit, or any component thereof, on or after
2	August 1, 2009, within the Oahu areas of:
3	(1) Nanakuli;
4	(2) Waianae;
5	(3) Maili;
6	(4) Makaha; and
7	(5) Makua;
8	provided that this section shall not apply to any municipal
9	solid waste landfill units existing prior to August 1, 2009, in
10	these areas.
11	For purposes of this section, "new solid waste landfill
12	unit" means any solid waste landfill unit that has not received
13	waste prior to August 1, 2009."
14	SECTION 3. New statutory material is underscored.
15	SECTION 4. This Act shall take effect upon its approval.

S.D. 1 S.D. 2

Proposed

S.B. NO.

S.B. NO. 701 S.D. 1 S.D. 2 Proposed

Report Title:

Waianae Coast Landfills; Moratorium

Description:

Places a moratorium on any new solid waste landfill units and the expansion of any existing private solid waste landfill units on the leeward coast on or after 8/1/09. (SD2)