

JAN 16 2014

S.B. NO. 2182

A BILL FOR AN ACT

RELATING TO SOLID WASTE.

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

1 SECTION 1. The purpose of this Act is to:

2 (1) Clarify that the solid waste management surcharge
3 applies to solid waste shipped outside the State for
4 disposal;

5 (2) Clarify that the solid waste management surcharge
6 applies to solid waste disposed of at waste-to-energy
7 facilities; and

8 (3) Increase the solid waste management surcharge using a
9 tiered structure commensurate with the impact of the
10 means of disposal on the department of health.

11 SECTION 2. Section 342G-1, Hawaii Revised Statutes, is
12 amended by adding a new definition to be appropriately inserted
13 and to read as follows:

14 "Waste-to-energy facility" means a facility that uses a
15 waste source to create energy in the form of electricity or heat
16 or to derive a form of fuel through processes that include
17 incineration, gasification, thermal depolymerization, pyrolysis,



1 plasma arc gasification, anaerobic digestion, fermentation, and
2 mechanical biological treatment."

3 SECTION 3. Section 342G-62, Hawaii Revised Statutes, is
4 amended by amending subsection (a) to read as follows:

5 "(a) There is established a solid waste management
6 surcharge. The solid waste management surcharge shall be [35
7 cents]:

8 (1) \$1.25 per ton of solid waste disposed of within the
9 State at permitted or unpermitted [~~solid waste~~
10 ~~disposal facilities.~~ landfills or transferred to
11 solid waste reduction facilities within the State that
12 collect solid waste for transport to an out-of-state
13 landfill or incineration facility; provided that there
14 shall be no surcharge for ash originating from waste-
15 to-energy facilities within the State that is disposed
16 of at any permitted or unpermitted landfill within the
17 State; and

18 (2) 60 cents per ton of solid waste disposed of within the
19 State at permitted or unpermitted waste-to-energy
20 facilities; provided that there shall be no surcharge
21 for solid waste disposed of within the State at
22 permitted or unpermitted waste-to-energy facilities



1 that accept less than 150,000 tons of solid waste
2 annually.

3 The surcharge shall be paid by the person or entity doing the
4 disposal[-] at a permitted or unpermitted landfill or at a
5 waste-to-energy facility, or the person or entity responsible
6 for the preparation of the out-of-state transfer of collected
7 solid waste, as the case may be. The owner or operator of the
8 facility shall transfer all moneys collected from the surcharge
9 to the department through a quarterly reporting and payment
10 schedule. Estimates of quarterly solid waste disposal shall be
11 submitted prior to the first day of each quarter and the
12 transfer of moneys collected shall occur within thirty days of
13 the end of each quarter."

14 SECTION 4. Statutory material to be repealed is bracketed
15 and stricken. New statutory material is underscored.

16 SECTION 5. This Act shall take effect upon its approval.

17
INTRODUCED BY:

SC Kennedy *Reid* *Mike Hubbard*
Prater



S.B. NO. 2182

Report Title:

Solid Waste; Disposal Surcharge

Description:

Increases the solid waste management surcharge to \$1.25 per ton of solid waste disposed of in landfills or shipped out-of-state. Sets the solid waste management surcharge to 60 cents per ton of solid waste disposed of at waste-to-energy facilities that accept 150,000 tons or more of solid waste annually. Provides for no surcharges to waste-to-energy facilities that accept less than 150,000 tons of solid waste annually and for ash disposed of in landfills that originates from a waste-to-energy facility. Defines "waste-to-energy" facility.

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