

STAND. COM. REP. NO.

197

Honolulu, Hawaii

FEB 11 , 2021

RE: H.B. No. 856
H.D. 1

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirty-First State Legislature
Regular Session of 2021
State of Hawaii

Sir:

Your Committee on Energy & Environmental Protection, to which was referred H.B. No. 856 entitled:

"A BILL FOR AN ACT RELATING TO WASTE MANAGEMENT,"

begs leave to report as follows:

The purpose of this measure is to:

- (1) Broaden the definition of "food waste" as used in integrated solid waste management;
- (2) Exclude certain facilities designed primarily for composting organic material from the requirement that waste or disposal facilities shall not be constructed, modified, or expanded without first establishing a buffer zone of no less than one-half mile from the nearest residential, school, or hospital property line; and
- (3) Establish a class of artisan-scale composting operations exempt from Department of Health regulations to divert organic materials from Hawaii's landfills.

Your Committee received testimony in support of this measure from the Environmental Caucus of the Democratic Party of Hawai'i, Climate Protectors Coalition, West Maui Green Cycle, Zero Waste

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Maui, and four individuals. Your Committee received comments on this measure from the Department of Health, Hawai'i Farm Bureau, and one individual.

Your Committee finds that the State's integrated solid waste management goals are to reduce the solid waste stream prior to disposal through source reduction, recycling, and bioconversion. This measure furthers the State's waste management goals and ensures progress toward managing the State's waste by addressing the urgent need to expand the State's capacity for capturing and processing the organic waste its residents and visitors generate.

Your Committee has amended this measure by:

- (1) Inserting findings that clarify the purpose of this measure;
- (2) Deleting language that would have broadened the definition of "food waste";
- (3) Inserting language that prohibits federal agencies from constructing, operating, modifying, expanding, or closing a municipal solid waste landfill unit without first obtaining a permit;
- (4) Clarifying that composting facilities are excluded from buffer zone requirements, including deleting the definitions for "recycling drop-off facility" and "waste or disposal facility";
- (5) Deleting findings relating to the use of composted organics;
- (6) Clarifying the provisions of the Artisan-scale Composting Program, including establishing disclosure requirements and acceptable waste rules and specifying the definition for "artisan-scale composting operation";
- (7) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (8) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.



As affirmed by the record of votes of the members of your Committee on Energy & Environmental Protection that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 856, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 856, H.D. 1, and be referred to your Committee on Water & Land.

Respectfully submitted on
behalf of the members of the
Committee on Energy &
Environmental Protection,



NICOLE E. LOWEN, Chair



