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# A BILL FOR AN ACT

RELATING TO CONSTRUCTION WASTE.

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

1           SECTION 1. The legislature finds that diversion and  
2 recycling of construction and demolition debris are best  
3 practices that can offer substantial benefits to the State.  
4 Through increased recycling and diversion of debris, the State  
5 can reduce or eliminate nearly two thousand tons of construction  
6 and demolition waste that are currently deposited in landfills  
7 each day. Landfills throughout the State that accept  
8 construction and demolition debris have less than one decade of  
9 life remaining. Moreover, as much as forty per cent of this  
10 waste is wood, paper, and other biogenic material, which can be  
11 recycled into fuel to reduce imported fossil fuels.

12           The legislature further finds, however, that there are few  
13 incentives for public and private sector entities to invest in  
14 recycling processes and equipment for construction and  
15 demolition debris. The lack of investment constitutes a  
16 significant opportunity for economic development and  
17 environmental sustainability.



1           Accordingly, the purpose of this Act is to establish clear  
2 and cost-effective guidelines to encourage and facilitate the  
3 recycling of construction and demolition debris.

4           SECTION 2. Chapter 103D, Hawaii Revised Statutes, is  
5 amended by adding a new section to be appropriately designated  
6 and to read as follows:

7           "§103D-    Construction and demolition; debris recycling.

8           (a) For competitive procurement of construction or demolition  
9 services by the State or any county, the offeror that uses the  
10 greatest amount of recycled material for construction, measured  
11 by square footage, recycles the greatest amount of material for  
12 demolition, measured by tonnage, or recycles the greatest amount  
13 of material for construction and demolition, combined, shall be  
14 selected as the priority offeror; provided that no bid shall be  
15 ten per cent greater or less than all other bids.

16           (b) For the purposes of this section:

17           "Recycling" means reuse or resale of construction or  
18 demolition waste material, or conversion of construction or  
19 demolition waste material into new building materials, products,  
20 or fuel for transportation."



1 SECTION 3. Section 107-25, Hawaii Revised Statutes, is  
2 amended to read as follows:

3 "§107-25 Hawaii state building codes; requirements. (a)

4 There is established the Hawaii state building codes applicable  
5 to all construction in the State of Hawaii. The Hawaii state  
6 building codes shall be based upon:

7 (1) The state fire code as adopted by the state fire  
8 council;

9 (2) The Uniform Plumbing Code, as copyrighted and  
10 published by the International Association of Plumbing  
11 and Mechanical Officials, including its appendices;

12 (3) The International Building Code, the International  
13 Residential Code, and the International Energy  
14 Conservation Code, as published by the International  
15 Code Council;

16 (4) The National Electrical Code, as published by the  
17 National Fire Protection Association;

18 (5) Hawaii design standards implementing the criteria  
19 pursuant to Act 5, Special Session Laws of Hawaii,  
20 2005, as applicable to:



1 (A) Emergency shelters built to comply with hurricane  
2 resistant criteria, including enhanced hurricane  
3 protection areas capable of withstanding a five  
4 hundred-year hurricane event as well as other  
5 storms and natural hazards; and

6 (B) Essential government facilities requiring  
7 continuity of operations; [and]

8 (6) Code provisions based on nationally published codes or  
9 standards that include but are not limited to  
10 residential and hurricane resistant standards related  
11 to loss mitigation standards in accordance with  
12 section 431P-12, elevator, mechanical, flood and  
13 tsunami, existing buildings, and onsite sewage  
14 disposal [-]; and

15 (7) Code provisions based on the latest edition of the  
16 international green construction code, as published by  
17 the international code council, to address material  
18 resource conservation and efficiency; construction  
19 material management; construction waste management and  
20 waste management; and construction material reuse and  
21 recycling.



1        (b) The state building codes shall include a requirement  
2 that not less than twenty-five per cent of non-hazardous  
3 construction waste from the construction, deconstruction, or  
4 demolition of public buildings and not less than twenty per cent  
5 of non-hazardous construction waste from the construction,  
6 deconstruction, or demolition of private buildings shall be  
7 diverted from disposal and made available for recycling, reuse,  
8 donation, or resale. The codes shall specify the method for  
9 verification of compliance with this subsection.

10       (c) All recycle, reuse, donation, and resale provisions  
11 established by subsection (b) shall comply with the following  
12 requirements:

13       (1) The location for collection, separation, and storage  
14 of recyclable construction materials and construction  
15 waste shall be identified;

16       (2) The type of construction materials and construction  
17 waste to be diverted from disposal by efficient usage,  
18 recycle, reuse, donation, or resale shall be specified  
19 by type;

20       (3) The percentage of construction materials and  
21 construction waste to be diverted shall not include



1           concrete foundations or concrete masonry unit walls  
 2           and shall be specified and calculated by mass; and  
 3       (4) Receipts or other documentation related to diversion  
 4           shall be maintained through the course of  
 5           construction, deconstruction, or demolition and made  
 6           available for inspection by an appropriate designee of  
 7           the State or county.

8           (d) For the purposes of this section:  
 9           "Construction" shall have the same meaning as in section  
 10       103D-104.

11           "Construction materials" and "construction waste" shall  
 12       include all material delivered to a construction site and  
 13       intended for installation, including related packaging."

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.

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**Report Title:**

State Building Codes; Construction Waste

**Description:**

Requires state building codes to incorporate the international green construction code. Sets specific targets for the recycling, reuse, donation, and resale of non-hazardous construction waste. (SD1)

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