
A BILL FOR AN ACT

RELATING TO WASTE OR DISPOSAL FACILITIES.

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

1 SECTION 1. The legislature finds that the COVID-19
2 pandemic made apparent the many threats to the State's food
3 systems and self-sufficiency. The pandemic also exacerbated the
4 food insecurity experienced by some residents whose purchasing
5 power had declined because of reduced employment. To ensure
6 that the State's residents are able to meet their basic needs
7 during future economic downturns and disasters, it is imperative
8 that the State prioritize food security.

9 The legislature further finds that food safety is an
10 essential component of food security. Each year, forty-eight
11 million people in the United States get sick, 128,000 are
12 hospitalized, and three thousand die from foodborne diseases.
13 Prohibiting the siting, modification, or expansion of waste and
14 disposal facilities on agricultural lands will reduce the risk
15 that contaminants from these facilities will blow, flow, spill,
16 or otherwise affect plants and animals on agricultural lands.



1 The purpose of this Act is to prohibit the construction,
2 modification, or expansion of a waste or disposal facility
3 within agricultural districts and important agricultural lands
4 in counties with a population of five hundred thousand or more.

5 SECTION 2. Section 342H-52, Hawaii Revised Statutes, is
6 amended to read as follows:

7 "**§342H-52 Prohibitions; buffer zones.** (a) No person,
8 including the State or any county, shall construct, operate,
9 modify, expand, or close a municipal solid waste landfill unit,
10 or any component of a municipal solid waste landfill unit,
11 without first obtaining a permit from the director. All permits
12 for municipal solid waste landfill units shall be subject to any
13 terms and conditions that the director determines are necessary
14 to protect human health or the environment.

15 (b) No person, including the State or county, shall
16 construct, modify, or expand a waste or disposal facility
17 including a municipal solid waste landfill unit, any component
18 of a municipal solid waste landfill unit, a construction and
19 demolition landfill unit, or any component of a construction and
20 demolition landfill unit in agricultural districts and on



1 important agricultural lands in any county with a population of
2 five hundred thousand or more.

3 ~~[(b)]~~ (c) No person, including the State or any county,
4 shall construct, modify, or expand a waste or disposal facility
5 including a municipal solid waste landfill unit, any component
6 of a municipal solid waste landfill unit, a construction and
7 demolition landfill unit, or any component of a construction and
8 demolition landfill unit without first establishing a buffer
9 zone of no less than one-half mile around the waste or disposal
10 facility. This subsection shall not apply to the continued
11 operation of an existing waste or disposal facility that is
12 properly permitted; provided that continued operation does not
13 require physical expansion, vertical or horizontal, of the
14 facility requiring additional permitting review and a permit
15 modification.

16 (d) For the purposes of this ~~[subsection:]~~ section:

17 "Agricultural district" means the land use district
18 identified in section 205-2.

19 "Buffer zone" means the distance between the edge of waste
20 or waste activity and the nearest residential, school, or
21 hospital property line.



1 "Important agricultural lands" means land identified and
2 designated as important agricultural lands pursuant to part III
3 of chapter 205.

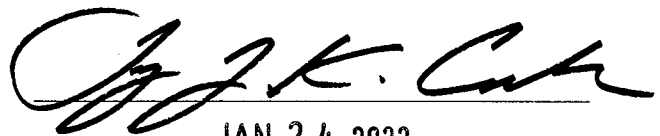
4 "Waste or disposal facility" excludes individual, state
5 certified, non-industrial redemption centers."

6 SECTION 3. Statutory material to be repealed is bracketed
7 and stricken. New statutory material is underscored.

8 SECTION 4. This Act shall take effect on July 1, 2022.

9

INTRODUCED BY:



JAN 24 2022



H.B. NO. 1967

Report Title:

Waste or Disposal Facilities; Agricultural Districts; Important Agricultural Lands

Description:

Prohibits the construction, modification, or expansion of any waste or disposal facility in agricultural districts and on important agricultural lands in counties with a population of five hundred thousand or more.

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