

JAN 20 2023

A BILL FOR AN ACT

RELATING TO CESSPOOLS.

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

1 SECTION 1. The legislature finds that Hawaii has more than
2 eighty thousand cesspools that release more than fifty million
3 gallons of raw sewage into the State's groundwater and surface
4 waters every day. Cesspools are an antiquated technology for
5 the disposal of untreated sewage that can pollute drinking
6 water, streams, coastal waters, and coral reefs, posing a
7 significant threat to the environment and to human health.

8 In response to these serious concerns about cesspool
9 pollution, in 2017, the legislature passed Act 125, Session Laws
10 of Hawaii 2017, which requires all cesspools in the State,
11 unless exempted, to be upgraded or converted to a different type
12 of approved wastewater system or connected to a sewerage system
13 before January 1, 2050. Furthermore, in 2018, the legislature
14 passed Act 138, Session Laws of Hawaii 2018, which established
15 within the department of health, the cesspool conversion working
16 group to develop a long-range, comprehensive plan for cesspool
17 conversion statewide by 2050, and to submit reports, including



1 the group's findings, recommendations, and any proposed
2 legislation, to the legislature.

3 The legislature further finds that public outreach and
4 education are essential components of a cesspool conversion
5 program. Wastewater upgrade programs in other jurisdictions
6 have found that robust public outreach was necessary for the
7 success of their efforts. In this regard, the cesspool
8 conversion working group has recommended that cesspool owners be
9 provided clear guidance on the necessary steps to successfully
10 convert their cesspools, which will require:

11 (1) Hiring of public outreach personnel at state and
12 county levels to work with nonprofit organizations in
13 educating homeowners as to why cesspools need to be
14 converted, the controlling deadlines for conversion,
15 options and resources available to help with the
16 conversions, and other relevant information;

17 (2) Development of a comprehensive public outreach
18 strategy for cesspool conversions in collaboration
19 with nonprofit organizations, that educates homeowners
20 on conversion options and resources; and



1 (3) Development of a website that serves as an
2 informational clearinghouse with resources needed for
3 homeowners and wastewater industry professionals,
4 including information on priority areas, cesspool
5 impacts, links to priority area web maps, and other
6 relevant information.

7 Accordingly, the purpose of this Act is to authorize the
8 department of health to retain experts to develop and implement
9 a public outreach strategy and website to educate homeowners on
10 cesspool conversion requirements and resources, and appropriate
11 funds to the department of health.

12 SECTION 2. Section 342D-59, Hawaii Revised Statutes, is
13 amended to read as follows:

14 "**[+]§342D-59 [+] Research, educational, and training**
15 **programs.** The director may:

16 (1) Conduct and supervise research programs for the
17 purpose of determining the causes, effects, and
18 hazards of water pollution, the quality of the
19 receiving water and the means to monitor the quality
20 of water, or to effect the proper disposal of sewage,
21 drainage, and waste;



- 1 (2) With the approval of the governor, cooperate with, and
2 receive money from the federal government, or any
3 political subdivision of the State or from private
4 sources for the study and control of water pollution;
5 [and]
- 6 (3) Conduct and supervise state educational and training
7 programs on water pollution prevention, control, and
8 abatement, including the preparation and distribution
9 of information relating to water pollution[-]; and
- 10 (4) Retain experts who shall, in consultation with
11 counties, nonprofit organizations, and wastewater
12 industry professionals:
- 13 (A) Identify necessary resources and tools for public
14 outreach and education, including necessary
15 funding and timelines, to meet the requirements
16 of section 342D-72;
- 17 (B) Develop a comprehensive public outreach strategy
18 for the State and counties to educate homeowners
19 on cesspool conversion options and resources; and
- 20 (C) Develop a website to educate homeowners on why
21 cesspools need to be converted, when conversions



1 are required, options and resources available to
2 help with the conversions, and other relevant
3 information."

4 SECTION 3. There is appropriated out of the general
5 revenues of the State of Hawaii the sum of \$ or so
6 much thereof as may be necessary for fiscal year 2023-2024 and
7 the same sum or so much thereof as may be necessary for fiscal
8 year 2024-2025 for the department of health to retain experts to
9 identify necessary public outreach and education resources and
10 tools and develop a comprehensive public outreach strategy and
11 website to provide necessary information to educate homeowners
12 to meet the State's January 1, 2050, cesspool conversion
13 deadline.

14 The sums appropriated shall be expended by the department
15 of health for the purposes of this Act.

16 SECTION 4. Statutory material to be repealed is bracketed
17 and stricken. New statutory material is underscored.

18 SECTION 5. This Act shall take effect on July 1, 2023.

19

INTRODUCED BY: 



S.B. NO. 639

Report Title:

Cesspools; Mandatory Upgrade, Conversion, or Connection; Public Outreach and Education; Department of Health; Appropriation

Description:

Appropriates funds for the Department of Health to retain experts to identify necessary public outreach and education resources and tools and develop a comprehensive public outreach strategy and website to provide necessary information to educate homeowners to meet the State's statutory January 1, 2050, cesspool conversion deadline.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

