
A BILL FOR AN ACT

RELATING TO DISPOSABLE WIPES.

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

1 SECTION 1. The legislature finds that disposable wipes,
2 including wipes identified as "flushable", do not readily break
3 down as toilet paper does when flushed down the toilet and into
4 the wastewater system, can clog the homeowner's main lateral
5 before reaching the municipality's pipes, or combine with other
6 materials to clog a sewer pipe, wastewater pump station, or
7 treatment plant, causing costly backups and spills. The
8 legislature further finds that there is no standard definition
9 of what is flushable and no standard method to assess
10 flushability. Accordingly, the term "flushable" may be used by
11 a manufacturer to mean that it will clear the toilet bowl. The
12 United States Environmental Protection Agency has also urged
13 consumers to only flush toilet paper and to properly dispose of
14 disinfecting wipes and other items in the trash, not the toilet,
15 stating their failure to break down in sewer or septic systems
16 can damage a home's internal plumbing or local wastewater
17 collection systems and treatment equipment, creating backups



1 that can threaten public health and divert resources away from
2 the essential work being done by water utilities to treat and
3 manage the nation's wastewater.

4 According to the International Water Services Flushability
5 Group, an organization that represents water professionals, to
6 be considered flushable, wipes must break into small pieces
7 quickly, not be buoyant, and only contain ingredients that will
8 readily degrade in natural environments. Despite the lack of an
9 agreed-upon standard, utilities have urged customers for years
10 to ignore "flushable" labels on increasingly popular,
11 premoistened wipes. Some utilities say their wipe problems
12 significantly worsened during the pandemic-induced toilet paper
13 shortage and that some customers who resorted to baby wipes and
14 "personal hygiene" wipes appear to have continued their use long
15 after toilet paper returned to store shelves.

16 The legislature finds that, according to utilities, the
17 wipes can twist into ropy wads, either in a home's sewer pipe or
18 miles down the line, then congeal with grease and other cooking
19 fats to form sometimes massive "fatbergs" that block pumps and
20 pipes, sending sewage back up. The legislature also finds that
21 the city and county of Honolulu's sewer system is designed to



1 only transport water, toilet paper, and human waste to a
2 wastewater treatment plant, and at the start of the pandemic,
3 three of the four counties in the State issued press releases
4 advising the public not to flush wipes down the toilet,
5 including "flushable" wipes, baby wipes, cleaning wipes,
6 bathroom hygiene or wet wipes.

7 The purpose of this Act is to protect residential and
8 municipal plumbing and sewerage systems, public health, the
9 environment, water quality, and public infrastructure used for
10 the collection, transport, and treatment of wastewater from the
11 detrimental effects of "flushable" wipes by prohibiting their
12 sale, offer for sale, and distribution for sale in the State.

13 SECTION 2. Chapter 342D, Hawaii Revised Statutes, is
14 amended by adding a new section to part I to be appropriately
15 designated and to read as follows:

16 **"§342D-_____ Sale and distribution of flushable wipes;**
17 **prohibition.** (a) Beginning _____, _____, it shall be
18 unlawful to sell, offer for sale, or distribute for sale in the
19 State any flushable wipe.



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1 (b) Any person who violates this section shall be subject
2 to the penalties provisions of part II, in addition to any other
3 remedies provided by this chapter.

4 (c) For purposes of this section, "flushable wipe" means a
5 disposable wipe contained in packaging labeled "flushable",
6 "sewer safe", or "septic safe" or otherwise indicating that the
7 product is appropriate for disposal in a toilet. "Flushable
8 wipe" excludes a disposable wipe contained in packaging labeled
9 "toilet paper"."

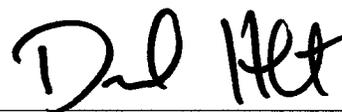
10 SECTION 3. This Act does not affect rights and duties that
11 matured, penalties that were incurred, and proceedings that were
12 begun before its effective date.

13 SECTION 4. New statutory material is underscored.

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

15

INTRODUCED BY:



JAN 19 2023



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Report Title:

Flushable Wipes; Department of Health; Domestic Sewage

Description:

Makes it unlawful to sell, offer to sell, or distribute for sale in the State any flushable wipe. Defines flushable wipe.

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

