

JAN 19 2024

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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 recycling of  
2 construction and demolition debris can offer substantial  
3 benefits to the State. Through increased recycling of debris,  
4 the State can eliminate nearly two thousand tons of construction  
5 and demolition waste that are currently deposited into landfills  
6 each day. Landfills throughout the State that accept  
7 construction and demolition debris have less than one decade of  
8 life remaining, and all public landfills throughout the State  
9 are also approaching maximum capacity. On Oahu, the Waimanalo  
10 Gulch Sanitary Landfill, the island's only public landfill, has  
11 a closure date of 2028. On Hawaii island, the closing of the  
12 South Hilo Sanitary Landfill in 2019 leaves only the Puuanahulu  
13 landfill remaining. Kauai's only landfill, the Kekaha landfill,  
14 is expected to become full in about eight years. And for the  
15 islands of Maui, Lanai, and Molokai, all of their landfills are  
16 expected to reach capacity in the next twenty years.



1           The legislature also finds that there is a disproportionate  
2 effect on the communities that must bear the burden of hosting  
3 these landfill sites. From declining property values to a  
4 proliferation of environmental consequences, the residents of  
5 communities such as Nanakuli and Kekaha must unfairly endure the  
6 weight of tons of waste from all of their island's residents.  
7 This is a burden that should be shared and can be mitigated  
8 through an increase in recycling and diversion of this waste.

9           The legislature further finds that there are few incentives  
10 for public and private sector entities to invest in recycling  
11 processes for construction and demolition debris. This lack of  
12 investment constitutes a significant opportunity for economic  
13 development and environmental sustainability.

14           Accordingly, the purpose of this Act is to require  
15 recycling of construction and demolition materials and use of  
16 recycled materials to factor into priority offeror selections  
17 for competitive procurements of construction or demolition  
18 services by the State or any county.

19           SECTION 2. Chapter 103D, Hawaii Revised Statutes, is  
20 amended by adding a new section to part IV to be appropriately  
21 designated and to read as follows:



1        "§103D-        Construction and demolition; debris recycling.

2        (a) For a competitive procurement of construction or demolition  
3        services by the State or any county, the offeror that:

4            (1) Uses the greatest amount of recycled material for  
5            construction, measured by square footage;

6            (2) Recycles the greatest amount of material for  
7            demolition, measured by tonnage; or

8            (3) Recycles the greatest amount of material for  
9            construction and demolition, combined,

10        shall be selected as the priority offeror; provided that the  
11        priority offeror's bid amount shall not be more than ten per  
12        cent greater or less than all other bids.

13        (b) For the purposes of this section, "recycling" means  
14        reuse or resale of construction or demolition waste material, or  
15        conversion of construction or demolition waste material into new  
16        building materials, products, or fuel for transportation or  
17        renewable gaseous fuel."

18        SECTION 3. New statutory material is underscored.

19        SECTION 4. This Act shall take effect upon its approval.

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INTRODUCED BY:  \_\_\_\_\_



# S.B. NO. 2436

**Report Title:**

Recycling; Construction Waste; Priority Offeror Selections

**Description:**

Requires recycling of construction and demolition materials and use of recycled materials to factor into priority offeror selections for competitive procurements of construction or demolition services by the State or any county.

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