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# A BILL FOR AN ACT

RELATING TO WASTEWATER SYSTEMS.

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

1           SECTION 1. The legislature finds that the health of  
2 Hawaii's people and quality of Hawaii's waters are being harmed  
3 by pollution from cesspools. Hawaii has more than eighty  
4 thousand cesspools that discharge about fifty million gallons of  
5 wastewater into the State's groundwater every day. Cesspools  
6 are antiquated, substandard systems that damage public health;  
7 pollute drinking water; and lower water quality in streams,  
8 groundwater, nearshore marine areas, and the ocean. Cesspool  
9 pollution also harms public recreation and the precious coral  
10 reefs on which Hawaii's economy, shoreline, fisheries, and  
11 native species depend. To protect the public health and  
12 environment, cesspools should be replaced by connecting homes to  
13 sewerage systems or, in areas that are too remote to be feasibly  
14 connected, upgraded either with individual on-site wastewater  
15 disposal systems or cluster wastewater treatment systems.

16           To address the State's cesspool pollution, Act 125, Session  
17 Laws of Hawaii 2017, required all cesspools to be upgraded or



1 converted to a septic system or aerobic treatment unit system or  
2 connected to a sewerage system before January 1, 2050, with  
3 certain exemptions. In recognition of other possible  
4 alternative systems, Act 87, Session Laws of Hawaii 2022,  
5 amended the law to instead require that every cesspool in the  
6 State, excluding cesspools granted exemptions by the director of  
7 health, shall be upgraded or converted to "a director-approved  
8 wastewater system" or connected to a sewerage system.

9 The legislature additionally finds it is critical that  
10 cesspool conversions be affordable for homeowners and government  
11 entities, as traditional individual wastewater systems may not  
12 be the best, most affordable solutions, especially where  
13 substantial excavation and large absorption beds are required.  
14 The costs of such systems generally exceed \$25,000 and can be  
15 even more expensive in some locations.

16 The legislature also finds that new wastewater technologies  
17 and management solutions may improve public health and the  
18 environment, especially the protection of fragile coral reefs,  
19 more affordably than some traditional individual wastewater  
20 systems. Technologies that are reaching a commercial scale for  
21 the first time include solutions for individual homes, as well



1 as multi-unit dwellings, apartment buildings, and entire  
2 communities. At the neighborhood or municipal scale, these  
3 technologies could effectively treat sewage from entire  
4 communities for lower costs than existing technology now  
5 employed in Hawaii.

6 Therefore, new technologies need to be tested in order to  
7 be certified by the department of health for use in Hawaii. The  
8 university of Hawaii's water resources research center has  
9 experience in such testing, and their guidance and studies could  
10 facilitate the department of health's certifications. However,  
11 in order to do such work, the university of Hawaii's water  
12 resources research center would need funding for a full-time  
13 coordinator, administrative efforts, and infrastructure and  
14 equipment costs for testing and analyses.

15 Additionally, maintaining the cleanliness of the State's  
16 waters is a matter of statewide concern that falls under the  
17 legislature's obligation to enact laws pursuant to article XI,  
18 section 7, of the Hawaii State Constitution, and pursuant to the  
19 exclusive jurisdiction of the legislature to identify laws of  
20 statewide concern, granted under article X, section 6 of the



1 Hawaii State Constitution, the legislature finds that this Act  
2 is a matter of statewide concern.

3 The purpose of this Act is to facilitate the certification  
4 of new wastewater and individual wastewater system technologies  
5 in Hawaii that could reduce the costs of cesspool conversions by  
6 establishing and appropriating funds for a new wastewater system  
7 technology testing pilot program within the university of Hawaii  
8 water resources research center.

9 SECTION 2. (a) There is established a three-year new  
10 wastewater system and individual wastewater system technology  
11 testing pilot program within the university of Hawaii water  
12 resources research center.

13 (b) The university of Hawaii water resources research  
14 center, in coordination with the university of Hawaii sea grant  
15 college program and college of engineering, department of  
16 health, department of Hawaiian home lands, and all appropriate  
17 county agencies, shall:

18 (1) Test new wastewater technology systems and review and  
19 evaluate the affordability, feasibility, and  
20 efficiency of the treatment technologies; and



1 (2) Document, validate, and summarize the various tests,  
2 research, and outcomes of each test of wastewater  
3 systems and individual wastewater systems and submit  
4 results of the tests to the department of health.

5 (c) The university of Hawaii water resources research  
6 center shall submit an annual interim report to the legislature  
7 no later than twenty days prior to the convening of each regular  
8 session for the duration of the pilot program and a final report  
9 to the legislature no later than twenty days prior to the  
10 convening of the regular session of 2028. The reports shall  
11 include:

- 12 (1) Information on the new wastewater technologies  
13 reviewed and tested and test results;
- 14 (2) Recommendations on how to improve the efficiency of  
15 the pilot program;
- 16 (3) Whether the pilot program should be made permanent;  
17 and
- 18 (4) Any other recommendations that the university of  
19 Hawaii water resources research center deems  
20 appropriate.



1 (d) The pilot program shall cease to exist on June 30,  
2 2028.

3 SECTION 3. There is appropriated out of the general  
4 revenues of the State of Hawaii the sum of \$ or so  
5 much thereof as may be necessary for fiscal year 2025-2026 and  
6 the same sum or so much thereof as may be necessary for fiscal  
7 year 2026-2027 to implement the new wastewater system and  
8 individual wastewater system technology testing pilot program  
9 established pursuant to this Act.

10 The sums appropriated shall be expended by the university  
11 of Hawaii for the purposes of this Act.

12 SECTION 4. This Act shall take effect on July 1, 2050.



H.B. NO. 736  
H.D. 1  
S.D. 1

**Report Title:**

University of Hawaii Water Resources Research Center; Wastewater System Testing; Pilot Program; Appropriation

**Description:**

Establishes and appropriates funds for a three-year new wastewater system and individual wastewater system technology testing pilot program within the University of Hawaii Water Resources Research Center. Requires interim and final reports to the Legislature. Effective 7/1/2050. (SD1)

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

