
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 State has a
2 constitutional and statutory mandate to protect its environment
3 and natural resources, operating in conjunction with federal
4 mandates under the Safe Drinking Water Act and Clean Water Act.
5 Recognizing the threats and long-term consequences of inadequate
6 wastewater systems, the legislature understands and acknowledges
7 the growing body of research that substantiates that
8 overutilization of individual wastewater systems has been linked
9 to groundwater contamination, waste leakage, and significant
10 risks to nearshore marine ecosystems. Several well-documented
11 public health and environmental concerns are associated with
12 overutilized individual wastewater systems. When these systems
13 experience hydraulic overload, effluent can migrate into
14 groundwater sources, resulting in contamination that poses
15 significant risks to public health and the environment. The
16 legislature estimates that approximately eighty-three to eighty-
17 eight thousand cesspools are located throughout the State and



1 that upwards of fifty- to fifty-five million gallons of
2 untreated wastewater are discharged into the ground each day.
3 Beyond the immediate and observable consequences to the
4 environment, the legislature recognizes the secondary impacts
5 that wastewater issues have on the housing sector, particularly
6 workforce housing in the agricultural sector, where housing
7 options are strained and often located in isolated rural
8 locations that exacerbate wastewater connectivity issues.

9 In response to persistent cesspool conversion challenges,
10 the legislature has enacted several measures to progress towards
11 the cesspool conversion mandate established in Act 125, Session
12 Laws of Hawaii 2017, including establishing a cesspool
13 conversion working group, establishing tax credits for cesspool
14 conversions, and the development of an interacting cesspool
15 monitoring tool. However, despite these efforts, the rate of
16 cesspool conversions remains slow and continues to impede the
17 agricultural and housing sectors in the State's economy. The
18 legislature recognizes the need to ensure that any further
19 legislative initiative is coupled with flexibility, equity,
20 enforceability, and technological adaptability in multiple
21 economic sectors. The legislature intends to fulfill its



1 mandate to address the State's persistent wastewater challenges
2 by balancing critical resource management, environmental
3 protection, the interests of affected economic sectors, and the
4 housing needs of the State.

5 Accordingly, the purpose of this Act is to increase the
6 number of bedrooms an individual wastewater system may serve
7 from five to six.

8 SECTION 2. Section 342D-73, Hawaii Revised Statutes, is
9 amended to read as follows:

10 "[+]§342D-73[+] **Individual wastewater system; dwelling**
11 **units.** An individual wastewater system may serve up to [~~five~~]
12 six bedrooms, regardless of the number of:

13 (1) Dwellings or dwelling units; or

14 (2) Accessory units as defined by the counties,

15 whether the dwellings, dwelling units, or accessory units are
16 attached or detached; provided that this section shall not apply
17 to any new requests to connect additional dwelling units to an
18 existing cesspool."

19 SECTION 3. Statutory material to be repealed is bracketed
20 and stricken. New statutory material is underscored.



1 SECTION 4. This Act shall take effect on July 1, 3000.



Report Title:

Individual Wastewater Systems; Bedrooms; Increase

Description:

Increases the number of bedrooms an individual wastewater system may serve from five to six. Effective 7/1/3000. (HD1)

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

