

JAN 21 2026

A BILL FOR AN ACT

RELATING TO WASTEWATER MANAGEMENT.

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

1 SECTION 1. Chapter 342D, Hawaii Revised Statutes, is
2 amended by adding a new section to be appropriately designated
3 and to read as follows:

4 "§342D- Testing for perfluoroalkyl and polyfluoroalkyl
5 substances. A wastewater treatment plant that has been approved
6 for land application of its sewage sludge shall test sewage
7 sludge and any other residual material that is intended for land
8 application for the presence of perfluoroalkyl and
9 polyfluoroalkyl substances."

10 SECTION 2. Section 342D-1, Hawaii Revised Statutes, is
11 amended by adding a new definition to be appropriately inserted
12 and to read as follows:

13 "Perfluoroalkyl and polyfluoroalkyl substances" or "PFAS"
14 has the same meaning as defined in section 321-601."

15 SECTION 3. Section 342D-5, Hawaii Revised Statutes, is
16 amended to read as follows:



1 "[§]S342D-5[§] **Rules; specific.** The director may
2 establish by rule, water quality standards, effluent standards,
3 treatment and pretreatment standards, and standards of
4 performance for specific areas and types of discharges in the
5 control of water pollution, thereby allowing for varying local
6 conditions[.]; provided that the director shall adopt rules
7 providing for the safe disposal and sequestration of sewage
8 sludge and other residual materials accumulated at a wastewater
9 treatment plant that contain any amount of perfluoroalkyl and
10 polyfluoroalkyl substances."

11 SECTION 4. Section 342D-6, Hawaii Revised Statutes, is
12 amended by amending subsection (c) to read as follows:

13 "(c) The director shall issue a permit for any term, not
14 exceeding five years, if the director determines that it will be
15 in the public interest; provided that the permit may be subject
16 to any reasonable conditions that the director may prescribe.
17 The director may include conditions in permits or may issue
18 separate permits for management practices for domestic sewage,
19 sewage sludge, and recycled water, regardless of whether the
20 practices cause water pollution[.]; provided that if testing
21 conducted pursuant to section 342D- yields any amount of



1 perfluoroalkyl or polyfluoroalkyl substances in sewage sludge or
2 any other residual material, a permit shall not authorize the
3 land application of that sewage sludge or other residual
4 material on land used for agronomic purposes, on land where
5 drainage tiles have been installed, on land that drains into
6 waters of the State, or lands in a five hundred-year floodplain.
7 The director, on application, shall renew a permit from time to
8 time, for a term not exceeding five years, if the director
9 determines that it will be in the public interest. The director
10 shall not grant or deny an application for the issuance or
11 renewal of a permit without affording the applicant and any
12 person who commented on the proposed permit during the public
13 comment period an opportunity for a hearing in accordance with
14 chapter 91. A request for a hearing and any judicial review of
15 the hearing shall not stay the effect of the issuance or renewal
16 of a permit unless specifically ordered by the director or an
17 environmental court."

18 SECTION 5. Statutory material to be repealed is bracketed
19 and stricken. New statutory material is underscored.

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1 SECTION 6. This Act shall take effect upon its approval.

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INTRODUCED BY:

Mike Gabson



S.B. NO. 2096

Report Title:

DOH; Perfluoroalkyl and Polyfluoroalkyl Substances; PFAS; Wastewater Management; Testing; Rules; Permits; Prohibition

Description:

Requires certain wastewater treatment plants to test sewage sludge and any other residual material for the presence of PFAS. Requires the Department of Health to adopt administrative rules for the safe disposal and sequestration of sewage sludge and other residual material that contain specific amounts of PFAS. Prohibits the issuance or renewal of permits if testing yields PFAS in sewage sludge or other residual material on land used for agronomic purposes, on land where drainage tiles have been installed, on land that drains into waters of the State, or land in a five hundred-year floodplain.

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