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# 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 works 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           "~~§~~342D-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 monitoring, sampling, testing, and data  
8 collection of sewage sludge and other residual materials  
9 accumulated at a wastewater treatment works that contain  
10 perfluoroalkyl and 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]~~ to exceed five years, if the director determines  
15 that it will be in the public interest; provided that the permit  
16 may be subject to any reasonable conditions that the director  
17 may prescribe. The director may include conditions in permits  
18 or may issue separate permits for management practices for  
19 domestic sewage, sewage sludge, and recycled water, regardless  
20 of whether the practices cause water pollution~~[-]~~; provided that  
21 if testing conducted pursuant to section 342D-       yields any



1 amount of perfluoroalkyl and polyfluoroalkyl substances in  
2 sewage sludge or any other residual material, a permit shall not  
3 authorize the land application of that sewage sludge or other  
4 residual material on land used for agronomic purposes, on land  
5 where drainage tiles have been installed, on land that drains  
6 into waters of the State, or lands in a five hundred-year  
7 floodplain. The director, on application, shall renew a permit  
8 from time to time, for a term not exceeding five years, if the  
9 director determines that it will be in the public interest. The  
10 director shall not grant or deny an application for the issuance  
11 or 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.

20 SECTION 6. This Act shall take effect on July 1, 2050.



**Report Title:**

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

**Description:**

Requires certain wastewater treatment works 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 monitoring, sampling, testing, and data collection 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 500-year floodplain. Effective 7/1/2050. (SD2)

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