

JAN 23 2026

A BILL FOR AN ACT

RELATING TO LANDFILL UNITS.

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

1 SECTION 1. The legislature finds that the State must
2 ensure that Oahu's freshwater aquifers are protected from
3 landfill contamination. The legislature further finds that Act
4 255, Session Laws of Hawaii 2025 (Act 255), established a
5 prohibition on the construction, modification, and expansion of
6 landfill units, or any components of landfill units, inland of
7 an underground injection control line designated by the
8 department of health in a county with a population greater than
9 five hundred thousand. The legislature also finds that after
10 Act 255 was passed, the city and county of Honolulu updated its
11 Parcels and Zoning Information App by adding a pass/no-pass zone
12 layer developed by the Honolulu board of water supply based on
13 research and data analysis, which may be used as guidelines for
14 the manager and chief engineer of the Honolulu board of water
15 supply in determining whether to approve a proposed waste
16 disposal facility. The no-pass zone represents areas over the
17 freshwater aquifer with a smaller or nonexistent caprock,



1 meaning that these areas are susceptible to contamination, which
2 may be a basis for the manager to withhold approval of the
3 proposed facility.

4 Accordingly, the purpose of this Act is to, beginning
5 July 1, 2026, prohibit the construction, modification, or
6 expansion of a landfill unit, or any component of a landfill
7 unit, within the no-pass zone in a county with a population
8 greater than five hundred thousand, with certain exemptions.

9 SECTION 2. Section 342H-52, Hawaii Revised Statutes, is
10 amended by amending subsections (c) and (d) to read as follows:

11 "(c) Beginning July 1, [2025,] 2026, no person, including
12 the State or any county, shall construct, modify, or expand a
13 landfill unit or any component of a landfill unit [~~inland of an~~
14 ~~underground injection control line~~] within the no-pass zone in a
15 county with a population greater than five hundred thousand.

16 This subsection shall not apply to the continued operation of an
17 existing landfill unit or any component of a landfill unit that
18 is properly permitted; provided that continued operation does
19 not require physical expansion, vertical or horizontal, of the
20 landfill unit or component of a landfill unit requiring
21 additional permitting review and a permit modification.



1 (d) For the purposes of this section:

2 "Buffer zone" means the distance between the edge of the
3 landfill unit or component of the landfill unit and the nearest
4 residential, school, or hospital property line.

5 "Landfill unit" means a municipal solid waste landfill unit
6 or a construction and demolition landfill unit.

7 [~~"Underground injection control line"~~ means the line
8 determined by the department under rules adopted or regulations
9 promulgated pursuant to section 340E-2.]

10 "No-pass zone" means areas over the freshwater aquifer with
11 a smaller or nonexistent caprock, as designated by the city and
12 county of Honolulu board of water supply in the version of the
13 Parcels and Zoning Information App, or a subsequent application
14 with the same purpose, that is published as of the date of
15 submission of any permit or other request for approval to
16 construct, modify, or expand a landfill unit or any component of
17 a landfill unit."

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

20 SECTION 4. This Act shall take effect on July 1, 2026.

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S.B. NO. 2769

INTRODUCED BY: 



S.B. NO. 2769

Report Title:

Landfill Units; No-Pass Zone; Parcels and Zoning Information App; Prohibition; City and County of Honolulu

Description:

Beginning 7/1/2026, prohibits the construction, modification, or expansion of a landfill unit, or any component of a landfill unit, within the no-pass zone in a county with a population greater than five hundred thousand, with certain exemptions.

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