



STATE OF HAWAI'I
DEPARTMENT OF HEALTH
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**Testimony COMMENTING on SB2155
RELATING TO WASTEWATER SYSTEMS.**

SENATOR JOY A. SAN BUENAVENTURA, CHAIR
SENATE COMMITTEE ON HEALTH AND HUMAN SERVICES

SENATOR MIKE GABBARD, CHAIR
SENATE COMMITTEE ON AGRICULTURE AND ENVIRONMENT

Hearing Date, Time and Room Number: 02/02/2026, 3:00 pm, 224

1 **Fiscal Implications:** Undetermined.

2 **Department Position:** The Department of Health ("Department") offers comments and
3 proposed amendments.

4 **Department Testimony:** The Environmental Management Division, Wastewater Branch ("EMD-
5 WWB") provides the following testimony on behalf of the Department.

6 The purpose of this measure is to require the Department to amend its administrative
7 rules to set the number of dwellings and dwelling units that may be connected to a single
8 individual wastewater system to be not more than five dwellings or dwelling units; provided
9 that the total quantity of bedrooms connected to one individual wastewater system shall not
10 exceed six bedrooms.

11 The Department is taking several steps to address the use of bedrooms as a proxy for
12 calculating requirements for individual wastewater systems (IWS).

1 In 2025, the Department reviewed and updated policies regarding Hawai'i
2 Administrative Rules, Section 11-62-03 (HAR 11-62-03), by clarifying the definition of a
3 bedroom for the purpose of calculating individual wastewater system sizing.¹ The first purpose
4 of this bill, to set the number of dwellings and dwelling units that may be connected to a single
5 IWS to be not more than five dwellings or dwelling units, has been addressed by the Legislature
6 through Act 224, Session Laws of Hawai'i 2025, which created Hawai'i Revised Statutes (HRS),
7 Section 342D-73² and states that "[a]n individual wastewater system may serve up to five
8 bedrooms, regardless of the number of: (1) Dwellings or dwelling units; or (2) Accessory units as
9 defined by the counties, whether the dwellings, dwelling units, or accessory units are attached
10 or detached; provided that this section shall not apply to any new requests to connect
11 additional dwelling units to an existing cesspool."

12 As the Department has already begun to address the concern of bedrooms as a proxy
13 for IWS requirements, it respectfully requests the deferral of this measure.

14 **Offered Amendments:** None.

15 Thank you for the opportunity to testify on this measure.

¹ https://health.hawaii.gov/wastewater/files/2025/11/25.10.28_Bedroom-Presumption-Guidance.pdf

² https://www.capitol.hawaii.gov/hrscurrent/Vol06_Ch0321-0344/HRS0342D/HRS_0342D-0073.htm

Feb. 2, 2026, 3 p.m.
Hawaii State Capitol
Conference Room 224 and Videoconference

To: Committee on Agriculture and Environment

Sen. Mike Gabbard, Chair

Sen. Herbert M. "Tim" Richards, III, Vice Chair

Committee on Health and Human Services

Sen. Joy A. San Buenaventura, Chair

Sen. Angus L.K. McKelvey, Vice Chair

From: Grassroot Institute of Hawaii

Ted Kefalas, Director of Strategic Campaigns

RE: COMMENTS ON SB2155 — RELATING TO WASTEWATER SYSTEMS

Aloha chairs, vice chairs and other members of the committees,

The Grassroot Institute of Hawaii **offers comments** on — and **an amendment** to — [SB2155](#), which would require the Hawaii Department of Health to allow up to five dwelling units to connect to an individual wastewater system, provided that no more than six total bedrooms are connected to the system.

This bill could augment [Act 224 \(2025\)](#), which changed state law to allow up to five bedrooms to connect to an individual wastewater system regardless of the number of dwelling units. However, instead of limiting the number of dwelling units as this bill proposes, Grassroot recommends the bill simply be rewritten to update the text of Act 224 to allow six bedrooms instead of five.

Doing this would let Hawaii residents currently using septic or other approved wastewater systems have maximum flexibility in adding to their homes or building second, smaller homes on their land.

Thank you for the opportunity to testify.

Ted Kefalas, Director of Strategic Campaigns
Grassroot Institute of Hawaii