

Honolulu, Hawaii

, 2026

FEB 09

RE: H.B. No. 1673

H.D. 1

Honorable Nadine K. Nakamura
Speaker, House of Representatives
Thirty-Third State Legislature
Regular Session of 2026
State of Hawaii

Madame:

Your Committee on Water & Land, to which was referred H.B. No. 1673 entitled:

"A BILL FOR AN ACT RELATING TO LANDFILL UNITS,"

begs leave to report as follows:

The purpose of this measure is to prohibit, beginning on July 1, 2026, 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.

Your Committee received testimony in support of this measure from the Honolulu Board of Water Supply; Energy Justice Network; and two individuals. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Department of Health; Department of Environmental Services of the City and County of Honolulu; and two individuals.

Your Committee finds that the flow of groundwater can be unpredictable and relatively quick. Contamination from landfill leachate poses a considerable risk to Oahu's groundwater aquifer and drinking-water resources. This measure seeks to prevent the occurrence of such a grave public-health and environmental peril.



Your Committee further finds that Act 255, Session Laws of Hawaii 2025 (Act 255), established a prohibition on the construction, modification, and expansion of landfill units, or any components thereof, inland of an underground injection control line in a county with a population greater than five hundred thousand. This prohibition is codified in section 342H-52(c), Hawaii Revised Statutes. The City and County of Honolulu subsequently updated its Parcels and Zoning Information App by adding a pass/no-pass zone layer developed by the Honolulu Board of Water Supply, which may be used as guidelines for the Manager and Chief Engineer of the Honolulu Board of Water Supply in determining whether to approve a proposed landfill unit, or component thereof.

Your Committee understands that without the specific statutory prohibition in section 342H-52(c), Hawaii Revised Statutes, the Manager and Chief Engineer would then be able to withhold approval of a landfill unit, or component thereof, based on its location within the no-pass zone instead of inland of an underground injection control line.

Accordingly, your Committee has amended this measure by:

- (1) Deleting the prohibition, beginning on July 1, 2026, against 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;
- (2) Repealing section 342H-52(c), Hawaii Revised Statutes;
- (3) Changing its effective date to July 1, 3000, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Your Committee notes the concerns raised in testimony about the potential threat to aquifers of ash from incinerated trash used in roadbuilding and other shallow applications and requests your Committee on Energy & Environmental Protection, should it deliberate on this measure, to consider amendments to limit disposal methods and reuse of ash to better protect aquifers.



As affirmed by the record of votes of the members of your Committee on Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1673, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1673, H.D. 1, and be referred to your Committee on Energy & Environmental Protection.

Respectfully submitted on
behalf of the members of the
Committee on Water & Land,



MARK J. HASHEM, Chair



