



STATE OF HAWAII  
DEPARTMENT OF HEALTH  
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**Testimony COMMENTING on SB2155 SD1  
RELATING TO WASTEWATER SYSTEMS.**

REPRESENTATIVE LUKE A. EVSLIN, CHAIR  
HOUSE COMMITTEE ON HOUSING

Hearing Date, Time and Room Number: 03/18/2026, 9:00 am, 430

1 **Fiscal Implications:** Undetermined.

2 **Department Position:** The Department of Health (“Department”) offers comments.

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

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

10 The Department is taking several steps to address the use of bedrooms as a proxy for  
11 calculating design flow/capacity requirements for individual wastewater systems (IWS). The  
12 Departments use of bedrooms agrees with the 1980 EPA design manual for Septic Tank systems  
13 and includes a factor of safety to prevent failure of the wastewater system. The Department is  
14 in the process of evaluating the use of IWS for dwellings with more than 5 bedrooms but is  
15 currently evaluating the risk of increasing the maximum allowable flow/capacity. There may be

1 additional restrictions that must be implemented to ensure the continued protection of the  
2 environment and public health.

3 In 2025, the Department reviewed and updated policies regarding Hawai'i  
4 Administrative Rules, Section 11-62-03 (HAR 11-62-03), by clarifying the definition of a  
5 bedroom for the purpose of calculating individual wastewater system sizing.<sup>1</sup> The first purpose  
6 of this bill, to set the number of dwellings and dwelling units that may be connected to a single  
7 IWS to be not more than five dwellings or dwelling units, has been addressed by the Legislature  
8 through Act 224, Session Laws of Hawai'i 2025, which created Hawai'i Revised Statutes (HRS),  
9 Section 342D-73<sup>2</sup> and states that “[a]n individual wastewater system may serve up to five  
10 bedrooms, regardless of the number of: (1) Dwellings or dwelling units; or (2) Accessory units as  
11 defined by the counties, whether the dwellings, dwelling units, or accessory units are attached  
12 or detached; provided that this section shall not apply to any new requests to connect  
13 additional dwelling units to an existing cesspool.”

14 **Offered Amendments:** None. Thank you for the opportunity to testify on this  
15 measure.

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<sup>1</sup> [https://health.hawaii.gov/wastewater/files/2025/11/25.10.28\\_Bedroom-Presumption-Guidance.pdf](https://health.hawaii.gov/wastewater/files/2025/11/25.10.28_Bedroom-Presumption-Guidance.pdf)

<sup>2</sup> [https://www.capitol.hawaii.gov/hrscurrent/Vol06\\_Ch0321-0344/HRS0342D/HRS\\_0342D-0073.htm](https://www.capitol.hawaii.gov/hrscurrent/Vol06_Ch0321-0344/HRS0342D/HRS_0342D-0073.htm)

March 18, 2026, 9:00 a.m.  
Hawaii State Capitol  
Conference Room 430 and Videoconference

**To: House Committee on Housing**  
**Rep. Luke Evslin, Chair**  
**Rep. Tyson Miyake, Vice Chair**

**From: Grassroot Institute of Hawaii**  
**Ted Kefalas, Director of Strategic Campaigns**

RE: TESTIMONY WITH COMMENTS ON SB2155 SD1 — RELATING TO WASTEWATER SYSTEMS

Aloha Chair, Vice Chair and other Committee Members,

The Grassroot Institute of Hawaii **offers comments** on — and **an amendment** to — [SB2155 SD1](#), 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