

A Bill for an Act Relating to Certification of Private Cesspool Pumping Firms.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. The title of Chapter 340B, Hawaii Revised Statutes, is amended to read as follows:

**“[[CHAPTER 340B]]
HAWAII LAW FOR MANDATORY CERTIFICATION
OF PRIVATE CESSPOOL PUMPING FIRMS
AND OPERATING PERSONNEL IN
WASTEWATER TREATMENT PLANTS”**

SECTION 2. Chapter 340B, Hawaii Revised Statutes, is amended by adding a new section to be appropriately designated and to read as follows:

“§340B- Certification of private cesspool pumping firms. (a) A private firm must be certified by the board prior to engaging in the activity of cesspool pumping.

(b) To apply for certification to engage in the activity of cesspool pumping a firm must be represented by at least one responsible person meeting standards of competency as required by rules adopted by the board. Competency requirements are to include the applicant’s knowledge of the requirements for proper waste disposal. The applicant shall submit to the board an application for certification in a form approved by the board, which shall include information on the applicant’s prior and current involvement in the activity of cesspool pumping and such information or credentials as may be required by this chapter or the rules adopted by the board, and an application fee. The board shall issue a certificate to an applicant who has satisfied the requirements established by the board.

(c) The board, subject to chapter 91, shall adopt rules as it deems reasonable and proper relating to the activity and certification of cesspool pumping. The rules of the board may prescribe an original registration fee for the engaging by any firm in the activity of cesspool pumping and an annual renewal fee.

(d) Private firms certified pursuant to this section shall provide periodic reports to the board as prescribed by the board. Such reports are to include, but not be limited to, information as to the number of cesspools pumped, their location, and the manner of waste disposal.

(e) This section shall not apply to federal, state or county agencies engaged in the activity of cesspool pumping.

(f) A certificate may be revoked, suspended or refused by the board upon proof to its satisfaction of violation of this chapter or any rule of the board adopted pursuant thereto. Every firm so charged shall be given notice and opportunity for hearing in conformity with chapter 91.”

SECTION 3. Statutory material to be repealed is bracketed. New statutory material is underscored.¹

SECTION 4. This Act shall take effect upon its approval; provided that no private cesspool pumping firm shall be required to be certified prior to January 1, 1988.

(Approved June 24, 1987.)

Note

1. Edited pursuant to HRS §23G-16.5.