

A Bill for an Act Relating to Hazardous Waste.

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

SECTION 1. Section 342J-34.6, Hawaii Revised Statutes, is amended to read as follows:

“~~[[§342J-34.6]]~~ **Brokers; notification; and identification numbers.** (a) Not later than forty-five days after July 1, 1994, any person who acts as a hazardous waste broker, with respect to any substance listed as hazardous waste or identified by its characteristics as hazardous waste under 40 Code of Federal Regulations Part 261, shall apply to the department for an identification number and shall file with the department a notification stating the location and general description of the hazardous waste handling activity of the broker. [The initial notification from the broker shall include a notarized written statement from the owner, or owner’s agent, of the facility or land to be used by the broker for hazardous waste handling activity acknowledging the hazardous waste handling activity of the broker.]

(b) Not later than forty-five days after the adoption of any rule pursuant to this chapter that lists or identifies by characteristics any substance as hazardous waste, any person who acts as a hazardous waste broker with respect to such substance shall apply to the department for an identification number and shall file with the department a notification stating the location and general description of the hazardous waste handling activity of the broker. [The initial notification from the broker shall include a notarized written statement from the owner, or owner’s agent, of the facility or land to be used by the broker for hazardous waste handling activity acknowledging the hazardous waste handling activity of the broker.] This subsection shall not apply to activities or hazardous waste as to which notification has been made in compliance with subsection (a).

(c) Each hazardous waste broker shall be issued only one identification number.

(d) Any person required by this section to provide notification to the department shall advise the department[, by January 31 of each year following initial notification,] of the following information, including any which may have changed during the prior year:

- (1) Location of each business;
- (2) Name of business;
- (3) Mailing address[;] of each business;
- (4) Name of person who operates the facility at which hazardous waste is handled;
- (5) Name of owner of the facility at which hazardous waste is handled;
- (6) Name of owner of land at which hazardous waste is handled; and
- (7) [A notarized written statement from] A copy of a notice sent by the broker to the facility owner, or owner’s agent, of the facility or land [to be] used by the broker [for hazardous waste handling activity acknowledging the hazardous waste handling activity of the broker.] as the broker’s principal place of business. The notice shall be mailed by certified mail to the owner, or owner’s agent, and shall describe the broker’s hazardous waste handling activities.

(e) This section shall not apply to owners or operators of hazardous waste treatment, storage, or disposal facilities.’’

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SECTION 3.¹ Statutory material to be repealed is bracketed. New statutory material is underscored.

SECTION 4.¹ This Act shall take effect upon its approval.

(Approved April 6, 2001.)

Note

1. So in original.