

HB 2644, HD2



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March 11, 2010

TESTIMONY

before the

SENATE

COMMITTEE ON ENERGY AND ENVIRONMENT

and

COMMITTEE ON TRANSPORTATION, INTERNATIONAL & GOVERNMENT
AFFAIRS

HB 2644 HD2 Relating to Solid Waste

Chair Gabbard, Vice Chair English, and Members of the Committee:

The Hawaii Farm Bureau Federation (HFBF), the largest statewide non-profit general agriculture organization, representing approximately 1,600 farm and ranch family members, appreciates the opportunity to present comments on this bill.

The Farm Bureau respectfully requests your assistance in amending this bill to exempt certain wastes from the current surcharge and thereby encourage meat and egg production in the islands AND prevent disease outbreaks in the case of a natural disaster.

This exemption should be provided because landfilling is the *only* viable method of disposal for animals that have died as a result of a natural disaster (such as the mortalities that occurred during the last hurricane in the islands) or a disease outbreak (such as the salmonella outbreak on Oahu in which thousands of chickens had to be destroyed). Regulatory mandates and disease prevention practices prevent burial of the animals on the farm.

Everyone supports the concept of locally grown food and recognizes that it is essential for the biosecurity of the islands. Our dependency on mainland and foreign food not only hurts our local economy but could prove disastrous if the islands are cut off from food shipments for even as little as one week. Hawaii's farmers and ranchers are trying to ensure local food availability and security despite the higher costs of production here.

The State too, is trying to encourage more beef production in Hawaii. In addition to providing relief in emergency situations, our suggested amendment would benefit our fledgling home-grown grass-fed cattle industry that is being crippled because of the disposal costs for animal wastes from the slaughterhouse.

We respectfully request the following amendment to Chapter 342G-62 (a). On page 2 of the bill, after line 20, add:

This surcharge shall not apply to disposal of livestock carcasses, or slaughterhouse wastes.

Amending this bill to help our beef, pork, chicken, and egg producers will help local farmers stay in business and provide the islands with some of its food needs.

We appreciate your support of local food production for Hawaii.



Hawaii Cattlemen's Council, Inc.

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SENATE COMMITTEE ON ENERGY & ENVIRONMENT
AND
SENATE COMMITTEE ON TRANSPORTATION, INTERNATIONAL & GOV AFFAIRS
Thursday March 11, 2010 2:45 pm Room 225

HB 2644 HD 2 RELATING TO SOLID WASTE

Chairs Gabbard and English and Members of the Committees:

My name is Alan G. Otlieb, and I am the President of the Hawaii Cattlemen's Council. The Hawaii Cattlemen's Council, Inc. (HCC) is the Statewide umbrella organization comprised of the five county level Cattlemen's Associations. Our 130+ member ranchers represent over 60,000 head of beef cows; more than 75% of all the beef cows in the State. Ranchers are the stewards of approximately 25% of the State's total land mass.

We need your help. Although this bill does not target agriculture, it provides a vehicle to address a current and urgent problem for farmers and ranchers.

We are asking that HB 2644 HD2 be amended to insert an exemption from the existing surcharge for certain agricultural wastes that require landfill disposal to prevent the spread of disease. This would only exempt a very small portion of agricultural wastes while providing a public health benefit.

Currently, slaughterhouses around the State must take their waste to their respective landfills, due to lack of rendering plants on neighbor Islands, and because the Oahu rendering plant cannot accept the waste from cattle due to laws put in place to prevent BSE (also known as Mad Cow Disease)

While Neighbor Island ranchers have sought to bring cattle to Oahu for slaughter, to help increase capacity through the Oahu slaughterhouse which is in deep financial difficulty due to the lack of volume, they have been told that the slaughterhouse cannot afford to slaughter these animals due to the waste disposal costs.

While the State's surcharge at local landfills are minimal compared to the County Disposal Fees, we are asking you to consider having the State lead by example, by exempting this waste from surcharges. Our next step will then be to go to the Counties and ask them to exempt this slaughterhouse waste and show them how the State has led by example.

We are also asking for an exemption for a farmer who must dispose of animals due to

1. Natural disasters (like hurricanes) that kill entire flocks or herds or
2. Disease outbreaks (like salmonella) that necessitate destruction of animals

Regulatory mandates and best management practices prevent burial of the animals on the farm.

The State is trying to encourage more cattle processing in Hawaii in an attempt to improve Hawaii's biosecurity. Amending this bill to help our beef, pork, chicken, and egg producers will give local farmers the opportunity to stay in business and provide the islands with at least some of its food needs.

For these reasons, we respectfully request the following amendment to Chapter 342G-62 (a). On page 2 of the bill, after line 20, add:

This surcharge shall not apply to disposal of livestock carcasses, or slaughterhouse waste.

Thank you again for the opportunity to submit comments in support of local food production for Hawaii.

**Hawaii Egg Producers Association
830 Bishop Street, Suite 850
Honolulu, Hawaii 96813**

March 11, 2010

TESTIMONY

Before the

SENATE COMMITTEE ON ENERGY AND THE ENVIRONMENT

Senator Mike Gabbard, Chair

Senator Kalani English, Vice Chair

**SENATE COMMITTEE ON TRANSPORTATION, INTERNATIONAL AND
INTERGOVERNMENTAL AFFAIRS**

Senator Kalani English, Chair

Senator Mike Gabbard, Vice Chair

HB 2644 HD2 Relating to Solid Waste

Chair Gabbard, Chair English and Members of the Committees:

Hawaii Egg Producers Association represents commercial egg producers from Oahu producing fresh Island eggs for the State of Hawaii. We have witnessed a dramatic loss of egg farms on Oahu and the extinction of egg production on Kauai, Maui and the Big Island. According to USDA NASS, poultry production in Hawaii from 1996 – 2009 has declined by 57 percent. According to the Cooperative Extension Service, the decline was due to higher price of feed on the islands, agricultural lands being converted to urban use, and price competition from the US mainland.

In 2005, the only poultry slaughterhouse on Oahu for egg laying hens closed. Unlike hogs and cattle, egg producers have no facility to send their old laying hens once egg production ceases. Old hens are sold live. The landfill has been the only alternative means of carcass disposal. Our farmers are encouraged by the extension service and veterinarians to dispose of our animal carcasses by taking them to the landfill, rather than burying them on the farm to prevent the spread of disease from dead and sick animals to healthy animals. This management practice is part of the Hawaii Emergency Response Plan to Avian Influenza Pandemic and other quality assurance plans for food safety.

Another challenge is the limited size of our farm lots (2-5 acres) to compost the mortality. During both Hurricane Iwa and Hurricane Iniki, thousands of animals were killed on West Oahu and Kauai. Our farmers were unable to bury those animals on their farms and transported the carcasses to the landfill once the roads were cleared.

We recognize that the current fiscal situation may require the proposed fee to support efforts that provide the public with necessary services. We would appreciate your support to sustain our very

fragile egg industry from further decline and increased costs of production. There are only 4 commercial egg farms left in the State of Hawaii. Our dependency on mainland and imported food hurts our economy and could prove disastrous if food shipments were disrupted for even as little as one week. We agree with the proposed amendment to HB 2644 HD2 by the Hawaii Farm Bureau Federation to exempt existing surcharge application to the disposal of animal carcasses. For these reasons, we respectfully request the following amendment (**in bold**) to Chapter 342G-62 (a). On page 2 of the bill, after line 20, add:

This surcharge shall not apply to disposal of animal carcasses, or associated parts.

Thank you again for the opportunity to submit comments in support of agriculture in Hawaii.

GOODSILL ANDERSON QUINN & STIFEL

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MEMORANDUM

TO: Senator Mike Gabbard
Chair, Committee on Energy and Environment
Senator J. Kalani English
Chair, Committee on Transportation, International, and Government Affairs
VIA EMAIL: ENETestimony@Capitol.hawaii.gov

FROM: Gary M. Slovin / Mihoko E. Ito

DATE: March 10, 2010

RE: **H.B. 2644, HD2 -- Relating to Solid Waste**
Hearing: Thursday, March 11, 2010 at 2:45 p.m., Room 225

Dear Chairs Gabbard and English and Members of the Committees:

I am Gary Slovin, testifying on behalf of PVT Land Company (“PVT”), the construction and demolition landfill located in Nanakuli on Oahu. As part of its ongoing operations, PVT has incorporated recycling of metals and concrete, and also has applied for a new permit to allow recycling of combustible material (like wood and other building materials) to support renewable energy projects.

PVT **submits comments** regarding H.B. 2644, H.D. 2, which proposes to extend the 35 cent surcharge from solid waste disposal facilities to waste-to-energy facilities and solid waste shipped out of state for disposal or incineration.

PVT believes that Section 1 of this measure should be amended to accurately state the use of the proceeds generated from the solid waste disposal surcharge. We have two comments regarding Section 1. First, the bill assumes that disposal technologies, such as recycling, are really just disposal. That premise is not accurate. The Legislature has repeatedly recognized the importance of recycling because it is a valued alternative to disposal. Second, the bill assumes that the solid waste surcharge was implemented in order to provide a revenue stream to support the general

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administration of the Office of Solid Waste Management. This premise is inconsistent with the statute when it was enacted in 1993.

When the disposal surcharge was adopted by the Legislature in 1993, the funds raised from the surcharge were supposed to be used to support "source reduction, recycling and bioconversion activities" created by the expansion of solid waste regulations. The surcharge was implemented to provide funding to "support solid waste management, statewide waste reduction, recovery, and diversion programs." Thus, the solid waste disposal surcharge was not meant to be just another tax to fund the general administration of the department.

PVT believes that the purpose statement of H.B. 2644 should reflect the true purpose and intent of the solid waste disposal surcharge. The funds from the surcharge should continue to support recycling and waste reduction, not fund the general administration of the Office of Solid Waste Management. For these reasons, PVT respectfully requests that Section 1 of H.B. 2644, H.D. 2 be amended as follows:

In addition, facilities using new waste processing technologies ~~that, even though they~~ do not dispose of solid waste, and do not meet the ~~current~~ definition of solid waste disposal facility under section 342G-1, Hawaii Revised Statutes. These new technologies require a solid waste permit and are subject to regulation by the office of solid waste management; however, they currently are not assessed the surcharge payments. ~~to support the administration of the solid waste management program. The net effect of these new disposal methods is an increase in workload for the office of solid waste management without a corresponding revenue stream. The purpose of the surcharge is to promote and support integrated solid waste management, source reduction, recycling, and bioconversion activities.~~

Thank you for the opportunity to submit testimony on this measure.