

SB 1635

LINDA LINGLE
GOVERNOR OF HAWAII



CHIYOME LEINAALA FUKINO, M.D.
DIRECTOR OF HEALTH

STATE OF HAWAII
DEPARTMENT OF HEALTH
P.O. Box 3378
HONOLULU, HAWAII 96801-3378

In reply, please refer to:
File:

SENATE COMMITTEE ON ENERGY AND ENVIRONMENT
SENATE COMMITTEE ON TRANSPORTATION, INTERNATIONAL, AND
INTERGOVERNMENTAL AFFAIRS

S.B. 1635, RELATING TO WASTE MANAGEMENT

Testimony of Chiyome Leinaala Fukino, M.D.
Director of Health

February 12, 2009
2:50 P.M.

1 **Department's Position:** The department respectfully opposes this bill.

2 **Fiscal Implications:** None

3 **Purpose and Justification:** This bill proposes to require all public and private landfills, transfer
4 stations and recovery facilities that accept and process waste to charge commercial haulers operating
5 commercial vehicles with a gross vehicle weight of 19,500 pounds or less, a tipping fee calculated by
6 weight disposed as opposed to a minimum charge.

7 The department opposes this measure for two reasons. First, we believe that the fee structure
8 imposed by public and private waste facilities should be determined by the facility and should not be
9 enforced by the Department of Health. The function of the Department of Health is to ensure protection
10 of public health and the environment, not how the waste facilities charge their services to the
11 commercial sector.

12 Second, there are many public and private waste facilities that do not have scales to weigh waste
13 loads. For these facilities, a scale would need to be purchased and installed in order for them to comply

1 with this law, thus adding another cost to their operation. Examples of such facilities include all four
2 Kauai County transfer stations, Lanai Landfill, Hana Landfill and numerous composting, salvage and
3 recycling operations.

4 Thank you for the opportunity to testify.

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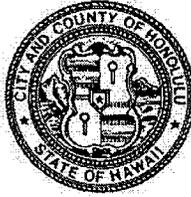
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DEPARTMENT OF ENVIRONMENTAL SERVICES
CITY AND COUNTY OF HONOLULU

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MANUEL S. LANUEVO, P.E., LEED AP
DEPUTY DIRECTOR

ROSS S. TANIMOTO, P.E.
DEPUTY DIRECTOR

IN REPLY REFER TO:
WAS 09-51

February 11, 2009

The Honorable J. Kalani English, Chair
and Members of the Committee on Transportation, International and
Intergovernmental Affairs
State Senate
State Capital
Honolulu, Hawaii 96813

Dear Chair English and Members:

Subject: Senate Bill 1635, Relating to Waste Management

The City and County of Honolulu's Department of Environmental Services (ENV) opposes Senate Bill 1635 which proposes to modify Chapter 342H, Hawaii Revised Statutes to add a new part entitled Waste Facility Fees.

It is inappropriate for the State to prescribe the specific method by which an entity, public or private, charges its customers. That is appropriately an agreement between the parties.

Further, prescribing the use of actual weight for vehicles weighing 19,500 pounds or less, assumes that the vehicle weight of such vehicles is known and that existent scales are capable of weighing such vehicles. A commercial hauler could use a pickup truck for a particular load and this bill would require weighing that pickup truck adding potentially unnecessary and non-beneficial cost to the operation of a waste facility.

We firmly believe that this intrusion on the relationship between a service provider and customer is inappropriate, likely to increase costs and respectfully request that this bill not be passed.

Sincerely,

A handwritten signature in black ink, appearing to read "T. Steinberger", is written over a faint, larger version of the same signature.

Timothy E. Steinberger, P.E.
Acting Director

Senator Mike Gabbard- Chair
Senator J. Kalani English- Vice Chair
Committee on Energy and Environment

Kika G. Bukoski
P.O. Box 22937 Honolulu, HI 96823

Thursday, February 12, 2009

Written Testimony in Support of SB1635, Relating to Waste Management; Tipping Fees

My name is Kika G. Bukoski and I am providing written testimony as a private citizen, in support of SB1635. The bill would require that all landfills through out the state of Hawaii charge commercial haulers with vehicles that are 19,500 GVW or less, a "pass through" tipping fee based upon the actual weight of the material being disposed of.

Currently there are landfills that charge a minimum tonnage fee regardless of what amount (tonnage) of waste is actually being disposed of. All vehicles are currently weighed as they enter the landfill. Actual weights and tonnages are recorded and filed. Most commercial vehicles that weigh 19,500 GVW or less average an actual load weight of between 2-3 tons less than the minimum they are currently being charged. These costs are passed on to the home owner and/or contractor either directly or indirectly.

This measure is intended to assist with providing a fair means of assessing a fee for service while also providing some relief to our small businesses and home owners. Construction projects such as re-roofing, renovations, re-builds, build outs, small demos, repair and maintenance etc. will all benefit from this measure. Given the current state of our economy, every advantage would help.

This is a positive Bill for the waste industry, the construction industry, the real estate industry, the private home owner and small business in general. I urge this committee to pass SB1635. Thank you for the opportunity to testify.