

JAN 21 2011

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# A BILL FOR AN ACT

RELATING TO LANDFILLS.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1           SECTION 1. The legislature finds that the Waimanalo gulch  
2 landfill, located on the leeward coast, is the only existing  
3 landfill on Oahu capable of receiving the total daily output of  
4 non-reusable municipal solid waste.

5           The legislature further finds that prior to the  
6 establishment of the municipal solid waste landfill at Waimanalo  
7 gulch eighteen years ago, there were other municipal solid waste  
8 landfills that operated on the leeward coast. The residents of  
9 the leeward coast bore the burden of all of Oahu's construction  
10 and demolition waste, including asbestos, that was deposited  
11 into a privately-owned landfill that is adjacent to and mauka of  
12 Nanakuli town. Additionally, there may be other privately-owned  
13 landfills planned or proposed.

14           Besides the obvious health risks that leeward coast  
15 residents may suffer as a result of these landfills, leeward  
16 coast residents are also impacted by certain other environmental  
17 concerns: the H-power plant, the abandoned military ordnance,  
18 the disproportionately large number of homeless, and horrendous



1 daily traffic conditions. Every day, approximately four hundred  
2 trucks, many in the semi-tractor trailer category, travel to and  
3 from privately-owned landfills or other business establishments  
4 adding significantly to the traffic. Accordingly, the  
5 legislature finds that there would be significant gridlock for  
6 leeward coast residents if another landfill were opened.

7 The purpose of this Act is to place a moratorium on the  
8 construction of any new landfills, whether green waste landfills  
9 or otherwise, or the expansion of any existing private solid  
10 waste landfill on the leeward coast from Kaena point to  
11 Waimanalo gulch on or after August 1, 2011.

12 SECTION 2. Chapter 342H, Hawaii Revised Statutes, is  
13 amended by adding a new section to part IV to be appropriately  
14 designated and to read as follows:

15 "§342H- Leeward coast landfills; moratorium. Any law to  
16 the contrary notwithstanding, no person, including any  
17 government agency or entity, shall construct or operate a new  
18 solid waste landfill, including a municipal solid waste  
19 landfill, green waste landfill, or otherwise, or expand any  
20 existing private solid waste landfill, or any component thereof,  
21 on or after August 1, 2011, on the leeward coast of Oahu from  
22 Kaena point to Waimanalo gulch; provided that this section shall



1 not apply to any municipal solid waste landfill existing prior  
2 to August 1, 2011, in these areas.

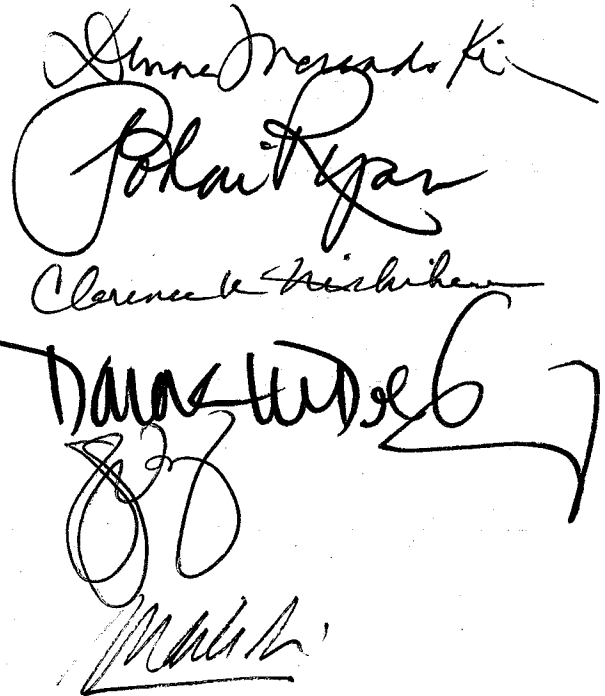
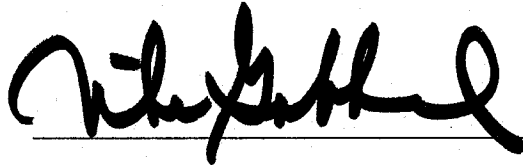
3 For purposes of this section, "new solid waste landfill"  
4 means any solid waste landfill that has not received waste prior  
5 to August 1, 2011."

6 SECTION 3. New statutory material is underscored.

7 SECTION 4. This Act shall take effect upon its approval.

8

INTRODUCED BY:



**Report Title:**

Waianae Coast Landfills; Moratorium

**Description:**

Places a moratorium on any new solid waste landfills and the expansion of any existing private solid waste landfills on the leeward coast from Kaena point to Waimanalo gulch on or after 8/1/11.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

