
HOUSE CONCURRENT RESOLUTION

REQUESTING THE DEPARTMENT OF HEALTH TO EXAMINE EXISTING AND ALLEGED VIOLATIONS IN THE SOLID WASTE RECYCLING INDUSTRY AND FAIRLY AND EQUALLY ENFORCE APPLICABLE LAWS AND REGULATIONS FOR ALL COMPANIES.

1 WHEREAS, the solid waste recycling industry provides
2 valuable services to communities in the State of Hawaii, but can
3 cause harm to human health and safety and to the environment if
4 not responsibly operated; and

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6 WHEREAS, the Department of Health is authorized to enforce
7 laws and regulations to protect and improve the health and
8 safety of the citizens of Hawaii and the environment; and

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10 WHEREAS, these laws and regulations are intended to
11 regulate, among other things, the operations of companies in the
12 solid waste recycling industry to ensure that they are conducted
13 in a responsible and safe manner and do not present increased
14 risks to the health of Hawaii's citizens or to the environment;
15 and

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17 WHEREAS, these laws and regulations include measures that
18 proscribe or constrain certain conduct, including but not
19 limited to the manner in which companies handle potentially
20 harmful materials, whether and to what extent substances may be
21 discharged into the environment, and whether the construction of
22 facilities that may have environmental and safety impacts is
23 permitted; and

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25 WHEREAS, these laws and regulations are necessary in order
26 to ensure the continued positive impact of the solid waste
27 recycling industry while minimizing any possible negative
28 impacts to Hawaii's citizens and environment; and
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1 WHEREAS, there have been reports of Hawaii's solid waste
2 recycling facilities committing numerous violations of these
3 laws and regulations over time, including but not limited to
4 operating or performing activities without proper permits,
5 failing to comply with permit requirements, failing to comply
6 with standards for handling and storage of potentially harmful
7 materials, and failing to adequately protect against discharges
8 of harmful materials into the environment; and

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10 WHEREAS, reports of continuing violations of laws and
11 regulations related to the protection of human health and the
12 environment may not consistently be given a timely response by
13 the Department of Health; and

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15 WHEREAS, allowing continuing violations without swift
16 action by the Department of Health not only presents harmful
17 risks to Hawaii's citizens and environment, but also tarnishes
18 the reputation of the solid waste recycling industry and puts
19 companies that operate within the regulations and with a concern
20 for the environment at an unfair disadvantage, and therefore
21 encourages unlawful conduct; now, therefore,

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23 BE IT RESOLVED by the House of Representatives of the
24 Twenty-eighth Legislature of the State of Hawaii, Regular
25 Session of 2015, the Senate concurring, that the Department of
26 Health is requested to promptly investigate all alleged
27 violations of laws and regulations pertaining to human health
28 and the environment within its purview by companies operating
29 within the solid waste recycling industry, timely issue any
30 appropriate penalty or order any necessary corrective action,
31 and ensure any ordered action is taken; and

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33 BE IT FURTHER RESOLVED that the Department of Health
34 provide a complaining or interested party with information
35 regarding the status and results of any such investigation,
36 resulting penalty, or order for corrective action; and

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38 BE IT FURTHER RESOLVED that the Department of Health fairly
39 and equally enforce laws and regulations it is authorized to
40 enforce against all companies operating within the solid waste
41 recycling industry, with the goal of ensuring compliant, fair,



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1 and safe operations to further the ultimate end of protecting
2 Hawaii's citizens and lands; and

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4 BE IT FURTHER RESOLVED that certified copies of this
5 Concurrent Resolution be transmitted to the Director of Health;
6 the Chiefs of Police of the Hawaii Police Department, Honolulu
7 Police Department, Kauai Police Department, and Maui Police
8 Department; and the respective Mayors and County Councils of
9 Hawaii County, the City and County of Honolulu, Kauai County,
10 and Maui County.

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OFFERED BY:

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