

MAR 13 2015

SENATE CONCURRENT RESOLUTION

REQUESTING THE DEPARTMENT OF HEALTH TO PROMPTLY EXAMINE ALL
ALLEGED VIOLATIONS IN THE SOLID WASTE RECYCLING INDUSTRY
AND TO EQUITABLY ENFORCE PERTINENT LAWS AND RULES.

1 WHEREAS, while the solid waste recycling industry provides
2 valuable services to communities in the State, it can also have
3 devastating effects on health, safety, and the environment if
4 companies do not comply with applicable laws and rules; and
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6 WHEREAS, the Department of Health is authorized to enforce
7 laws and rules enacted 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 rules are intended to regulate,
11 among other things, the operations of companies in the solid
12 waste recycling industry to ensure that they are conducted in a
13 responsible and safe manner and do not present increased risks
14 to the health of Hawaii's citizens or to the environment; and
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16 WHEREAS, these laws and rules include measures that
17 proscribe or constrain certain conduct, including the manner in
18 which companies handle potentially harmful materials, whether
19 and to what extent substances may be discharged into the
20 environment, and whether construction of facilities that may
21 have environmental and safety impacts is permitted; and
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23 WHEREAS, these laws and rules are necessary to ensure the
24 continued positive impact of the solid waste recycling industry
25 while minimizing any possible negative impacts to Hawaii's
26 citizens and the environment; and
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28 WHEREAS, it is believed that Island Recycling Incorporated,
29 one of Hawaii's solid waste recycling companies, has committed
30 numerous violations of these laws and rules over time, including



1 operating or performing activities without proper permits,
2 failing to comply with permit requirements, failing to comply
3 with standards for handling and storage of potentially harmful
4 materials, and failing to adequately protect against discharges
5 of harmful materials into the environment; and

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7 WHEREAS, it is also believed that Island Recycling
8 Incorporated is continuing to violate laws and rules related to
9 the protection of human health and the environment without
10 timely response by the Department of Health; and

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12 WHEREAS, allowing a company in the solid waste recycling
13 industry to violate applicable laws and rules without swift
14 action by the Department of Health not only presents risks of
15 harm to Hawaii's citizens and the environment, but tarnishes the
16 reputation of the industry and puts companies that operate
17 within the rules and with a concern for the environment at an
18 unfair disadvantage, and therefore encourages unlawful conduct;
19 now, therefore,

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

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

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36 BE IT FURTHER RESOLVED that the Department of Health
37 equitably enforce all laws and rules it is authorized to enforce
38 against all companies operating within the solid waste recycling
39 industry, with the goal of ensuring compliant, fair, and safe
40 operations that promote the protection of Hawaii's citizens and
41 lands; and

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S.C.R. NO. 155

1 BE IT FURTHER RESOLVED that certified copies of this
 2 Concurrent Resolution be transmitted to the Director of Health
 3 and the mayors and chiefs of police of the Counties of Hawaii,
 4 Maui, and Kauai, and the City and County of Honolulu.

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