

Honolulu, Hawaii

, 2020

MAY 12

RE: S.B. No. 2386

S.D. 2

H.D. 1

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirtieth State Legislature
Regular Session of 2020
State of Hawaii

Sir:

Your Committees on Water, Land, & Hawaiian Affairs and Energy & Environmental Protection, to which was referred S.B. No. 2386, S.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO WASTE MANAGEMENT,"

beg leave to report as follows:

The purpose of this measure is to:

- (1) Prohibit any waste or disposal facility from being located in a conservation district except in emergency circumstances to mitigate significant risks to public health and safety; and
- (2) Require no less than a one-half mile buffer zone around residences, schools, and hospitals for the construction, modification, or expansion of a waste or disposal facility.

Your Committees received testimony in support of this measure from the Office of Hawaiian Affairs; Iron Workers Stabilization Fund; ILWU Local 142; Plumbers and Fitters UA, Local 675; International Brotherhood of Electrical Workers Local Union 1186; Hawaii Youth Climate Coalition; Animal Rights Hawai'i; Ke One O Kākuhihewa; Prince Kūhiō Hawaiian Civic Club; Young Progressives



Demanding Action; Association of Hawaiian Civic Clubs; Hawaii State Teachers Association; Hawai'i Labor Coalition; LGBT Caucus of the Democratic Party of Hawaii; Sierra Club of Hawai'i; SAG-AFTRA; Pride @ Work - Hawaii; and nine individuals. Your Committees received testimony in opposition to this measure from the Department of Environmental Services of the City and County of Honolulu; Hawaii Bioeconomy Trade Organization; Building Industry Association Hawaii; PVT Land Company, Ltd; West Oahu Aggregate; and Reynolds Recycling. Your Committees received comments on this measure from the Department of Land and Natural Resources, Department of Health, and one individual.

Your Committees find that conservation districts are protected lands that should not be used for waste disposal facilities. Your Committees further find that persons living near waste or disposal facilities suffer negative health impacts and a lowered quality of life. This measure protects conservation districts and public health by requiring buffer zones around residences, schools, and hospitals for waste or disposal facilities and restricting their placement on conservation lands.

Your Committees have heard the concern of Reynolds Recycling that this measure as written would significantly impact the operation of redemption centers statewide, so much so that the State's Deposit Beverage Container Program would functionally cease to exist.


Your Committees have amended this measure accordingly by:

- (1) Exempting individual, state certified, non-industrial recycling centers from the prohibitions on locating a waste or disposal facility on conservation land;
- (2) Exempting individual, state certified, non-industrial recycling centers from the one-half mile buffer zone requirement;
- (3) Changing the effective date to July 1, 2051, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

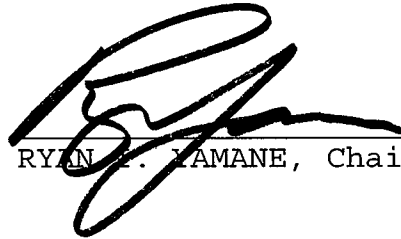


As affirmed by the records of votes of the members of your Committees on Water, Land, & Hawaiian Affairs and Energy & Environmental Protection that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2386, S.D. 2, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2386, S.D. 2, H.D. 1, and be referred to your Committee on Finance.

Respectfully submitted on behalf of the members of the Committees on Water, Land, & Hawaiian Affairs and Energy & Environmental Protection,



NICOLE E. LOWEN, Chair



RYAN P. YAMANE, Chair



