

STAND. COM. REP. NO. 2708

Honolulu, Hawaii

FEB 14 2020

RE: S.B. No. 3121
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirtieth State Legislature
Regular Session of 2020
State of Hawaii

Sir:

Your Committee on Agriculture and Environment, to which was referred S.B. No. 3121 entitled:

"A BILL FOR AN ACT RELATING TO STATEWIDE COMPOSTING,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Require the Department of Health to update its co-composting rules by January 1, 2021, and every five years thereafter;
- (2) Require the Department of Health to establish a multi-tiered registration and permitting system for composting facilities; and
- (3) Allow composting and co-composting in agricultural districts.

Your Committee received testimony in support of this measure from the Office of Economic Development of the County of Maui, Office of Economic Development of the County of Kauai, Surfrider Oahu, Our Revolution Hawaii, Aina Design Inc., Growing Together LLC, Zero Waste Big Island, Sustainable Coastlines Hawaii, Kokua Hawaii Foundation, Zero Waste O'ahu, and thirty-eight individuals. Your Committee received comments on this measure from the Department of Health and one individual.



Your Committee finds that food waste is the second largest component that enter the waste stream and accounts for twenty-five percent of all materials sent to landfills. Nearly fifty percent of organic materials disposed of in incinerators and landfills can be diverted for bioconversion, including composting. Your Committee also finds that the regulation of co-composting in the State is under the purview of the Department of Health Solid and Hazardous Waste Branch. Existing regulations have not been updated in over twenty years, and currently a single application applies to all co-composting operations regardless of size or scope. Your Committee finds that updating the co-composting regulations and permitting process will greatly increase the number of operators diverting organics from landfills and incinerators, thereby aiding the State and counties in reaching their sustainability, resilience, and fiscal goals.

Your Committee has amended this measure by:

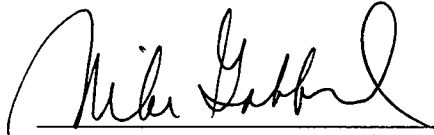
- (1) Replacing the requirement that the Department of Health update its rules regarding co-composting every five years beginning January 1, 2021, with the requirement that the Department of Health update its rules regarding solid waste every five years beginning January 1, 2022;
- (2) Moving rule requirements regarding solid waste composting facilities to the Hawaii Revised Statutes, rather than the Session Laws of Hawaii;
- (3) Deleting the definitions of Class I, II, III, and IV solid waste composting facilities;
- (4) Deleting language that would have established requirements for Class I, II, III, and IV solid waste composting facilities;
- (5) Inserting an appropriation in an unspecified amount of funds for fiscal year 2020-2021 for a program specialist position in the Solid and Hazardous Waste Branch of the Department of Health;
- (6) Amending section 1 to reflect its amended purpose; and



- (7) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Agriculture and Environment that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3121, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3121, S.D. 1, and be referred to your Committee on Judiciary.

Respectfully submitted on
behalf of the members of the
Committee on Agriculture and
Environment,



MIKE GABBARD, Chair



The Senate
Thirtieth Legislature
State of Hawai'i

Record of Votes
Committee on Agriculture and Environment
AEN

Bill / Resolution No.:* <i>SB 3121</i>	Committee Referral: <i>AEN, JDC</i>	Date: <i>02/10/2020</i>
---	--	----------------------------

The Committee is reconsidering its previous decision on this measure.
If so, then the previous decision was to: _____

The Recommendation is:
 Pass, unamended 2312
 Pass, with amendments 2311
 Hold 2310
 Recommit 2313

Members	Aye	Aye (WR)	Nay	Excused
GABBARD, Mike (C)	X			
RUDERMAN, Russell E. (VC)	X			
RHOADS, Karl				X
THIELEN, Laura H.	X			
FEVELLA, Kurt				X
TOTAL	<i>3</i>	<i>0</i>	<i>0</i>	<i>2</i>

Recommendation: Adopted Not Adopted

Chair's or Designee's Signature:  

Distribution: Original Yellow Pink Goldenrod
File with Committee Report Clerk's Office Drafting Agency Committee File Copy

*Only one measure per Record of Votes