A BILL FOR AN ACT

RELATING TO COMPOSTING.

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

SECTION 1. The legislature finds that the human-induced global climate requires a thoughtful, bold, and coordinated response on many fronts in order to reverse global warming and make Hawai‘i communities more resilient to the impact of storms, floods, fire, and sea level rise that threaten the very survivability of these fragile islands. Lest Hawai‘i lose its leadership position in meeting the future, and in the arenas of labor, justice, and equity, the legislature embraces aloha ʻāina to decarbonize Hawai‘i’s systems of food, energy, and transportation, and to sequester carbon through systems of agriculture, waste management, and ecosystem restoration. The good jobs created thereby also expand access to health, housing, and education, ensuring justice and equity for Hawai‘i’s citizens. The following measure represents a forward step in mitigating in adapting Hawai‘i to inevitable change.
As evidence mounts that our survival depends on transitioning away from carbon based fuels, a greater understanding of the relationship between human activities and the earth's natural systems points to the additional need for an equally ambitious effort to remove carbon from the atmosphere by increasing the carbon sequestration capacity of earth's soils. The rationale for this strategy can be found in long-standing soil science as well as current sober assessments that greenhouse gas reduction efforts alone would be inadequate to restore livable climatic conditions.

Even if humans stop emitting greenhouse gases (GHGs) immediately, the volume of GHGs already present in the atmosphere is enough to ensure increased warming for 30 years. While climate scientists have determined that 106.25 gigatons of carbon must be withdrawn from the atmosphere to reverse global warming, soil scientists have demonstrated that the potential for earth's soils to absorb carbon far exceeds this amount. Scientific studies demonstrate that because healthy soils are capable of holding twice the carbon stocks of plants, the key to building soil carbon sequestration capacity lies in building healthy soil.
The legislature further finds that the use of composted organics with their vast stores of macro- and micro- nutrients greatly improves the health of all soils in ways that protect and enhance natural systems, while imported, petroleum-based and energy-intensive fertilizers destabilize a healthy soil microbiome.

The legislature also acknowledges that actions taken to improve soil health as a means to reverse climate change support Hawai‘i's goal, as outlined in the Aloha+ Challenge, of a seventy per cent reduction in the State's solid waste stream.

Although the exact percentage varies from island to island, organics constitute the largest single component of Hawai‘i's waste stream, and account for at least fifty per cent of the materials discarded each year, with this category including food, food-contaminated paper, and yard trimmings. As grassroots initiatives like the City and County of Honolulu's recent single-use plastics ban expand statewide, and as businesses voluntarily adopt earth-friendly plastic substitutes, the percentage of organics in the waste stream will grow, making the diversion of waste organics into composting programs the
least costly and most direct method for the State to meet its solid waste reduction goals.

The legislature further finds that because organics in landfilled waste are the largest source of human-generated methane, and because methane is a GHG with a global warming potential thirty-six times that of carbon dioxide over a twenty-year period, the diversion of waste organics into composting programs offer the least costly and most direct method for significantly reducing the amount of methane emitted from Hawai‘i's landfills.

The legislature further seeks to acknowledge the economic benefits that accrue to Hawai‘i's farmers when they are able to include compost sales and carbon sequestration incentives to their income streams.

The purpose of this Act is to address the urgent need to expand the State's capacity for capturing and processing the organic waste its residents and visitors generate in a way that reduces landfill waste while supporting local farmers and the State's commitment to take effective climate action. This Act proposes to create a class of artisan-scale composting operations that are exempt from department of health regulations.
and easily established by farmers and others as a means to
divert organic materials from Hawai'i's landfills and sequester
atmospheric carbon.

SECTION 2. Chapter 225P, Hawaii Revised Statutes, is
amended by adding a new section to be appropriately designated
and to read as follows:

"§225P- Artisan-scale composting program. There is
established within the department a class of artisan-scale
composting operations that are sited on land zoned industrial or
agricultural and are exempt from department of health rules
given that such operations do not produce vectors, dust or odors
that unreasonably impact neighbors of the operation, as
determined by the department, and when no waste accepted remains
on-site for more than thirty-six months. No more than one
exempt facility specified in this section can be located on
geographically contiguous land owned or operated by the same
person. Sufficient bulking agent must be used to provide proper
aeration and control leachate migration. For these facilities,
precipitation, surface water, and groundwater that has come in
contact with yard trimmings or the resultant product is not
considered leachate, if it is managed within the site and is
allowed to enter a surface waterbody or a conveyance to a surface waterbody, and does not cause a violation of state water quality standards."

SECTION 3. Section 225P-2, Hawaii Revised Statutes, is amended by adding two new definitions to be appropriately inserted and to read as follows:

""Artisan scale" means a composting operation that accepts, measured on a monthly average, no more than one thousand pounds or one cubic yard, whichever is greater, of organic materials per week; provided no more than two thousand pounds are accepted in any one week; a composting facility located at a site controlled by the waste generator; or a composting facility that accepts no more than three thousand cubic yards of yard trimmings per year.

"Department" means the department of health."

SECTION 4. New statutory material is underscored.

SECTION 5. This Act shall take effect on July 1, 2020.
Report Title:
Organic Waste; Composting; Department of Health

Description:
Establishes a class of artisan-scale composting operations exempt from department of health regulations to divert organic materials from Hawai'i's landfills.

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