
A BILL FOR AN ACT

RELATING TO SOLID WASTE.

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

1 SECTION 1. The legislature finds that the COVID-19
2 pandemic made apparent the many threats to the State's food
3 systems and self-sufficiency. The pandemic also exacerbated the
4 food insecurity experienced by some residents whose purchasing
5 power had declined because of reduced employment. To ensure
6 that the State's residents are able to meet their basic needs
7 during future economic downturns and disasters, it is imperative
8 that the State prioritize food security.

9 The legislature further finds that food safety is an
10 essential component of food security. Each year, forty-eight
11 million people in the United States get sick, 128,000 are
12 hospitalized, and three thousand die from foodborne diseases.
13 Reducing the risk that contaminants from waste and disposal
14 facilities blow, flow, spill, or otherwise affect plants and
15 animals on agricultural lands will enhance food safety.

16 The purpose of this Act is to require a buffer zone around
17 agricultural districts and important agricultural lands with



1 respect to the construction, modification, or expansion of a
2 waste or disposal facility.

3 SECTION 2. Section 342H-52, Hawaii Revised Statutes, is
4 amended by amending subsection (b) to read as follows:

5 "(b) No person, including the State or any county, shall
6 construct, modify, or expand a waste or disposal facility
7 including a municipal solid waste landfill unit, any component
8 of a municipal solid waste landfill unit, a construction and
9 demolition landfill unit, or any component of a construction and
10 demolition landfill unit without first establishing a buffer
11 zone of no less than one-half mile around the waste or disposal
12 facility. This subsection shall not apply to the continued
13 operation of an existing waste or disposal facility that is
14 properly permitted; provided that continued operation does not
15 require physical expansion, vertical or horizontal, of the
16 facility requiring additional permitting review and a permit
17 modification.

18 For the purposes of this subsection:

19 "Agricultural district" means the land use district
20 identified in section 205-2.



H.B. NO. 1966

1 "Buffer zone" means the distance between the edge of waste
2 or waste activity and the nearest property line of a
3 residential~~[,]~~ lot, school, ~~[or]~~ hospital ~~[property line],~~ land
4 designated as important agricultural lands, or land within the
5 agricultural district.

6 "Important agricultural lands" means land identified and
7 designated as important agricultural lands pursuant to part III
8 of chapter 205.

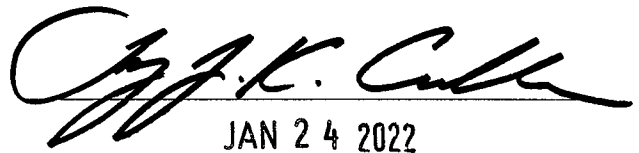
9 "Waste or disposal facility" excludes individual, state
10 certified, non-industrial redemption centers."

11 SECTION 3. Statutory material to be repealed is bracketed
12 and stricken. New statutory material is underscored.

13 SECTION 4. This Act shall take effect on July 1, 2022.

14

INTRODUCED BY:


JAN 24 2022



H.B. NO. 1966

Report Title:

Waste or Disposal Facility; Buffer Zone; Important Agricultural Lands; Agricultural Districts

Description:

Requires the one-half mile buffer zone between construction, modification, or expansion of a waste or disposal facility and a residential lot, school, or hospital to also apply to land designated as important agricultural lands and land within the agricultural district.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

