

JAN 19 2024

A BILL FOR AN ACT

RELATING TO CONSTRUCTION WASTE.

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

1 SECTION 1. The legislature finds that diversion and
2 recycling of construction and demolition debris are best
3 practices that can offer substantial benefits to the State.
4 Through increased diversion and recycling of debris, the State
5 can eliminate nearly two thousand tons of construction and
6 demolition waste that are currently deposited into landfills
7 each day. Landfills throughout the State that accept
8 construction and demolition debris have less than one decade of
9 life remaining, and all public landfills throughout the State
10 are also approaching maximum capacity. On Oahu, the Waimanalo
11 Gulch Sanitary Landfill, the island's only public landfill, has
12 a closure date of 2028. On Hawaii island, the closing of the
13 South Hilo Sanitary Landfill in 2019 leaves only the Puuanahulu
14 landfill remaining. Kauai's only landfill, the Kekaha landfill,
15 is expected to become full in about eight years. And for the
16 islands of Maui, Lanai, and Molokai, all of their landfills are
17 expected to reach capacity in the next twenty years.



1 The legislature also finds that there is a disproportionate
2 effect on the communities that must bear the burden of hosting
3 these landfill sites. From declining property values to a
4 proliferation of environmental consequences, the residents of
5 communities such as Nanakuli and Kekaha must unfairly endure the
6 weight of tons of waste from all of their island's residents.
7 This is a burden that should be shared and can be mitigated
8 through an increase in recycling and diversion of this waste.

9 The legislature further finds that there are few incentives
10 for public and private sector entities to invest in recycling
11 processes for construction and demolition debris. This lack of
12 investment constitutes a significant opportunity for economic
13 development and environmental sustainability.

14 Accordingly, the purpose of this Act is to:

- 15 (1) Require the state building code to incorporate the
16 International Green Construction Code; and
17 (2) Set specified targets for the recycling, reuse,
18 donation, and resale of nonhazardous construction
19 waste.

20 SECTION 2. Section 107-25, Hawaii Revised Statutes, is
21 amended to read as follows:



1 "§107-25 Hawaii state building codes; requirements. (a)

2 There is established the Hawaii state building codes applicable
3 to all construction in the State of Hawaii. The Hawaii state
4 building codes shall be based upon:

5 (1) The state fire code as adopted by the state fire
6 council;

7 (2) The Uniform Plumbing Code, as copyrighted and
8 published by the International Association of Plumbing
9 and Mechanical Officials, including its appendices;

10 (3) The International Building Code, the International
11 Residential Code, and the International Energy
12 Conservation Code, as published by the International
13 Code Council;

14 (4) The National Electrical Code, as published by the
15 National Fire Protection Association;

16 (5) Hawaii design standards implementing the criteria
17 pursuant to Act 5, Special Session Laws of Hawaii,
18 2005, as applicable to:

19 (A) Emergency shelters built to comply with hurricane
20 resistant criteria, including enhanced hurricane
21 protection areas capable of withstanding a five



1 hundred-year hurricane event as well as other
2 storms and natural hazards; and

3 (B) Essential government facilities requiring
4 continuity of operations; [~~and~~]

5 (6) Code provisions based on nationally published codes or
6 standards that include but are not limited to
7 residential and hurricane resistant standards related
8 to loss mitigation standards in accordance with
9 section 431P-12, elevator, mechanical, flood and
10 tsunami, existing buildings, and onsite sewage
11 disposal[-]; and

12 (7) Code provisions based on the latest edition of the
13 International Green Construction Code, as published by
14 the International Code Council, to address material
15 resource conservation and efficiency; construction
16 material management; construction waste management and
17 waste management; and construction material reuse and
18 recycling.

19 (b) The state building codes shall include a requirement
20 that at least twenty-five per cent of nonhazardous construction
21 waste from the construction, deconstruction, or demolition of



1 public buildings and at least twenty per cent of nonhazardous
2 construction waste from the construction, deconstruction, or
3 demolition of private buildings shall be diverted from disposal
4 and made available for recycling, reuse, donation, or resale.
5 The codes shall specify the method for verification of
6 compliance with this subsection.

7 (c) All recycle, reuse, donation, and resale provisions
8 established by subsection (b) shall comply with the following
9 requirements:

10 (1) The location for collection, separation, and storage
11 of recyclable construction materials and construction
12 waste shall be identified;

13 (2) The type of construction materials and construction
14 waste to be diverted from disposal by efficient usage,
15 recycle, reuse, donation, or resale shall be specified
16 by type;

17 (3) The percentage of construction materials and
18 construction waste to be diverted shall not include
19 concrete foundations or concrete masonry unit walls
20 and shall be specified and calculated by mass; and



1 (4) Receipts or other documentation related to diversion
2 shall be maintained throughout the course of
3 construction, deconstruction, or demolition and made
4 available for inspection by an appropriate designee of
5 the State or county.

6 (d) For the purposes of this section:

7 "Construction" shall have the same meaning as defined in
8 section 103D-104.

9 "Construction materials" and "construction waste" shall
10 include all material delivered to a construction site and
11 intended for installation, including related packaging."

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

14 SECTION 4. This Act shall take effect upon its approval.

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INTRODUCED BY:  _____



S.B. NO. 2437

Report Title:

Waste Diversion; Construction Waste; State Building Codes; Requirements; International Green Construction Code

Description:

Requires the State Building Codes to incorporate the International Green Construction Code. Sets specified targets for the recycling, reuse, donation, and resale of nonhazardous construction waste.

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