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HB 2792-82 RELATING TO SOLID WASTE

Statement for
House Committee on
Energy, Ecology and Environmental Protection
Public Hearing - 5 March 1982

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HB 2792 would amend Section 340A-3 of the Hawaii Revised Statutes so as to prohibit any county agency from the disposal of solid waste into the waters of the State. This statement on the bill has been submitted for review to the Legislative Subcommittee of the Environmental Center of the University of Hawaii but does not reflect an institutional position of the University.

HRS 340A-3 is concerned principally with the collection and disposal of trash and garbage by the counties; these are the only forms of solid waste that are normally handled by county solid-waste-disposal agencies; and the disposal of these wastes in the waters of the State are already prohibited by Department of Health regulations. Hence, on the one hand, the amendment of the section proposed in HB 2792 will provide no actual beneficial limitation on solid waste disposal.

On the other hand, the proposed amendment seems unduly limiting. The definition of solid waste in HRS 340A-1 is so broad that it covers such materials as dredge spoil -- material dredged to create or maintain harbors and canals. The counties do not normally dredge harbors, but they may in some cases dredge canals. Dredge spoil may be disposed of in some cases on land, but in other cases may be disposed of at sea. The disposal of dredge spoil at sea is carefully regulated by the Federal Environmental Protection Agency so as to avoid significant environmental detriment. The effect of the amendment proposed in HB 2792 might be to prohibit county disposal of dredge spoil at sea even when this would be the overall most satisfactory means of disposal.