

9/14/23 DRAFT for EMC Discussion

MEMORANDUM

DATE:

TO: Heather Kimball, Council Chair
and Hawai'i County Council Members

FROM: Georjean Adams, Chair
Environmental Management Commission

RE: Proposed Ordinance to Begin Banning the Landfill of Recyclable Wastes

Ramzi Mansour, Director of Environmental Management, has projected that the only operating solid waste sanitary landfill in Hawaii County (West Hawaii Sanitary Landfill or WHSL) is expected to have capacity for only another 20 -25 years. The Council addressed the need to look for landfill alternatives in its adoption of Resolution No. 073-23. ~~The Environmental Management Commission (EMC) does not believe the first approach should be a 2026 target~~

~~“...to divert, as appropriate, all municipal solid waste to an on-island site that will sustainably process the waste into carbon-negative cement, biochar, green hydrogen, and reclaimed water....”~~

~~The EMC recommends the County focus on the upper part of the waste hierarchy of reduce—reuse—recycle. While the conversion of otherwise non-reusable and non-recyclable wastes to some useful materials via carefully controlled pyrolysis may have some utility, the Council should not encourage a cavalier attitude toward the generation of waste and the loss of reusable and high-value recyclable materials. [DELETED BY AMENDMENT 8/22/23]~~

The Environmental Management Commission's preferred approach to extending the lifetime of the WHSL is to set a target for Department of Environmental Management (DEM) to reduce the amount of waste that is disposed there. While the DEM can use multiple methods to achieve this reduction, the EMC recommends developing a phased program to ban the landfilling of reusable/recyclable wastes. **On July 26, 2023**, the Environmental Management Commission supported developing an ordinance under Hawaii County Code Chapter 20 to begin the process of requiring diversion for designated recyclable materials from county landfill(s).

The ordinance would be structured to require the Department of Environmental Management (DEM) to: 1) reduce the volumes of waste going to the landfill and to report its progress to the Council and to EMC, 2) to develop rules that designate reusable/recyclable wastes that are prohibited from landfilling by designated waste generators, and 3) to periodically expand or revise these lists as feasibility may change.

>A draft ordinance is attached to begin discussion. Some of the basic tenets:

- Do not significantly expand county services, other than education programs. Instead, encourage private commercial recycling operations.
- Set a target for landfill disposal volume reduction for DEM to meet. Council would set the targets and criteria for who and what would qualify for a landfill ban, but DEM would issue public notice and comment rules to implement restrictions.
- Phase in the requirements, starting with what is currently recyclable. Periodically update (add or delete) wastes and generators as markets and technologies change.
 - It is hoped these bans would provide incentive for new and/or expanded commercial hauling services who already collect recyclables or who could begin new businesses by creating demand for diversion.
 - Encourage the processing and recycling of materials on island (eg, with grant assistance).
- Prioritize diversion that will achieve significant reduction in landfilling.
- Mandate recycling only where it is favorable in terms of life cycle impacts.
- Mandate recycling only where it is economically feasible. (i.e. discourages littering)
 - markets and available collection and recycling services must exist
 - Designate recyclable waste generators only if they have reasonable access to recycling services.
 - Begin with commercial and large government waste generators who generate steady streams of recyclables. Mandated residential recycling would only likely be feasible where curbside collection is common.
- Allow small businesses and nonprofits to use the transfer stations for accepted recyclables, perhaps with a small fee.

OPTION 1: DELETE THE SHADED SECTION?

>The attached draft also includes preliminary thoughts for funding the DEM to implement the ordinance, as well as the need to renegotiate current collection and recycling county contracts and to explore incentive credits for expanded private services to collect and recycle wastes on island.

>Please note that the draft ordinance has not been approved verbatim by the EMC, but rather is offered as a starting point for discussion.

OPTION 2: DO NOT ATTACH DRAFT

Please advise us of next steps with the Council regarding exploring a proposed ordinance to ban landfilling of designated recyclable wastes.

Georjean Adams, Chair
Environmental Management Commission

Transmitted pursuant to approval of a motion dated ____.

Attachment:

[Draft ordinance for Council: Recyclables landfill ban](#)

c: Ramzi Mansour