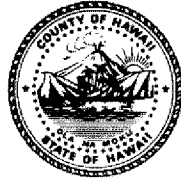


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DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

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Proposed Amendments to the Administrative Rules of Practice and Procedure of the Department of Environmental Management.

1. Article II, Rule 5-3 of the Administrative Rules of Practice and Procedure of the Department of Environmental Management of December 3, 2020, is amended by inserting a definition to read as follows:

“Unsecured load” means any solid waste material that is not covered or otherwise secured in place during transport.”

2. Article II, Rule 9-17 of the Administrative Rules of Practice and Procedure of the Department of Environmental Management of December 3, 2020, is amended to read as follows:

“9-17. Vehicles are limited to sedans, SUVs, pickup trucks, or [mini] vans. [Trailers and dump] Dump bed trucks are prohibited at the transfer [station] stations. Trailers are prohibited at transfer stations, except as provided below:

- (a) After a review of site designs, safety reports, and SWD recommendations, and having determined that a transfer station allows the safe maneuvering, the Director will publish locations, dates, and times trailers will be allowed. The Director may suspend this authorization at any time.
- (b) Trailers shall not exceed 6 feet by 9 feet.
- (c) All trailers shall have a current County of Hawai'i vehicle registration and safety inspection. Transfer station users shall follow all other rules for solid waste disposal and all directions from SWD personnel.
- (d) Transfer station users shall pull trailers beside a chute and minimize reversing their trailers when possible.
- (e) The Director will notify the public of schedule changes regarding trailers at transfer stations.”

3. Article II, Rule 12-3 of the Administrative Rules of Procedure and Practice of the Department of Environmental Management of December 3, 2020, is amended by amending subsection (1), to read as follows:

“(1) Sanitary landfill disposal fees.

(A) Rate by weight: Dollars per ton prorated accordingly.

Year beginning on July 1 of each calendar year.

2018	2019	2020	2021	2022
\$108	\$110	\$112	\$114	\$116

Beginning in 2023, the disposal fees will increase at a minimum in accordance with the fourth quarter of the calendar year prior to the coming fiscal year of the Honolulu consumer price index.

- (B) When and if it is impossible or impractical due to power outage, disaster, or other emergency to determine an accurate weight, rates by vehicle size and volume shall be used:

TYPE I: Light trucks or other vehicles with a gross vehicle weight of less than 10,000 pounds with no more than three cubic yards of solid waste charged as dollars per truck.

Year beginning on July 1 of each calendar year.				
2018	2019	2020	2021	2022
\$65	\$66	\$67	\$68	\$70

TYPE II: Medium trucks or other vehicles with a gross vehicle weight from 10,000 pounds to 19,999 pounds with no more than six cubic yards of solid waste charged as dollars per truck.

Year beginning on July 1 of each calendar year.				
2018	2019	2020	2021	2022
\$109	\$111	\$113	\$115	\$117

TYPE III: Large trucks or other vehicles with a gross vehicle weight from 20,000 pounds to 25,999 pounds with no more than nine cubic yards of solid waste charged as dollars per truck.

Year beginning on July 1 of each calendar year.				
2018	2019	2020	2021	2022
\$194	\$198	\$202	\$205	\$209

TYPE IV: All other trucks or vehicles with a gross vehicle weight of 26,000 pounds including commercial solid waste hauling trucks or all other vehicles not qualifying as a Type I, II, or III:

1. Compacted. Dollars per cubic yard.

Year beginning on July 1 of each calendar year.				
2018	2019	2020	2021	2022
\$36	\$36	\$37	\$38	\$38

2. Not compacted. Dollars per cubic yard.

Year beginning on July 1 of each calendar year.				
2018	2019	2020	2021	2022
\$22	\$22	\$22	\$23	\$23

(C) Special handling: Shall be twice the amount per ton listed in (1)(A) above.

(D) Residential credit: Commercial haulers of residential waste shall be eligible for a partial credit for each single-family household from which the hauler collects refuse, provided the hauler’s account is current. The annual credit shall be equal to the landfill disposal fee multiplied by one and one-half tons per year per single-family household. The residential credit shall not exceed the total landfill tipping fees charged to the residential hauler for the month for which the credit is being claimed. Commercial haulers who claim this credit shall provide documentation to the solid waste division including customer name, mailing address, and service address for each credit claimed. Claims for the residential credit must be submitted on or before the last day of the month following the month for which the credit is being claimed and the hauler’s account must be current for the credit to be applied. Names, mailing addresses, and service addresses of customers of residential haulers are subject to the disclosure limitations in section 92F, Hawai‘i Revised Statutes, as disclosure would cause substantial harm to the competitive position of the person from whom the information was obtained.”

Material to be deleted is bracketed and stricken. Material to be added is underscored. The Department of Environmental Management will fully consider all written and oral submissions regarding the proposed rules. The agency may make its decision at the hearing or announce then the date when it intends to make its decision.