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# 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 department of  
2 health has issued the draft solid waste management permit  
3 modification for the operation of the Waimanalo Gulch Sanitary  
4 Landfill which was applied for by the city and county of  
5 Honolulu and Waste Management of Hawaii, Inc. The draft permit  
6 modification would allow for the increase to the allowable grade  
7 of the landfill in order to rectify violations with permit grade  
8 exceedences. The draft permit modification proposes to increase  
9 the maximum allowed grade of the ash monofill portion of the  
10 landfill from two hundred twenty feet to approximately two  
11 hundred seventy-five feet above mean sea level. The draft  
12 permit does not modify the permit expiration date and does not  
13 change the lateral footprint of the landfill.

14           The legislature finds that the requested modifications to  
15 the permit will have a potentially detrimental effect on the  
16 public health, safety, and welfare of the community adjacent to  
17 or near the landfill.



1           The legislature further finds that there is good cause to  
2 require the department of health to make an independent study  
3 and determination of the effect of the requested permit  
4 modifications on the stability and structural integrity of the  
5 existing landfill. Specifically, the legislature requires that  
6 the department of health independently analyze and determine the  
7 increased risk of a landslide occurring as a result of the  
8 requested permit modifications.

9           SECTION 2. The department of health shall conduct an  
10 independent study and make an independent determination of the  
11 effect of increasing the maximum grade of the ash monofill at  
12 the Waimanalo Gulch Sanitary Landfill from two hundred twenty  
13 feet to approximately two hundred seventy-five feet above mean  
14 sea level. This study shall include a specific determination of  
15 any detrimental effects to the health, safety, and welfare of  
16 the community adjacent to or near the landfill. The study shall  
17 also include a specific determination of the increased risk of a  
18 landslide occurring as a result of the requested increase to the  
19 maximum grade of the ash monofill. The completion of this  
20 independent study and determination shall be a condition  
21 precedent to the granting of a modification to the solid waste



1 management permit filed by the city and county of Honolulu and  
2 Waste Management of Hawaii, Inc.

3 SECTION 3. The costs of conducting this study shall be  
4 paid for from existing funds included within the budget of the  
5 department of health.

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

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INTRODUCED BY: *Russell Kohb*



**Report Title:**

Waimanalo Gulch Sanitary Landfill; Permit; Independent Study

**Description:**

Requires the department of health to conduct an independent analysis on the structural stability of the ash monofill prior to granting the city and county of Honolulu's requested modification to the existing permit for the Waimanalo Gulch Sanitary Landfill.

