

---

---

# 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 that was applied for by the city and county of Honolulu  
5 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 regarding  
8 exceeding permit grade. The draft permit modification proposes  
9 to increase the maximum allowed grade of the ash monofill  
10 portion of the landfill from two hundred twenty feet to  
11 approximately two hundred seventy-five feet above mean sea  
12 level. The draft permit does not modify the permit expiration  
13 date and does not 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. (a) 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.

20           (b) The department shall establish measures to ensure the  
21 accuracy of the findings derived from the study.



1           (c) The department shall conduct and complete the study  
2 without impairing the city and county of Honolulu's operations  
3 or permitting procedures.

4           (d) The completion of this independent study and  
5 determination shall not be a condition precedent to the granting  
6 of a modification to the solid waste management permit filed by  
7 the city and county of Honolulu and Waste Management of Hawaii,  
8 Inc.

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

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

13



**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 relating to requested modification to the existing permit for the Waimanalo gulch sanitary landfill. (SB2192 SD2)

