



STATE OF HAWAII
DEPARTMENT OF HEALTH
P.O. Box 3378
HONOLULU, HAWAII 96801-3378

In reply, please refer to:
File:

COMMITTEE ON WAYS AND MEANS

S.B. 2192, S.D. 1, RELATING TO SOLID WASTE

**Testimony of Chiyome Leinaala Fukino, M.D.
Director of Health**

**February 25, 2008
10:30 A.M.**

1 **Department's Position:** The department respectfully opposes this measure.

2 **Fiscal Implications:** Unspecified but probably significant amount from the department's existing
3 budget.

4 **Purpose and Justification:** This measure requires the Department of Health to conduct an independent
5 analysis on the structural stability of the ash monofill. This measure also states that the DOH shall
6 complete the study without negatively impacting the City's operations or permitting procedures, and
7 make the completion of the study and determination a condition precedent to the granting of the
8 modification to the solid waste permit.

9 The department believes that this measure is unnecessary. The department already, in its
10 evaluation of all solid waste permit applications, reviews the design, operation, and monitoring of the
11 proposed solid waste activity for compliance with state solid waste laws and regulations. In the case of
12 the proposed grade modification of the Waimanalo Gulch Sanitary Landfill, the department also
13 reviewed the stability and seismic analyses of the existing landfill as well as the proposed grade
14 modification.

1 Committee Report No. 2466 states that the landfill operator, Waste Management, only
2 considered the lower one-third of the landfill in their static and seismic analyses, and raised concern on
3 the expertise of the department's engineer that conducted the initial analysis of the application. The
4 stability analyses were conducted by Waste Management's third party, geotechnical engineering consulting
5 company, who also consulted with a number of academia from different universities. They evaluated the
6 stability of the landfill along several cross sections that represent a variety of possible failure surfaces and, to
7 our knowledge, their analyses were not limited to the bottom third. A search was made for the critical failure
8 surface for each of these cross sections. The critical failure surfaces all tend to involve the lower portion of
9 the landfill. As far as the department's expertise, we agree that we did not have in-house expertise on seismic
10 stability when this issue presented itself. Therefore, the department hired an engineer, who is also a
11 university professor in geotechnical engineering to assist us in our review. Based on these reasons, we still
12 believe that this measure is unnecessary.

13 We also expect that an independent consultant, if one can be found for this work, will require
14 considerable compensation that is not budgeted for and we ask that the legislature respect the priorities
15 in the executive supplemental budget.

16 For these reasons, the department opposes this measure.

17 Thank you for the opportunity to testify on this measure.

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