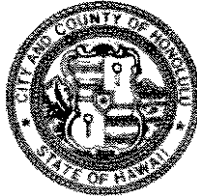


DEPARTMENT OF ENVIRONMENTAL SERVICES  
**CITY AND COUNTY OF HONOLULU**

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MUFI HANNEMANN  
MAYOR



February 5, 2008

ERIC S. TAKAMURA, Ph.D., P.E.  
DIRECTOR

KENNETH A. SHIMIZU  
DEPUTY DIRECTOR

ROSS S. TANIMOTO, P.E.  
DEPUTY DIRECTOR

IN REPLY REFER TO:  
RA 08-011

The Honorable Russell S. Kokubun, Chair  
Committee on Commerce, Consumer  
Protection and Affordable Housing  
State Senate  
State Capitol, Room 229  
415 South Beretania Street  
Honolulu, Hawaii 96813

and

The Honorable Lorraine R. Inouye, Chair  
Committee on Intergovernmental and Military Affairs  
State Senate  
State Capitol, Room 201  
415 South Beretania Street  
Honolulu, Hawaii 96813

RE: S.B. NO. 2497; RELATING TO MUNICIPAL SOLID WASTE LANDFILLS

Dear Senator Kokubun and Senator Inouye:

The City and County of Honolulu, Department of Environmental Services strongly opposes S.B. No. 2497 based on the following:

The bill proposes to transfer regulatory responsibility for municipal solid waste landfills from the State Department of Health (DOH) to the Public Utilities Commission (PUC). The PUC has no background or expertise, or possibly even interest, in regulating landfills. The PUC is primarily a rate-making body, as opposed to a regulatory body, and in our view is not well suited to oversee the many public health and safety issues related to proper solid waste management in municipal landfills. Even though the bill would also transfer Department of Health (DOH) staff to the PUC, this does not make sense, given that all other solid waste regulatory functions (presumably performed by many of those same DOH employees) would remain at DOH. Note that the DOH is currently also the delegated authority to administer Federal Environmental Protection Agency programs in the State, including some related to municipal landfills. The bill would leave DOH incapable of meeting its responsibilities in that regard. Moreover, in Section 9, "all rights, powers, functions, and duties of the DOH are transferred to the PUC," and there is no limitation on this sentence, so as drafted, the bill would essentially divest the DOH of all authority. The measure would effectively abolish the DOH, even though no other DOH-related statute is being amended.

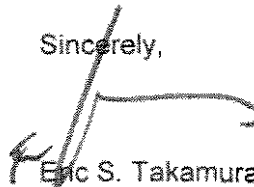
The Honorable Russell S. Kokubun, Chair  
Committee on Commerce, Consumer  
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The Honorable Lorraine R. Inouye, Chair  
Committee on Intergovernmental and  
Military Affairs  
February 5, 2008  
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Also, the bill provides no basis for the determination that in counties with a population greater than 500,000, no new municipal solid waste landfill can be situated within 15 miles of an existing municipal landfill.

Although the City and County of Honolulu seems to be targeted, the bill would prohibit any extensions of landfill permits after June 30, 2008. This would impact other counties as well, and result in a public health and safety crisis not only on Oahu, but elsewhere in the State.

In conclusion, this bill would create significant problems while providing no benefits, and it should be filed.

Sincerely,

A handwritten signature in black ink, appearing to read 'Eric S. Takamura', with a long horizontal flourish extending to the right.

Eric S. Takamura, Ph.D., P.E.  
Director

## testimony

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**From:** William Aila Jr [ailaw001@hawaii.rr.com]  
**Sent:** Wednesday, February 06, 2008 12:33 AM  
**To:** testimony  
**Subject:** Sb 2497

Attention: Hon. Sen. Russell S. Kokubun, Chair, Senate Committee on Commerce, Consumer Protection, and Affordable Housing  
Hon. Sen. Lorriane R. Inouye, Chair, Senate Committee on Intergovernmental Affairs and Military Affairs

Re: SB 2497

Please accept my late testimony in favor of SB 2497. I have no experience with management of other county landfills, only the City and County of Honolulu's. With that said, I would ask for your support of SB 2497 because it is clear that the past City's Administration and the current City's administration has not demonstrated the ability manage landfills in a responsible manner. In addition the current City's administration has not been able to provide a reasonable planning process to designate an alternative to the existing landfill at Waimanalo Gulch.

It appears that the current landfill operation is too valuable as revenue generator for the City that it does not seriously look for other alternatives.

The Public Utilities Commission(PUC) has a good track record of managing business entities on behalf of the public's interests.

Municipal Solid Waste problems on O'ahu are serious enough to rise to the level of PUC management. I feel that the current City Administration is failing in its duties to properly manage O'ahu's trash as evidenced by its contractor Waste Management, being levied with the largest environmental fines in the State of Hawaii.

Please pass SB 2497 and restore public confidence in our ability to properly manage our trash.

Mahalal! William J. Aila Jr. 86-630 Lualualei, Homestead Road, Wai'anae, Hawai'i 96792  
Ph # 330-0376