

February 9, 2010

Kelli L. Keawe
P.O. Box 37273
Honolulu, Hawaii 96837

LATE

Re: Testimony, in support of HB-2917 (Noxious Fume)

Dear Chair Ryan Yamame, Vice Chair Scott Nishimoto and Committee on Health,

My name is Ms. Kelli Keawe. Thank you for allowing me to testify in support of HB2917.

I'm testifying on the behalf of my mother (retiree) Mrs. Robello, who was unable to attend, due to her disability and longtime tenants/residents at 1731 Homerule Street, Honolulu Hawaii 96819 "apartment complex" majority (retiree seniors, elderly, person's with disability/handicap, women with small children's).

This lower Kalihi area, the apartment complex been there for over 40 years, siding the apartment complex, late 2006 Capital Auto Service set up a Paint Shop/Spray Booth at 1729 Homerule Street, Honolulu Hawaii 96819.

Since Capital Auto Service moved in with long hours up to 7 days a week, while painting automobiles and the high level of noxious fumes the filters do not mitigate the fumes the apartment complex is covered with high level to toxic coming from the noxious fumes the residents continue to suffer, the tenants of apartment complex approached the owner Mr. Herbert Nakanishi who ignored the safety and health of the tenants/people.

2007 I draft a complaint submitted to Dept. Of Health Clean Air Branch and City & County Planning & Permits its been an on-going problem for three years, I turn to our Senator Chun Oakland, House Representative Manahan and Counsellmember Chachola for assistance, there is not enough law in place to protect the people.

Mrs. Robello and the residents at 1731 Homerule Street continue to suffer from the noxious fumes and have to wear safety gears in their own home, that is not fair, we ask for you to help in passing this bill.

Supporting documents, photo's and endless letter's available please let me know, also if you have any questions please contact me at (808) 782-5777 or by the address above.

Thank you,

Ms. Kelli Keawe

December 14, 2009

Capital Auto Paint Service
Owner Mr. Herbert Nakanishi
1729 Homerule Street
Honolulu, Hawaii 96819

Re: Paint situation,

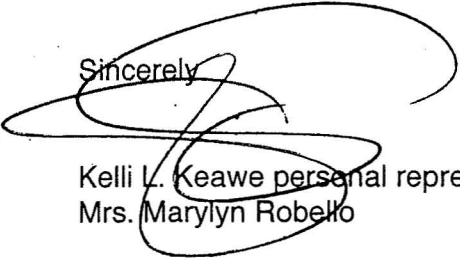
Dear Mr. Nakanishi,

In reference to our telephone conversation on December 10, 2009 regards to the paint toxic fume stack on your property, thank you for sharing your concerns and taking the time in allowing me to share the concerns on the behalf of Mrs. Robello and neighboring residents, in the apartment complex at 1731 Homerule Street, Honolulu Hawaii 96819.

As mentioned, since it's an on-going health concerns to the Honolulu City & County and State of Hawaii Officials; we offer a solution and suggested, it may help by removing the canvas along your fence, to where it may contribute from blocking the air flow into 1731 Homerule Street (neighboring apartment complex), as well as you may want to run your industrial fan against the fence line, and turn your stack "makai" south west, and lastly the permission to contact you, if we have any more concerns.

Your immediate attention on this matter is greatly appreciated, If you have any questions please call me, Ms. Kelli Keawe @782-5777

Sincerely



Kelli L. Keawe personal representative for
Mrs. Marylyn Robello

cc: File
Senator, House of Representative and City Counsel Member
Honolulu City & County Building Department
State of Hawaii, DOH/CAB
Environmental Watch

LINDA LINGLE
GOVERNOR OF HAWAII



COPY

CHIYOME LEINAALA FUKINO, M.D.
DIRECTOR OF HEALTH

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

In reply, please refer to:
File:
09-902C&E CAB

October 19, 2009

The Honorable Suzanne Chun Oakland
Senator, 13th District
State Capitol, Room 226
Honolulu, Hawaii 96813

Dear Senator Chun Oakland:

SUBJECT: Automobile Spray Painting Complaint
Capital Body Service
Complaint No. OA-09-165

This letter is in response to your letter dated September 17, 2009, regarding the complaint from your constituent, Ms. Kelli Keawe, on spray painting of cars at Capital Body Service (Capital), 1729 Homerule Street, Kalihi. The Department of Health (DOH), Clean Air Branch (CAB), conducted unannounced complaint investigations of Capital on September 11, 2009, March 20, 2009, three inspections in 2008, and four inspections in 2007. During these investigations, inspectors spoke to Mr. Herb Nakanishi, owner of Capital, about the odor complaints and their concerns. Mr. Nakanishi has filters in the spray booth for paint overspray, but the filters do not mitigate the odors. On April 17, 2008, the CAB also met with Ms. Keawe and had a CAB conference call with her sister, Ms. Monticello, who lives in an apartment next to Capital, to discuss their concerns of the odor.

The CAB does not regulate paint spray booths or the paint odors, and we understand that the nuisance odors from the paint spray booths are the concern of your constituents. The City and County of Honolulu, Building Department, had previously approved the building permit for the spray booth which is allowed in a mix-use zoning area and can lead to conflict and frustration due to the incompatible zoning.

On October 7, 2009, Representative Joey Manahan held a meeting to discuss Ms. Keawe's concerns and the problem with the Capital operations. In attendance were Ms. Keawe, her mother, a friend, representatives from the City Building Department, and DOH staff from CAB and the Hazard Evaluation and Emergency Response Office. Although the Capital owner has made some attempts to resolve the odor problem, it was noted that he should possibly consider additional measures such as modifying his stack.

Since paint spray booths are occasionally a source of complaints, DOH is conducting a study on the best practices to control the overspray and odors from paint spray booths. Upon completion, the report will be made available to any interested parties.

Please have Ms. Keawe contact the Clean Air Branch at 586-4200 if she has any further questions or the Hazard Evaluation and Emergency Response Branch at 586-4249 if there are concerns with the toxicity from the odors of the paint spray booth.

Sincerely,

Chiyome Leinaala Fukino, M.D.
Director of Health

c: Representative Joey Manahan, 29th Representative District
William Cooper, Deputy Attorney General, State of Hawaii
Kelli Keawe
Hazard Evaluation and Emergency Response Office

DEPARTMENT OF PLANNING AND PERMITTING
CITY AND COUNTY OF HONOLULU

650 SOUTH KING STREET, 7TH FLOOR • HONOLULU, HAWAII 96813
TELEPHONE: (808) 768-8000 • FAX: (808) 768-6041
DEPT. WEB SITE: www.honolulu.dpp.org • CITY WEB SITE: www.honolulu.gov

MUFI HANNEMANN
MAYOR



DAVID K. TANOUE
DIRECTOR
ROBERT M. SUMITOMO
DEPUTY DIRECTOR

2009/RFI-09-0171
B09-119 (WK)

October 2, 2009

Ms. Kelli Keawe
P.O. Box 37273
Honolulu, Hawaii 96837

Dear Ms. Keawe:

Subject: Capital Auto Service
1729 Homerule Street
Tax Map Key: 1-2-005: 074

This is in response to your concerns regarding a paint booth located at the above-mentioned address.

An investigation by Building Inspector Gerald Toyomura revealed the automobile spray booth was constructed as approved under Building Permit No. 602039. The modified exhaust stack for the paint booth was approved by the Honolulu Fire Department.

The air quality emitted from the exhaust system is under the purview of the State of Hawaii, Department of Health (DOH), Clean Air Branch. Mr. Jere Yoshimoto of the DOH is currently investigating your concerns and can be reached at 586-4700.

The non permitted tarpaulin structures on site were removed.

Should you have any further questions, please contact Mr. Wendel Ko of our Building Inspection Unit at 768-8129.

Very truly yours,

A handwritten signature in black ink, appearing to read "David K. Tanoue", is written over a horizontal line.

David K. Tanoue, Director
Department of Planning and Permitting

cc: Customer Services Department (331954)



kkelli4u@aol.com
04/07/2009 11:43 PM

To kelli.l.keawe@hawaii.gov
cc
bcc
Subject Fwd: Support of bill

one more time

-----Original Message-----

From: kkelli4u@aol.com
To: repmanahan@capitol.hawaii.gov
Sent: Wed, 8 Apr 2009 1:33 am
Subject: Support of bill

Dear Representative Joey Manahan,

The residents & tenants in your district at 1731 Homerule Street, Honolulu Hawaii 96819 and 275 Kalihi Street Honolulu Hawaii 96819 along with the surrounding neighbors, are in support of the bill that is being introduce & heard today April 8, 2009.

This bill will keep the air and environment clean, it would set an good example not only in our community but the entire STATE OF HAWAII Lets continue to work together in keeping Hawaii Beautiful & Green for our Seniors, our Children and there Children.

Aloha Kelli & The Ohana #782-5777

Special Notes: from Mr. & Mrs Robello tenants of 1731-D Homerule Street, retired seniors and currently both in wheelchairs unable to attend today's hearing, but offers there full support to the bill that is being heard, Imagine being in a wheel chair unable to move quickly when one paint shop business next door, start up his paint booth without proper ventilation and toxic fumes fill your home and by breathing toxic, something to think about when the bill is being heard for consideration.

Mahalo Mr. & Mrs. Robello #368-1242

Save money by eating out! [Find great dining coupons in your area.](#)

Save money by eating out! [Find great dining coupons in your area.](#)

October 6, 2009

To Whom It May Concern:

I, Mrs. Thuy Ho the owner of the property located at: 1731 Homerule Street Honolulu, Hawaii 96819 (Apartment Complex).

On the behalf of my tenants Health, Safety & Well Being I ask for your assistance to remedy the problems that the residents continue to suffer, for the past two years, from the highly noxious fumes, odor and over spray emitting from the adjoining property located at: 1729 Homerule Street Honolulu, Hawaii 96819 (Capital Body Service).

If you have any questions or concerns, please feel free to contact me at 398-5179. Thank you for your time.

Sincerely,

**Mrs. Thuy Ho
(Owner)**

September 11, 2009

Representative Joey Manahan
Hawaii State Capitol, Room 421
415 Beretania Street
Honolulu, Hawaii 96813 (district #29)

Re: Complaint against Capital Auto Body & Paint Shop at, 1729 Homerule Street,
from Residents of the Apartment Complex at, 1731 Homerule Street.

Dear Representative Manahan,

Since, our correspondences, with regard to the above mentioned, my name is Ms. Kelli Keawe, resident of district #29 and spoke's person to the residents/tenants in the apartment complex at 1731 Homerule Street, continuing to seek your assistance.

Against, the heavy toxin paint fume/overspray coming from Capital Auto Body Paint Shop located next to our property at 1729 Homerule Street, Honolulu Hawaii 96819. The residents of 1731 Homerule Street, shared there concerns with the paint shop owner Mr. Herbert Nakanishi at 1729 Homerule Street, which gone ignored.

This is a serious health risk/issue and safety, as the residents of 1731 Homerule Street and surrounding business, residents in the district, who continues to suffer by the heavy toxin paint fume/overspray, especially the residents at 1731 Homerule Street, directly most are women, retired seniors, children and person's with disability "in wheelchair".

Thereafter, numerous correspondence with State, Dept. of Health Clean Air Branch Supervisor Jill and investigator's Jack, Terry, Tim after visiting the site, continue to blame City & County due to non-jurisdiction, and City & County Planning former Director Henry Ng, Wendell of permit, Glen of Electric and Mike of Zoning, continue to past blame back to State Of Hawaii due to non-jurisdiction, again this permit should have not been approved June 2006, without proper assessment by the surrounding current residents for over 40 years "grandfather properties" and the filters in the paint booth are not being properly monitored or marked to identify usage", we need changes, no fines where issued, the fume stack has been moved by the owner of the paint shop, after City & County issued permit, facing the apartment complex, the paint booth been in operation since 2006, after I my complaint HFD inspection 9/28/08, notice electrical had no final inspection from City & County until October 2008.

The resident & myself, called and wrote numerous times, through email, fax, letters which gone ignored as followed.

Capital Auto Body Paint Shop
1729 Homerule Street
Honolulu, Hawaii 96819

Herbert Nakanishi, Tenant/Owner of Capital Auto Body Paint Shop

Ms. Tanaka, Property Manager, Realtor for 1729 Homerule Street
Ms. Karen Moriyama, Owner to the property 1729 Homerule Street
Ms. Jane Moriyama, Owner to the property 1729 Homerule Street

State & City Officials,

Dept. Of Health "Clean Air"	Supervisor Jill, Invest. Jack, Terry & Tim
Dept. Of Health	Director Dr. Fukino
City & County "Planning"	Admin Henry Ng, Permit Wendell, Electric Glen, Zone Mike
C&C HFD	Cap. Kenneth Silva
C&C HPD	Cheif. Correa
Suzanne Chun Oakland	Senator (district #13)
Joey Manahan	House of Representative (district #29)
Romy Cachola	Councilmember (district VII)

Your immediate attention on this matter is greatly appreciated, please contact me @(808) 782-5777 cell or 853-1024 home, mailing a Keawe, P.O. Box 37273, Honolulu Hawaii 96837

Sincerely,



Kelli Keawe

cc: Senator Suzanne Chun Oakland
Hawaii State Capitol, Room 226
415 Beretania Street
Honolulu, Hawaii 96813 (district #13)

Councilmember Romy Cachola
530 S. King Street, Room 202
Honolulu, Hawaii 96813 (district VII)

September 11, 2009

Senator Suzanne Chun Oakland
Hawaii State Capitol, Room 226
415 Beretania Street
Honolulu, Hawaii 96813

Re: Complaint against Capital Auto Body & Paint Shop at, 1729 Homerule Street,
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1729 Homerule Street
Honolulu, Hawaii 96819

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Ms. Tanaka, Property Manager, Realtor for 1729 Homerule Street
Ms. Karen Moriyama, Owner to the property 1729 Homerule Street
Ms. Jane Moriyama, Owner to the property 1729 Homerule Street

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Dept. Of Health	Director Dr. Fukino
City & County "Planning"	Admin Henry Ng, Permit Wendell, Electric Glen, Zone Mike
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Sincerely,



Kelli Keawe

cc:

Councilmember Romy Cachola
530 S. King Street, Room 202
Honolulu, Hawaii 96813 (district VII)

Representative Joey Manahan
Hawaii State Capitol, Room 421
415 Beretania Street
Honolulu, Hawaii 96813 (district #29)

September 11, 2009

City & County of Honolulu
Councilmember Romy Cachola
530 S. King Street, Room 202
Honolulu, Hawaii 96813

Re: Complaint against Capital Auto Body & Paint Shop at, 1729 Homerule Street,
from Residents of the Apartment Complex at, 1731 Homerule Street.

Dear Councilmember Cachola,

Since, our correspondences, with regard to the above mentioned, my name is Ms. Kelli Keawe, resident of district VII and spoke's person to the residents/tenants in the apartment complex at 1731 Homerule Street, continuing to seek your assistance.

Against, the heavy toxin paint fume/overspray coming from Capital Auto Body Paint Shop located next to our property at 1729 Homerule Street, Honolulu Hawaii 96819. The residents of 1731 Homerule Street, shared there concerns with the paint shop owner Mr. Herbert Nakanishi at 1729 Homerule Street, which gone ignored.

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Capital Auto Body Paint Shop
1729 Homerule Street
Honolulu, Hawaii 96819

Herbert Nakanishi, Tenant/Owner of Capital Auto Body Paint Shop
Ms. Tanaka, Property Manager, Realtor for 1729 Homerule Street
Ms. Karen Moriyama, Owner to the property 1729 Homerule Street

Ms. Jane Moriyama, Owner to the property 1729 Homerule Street

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Suzanne Chun Oakland	Senator (district #13)
Joey Manahan	House of Representative (district #29)
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Sincerely,



Kelli Keawe

cc: Senator Suzanne Chun Oakland
Hawaii State Capitol, Room 226
415 Beretania Street
Honolulu, Hawaii 96813 (district #13) fax#586-6131

Representative Joey Manahan
Hawaii State Capitol, Room 421
415 Beretania Street
Honolulu, Hawaii 96813 (district #29) fax#586-6011

September 11, 2009

Complaint against Capital Auto Body & Paint Shop at, 1729 Homerule Street,
from Residents of the Apartment Complex at, 1731 Homerule Street.

Hand delivered by Ms. Kelli Keawe

Senator Suzanne Chun Oakland
Hawaii State Capitol, Room 226
415 Beretania Street
Honolulu, Hawaii 96813 (district #13)



Received by:

9/11/09

Date:

Councilmember Romy Cachola
530 S. King Street, Room 202
Honolulu, Hawaii 96813(district VII)



Received by:

9/11/09

Date:

Representative Joey Manahan
Hawaii State Capitol, Room 421
415 Beretania Street
Honolulu, Hawaii 96813(district #29)

o/o by komi

Received by:

9/11/09

Date:

Your immediate attention on this matter is greatly appreciated, please contact me @ (808)
782-5777 cell or 853-1024 home, mailing a Keawe, P.O. Box 37273, Honolulu Hawaii 96837

Capital Body Service

HERB NAKANISHI

Owner



Cell. 728-1912

Lic. #656, #2789

986 McGregor Lane
Honolulu, HI 96817
Phone (808) 847-2608
FAX # (808) 848-0590
Kalihi Kapalama Area

current address:

1729 Homerule Street
Honolulu, HI 96819



9/24 or 9/25/08 stopped by an
spoke w/ neighbors.
9/28/08. Talk show



JOEY MANAHAN

29TH DISTRICT KALIHI-KAI, KAPALAMA, MOKAUEA, SAND ISLAND
VICE CHAIRMAN: COMMITTEE ON TOURISM & CULTURE
HOUSE OF REPRESENTATIVES

STATE CAPITOL, ROOM 421
HONOLULU, HAWAII 96813

PHONE: (808) 586-6010
FAX: (808) 586-8011
EMAIL: repmanahan@capitol.hawaii.gov

10/8/08 stopped by

1100 2726 988



TERRY K. CORPUS
STATE ON-SCENE COORDINATOR

OFFICE OF
HAZARD EVALUATION &
EMERGENCY RESPONSE
HAWAII STATE
DEPARTMENT OF HEALTH

919 ALA MOANA BLVD., ROOM 206
HONOLULU, HAWAII 96814-4912
PHONE (DAY): (808) 586-4699
FAX: (808) 586-7537
E-MAIL: terence.corpus@doh.hawaii.gov

REPORT OIL AND HAZARDOUS SUBSTANCE SPILLS
HAWAII STATE EMERGENCY RESPONSE COMMISSION
(808) 247-2191 • 24 HOURS

NATIONAL RESPONSE CENTER
(800) 424-8802 • 24 HOURS



GERALD TOYOMURA
BUILDING INSPECTOR
BUILDING CODE BRANCH

BUILDING DIVISION
DEPT. OF PLANNING AND PERMITTING
CITY AND COUNTY OF HONOLULU
650 SOUTH KING STREET
HONOLULU, HAWAII 96813

PHONE: (808) 768-8118
FAX: (808) 768-4400
Website: www.honolulu.gov

stopped by: 09/11/2009 (PM)
along w/ Gen of Clean air
branch.



The Senate

STATE CAPITOL
HONOLULU, HAWAII 96813

September 17, 2009

Dr. Chiyome Fukino
Director, Department of Health
Kinau Hale
1250 Punchbowl St.
Honolulu, HI 96813

Dear Director Fukino:

My office recently received a letter from Ms. Kelli Keawe regarding the continuing problem of noxious fumes emanating from Capital Auto Body and Paint Shop on located at 1729 Homerule Street. I would like to request your department's assistance in addressing this serious health situation. Residents of a nearby apartment building are experiencing dizziness, difficulty in breathing, and other health conditions whenever Capital Auto Body and Paint Shop does painting activity.

The department's immediate and serious efforts to protect the health of these people would be greatly appreciated.

Please feel free to contact me or my staff at 586-6130 should you have any questions. I hope to hear from you soon.

Me ke aloha pumehana,

Suzanne N.J. Chun Oakland
State Senator
13th District

Enclosure

SNJCO:atl

Cc: Kelli Keawe

Mailed

July 22, 2009

Karen & Jane Moriyama
2139 Auli'i Street
Honolulu, Hawaii 96817

Re: Property @1729 Homerule Street, Honolulu, Hawaii 96819

Dear Karen & Jane,

This is to inform you of your tenants occupying your property @1729 Homerule St, Honolulu Hawaii 96819 and your property manager Ms. Tanaka of Ms. Tanaka reality.

Past two year, your current tenants is operating a auto body paint shop, with the high levels of toxic fumes & paint coming from his booth/stack damaging the environment, air, surrounding neighbors, which is affecting everyones health and now we use 911 emergency for oxygen the surrounding neighbors "business & residences" tried to work together with your current tenants and property manager Ms. Tanaka on several occasion, and "GOT NO WARE" which left us no choice, we filed a complaint with the District Senate Chun Oakland, House Representative Joey Manahan, City Council Romy Cachola, HFD Cap. Silva, Building Code, Dept. of Health Clean Air & Water Branch, Neighbor board and Environment watch Caroll Cox.

Final hope, you can intervene and have the paint shop correct the problem in question and route the paint booth discharge of toxic fumes & paint underground, take a look around at the paint booth, there all updated and advance and the current tenant & property manager has ignored the problem and refuse to work the people, the tenant has been rude, these tenants has been working long hours and weekends, before someone gets ill or lost of a life, I hate say who is going to be liable or sued. (I inclosed some attachment for you to review)

Just for your information, pending the outcome of everyones investigation, we ask your assistance. If you have any questions pls call Kelli @782-5777

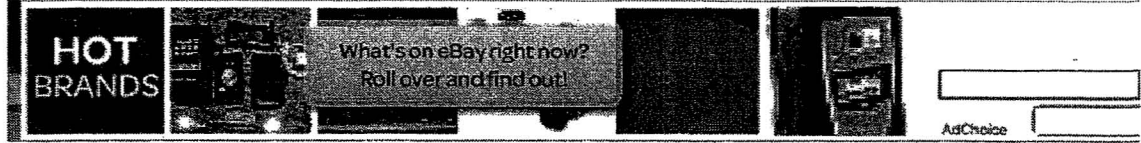
Sincerely



Kelli Keawe

cc: Senator Chun Oakland
House Manahan
State of Hawaii
City & County of Honolulu
File

AOL | myAOL | Make AOL My Home Page



Hi, kkelli4u Sign Out

Check Mail Compose

Search The Web Search

enhanced by

Settings Help

AdChoice

Search Mail
 Keep as New
 Reply
 Forward
 IM
 Action
 Delete
 Spam

AIM	People
Events	TMZ.com

3 CREDIT SCORES
3 CREDIT REPORTS

1729 Homerule Street, PROPERTY OWNERS

Print | New Window

Jamie Mahaulu to you and Carroll Cox - 2 days ago More Details

Add to: To Do, Calendar

- Today on AOL
- New Mail (4)**
- Old Mail
- Drafts
- Sent
- IMs
- Spam (7)**
- Recently Deleted
- Contacts
- Calendar
- My Folders
- Saved Mail (3)**
- AOL Infor (2)**
- Bike accident
- documentary (1)**
- family photo
- hawaiian air (3)**
- hotels (3)**
- kk ebay (1)**
- Money Refund**

Hi Kelli;

Here is the names of the property owners for 1729 Homerule Street:

Jane Kimie Moriyama
 Karen Yaeko Moriyama
 2139 Aulii Street
 Honolulu, HI 96817

Good luck 🍀

IM with friends and family now!

Sign In

Automatically sign me into AIM when I sign into Mail

Verizon High Speed Internet

AOL | myAOL | Make AOL My Home Page



SOUTHWEST.COM

You must rebook if your plans change, which could cost more. But we have no additional change fees.



SAVE NOW >

Hi, kkeili4u Sign Out

Check Mail

Compose

Search The Web

Search

enhanced by

Settings | Help

Search Mail

Keep as New

Reply

Forward

IM

Action

Delete

Spam

AIM

People

Events

TMZ.com

***** 3 CREDIT SCORES
3 CREDIT REPORTS

Fw: COMPLAINT RE: PAINT SHOP TOXINS ODORS AND FUMES

Print | New Window

Jamie Mahaulu to you - 2 days ago More Details

Add to: To Do, Calendar

Today on AOL

New Mail (1)

Old Mail

Drafts

Sent

IMs

Spam (7)

Recently Deleted

Contacts

Calendar

My Folders

Saved Mail (3)

AOL Infor (2)

Bike accident

documentary (1)

family photo

hawaiian air (3)

hotels (3)

kk ebay (1)

Money Refund

Free 2008 Credit Reports & Scores Online Now!

--- On Sun, 9/28/08, Jamie Mahaulu <jmahaulu@yahoo.com> wrote:

From: Jamie Mahaulu <jmahaulu@yahoo.com>
 Subject: COMPLAINT RE: PAINT SHOP TOXINS ODORS AND FUMES
 To: "Carroll Cox" <carroll@carrollcox.com>
 Date: Sunday, September 28, 2008, 12:01 AM

Dear Carroll;

Tenants of 1731 Homerule Street:
 - 2-story apartment building w/8 units

- Consisting of Families w/(8) Children, (7) elderly which includes handicap (3) in wheelchairs.

All the tenants were notified and will speak with you in the morning.

Mahalo, Kelli 782-5777 (call me if you have any questions.)

IM with friends and family now!

Sign In

Automatically sign me into AIM when I sign into Mail



The Senate

STATE CAPITOL
HONOLULU, HAWAII 96813

April 1, 2008

Dr. Chiyome Fukino, Director
Department of Health
1250 Punchbowl Street
Honolulu, Hawaii 96813

Dear Director Fukino:

Kellie Keawe contacted my office with concerns regarding a commercial car spray painting business on September 14, 2007, and the effects the company's spraying has had on the residents in the area.

One March 24, 2008, I received another report that the problem has not be remedied and that the neighbors are seriously ill due to the toxicity of the fumes being generated.

I would greatly appreciate you looking into this matter that exists at 1731 Home Rule Street. It is my hope that the air quality will be improved for the residents that are impacted by the current status.

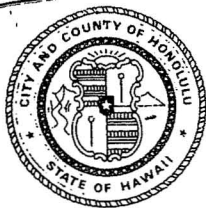
If my staff or I can be of further assistance to you in the future, please contact us at 586-6130. I look forward to hearing from you.

Me ke aloha pumehana,

Suzanne N.J. Chun Oakland
State Senator
13th District

SNJCO:lji

cc: Kellie Keawe



CITY COUNCIL

CITY AND COUNTY OF HONOLULU

HONOLULU, HAWAII 96813-3065 / TELEPHONE 547-7000

ROMY M. CACHOLA
COUNCILMEMBER
(808) 547-7007
(808) 523-4220 (fax)
e-mail: rcachola@honolulu.gov

December 10, 2007

Marylyn Robello
P.O. Box 17374
Honolulu, HI 96817

Dear Ms. Robello:

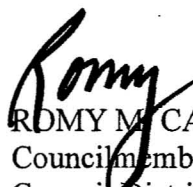
Re: Paint Fumes from Capital Auto Service

Thank you for notifying my office regarding the above-referenced subject matter.

A request was forwarded to the City Administration to investigate and take appropriate corrective action to address your concern. This issue was assigned to the Honolulu Police Department (HPD) whose response is attached. The HPD notified the Department of Health Clean Air Branch (CAB) (response attached). The CAB will be following up with Capital Auto Service. If you have any questions or future complaints regarding fumes and paint over spray, please call Clean Air Branch at 586-4200.

Thank you for bringing this matter to my attention. If you have any questions, please feel free to contact Leeza Agpaoa, of my staff, at 527-5679.

Very truly yours,


ROMY M. CACHOLA
Councilmember
Council District VII

Enclosures

City and County of Honolulu

REQUEST FOR INVESTIGATION AND SERVICE REPORT

INITIATED BY Councilmember Romy Cachola (Leeza Agpaoa)	(WS #173-07) MD CONTROL # 227873
REQUESTOR'S NAME Anonymous	DATE 09.14.07
ADDRESS	PROCESSED
PHONE LOCATION 1729 Homerule Street	REFERRED TO

SERVICE REQUESTED

My constituent complains of fumes from the spray-painting of vehicles at Capital Auto Service, located at 1729 Homerule Street. My constituent also states that cars parked on the street nearby are also affected from the spray.

Please investigate and take appropriate action to address this concern. Thank you for your anticipated response to this matter.

Signature /s/ Romy M. Cachola

See Attachment


REFERRAL DEPARTMENT

ASSIGNED TO	DATE DUE
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ACTION TAKEN

On September 21, 2007, Officer Jose Martinez of the District 5 (Kalihi) Second Watch contacted Ms. Jill Stensrud, an Enforcement Supervisor with the Clean Air Branch, state Department of Health. Ms. Stensrud related her office has received numerous complaints of the fumes and paint overspray coming from Capital Auto Service. She also related that the HPD has no jurisdiction in this matter and that such complaints regarding Capital Auto Service should to be referred to her office at 586-4200.

On September 21, 2007, Lieutenant Kent Harada of District 5 contacted Leeza Agpaoa of Councilmember Romy Cachola's office and reported this information. If you have any questions, please call Lieutenant Harada at 529-3156.


 APPROVED BY SHERMAN CHAN

TITLE Acting Captain, District 5

See Attachment

**HAWAII STATE DEPARTMENT OF HEALTH
CLEAN AIR BRANCH
REPORT "PHOTOGRAPH"**



Date: 3/31/08

Time: 10:45 a.m.

Photo No.: 002

Firm Name: Capital Body Service

Complaint No.: OA-08-069

Source Location: 1729 Homerule Street, Kalihi

Notes: Picture was taken from Homerule Street. Arrow shows where they spray primer.

Photo taken by: JL

HAWAII STATE DEPARTMENT OF HEALTH
CLEAN AIR BRANCH
REPORT "PHOTOGRAPH"



Date: 4/15/08

Time: 2:51 p.m.

Photo No.: 002

Firm Name: Capital Body Service

Complaint No.: OA-08-069- F.UP

Source Location: 1729 Homerule Street, Kalihi

Notes: Picture of stack taken from Homerule Street using zoom.

Photo taken by: JL

**HAWAII STATE DEPARTMENT OF HEALTH
CLEAN AIR BRANCH
REPORT "PHOTOGRAPH"**



Date: 4/15/08

Time: 2:51 p.m.

Photo No.: 001

Firm Name: Capital Body Service

Complaint No.: OA-08-069- F.UP

Source Location: 1729 Homerule Street, Kalihi

Notes: Picture of stack taken from Homerule Street.

Photo taken by: JL

HAWAII STATE DEPARTMENT OF HEALTH
CLEAN AIR BRANCH
REPORT "PHOTOGRAPH"



Date: 4/15/08.

Time: 2:56 p.m.

Photo No.: 003

Firm Name: Capital Body Service

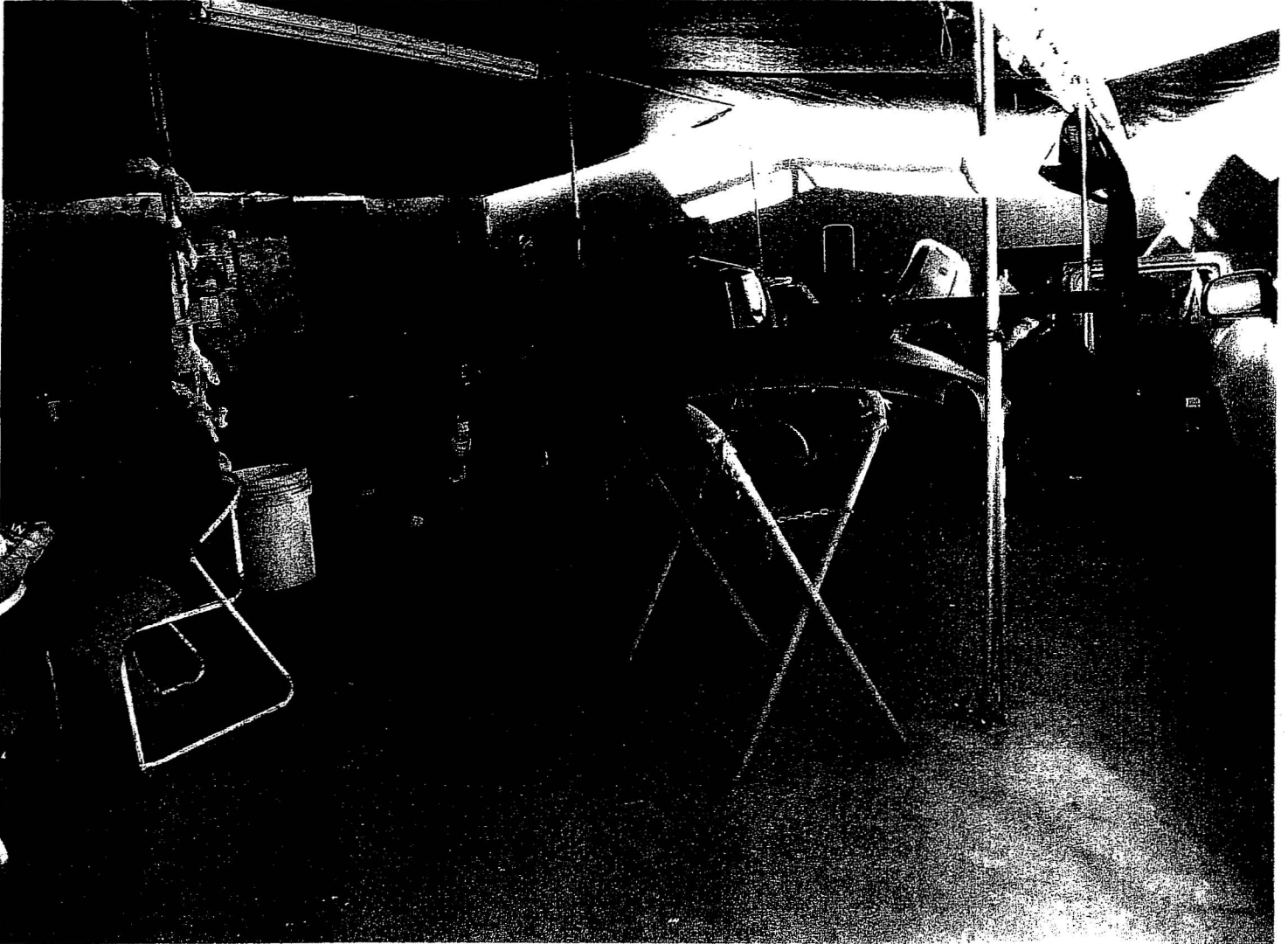
Complaint No.: OA-08-69- F.UP

Source Location: 1729¹⁷²⁹ Homerule Street, Kalihi

Notes: Picture was taken inside paint booth. Filters were replaced on 4/14/08 (one day old).

Photo taken by: JL

**HAWAII STATE DEPARTMENT OF HEALTH
CLEAN AIR BRANCH
REPORT "PHOTOGRAPH"**



Date: 3/31/08

Time: 10:30 a.m.

Photo No.: 001

Firm Name: Capital Body Service

Complaint No.: OA-08-069

Source Location: 1729 Homerule Street, Kalihi

Notes: Picture shows where they spray primer on minor damages on auto body parts. This is located at the back left end part of the shop.

Photo taken by: JL

LINDA LINGLE
GOVERNOR OF HAWAII



COPY

CHIYOME L. FUKINO, M.D.
DIRECTOR OF HEALTH
OCT 02 2007

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

In reply, please refer to:
File:

September 28, 2007

07-902A CAB

The Honorable Suzanne Chun Oakland
Senator, 13th District
The Senate
State Capitol, Room 226
Honolulu, Hawaii 96813

Dear Senator Chun Oakland:

SUBJECT: Capital Auto Service Complaint

This letter is in response to your letter dated September 14, 2007, regarding Capital Auto Service redirecting their paint spray booth exhaust stack toward an apartment building. The Department of Health, Clean Air Branch (CAB), conducted an investigation on September 7 and 18, 2007. At the time of the investigation, there were no vehicles being painted, and therefore the CAB inspector did not detect any odors in the area. Mr. Herbert Nakanishi, the business owner, stated that they had reconfigured and increased the stack height sometime in December 2006, to alleviate a complaint from another business. Although spray booths are not regulated by the CAB, we do respond to complaints and investigate for paint overspray. We will be following up with Capital Auto Service to discuss what mitigative measures Mr. Nakanishi is willing to pursue to address the complaints from the neighboring apartment. The City and County of Honolulu (City), Building Division, has also been contacted to determine whether the modification to the spray booth stack is in compliance with their requirements.

In regards to the complaint filed on September 17, 2007, we were informed by the City, Storm Water Quality Control (768-3250), that a warning letter will be sent to the business for allowing the metal fibers from the sanding of vehicles to be discharged into the storm drain.

Thank you for bringing this matter to our attention. If your constituents have any further concerns, they are welcomed to contact the CAB at 586-4200.

Sincerely,


Chiyome Leimaala Fukino, M.D.
Director of Health

c: Councilmember Romy Cachola
State Representative Joey Manahan, 29th District
Building Division, Department of Planning and Permitting, City and County of Honolulu
Storm Water Quality Control, Department of Environmental Services, City and County of Honolulu



The Senate
State of Hawaii

STATE CAPITOL

HONOLULU, HAWAII 96813

September 14, 2007

Dr. Chiyome Fukino, Director
Department of Health
P.O. Box 3378
Honolulu, Hawaii 96801

Dear Dr. Fukino:

I received a call from a concerned resident representing the residents of 1731 Homerule Street. Capital Auto Service, located at 1729 Homerule Street, recently redirected their paint booth exhaust vent towards the apartment building away from another business who was complaining about the noxious fumes.

The residents of the apartment building are experiencing serious health conditions as a result of the redirected fumes from the paint booth. Please assist the residents in remedying this situation.

It has also been observed that metal fiber from sanding the automobiles is being washed onto the street and going into the storm drain. This is also of concern to the residents since this may impact the quality of our water going into the ocean.

Your immediate attention to this matter would be greatly appreciated.

Me ke aloha pumehana,

Suzanne Chun Oakland

Suzanne Chun Oakland
State Senator
District 13

cc: Councilmember Romy Cachola
State Representative Joey Manahan