

HB 2249

RELATING TO LANDFILLS

Hearing Date: Monday, February 27, 2012 at 4:00 pm
Hawaii State Capitol, Conference Room 308

LATE TESTIMONY

Dear Chair Coffman, Vice Chair Kawakami, and Members of the Committee on Energy and Environmental Protection:

I resent the use of residual recycling waste for alternative daily cover (ADC) for three reasons: 1) PVT is a construction and demolition debris (C&D) landfill and should not be accepting OTHER types of wastes that has no link to C&D generation, 2) there is NO pollution prevention safeguards, and 3) NO human health and environmental protection to the residents fronting PVT and the community that frequent the area.

This type of recycling appears to romance the committee members because it is "recycling" or "going GREEN". Not all recycling is beneficial as with paper and beverage containers. Not to say that we shouldn't recycle, but we should be aware of the safety and health implications of this NEW undertaking especially since the Department of Health (DOH) has testified that there is not enough rigorous scientific analysis to say that the 11 listed alternative covers are safe. A majority of the 11 listed wastes are **INDUSTRY-GENERATED wastes**. The experts from the DOH and City & County of Honolulu's Environmental Services opposed the bill for a reason. These governmental bodies are the public's frontline for the protection of human health and the environment. They are engaged with this type of operation on a daily basis. They are the regulatory agencies for this type of operation. Do you think they might know MORE than we do? If not, then why have a DOH or City & County Environmental Division? The DOH indicated in their testimony that without rigorous scientific analysis of the potential environmental effects of the 11 listed ADCs, it would be premature to pass HB 2249 because all environmental conditions have not yet been evaluated. Even the University of Hawaii has chimed in on opposing HB 2249.

With the exception of green waste, what is your scientific expertise on the other 10 types of industry-generated wastes being proposed for ADC at a landfill? **Auto shredder waste** is the most dangerous type of ADC to be used for cover due to its heavy metal contents (i.e., lead, cadmium, chromium, mercury, etc.) that are attached to the waste from shredding automobiles. While the metals may not be at levels that exceed concentrations that were set by the U.S. Environmental Protection Agency (EPA) about 30 years ago, public records at DOH and research of other similar environmental reports on the internet clearly indicate that heavy metals exist in all auto shredder wastes. If loads of these types of wastes were used for daily cover, it would be disastrous for nearby residents at PVT on windy days like, TODAY. On rainy days, the run-off would impact our oceans. Currently, auto-shredder must be buried, and should remain so. Auto shredder wastes should not

be running into our oceans when there are heavy rains. Oahu should have learned that from the 2011 environmental disaster at the Waimanalo Gulch Landfill.

Furthermore, what type of **sludge** will be used for ADC? Petroleum contaminated sludge, sewage sludge, solvent sludge? The listed sludge in HB 2249 is too broad. What type of **sediment** will be used and what is it **contaminated** with? Sediment contaminated with petroleum? Sediment contaminated with pesticides from agricultural lands and military bases? What kinds of construction and demolition **(C&D)** wastes will be used for ADC? Lead-based painted lumber from demolished homes that will be shredded and then used as ADC? Pesticide treated lumber from demolished homes that will be shredded and then used as ADC? Why are there no **specifics** with regard to naming the contaminants in these wastes? Why is the list of ADC in this bill so broad and what types of contaminants are the people of Nanakuli being subjected to via this bill? **Shredded tires** is another type of waste that should not be used as ADC. On rainy days, we will see run-offs not only in our oceans but on our roads making it dangerous for drivers. The deterioration of shredded tire particulates on our roads will cause sliding. Currently, shredded tires cannot be used for cover. It is made from petroleum products and should not be used for ADC in shredded form. Again DOH has indicated, it is premature for legislation. I would much rather listen to DOH than to pass a bill only to discover later that this type of "recycling" was not beneficial after all.

In reading the testimonies for HB 2249, Mr. Ian Sandison, a proponent of HB 2249, is the attorney for Schnitzer Steel. From a business standpoint, I understand his position and that there is a business profit to be gained. But, what is his scientific and medical expertise with regard to the environmental health risks to nearby residents of PVT? How does his testimony measure up to the experts, such as chemists, engineers, and inspectors with science degrees, from the DOH, City & County of Honolulu Environmental Services, and the University of Hawaii?

While landfills in other states may be using ash, auto shredder, C&D, contaminated sediment, sludge, shredded tires and foam products as ADC, I guarantee you that these landfills are not located in people's backyards, near an ocean, or less than a mile from the community's main thoroughfare, or grocery stores and eateries.

Currently, there is a developing circumstance being pushed by the U.S. Environmental Protection Agency (EPA) with regard to the environmental justice plan. In short, EPA is promoting the idea of having local oil refineries in Texas to pay for the relocation of families who live within certain proximity of them due to the pollution and health risks involved. I would be the first in line to ask EPA that PVT do the same if there are negative health implications from the passage of this bill. Again, 2 governmental departments opposed HB 2249 for a reason.

In closing, this is not the way "recycling" efforts should be promoted. To recycle residual wastes in this manner without scientific analysis is negligent at best and criminal at worst.

The residents of Nanakuli deserve a fair and equitable chance of living in a pollution-free environment like other communities. **Stop the environmental injustice and NO to HB 2249.**

Sincerely,

Kaiawe Makanani
Nanakuli-Waianae Resident/Neighborhood Board

FINTestimony

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 27, 2012 10:30 AM
To: FINTestimony
Cc: dfukumoto@honolulu.gov
Subject: Testimony for HB2249 on 2/27/2012 4:00:00 PM
Attachments: was12.42final 2.27.pdf

LATE TESTIMONY

Testimony for FIN 2/27/2012 4:00:00 PM HB2249

Conference room: 308
Testifier position: Oppose
Testifier will be present: No
Submitted by: Diane Fukumoto
Organization: C&C Dept. of Environmental Services
E-mail: dfukumoto@honolulu.gov
Submitted on: 2/27/2012

Comments: