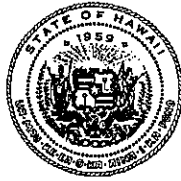


NEIL ABERCROMBIE
GOVERNOR OF HAWAII



LORETTA J. FUDDY, A.C.S.W., M.P.H.
DIRECTOR OF HEALTH

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

In reply, please refer to:
File:

SENATE COMMITTEE ON HEALTH
SENATE COMMITTEE ON ENERGY AND ENVIRONMENT

S.B. 2902, RELATING TO LANDFILLS

Testimony of Loretta J. Fuddy, A.C.S.W., M.P.H.
Director of Health

February 8, 2012
3:10 p.m.

1 **Department's Position:** The Department of Health respectfully opposes this bill.

2 **Fiscal Implications:** Undetermined. The department and other appropriate state and county agencies
3 would bear the administrative cost of supporting task force operations.

4 **Purpose and Justification:** This bill proposes to establish a statewide task force within the
5 Environmental Health Administration to study the feasibility of landfill alternatives, additional landfill
6 expansions, and landfill reuse options, financing options including "host fees," and conduct public
7 hearings to assess public approval and concern.

8 Current statute requires each county to develop and revise integrated solid waste management
9 (ISWM) plans. All counties have up-to-date revised plans in place. Each county is required to form a
10 solid waste advisory committee to guide the plan's revision. Through the planning process each county
11 assesses its solid waste situation and specifies the approaches it will take in handling its wastes. There
12 are public participation requirements in the form of advisory committee membership requirements and
13 the requirement for at least one public hearing on the draft plan.

1 Many of the activities being proposed by this measure have been conducted in the development
2 of current ISWM plans. Counties are best able to address their unique waste situation under the existing
3 system. Because of this we feel that this measure is not necessary.

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

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24



SB 2902
RELATING TO LANDFILLS
Committee on Energy and Environment

February 8, 2012

3:10 p.m.

Room 229

The Office of Hawaiian Affairs (OHA) **SUPPORTS** SB 2902, which would create a task force to study landfill alternatives, landfill reuse, and additional landfill expansions and look at financing options, including host fees.

Despite the area's rich traditions and cultural sites, the leeward coast currently bears the burden of a disproportionate number of high risk and high impact activities. In particular, the leeward coast is home to *all* of O'ahu's construction and demolition waste (including asbestos), the H-power plant, an abandoned military ordnance, a large homeless population, and O'ahu's only municipal solid waste landfill. Expansion of landfill facilities in the area would further increase the associated health risks and already terrible traffic conditions.

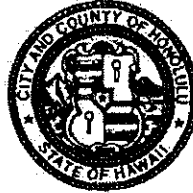
OHA is concerned about the risks and impacts of landfill expansion on the leeward coast, which is home to a large portion of O'ahu's Native Hawaiian population. All of O'ahu benefits from the aforementioned activities located on the leeward coast, and it may be appropriate to start concentrating future landfill development in other areas. Given the extraordinary risks that these activities have on the Native Hawaiian and larger leeward coast communities, OHA supports an examination of landfill alternatives and "host fees," and the conducting of public hearings that give community members an opportunity for input.

Therefore, OHA urges the Committee to PASS SB 2902. Mahalo for the opportunity to testify on this important measure.

DEPARTMENT OF ENVIRONMENTAL SERVICES
CITY AND COUNTY OF HONOLULU

1000 ULUOHIA STREET, SUITE 308, KAPOLEI, HAWAII 96707
TELEPHONE: (808) 768-3486 • FAX: (808) 768-3487 • WEBSITE: <http://envhonolulu.org>

PETER B. CARLISLE
MAYOR



TIMOTHY E. STEINBERGER, P.E.
DIRECTOR

MANUEL S. LANUEVO, P.E., LEED AP
DEPUTY DIRECTOR

ROSS S. TANIMOTO, P.E.
DEPUTY DIRECTOR

IN REPLY REFER TO:
WAS 12-30

February 7, 2012

The Honorable Josh Green, Chair
and Members of the Committee on Health
The Honorable Mike Gabbard, Chair
and Members of the Committee on
Energy and Environment
State Senate
State Capitol
Honolulu, Hawaii 96813

Dear Chair Green, Chair Gabbard, and Members:

Subject: Senate Bill (SB) 2902, Relating to Landfills

The City and County of Honolulu's Department of Environmental Services opposes SB 2902, Relating to Landfills.

SB 2902 proposes to establish a task force to study landfill alternatives and landfill reuse options at the State level. The Counties and the State Department of Health are already required to perform these functions as provided in Hawaii Revised Statutes (HRS) chapter 342G, "Integrated Solid Waste Management." Specifically, HRS section 342G-21, requires that the Counties submit an integrated solid waste management plan to the State Department of Health for review and approval. An integrated solid waste management plan takes into consideration the use of a variety of waste management practices and processing methods to safely and effectively manage solid waste with the least adverse impact on human health and the environment. Thus, this bill is duplicative and unnecessary.

Moreover, the premises upon which the establishment of the task force are based, as expressed in Section 1 of SB 2902, are inaccurate. First, SB 2902 states that the City's goal was to dispose of over one million tons of waste annually by using the waste-to-energy facility (HPOWER), but HPOWER is already operating at one hundred and ten percent of its capacity. It is the City's intent to minimize landfill use by diverting

The Honorable Josh Green, Chair
The Honorable Mike Gabbard, Chair
February 7, 2012
Page 2


waste for disposal at the HPOWER. That is the reason the City is increasing HPOWER's capacity with the construction of an added third boiler, which will enable HPOWER to burn an additional 300,000 tons of waste per year. This would bring HPOWER's total capacity to approximately 900,000 tons per year. Therefore, to say that we are currently at capacity and, therefore, cannot reach our goal is misleading. The City, via the expansion of HPOWER, is getting closer to its goal of diverting more waste from the landfill inasmuch as once the third boiler is complete, HPOWER will have increased its present capacity by 50 percent.

Second, this bill also inaccurately states that its landfill (presumably Waimanalo Gulch Sanitary Landfill as it is Oahu's only public landfill that accepts municipal solid waste) "has already reached capacity." This is simply not an accurate statement. The landfill has not reached capacity and in fact, due to increased future diversion via the expanded HPOWER and other diversion alternatives (i.e., curbside recycling, in-vessel conversion of waste to fertilizer, etc.) the landfill's projected future capacity for waste will increase to at least 15 more years and likely up to 20 or 25 years.

The bill confusingly states further that "the State will also need to address the reuse of the Waimanalo gulch landfill upon its closure and environmental issues such as beach contamination caused by wastewater overflow." The closure of the landfill is strictly regulated by the provisions of the Federal Resource Conservation and Recovery Act and the reuse of the landfill is already subject to state land use regulation. Further, the Waimanalo Gulch Sanitary Landfill is not a wastewater treatment facility so there has never been and will not be in the future any "wastewater overflow" from the landfill. This statement is clearly erroneous.

Because the bases for this bill are inaccurate and because it establishes a task force whose function is duplicative and unnecessary and therefore may infringe on counties' function of managing solid waste collection and disposal, the Department of Environmental Services strongly urges the committees not to pass SB 2902.

Sincerely,


Timothy E. Steinberger, P.E.
for Director

SEANTE COMMITTEE ON HEALTH

SENATE COMMITTEE ON ENERGY AND ENVIRONMENT

ATTN: CHAIRS JOSH GREEN AND MIKE GABBARD
Testimony Supporting SB2902
February 8, 2012, 3:10 p.m.
Conference Room 229

Aloha,

I respectfully submit testimony in support of this bill.

As we live on island communities with limited amounts of land, we should not be utilizing our lands for holding our municipal solid waste to the detriment of degrading not only the lands in which that waste is held but also any neighboring lands.

Historically, the City and County of Honolulu has struggled with how to manage our municipal solid waste and typically the cheapest solution has been to either build a landfill or expand the current landfill until by digging a bigger hole to fill has been the response.

This bill will allow an impartial task force to analyze the world-wide technologies which are available or on the cusp of being available for the management of our solid waste without needing to compromise our lands which are valuable and needed for our sustainability, whether via agriculture, housing or visitor industry targeted.

Our future requires us to look to new methodologies to retain the remaining lands that we have to be used to a higher value.

Please vote for the future by supporting this bill.

Mahalo,

Cynthia K.L. Rezentes
Wai`anae resident