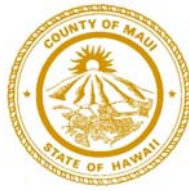


Michael P. Victorino
Mayor

Sananda K. Baz
Acting Managing Director



OFFICE OF THE MAYOR
COUNTY OF MAUI
200 S. HIGH STREET
WAILUKU, MAUI, HAWAII 96793
www.mauicounty.gov

June 27, 2020

TESTIMONY OF MICHAEL P. VICTORINO
MAYOR
COUNTY OF MAUI

BEFORE THE HOUSE COMMITTEE ON FINANCE

Monday, June 29, 2020, 2:00PM
Conference Room 329

SB 2386 SD2 RELATING TO WASTE MANAGEMENT

Honorable Sylvia Luke, Chair
Honorable Ty J.K. Cullen, Vice Chair
Honorable members of the Committee on Finance

Thank you for this opportunity to testify **in opposition** to **SB 2386 SD2**.

The purpose of this bill is to prohibit any waste or disposal facility from being located in a conservation district except in emergency circumstances to mitigate significant risks to public safety and health. It also requires no less than a one-half mile buffer zone around residences, schools, and hospitals for the construction, modification, or expansion of a waste or disposal facility.

The County of Maui (County) currently operates four landfills and six closed landfills in the State of Hawaii across three islands. County facilities are permitted, and have been operating in accordance with federal and state requirements.

Currently, County ordinance, and State Department of Health already regulate buffer zones based on site specific needs and environmental impacts for the proposed activity, so the mandatory 1/2 mile buffer proposed has limited benefit to further protect human health and the environment, and comes at an exorbitant expense to County of Maui taxpayers.

Upon landfill expansion, this bill will cost the County millions of dollars for property acquisition, subdivision, land entitlements, and legal fees to meet 1/2 mile buffer requirements.

For the foregoing reasons, I oppose this measure. **I urge you to defer this measure, SB2386 SD2.**



SB2386 SD2 HD1
RELATING TO WASTE MANAGEMENT
House Committee on Finance

June 29, 2020

2:00 p.m.

Room 329

The Office of Hawaiian Affairs (OHA) **SUPPORTS** SB2386 SD2 HD1, which would expressly affirm that waste and disposal facilities are an inappropriate use for lands in the conservation district, as well as establish “buffer zones” of at least one-half mile around waste or disposal facilities.

The state conservation district is intended to conserve, protect, and preserve our most naturally and culturally significant lands and resources, with land uses accordingly subject to high standards of review and regulation. Containing “important natural resources essential to the preservation of the State’s fragile natural ecosystems and the sustainability of the State’s water supply,”¹ the conservation district is also host to cultural sites and resources essential to the perpetuation of constitutionally protected Native Hawaiian traditional and customary practices. Waste and disposal facilities, in which hazardous and toxic materials may accumulate and be stored indefinitely, can significantly compromise the environmental and cultural integrity of conservation district lands and resources; such facilities would appear to be highly inappropriate uses for lands otherwise subject to the highest standards of protection and care. **OHA accordingly supports this measure’s clarification that waste and disposal facilities should not be an acceptable use of conservation district lands.**

OHA notes that, should a parcel of land in the conservation district be the only available and suitable location for a waste or disposal facility, the land use redistricting process can be utilized to amend the conservation district boundary and thereby accommodate such a facility. Notably, the land use redistricting process includes substantive and procedural mechanisms that can identify and mitigate the impacts of redistricting on important and valued natural and cultural resources, as well as associated Native Hawaiian traditional and customary practices.

Accordingly, OHA urges the Committee to **PASS** SB2386 SD2 HD1. Mahalo nui for the opportunity to testify on this measure.

¹ Haw. Rev. Stat. § 183C-1.

**Testimony of
Stephen Joseph
PVT Land Company, Ltd.**

SB 2386, HD 1, Relating to Waste Management

SUBMITTED VIA CAPITOL WEBSITE

Chair Sylvia Luke
Vice Chair Ty J. K. Cullen
Members of the House Committee on Finance

Re: SB 2386, HD 1, Relating to Waste Management

Dear Chair Luke, Vice Chair Cullen and Members of your Committee,

Thank you for the opportunity to submit testimony concerning SB 2386, HD 1, Relating to Waste Management. **PVT Land Company strongly opposes SB 2386, HD 1** as passage of this legislation would be devastating to the health and safety of the people of Hawaii and to the environment.

PVT plays a critical role in supporting the construction industry. It is the only publicly available construction and demolition landfill on Oahu. It is also Oahu's largest recycler. PVT provides an essential service and has been open throughout the pandemic. The strong construction industry has resulted in an increase in construction and demolition debris coming to PVT over the past several months. PVT has handled the increased demand for its services, but it cannot do so forever. To continue to provide this essential service, PVT is planning now for its relocation to an adjacent site as soon as permitting allows.

For this reason, PVT strongly opposes SB 2386, HD 1 as passage of this legislation would preclude PVT's relocation and force PVT to close in the next five years. PVT has already told its customers that if SB 2386 passes, it must operate its business to maximize the use of the space remaining at the landfill and to ensure proper closure.

If SB 2386 passes, **PVT's rates will be increased substantially. More critically, PVT will limit the waste it accepts.** PVT will no longer accept waste that does not readily compact. PVT will not accept major project demolition debris, such the Aloha Stadium demolition debris, or disaster debris. We understand that this will make the Aloha Stadium project more costly and may delay it for many years. In addition, PVT will no longer accept asbestos-containing material. This will make projects like the rail project far more expensive as PVT is the only facility on Oahu permitted to take asbestos debris.

Why is PVT forced to close? SB 2386 imposes a buffer zone of no less than one-half mile around a waste or disposal facility. The bill applies to transfer stations and recycling facilities, not just landfills. The one-half mile buffer zone would make PVT's relocation project unfeasible both from a financial and an engineering perspective.

No landfill in the State of Hawaii meets this requirement. Rather than close every landfill in the state, SB 2386 further provides that “[t]his subsection shall not apply to the continued operation of an existing waste or disposal facility that is properly permitted; provided that continued operation does not require physical expansion, vertical or horizontal, of the facility requiring additional permitting review and a permit modification.”

This addition is not a solution. The intended impact of this measure is to stop PVT from relocating its facility to a site across the street on Lualualei Naval Road. But if adopted, all counties in the state would face the same impossible task in the future. As none of the counties’ waste or disposal facilities currently meets the one-half mile buffer requirement, none of them can be modified or expanded. When the counties need to build a new facility, it will be next to impossible to find a new site for a transfer station, recycling facility or landfill that is large enough to have one-half mile buffer on all sides. Even if such sites exist, it would be prohibitively expensive for the counties to condemn not only the site but the one-half mile buffer on all sides. While SB 2386, HD1 defines buffer zone to be the distance to the nearest residential, school or hospital boundary, the one-half mile buffer on all sides would need to be condemned before starting construction to ensure the ability to modify or expand in the future.

Closing PVT would have devastating results. There is no permitted alternative for the disposal of construction and demolition debris on Oahu. The City and County of Honolulu’s Director of Environmental Services recently testified that it will take the City at least 7 to 10 years to site and build a new landfill before it can accept waste, and longer if the property is not already owned by the City. This means that there would be years of delay before a substitute for PVT can be found to accept construction debris on Oahu. If PVT is forced to close in the next five years, the following would occur:

- Developers, contractors and truckers, and other parts of the construction industry would have no legal place on Oahu to take their construction and demolition debris. Construction projects – as small as a kitchen remodel or as large as a shopping center - would come to a halt.
- Federal, state and local government would have no legal place on Oahu to take their construction and demolition debris. Again vital renovations and new construction – as small as replacing broken pipes and as large as the Aloha Stadium redevelopment – would be halted. Examples of the state agencies that take their demolition debris to PVT include the Hawaii Air National Guard, the Department of Education, the Department of Land and Natural Resources, the Department of Transportation and the University of Hawaii.
- If there is no legal disposal option on Oahu, illegal dumping would be rampant, both on private and government land.
- The bill would be a serious blow to disaster preparedness. In the event of a natural disaster, the first response is debris removal, particularly from priority roadways. The City and County of Honolulu has developed plans for a category 4 hurricane. Under this scenario, PVT would receive an anticipated 4 million cubic yards of debris, which is comparable in volume to filling Yankee Stadium five times. With this bill, there would

be no place for the disaster debris to go for recycling and disposal.

- With the closure of PVT, the recycling of wood and other combustible materials into a feedstock that can be used as a renewable fuel would not be possible. This bill would impede the state's efforts to reduce Hawaii's dependence on fossil fuels.
- The State would not be able to meet its recycling goals. The vast majority of construction and demolition debris that enters the PVT facility is separated, crushed, or shredded for reuse or recycling. PVT is able to recycle up to 80 percent of the debris that enters the facility: metals are recycled offsite; concrete, rock and dirt are recycled for use at the facility or offsite; wood and other combustible material are processed into feedstock that can be used in a gasifier to produce clean synthetic natural gas.
- Together with PVT, the construction industry is the largest recycler of solid waste on Oahu. The City's 2019 Integrated Solid Waste Management Plan Update (November 2019) documents that the construction industry, including PVT, is the largest recycler with 763,279 tons of rock, concrete and asphalt recycled. See Table 4-1. Total Tons Recycled, Calendar Year 2017 at https://www.opala.org/solid_waste/pdfs/ISWMP_2019_Final.pdf

The bill is not necessary. Both state and local government currently regulate the buffer zones for landfills. For example, on Oahu, both the Waimanalo Gulch Sanitary Landfill and PVT must comply with the Revised Ordinances of Honolulu ("ROH") "Specific Development Standard for Waste Disposal and Processing Facilities." ROH Section 21-5.680 provides that "[n]o waste disposal and processing facility shall be located within 1,500 feet of any zoning lot in a country, residential, apartment, apartment mixed use or resort district. When it can be determined that potential impacts will be adequately mitigated due to prevailing winds, terrain, technology or similar considerations, this distance may be reduced, provided that at no time shall the distance be less than 500 feet." (Emphasis added.) Using site specific criteria, the Waimanalo Gulch buffer zone is approximately 500 feet. PVT's buffer zone is 750 feet (which we believe to be the largest landfill buffer zone in the state).

PVT has been transparent about its recycling, landfill and renewable energy project. PVT prepared a three-volume Final Environmental Impact Statement ("EIS") for its project. PVT took its obligations seriously and retained independent experts to study the impacts of the project. All of these studies are site-specific, so the actual conditions onsite, including topography, prevailing winds, groundwater gradients, operating practices and other local conditions were considered. The site-specific information in the Final EIS will be considered by the permitting agencies when they make their determination of the appropriate buffer zone.

In contrast, the measure before you simply imposes an arbitrary condition that project opponents know that no landfill in the State meets now, so they know PVT and the counties cannot meet it in the future.

PVT respectfully requests that your Committee holds SB 2386, HD 1. Thank you again for the opportunity to submit comments.



STATE OF HAWAII
DEPARTMENT OF HEALTH
P. O. Box 3378
Honolulu, HI 96801-3378
doh.testimony@doh.hawaii.gov

WRITTEN
TESTIMONY ONLY

**Testimony COMMENTING on SB2386 SD2 HD1
RELATING TO WASTE MANAGEMENT**

REPRESENTATIVE SYLVIA LUKE, CHAIR
HOUSE COMMITTEE ON FINANCE

Hearing Date: 6/29/2020

Room Number: 329

1 **Fiscal Implications:** Unknown.

2 **Department Testimony:** The Department of Health (Department) offers comments on
3 SB2386 SD2 HD1. This bill proposes to (1) prohibit a waste or disposal facility (any solid waste
4 facility, including but not limited to transfer stations, landfills, waste to energy, recycling, and
5 composting) from being sited in a Conservation District, except in emergency circumstances;
6 and (2) prohibit anyone from constructing, operating, modifying or expanding a waste or
7 disposal facility without first establishing a buffer zone of at least ½ mile around the waste or
8 disposal facility, except for existing facilities with proper permits that do not require physical
9 expansion requiring additional permitting modification.

10 The Department's comments are specific to language affecting Hawaii Revised Statutes (HRS),
11 Chapter 342H.

12 The broad definition of "waste or disposal facility" includes "solid waste reduction facility...as
13 defined in section 342G-1,...." Per HRS Chapter 342G-1, " 'Solid waste reduction facility' or
14 'waste reduction facility' means all contiguous land, including buffer zones, structures,
15 appurtenances, and improvements on the land used for solid waste handling. This term includes
16 a facility used as a transfer station, landfill, incinerator, composting plant, bioconversion site, or
17 recycling site utilized for the reduction, consolidation, conversion, processing, or disposal of
18 solid waste."

1 We understand the premise of establishing buffer zones for certain types of facilities that may
2 cause health and/or nuisance concerns, and some of these concerns can be addressed by
3 engineering and operational controls. For example, a recycling or composting operation that
4 accepts odorous waste could construct its operations within a negative-pressure building,
5 reducing odor impacts. As currently written, these types of controls are not taken into
6 consideration. Small-scale operations such as recycle drop-boxes or those that compost green
7 waste are also treated in the same manner as large-scale operations. Perhaps a sliding scale can
8 be implemented for the varying type of operations and types of implemented controls.

9 In addition, under existing zoning requirements, we note that waste operations need to be located
10 in properly zoned locations. Some of these locations could be in industrial parks or commercial-
11 or industrial-zoned areas. However we also note that some of these industrial locations are
12 already located within ½-mile of residences and schools, for example Pearl City Industrial,
13 Mapunapuna, Sand Island, and Puhi Industrial. Further limiting waste facilities from being
14 located in areas that are already properly zoned, creates additional hardship for siting of new
15 transfer or recycling operations or for existing operations that may want to expand their recycling
16 operations to accept new emerging types of waste, such as solar panels.

17 Municipal solid waste (MSW) landfill owners and operators are required to consider certain
18 siting issues when locating, designing and operating landfills. These issues include airports,
19 floodplains, wetlands, fault areas, seismic impact zones, and unstable areas. While buffers to
20 nearby residences, schools, and hospitals are appropriate, we recommend that this is balanced
21 with the potential placement over drinking water resources, and previously identified concerns.
22 This type of “balancing act” should be done when counties evaluate various sites prior to the
23 selection of a new MSW landfill facility. A restriction on one criterion without consideration of
24 other criteria may inadvertently create unintended consequences.

25 **Offered Amendments:** None.

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



KE ONE O KĀKUHHEWA

O'ahu Council of the
Association of Hawaiian Civic Clubs

HOUSE COMMITTEE ON FINANCE

PŌ'AKAHI, JUNE 29, 2020

LUMI 'AHA KŪKĀ 329

Ke Kapikala Moku'āina

415 South Beretania Street

BENTON KEALII PANG, PH.D.,
HAWAIIAN CIVIC CLUB OF
HONOLULU
PELEKIKENA

JACOB KA'ŌMAKAOKALĀ AKI-
KING KAMEHAMEHA HCC
HOPE PELEKIKENA

GEORGIANA NAVARRO-
MĀKAHA HCC
HOPE PELEKIKENA 'ELUA

ALBERTA LOW-PEARL HARBOR
HCC
PU'UKŪ

ROTH PUAHALA -KING
KAMEHAMEHA HCC
PELEKIKENA IHO NEI

TERI LOO-KO'OLAUPOKO HCC
KĀKAU 'ŌLELO

CHRISTINE "CHRISSY" ANJO-
PEARL HARBOR HCC
HOLE KĀKAU 'ŌLELO

'AHAHUI SIWILA HAWAII' O
KĀPOLEI
LANCE HOLDEN

ALI'I PAUAHI HCC
KEHAULANI LUM

'EWA-PU'ULO A HCC
MARLEEN KAU'I SERRAO

HCC OF HONOLULU
ANITA NAONE

KAILUA HCC
MAPUANA DE SILVA

KALIHI-PĀLAMA HCC
JUANITA BROWN
KAWAMOTO

KING KAMEHAMEHA HCC
LETANI PELTIER

KO'OLAULO A HCC
RANAE "TESSIE"
FONOIMOANA

KO'OLAUPOKO HCC
ALICE P. HEWETT

LUALUALEI HCC
SHIRLINE HO

MĀKAHA HCC
LUANN LANKFORD-
FABORITO

MAUNALUA HCC
ROSE KITTY SIMONDS

NA LANI 'EHA HCC
R. KELANI RAMOS

NĀNĀIKAPONO HCC
JAYCINE HICKS

PAPAKŌLE'A HCC
KEALI'I LUM

PEARL HARBOR HCC
ANTOINETTE LEE

PRINCE KŪHIŌ HCC
A. MAKANA PARIS

PRINCESS KAI'ULANI HCC
RUSTY RODENHURST

QUEEN EMMA HCC
RAWLETTE P. KRAUT

HCC OF WĀHIAWA
NOELANI DEVINGENT

HCC OF WAIALUA
MAKALAPUA CASSON-
FISHER

WAI'ANĀE HCC
CYNTHIA ENRIQUEZ

WAIKIKI HCC
L. PI'IKEA TOMCZYK

HCC OF WAIMĀNALO
LOUANNA KAIO

Aloha Luna Ho'omalua Sylvia Luke, Hope Luna Ho'omalua Ty Cullen, and members of the House Committee on Finance:

My name is Benton Kealii Pang and I am the president for the O'ahu Council of the Association of Hawaiian Civic Clubs. I am writing in **strong support** of **SB2386 SD2 HD1**, which prohibits any waste or disposal facility from being located in a conservation district except in emergency circumstances to mitigate significant risks to public safety and health and requires no less than a one-half mile buffer zone for the construction, operation, modification, or expansion of a waste or disposal facility.

At its 60th annual convention in 2019, the Association of Hawaiian Civic Clubs, of which O'ahu Council is a member, adopted resolution 2019-52, urging the State of Hawai'i and all counties to create an adequate buffer zone around landfills with a minimum buffer zone of a one-half mile (attached).

No community should suffer the negative health impacts and decrease in quality of life from a waste or disposal facility, including a landfill. This bill for an act would ensure a minimum safe distance of one-half mile from such facilities and the public. Let's make sure that such sites, including landfills, are *not in anyone's backyard*.

Thus, Ke One O Kākuhihewa respectfully urges the Committee to **PASS** SB2386 SD2 HD1.

Ke One O Kākuhihewa is a native Hawaiian council made up of 24 civic clubs on the island of O'ahu. Our oldest member, Hawaiian Civic Club of Honolulu was established by Prince Jonah Kūhiō Kalaniana'ole on December 7, 1918.

Sincerely,

Benton Kealii Pang, Ph.D.



ASSOCIATION OF HAWAIIAN CIVIC CLUBS

A RESOLUTION

No. 2019 - 52

URGING THE STATE OF HAWAI‘I AND ALL COUNTIES TO CREATE AN ADEQUATE BUFFER ZONE AROUND LANDFILLS WITH A MINIMUM BUFFER ZONE OF ONE-HALF MILE

WHEREAS, there is an emergence of scientific studies affirming the health hazards of living and working near landfills, including studies published by the World Health Organization in 2015, and “*Living near a landfill may damage your health*” published by the International Journal of Epidemiology, Oxford University Press, in 2016; and

WHEREAS, the State of Hawai‘i and the four counties lack landfill buffer zone requirements that adequately protect public health; and

WHEREAS, adequate landfill buffer zones provide minimum space of four miles and improvements, particularly trees and other vegetation, between a landfill’s structures used for handling or storing waste and homes, schools, and other public places; and

WHEREAS, hundreds of residents of Nānākuli Town and the Nānākuli Hawaiian Homestead, thousands of students attending Ka Waihona o Ka Na‘auao Public Charter School, Nānāikapono Elementary School, Nānākuli Elementary School, Nānākuli High and Intermediate School, Kamehameha Schools Community Learning Center, and thousands of members of the public go to places of worship, clinics, grocery stores, restaurants, and visit their ‘ohana at the Nānākuli kupuna housing, all within four miles of O‘ahu’s only construction and demolition landfill, the privately-owned landfill operated by PVT Land Company, Ltd. (PVT Landfill); and

WHEREAS, the current buffer zone between PVT Landfill and the nearest residential units and churches is approximately 750 feet; and

WHEREAS, since the 1980s, kama‘āina offered numerous oral and written testimony at Neighborhood Board meetings in the City and County of Honolulu, State of Hawai‘i Department of Health public hearings, and community gatherings at churches voicing concerns over the adverse health impacts of living and working in close proximity to landfills in general and PVT Landfill, in specific; and

WHEREAS, the State of Hawai‘i Department of Health has still not addressed the outstanding inquiries from the community related to the long-term health effects of the debris that

runs off of PVT Landfill during heavy rains, the leachate that permeates the ground, the dust particles from both PVT Landfill and its trucks that coat neighborhood houses as they drive through the community, and the gasses released by the decomposition of waste and other landfill activities, especially the cumulative and long-term health effects on those living and working within four miles of landfill; and

WHEREAS, the predominantly Native Hawaiian communities of Nānākuli Town and Nānākuli Hawaiian Homestead should no longer be subject to the adverse effects of landfills; and

WHEREAS, no community in Hawai‘i should be impacted by the adverse effects of landfills.

NOW, THEREFORE, BE IT RESOLVED, by the Association of Hawaiian Civic Clubs at its 60th Annual Convention in Lahaina, Maui, in the malama of Welchu and the rising of Lā‘au Pau, this 16th day of November 2019, urging the State of Hawai‘i and City and County of Honolulu to create an adequate buffer zone around landfills with a minimum buffer zone of one-half mile; and

BE IT FURTHER RESOLVED, that a certified copy of this resolution be transmitted to the Governor of the State of Hawai‘i, President of the State Senate, Speaker of the State House of Representatives, Chair of the State Senate subject matter committee on Hawaiian Affairs, Chair of the State House subject matter committee on Hawaiian Affairs, Chair of the Board of Trustees of the Office of Hawaiian Affairs, and all County Mayors.



The undersigned hereby certifies that the foregoing Resolution was duly adopted in the malama of Welchu and the rising of Lā‘au Pau on the 16th day of November 2019, at the 60th Annual Convention of the Association of Hawaiian Civic Clubs in Lahaina, Maui.

A handwritten signature in black ink, appearing to read 'Hailama V. K. K. Farden'. The signature is written in a cursive style and is positioned above a horizontal line.

Hailama V. K. K. Farden, President

TESTIMONY BEFORE THE HOUSE COMMITTEE ON FINANCE

RE: SB 2386, SD2, HD1 - RELATING TO WASTE MANAGEMENT

MONDAY, JUNE 29, 2020

MITZIE HIGA, LEGISLATIVE CHAIR

DEMOCRATIC PARTY OF HAWAII LABOR CAUCUS

Chair Luke and Members of the Committee:

The Democratic Party of Hawaii Labor Caucus **supports, SB 2386, SD2, HD1,** relating to waste management.

This bill will prohibit any waste or disposal facility from being in a conservation district except in emergency circumstances to mitigate significant risks to public safety and health. It would further require no less than a one-half mile buffer zone for the construction, operation, modification, or expansion of a waste or disposal facility.

The Labor Caucus stands in solidarity with labor, our communities, and their families whose health and quality of life are negatively affected by waste or disposal facilities, including landfills. For example, hundreds of our members and family members in Nānākuli and Mā‘ili are suffering from a public health crisis.

According to the Center for disease Control/National Center for Health Statistics Neighborhood Life Expectancy Project, our members and their families within 2 miles of the current PVT Landfill live **10 years less than the state average of 82 years,** being the 2nd and 3rd lowest life expectancies in the entire state. This is unacceptable.

Every community in Hawai‘i as a matter of fairness and decency deserves a “clean and healthful environment” (HI State Constitution Article XI, Section 9; In re Maui Elec. Co., 2017 Haw.) PVT currently operates only 750 feet from residences (Draft Environmental Impact Statement: PVT Integrated Solid Waste Management Facility - Expanded Recycling, Landfill, Grading and Renewable Energy Project). **The PVT landfill also operates within two miles of Nānākuli Elementary, High and Intermediate, Nānāikapono Elementary, Ka Wai Hona Public Charter School, and Kamehameha Schools pre-school, places of worship, stores, medical clinics, and kupuna housing that over 18,000 people daily live, work, and play.**

The global scientific community affirms what the community of Wai‘anae has been living through -- especially those that live, work, and play in Nānākuli -- that landfills are a health hazard (See Vrijheid M., Health effects of residence near hazardous waste landfill sites: a review of epidemiologic literature. *Environ Health Perspect*,

2000; Njoku PO, Edokpayi JN, Odiyo JO, Health and Environmental Risks of Residents Living Close to a Landfill: A Case Study of Thohoyandou Landfill, Limpopo Province, South Africa. *Int J Environ Res Public Health*, 2019; Waste and Human Health: Evidence and needs, World Health Organization Nov 2015).

No community should suffer like those in Nānākuli and Mā'ili. So, we ask that you implement a common sense policy that ensures that no community in the future will suffer the negative effects of waste or disposal facilities, including landfills. We need to protect our keiki and our future.

Please ensure that future landfills will not be in anyone's back yard, including our schools and the neighborhoods our children play in, thus the Democratic Party of Hawaii Labor Caucus asks for your support of this bill.

The Thirtieth Legislature
Regular Session of 2020

THE HOUSE

Committee on Finance
Rep. Sylvia Luke, Chair
Rep. Ty Cullen, Vice Chair
State Capitol, Conference Room 329
Monday, June 29, 2020; 2:00 p.m.

STATEMENT OF THE ILWU LOCAL 142 ON S.B. 2386, S.D.2, H.D.1 RELATING TO WASTE MANAGEMENT

The ILWU Local 142 supports S.B. 2386, S.D.2, H.D.1 which prohibits any waste or disposal facility from being located in a conservation district except in emergency circumstances to mitigate significant risks to public safety and health, requires no less than a one-half mile buffer zone around residences, schools, and hospitals for the construction, modification, or expansion of a waste or disposal facility and specifies that "waste or disposal facility" excludes individual, state certified, non-industrial redemption centers.

The ILWU Local 142 stands in solidarity with our members and their families whose health and quality of life are negatively affected by waste or disposal facilities, including landfills. For example, hundreds of our members and family members in Nānākuli and Mā‘ili are suffering from a public health crisis.

According to the Center for disease Control/National Center for Health Statistics Neighborhood Life Expectancy Project, our members and their families within 2 miles of the current PVT Landfill live **10 years less than the state average of 82 years**, being the 2nd and 3rd lowest life expectancies in the entire state. This is unacceptable. Every community in Hawai‘i as a matter of fairness and decency deserves a “clean and healthful environment” (HI State Constitution Article XI, Section 9; In re Maui Elec. Co., 2017 Haw.) PVT currently operates only 750 feet from residences (Draft Environmental Impact Statement: PVT Integrated Solid Waste Management Facility - Expanded Recycling, Landfill, Grading and Renewable Energy Project). The PVT landfill also operates within two miles of Nānākuli Elementary, High and Intermediate, Nānāikapono Elementary, Ka Wai Hona Public Charter School, and Kamehameha Schools pre-school, places of worship, stores, medical clinics, and kupuna housing that over 18,000 people daily live, work, and play.

The global scientific community affirms what the community of Wai‘anae has been living through -- especially those that live, work, and play in Nānākuli -- that landfills are a health hazard (*See Vrijheid M., Health effects of residence near hazardous waste landfill sites: a review of epidemiologic literature. Environ Health Perspect, 2000; Njoku PO, Edokpayi JN, Odiyo JO, Health and Environmental Risks of Residents Living Close to a Landfill: A Case Study of Thohoyandou Landfill, Limpopo Province, South Africa. Int J Environ Res Public Health, 2019; Waste and Human Health: Evidence and needs, World Health Organization Nov 2015*).

No community should suffer like those in Nānākuli and Mā‘ili. So, we ask that you implement a commonsense policy that ensures that no community in the future will suffer the negative effects of waste or disposal facilities, including landfills. Please ensure that future landfills will not be in anyone’s back yard.

The ILWU Local 142 recommends passage of S.B. 2386, S.D.2., H.D.1. Thank you for the opportunity to share our views on this matter.



**HOUSE COMMITTEE ON FINANCE
State Capitol, Conference Room 329
415 South Beretania Street
2:00 PM**

June 29, 2020

RE: SENATE BILL NO. 2386 SD2 HD1, RELATED TO WASTE MANAGEMENT

Chair Luke, Vice Chair Cullen, and members of the committee:

My name is Dwight Mitsunaga, 2020 President of the Building Industry Association of Hawaii (BIA-Hawaii). Chartered in 1955, the Building Industry Association of Hawaii is a professional trade organization affiliated with the National Association of Home Builders, representing the building industry and its associates. BIA-Hawaii takes a leadership role in unifying and promoting the interests of the industry to enhance the quality of life for the people of Hawaii. Our members build the communities we all call home.

BIA-Hawaii is opposed to S.B. 2386 SD 2 HD 1, which would amend Chapter 183C and prohibit any waste or disposal facility from being located in a conservation district except in emergency circumstances to mitigate significant risks to public safety and health. The bill also requires no less than a one-half mile buffer zone for the construction, operation, modification, or expansion of a waste or disposal facility.

If the bill were to pass, we understand that it would result in the closure of both the City and County of Honolulu's Waimanalo Gulch Sanitary Landfill and the PVT Integrated Solid Waste Management Facility. With no known alternatives for waste disposal, this would pose a significant problem for all residents on the island. Unless viable alternative sites for waste disposal are readily available and economically viable, we do not believe that adopting this legislation would benefit the public on Oahu.

We are opposed to S.B. 2386 SD 2 HD 1, and appreciate the opportunity to provide our input on this matter.

tel. 808-629-7501
fax. 808-629-7701

94-487 Akoki St., Ste 213
Waipahu, HI 96797

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info@biahawaii.org

Testimony of
Pacific Resource Partnership

House Committee on Finance
The Honorable Sylvia Luke, Chair
The Honorable Ty J.K. Cullen, Vice Chair

SB 2386 SD2 HD1 Relating to Waste Management

Monday, June 29, 2020
2:00 P.M.
Conference Room 329

Aloha Chair Luke, Vice Chair Cullen, and Members of the Committee:

Pacific Research Partnership (PRP) **strongly opposes** SB 2386 SD2 HD1.

While PRP supports policies designed to improve the health of our residents, especially keiki, PRP is unaware of local health and/or epidemiological studies supporting the passage of SB 2386 SD2 HD1 and the proposed distance requirements set forth therein. The passage of SB 2386 SD2 HD1 will prevent the expansion of most if not all existing landfills, waste-to-energy facilities, refuse transfer stations, and waste management/recycling operations which serve the greater Oahu community. The impact would be broad and include residents and businesses. It would also affect an economy which faces the immense challenge of overcoming the COVID-19 pandemic.

SB 2386 SD2 HD1's impact on construction, which is the largest component of the state's production sector Gross Domestic Product (GDP), is of special concern. The construction industry develops and builds our communities, including affordable housing, critical infrastructure, and public facilities. SB 2386 SD2 HD1 will negatively impact the operations of PVT Integrated Solid Waste Management Facility, the largest recycler on Oahu, and leave our contractors and residents with no viable option for the legal disposal of construction and demolition debris.

Further, Hawaii is in the midst of an economic recession from COVID-19. With over 220,000 unemployed Hawaii residents, implementing policies which preclude the safe and sustainable disposal of construction and demolition debris through existing recycling operations would be most unfortunate. Additionally, the existence of PVT enables our contractors to obtain LEED (Leadership in Energy an Environmental Design) certification from the U.S. Green Building Council for their projects.

Given the above, PRP respectfully requests this Committee defer SB 2386 SD2 HD1. Thank you for this opportunity to submit written testimony.





House of Representatives
Committee on Finance

Pō‘akahi, Iune 29, 2020
Lumi ‘Aha Kūkā 329
Ke Kapikala Moku ‘āina
415 South Beretānia Street

Re: SB2386 SD2 HD1 - Relating to Waste Management

Aloha Luna Ho‘omalua Sylvia Luke, *Hope Luna Ho‘omalua* Ty Cullen, and members of the House Committee on Finance:

The Association of Hawaiian Civic Clubs **SUPPORTS SB2386, SD2, HD1**. This bill prohibits any waste or disposal facility from being located in a conservation district except in emergency circumstances to mitigate significant risks to public safety and health. It further requires no less than a one-half mile buffer zone for the construction, modification, or expansion of a waste or disposal facility.

At its 60th annual convention, the Association adopted resolution 2019-52, urging the State of Hawai‘i and all counties to create an adequate buffer zone around landfills, with a minimum buffer zone of one-half mile.

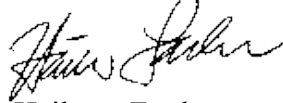
No community should suffer the negative health impacts and decrease in quality of life from a waste or disposal facility, including a landfill. This bill for an act would ensure a minimum safe distance of one-half mile from such facilities and the public. Let’s make sure that such sites, including landfills, are *not in anyone’s backyard*.

Thus, the Association respectfully urges the Committee to **PASS SB2386, SD2, HD1**.

The civic club movement was founded in 1918 by Congressional Delegate Prince Jonah Kūhiō Kalanianaʻole with the creation of the Hawaiian Civic Club; the Association was formally organized in 1959 and has grown to a confederation of over sixty (60) Hawaiian Civic Clubs located throughout the State of Hawaiʻi and the United States. The Association is the oldest Hawaiian community-based grassroots organization. The Association is governed by a 16-member Board of Directors; advocates for improved welfare of Native Hawaiians in culture, health, economic development, education, social welfare, and nationhood; and perpetuates and preserves language, history, music, dance and other Native Hawaiian cultural traditions.

Mahalo for allowing us to share our *mana ʻo*.

Me ka ʻoia ʻi ʻo,

A handwritten signature in black ink, appearing to read 'Hailama Farden', written in a cursive style.

Hailama Farden

Pelekikena

ASSOCIATION OF HAWAIIAN CIVIC CLUBS

A RESOLUTION

No. 2019 - 52

URGING THE STATE OF HAWAI‘I AND ALL COUNTIES TO CREATE AN ADEQUATE BUFFER ZONE AROUND LANDFILLS WITH A MINIMUM BUFFER ZONE OF ONE-HALF MILE

WHEREAS, there is an emergence of scientific studies affirming the health hazards of living and working near landfills, including studies published by the World Health Organization in 2015, and “*Living near a landfill may damage your health*” published by the International Journal of Epidemiology, Oxford University Press, in 2016; and

WHEREAS, the State of Hawai‘i and the four counties lack landfill buffer zone requirements that adequately protect public health; and

WHEREAS, adequate landfill buffer zones provide minimum space of four miles and improvements, particularly trees and other vegetation, between a landfill’s structures used for handling or storing waste and homes, schools, and other public places; and

WHEREAS, hundreds of residents of Nānākuli Town and the Nānākuli Hawaiian Homestead, thousands of students attending Ka Waihona o Ka Na‘auao Public Charter School, Nānāikapono Elementary School, Nānākuli Elementary School, Nānākuli High and Intermediate School, Kamehameha Schools Community Learning Center, and thousands of members of the public go to places of worship, clinics, grocery stores, restaurants, and visit their ‘ohana at the Nānākuli kupuna housing, all within four miles of O‘ahu’s only construction and demolition landfill, the privately-owned landfill operated by PVT Land Company, Ltd. (PVT Landfill); and

WHEREAS, the current buffer zone between PVT Landfill and the nearest residential units and churches is approximately 750 feet; and

WHEREAS, since the 1980s, kama‘āina offered numerous oral and written testimony at Neighborhood Board meetings in the City and County of Honolulu, State of Hawai‘i Department of Health public hearings, and community gatherings at churches voicing concerns over the adverse health impacts of living and working in close proximity to landfills in general and PVT Landfill, in specific; and

WHEREAS, the State of Hawai‘i Department of Health has still not addressed the outstanding inquiries from the community related to the long-term health effects of the debris that

runs off of PVT Landfill during heavy rains, the leachate that permeates the ground, the dust particles from both PVT Landfill and its trucks that coat neighborhood houses as they drive through the community, and the gasses released by the decomposition of waste and other landfill activities, especially the cumulative and long-term health effects on those living and working within four miles of landfill; and

WHEREAS, the predominantly Native Hawaiian communities of Nānākuli Town and Nānākuli Hawaiian Homestead should no longer be subject to the adverse effects of landfills; and

WHEREAS, no community in Hawai‘i should be impacted by the adverse effects of landfills.

NOW, THEREFORE, BE IT RESOLVED, by the Association of Hawaiian Civic Clubs at its 60th Annual Convention in Lahaina, Maui, in the malama of Welchu and the rising of Lā‘au Pau, this 16th day of November 2019, urging the State of Hawai‘i and City and County of Honolulu to create an adequate buffer zone around landfills with a minimum buffer zone of one-half mile; and

BE IT FURTHER RESOLVED, that a certified copy of this resolution be transmitted to the Governor of the State of Hawai‘i, President of the State Senate, Speaker of the State House of Representatives, Chair of the State Senate subject matter committee on Hawaiian Affairs, Chair of the State House subject matter committee on Hawaiian Affairs, Chair of the Board of Trustees of the Office of Hawaiian Affairs, and all County Mayors.



The undersigned hereby certifies that the foregoing Resolution was duly adopted in the malama of Welchu and the rising of Lā‘au Pau on the 16th day of November 2019, at the 60th Annual Convention of the Association of Hawaiian Civic Clubs in Lahaina, Maui.

A handwritten signature in black ink, appearing to read 'Hailama V. K. K. Farden'. The signature is written in a cursive style and is positioned above a horizontal line.

Hailama V. K. K. Farden, President



DEPARTMENT OF PUBLIC WORKS
THE COUNTY OF KAUA'I

DEREK S. K. KAWAKAMI, MAYOR
MICHAEL A. DAHLIG, MANAGING DIRECTOR

TROY K. TANIGAWA
ACTING COUNTY ENGINEER

MICHAEL H. TRESLER
ACTING DEPUTY COUNTY ENGINEER

Testimony of Allison Fraley
Acting Solid Waste Chief
County of Kaua'i
Department of Public Works

Before the
House Committee on Finance
June 29, 2020; 2:00 p.m.
Conference Room 224

In consideration of
Senate Bill 2386 S.D. 2 H.D. 1
Relating to Solid Waste Management

Honorable Chair Luke and Vice Chair Cullen, and Members of the Committee:

The County of Kaua'i Department of Public Works submits testimony **opposing** Senate Bill 2386 S.D. 2 H.D. 1 which prohibits any waste or disposal facility from being located in a conservation district except in emergency circumstances to mitigate significant risks to public safety and health and requires no less than a one-half mile buffer zone for the construction, modification, or expansion of a waste or disposal facility.

The County of Kaua'i operates one (1) active Landfill, four (4) Refuse Transfer Stations, and manages contracts with a private entities to accept and process Scrap Metals, Green Waste, and Mixed Recyclables on island. All of these facilities are permitted in accordance with Federal and State requirements. The one-half mile buffer zone would prevent the expansion and ongoing permitting of these facilities, and could drastically limit the County's ability to manage solid waste.

The Kekaha Municipal Solid Waste Landfill has an estimated capacity of seven years. There is a limited inventory of available land that could host a waste processing facility and we are concerned that this bill would make siting a new landfill or alternate technology to landfill extremely difficult.

Refuse Transfer Stations (RTS) require a renewal of solid waste operational permits every five years, and the current permits for Kauai's four (4) RTSs expire in 2022. Additionally, all four facilities are scheduled to be upgraded shortly, which may require review and modification of regulatory permits. Due to proximity to residences, provisions of this bill as currently written would result in closure of the Hanapēpē and Kapa'a RTSs upon expiration of current permits, which would cause a significant negative logistical and cost impact to the County of Kaua'i.



In the case of waste diversion, the Puhi Metals Recycling Facility is the only facility on island that accepts and processes white goods, scrap metals, automobiles, and eWaste, and is located within a half-mile of residents. This facility which provides vital waste diversion activities would close upon expiration of current permits should this bill pass. Kaua'i County is in the process of updating our Integrated Solid Waste Management Plan, which includes recommendations to increase waste diversion. As noted, this bill would threaten current diversion programs, and would also deter potential new operators from establishing services to manage specific waste streams.

The County of Kaua'i Public Works Department values the goals of creating more open spaces and options for green growth, as well as keeping our residents healthy and safe. However, solid waste management facilities are heavily regulated under Federal and State Rules, so the additional of a one-half mile buffer zone is not necessary and could produce a new public health threat associated with a reduction of waste management systems on Kaua'i.

We urge the Committees to consider the full impact Senate Bill 2386, S.D. 2, H.D. 1 would have and thank you for allowing us to submit this testimony.



SB-2386-HD-1

Submitted on: 6/28/2020 12:13:43 PM

Testimony for FIN on 6/29/2020 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Leimomi Khan	Kalihi Palama Hawaiian Civic Club	Support	No

Comments:



Luna O Nā Papa Alaka'i

House Committee on Finance

Pelekikena
Anthony Makana Paris

Monday, June 29, 2020
2 pm Conference Room 329
State Capitol

Hope Pelekikena 'Ekahi
Randi Fernandez

415 South Beretania Street

Hope Pelekikena 'Elua
K ā'eo Kealoha Lindsey

Re: SB2386 SD2 - RELATING TO WASTE MANAGEMENT

Aloha Chair Luke, Vice-Chair Cullen and members of the House committee on Finance:

Pu'ukū
Leilani Williams-
Solomon

The Prince Kūhiō Hawaiian Civic Club **SUPPORTS** SB2386 SD2 HD1. This bill for an act will prohibit any waste or disposal facility from being located in a conservation district except in emergency circumstances to mitigate significant risks to public safety and health. It further requires no less than a one-half mile buffer zone for the construction, modification, or expansion of a waste or disposal facility. At its 60th annual convention, the Association of Hawaiian Civic Clubs adopted resolution 2019-52, urging the State of Hawai'i and all counties to create an adequate buffer zone around landfills, with a minimum buffer zone of one-half mile.

Kākau 'Ōlelo Ho'opa'a
Sai Furukawa

Kākau 'Ōlelo Palapala
Kamuela Werner

Pelekikena Hala Koke
Yvonne 'PeeWee' Ryan

E aloha kekahi i kekahi
Love one another.

Nā Luna Alaka'i
Alan Akao
Kuni Agard
Puamana Crabbe
Kanani Pali
Marlene Sai
Bruce Wong

No community should suffer the negative health effects and decreased quality of life that are associated with waste or disposal facilities, including landfills.

P.O. Box 4728
Honolulu, HI 96812

www.pkhcc.org

*Founded in 1964
by Lili'uokalani
Kawānanakoa Morris*

Our club stands in solidarity with all those who suffer from the negative effects of waste or disposal facilities being placed too close to communities and believe that we all should have a clean and healthy environment. We have both educated and been educated by our island communities on the health hazards and negative effects of landfills. Particularly, how Native Hawaiians have faced environmental racism given the placement of the PVT Landfill in the Wai'anae coast of O'ahu. There, more than 18,000 people who live, work, and play daily within 2 miles of the currently operating landfill, and of those, 13,000 are Native Hawaiians. Moreover, two homestead communities, Princess Kahanu and Nānākuli, are located less than 0.5 miles from the currently operating landfill.

On August 20, 2019, we stood in solidarity with Nānāikapono Hawaiian Civic

Club and hundreds of community members in opposition to the relocation of the PVT Landfill to remain in Nānākuli and Mā‘ili - a mere 750 feet from homes - at the Nānākuli and Mā‘ili Neighborhood Board meeting. On September 4, 2019 we delivered a petition of more than 5,500 signatures in opposition of the referenced PVT Landfill relocation to a special session of the Nānākuli-Mā‘ili Neighborhood Board and later to the City and County of Honolulu, Department of Planning and Permitting. On December 16, 2019, we presented with community leader Eddie Werner of the Nānākuli Homestead on the public health crisis in Nānākuli and Mā‘ili to the Hawaiian Homes Commission. On February 14th, we presented at a Native Hawaiian speaker series hosted by Papa Ola Lōkahi and was invited back to elaborate at another session on April 24th. These are some of the actions that we have taken, along with hundreds of community members who labor to *mālama ‘āina* and *aloha ‘ohana* – trying to stop a landfill from being placed in a community’s backyard.

The Public Health Crisis already occurring in Nānākuli and Mā‘ili will likely be exacerbated due to the evolving SARS-CoV-2 virus (abbreviated as Covid-19 *a.k.a.* Coronavirus Disease 2019) pandemic. The first reported presumptive case of Covid-19 in Hawai‘i was reported by State Department of Health on March 6, 2020. On March 8, 2020, the second presumptive case of Covid-19 in Hawai‘i was reported. Further, the [State of Hawaii](#), and all counties including the [City and County of Honolulu](#), have declared emergencies due to Covid-19. These emergency governmental declarations come in the wake of the United States enactment of a [Public Health Emergency](#) for Covid-19 on January 31st, 2020 which followed after the World Health Organization declaration of an [international public health emergency](#) on January 30th, 2020.

Our communities in Nānākuli and Mā‘ili, due to the public health crisis already occurring there, fit the criteria of being within the vulnerable populations of those that would have a higher likely hood of death due to contracting Covid-19. We must do better.

In the spirit of *lōkahi*, we continue to advocate, not just for Nānākuli and Mā‘ili, but for all communities in our beloved Hawai‘i. Let us *aloha* each other and make sure that no community should suffer from the unmitigated ill effects of waste or disposal facilities, including landfills.

Founded in 1964, PKHCC was organized to promote the education and social welfare of people of Hawaiian ancestry and objectives include supporting high ethical standards in business, industry and the professional fields of enterprise.

PKHCC urges the committee to PASS [SB2386 SD2 HD1](#). #HawaiianLivesMatter

Me ke aloha,

A. Makana Paris
Pelekikena
president@pkhcc.org

Encl.

‘A‘ole PVT Compiled Community Petitions 5,500+ link: <https://tinyurl.com/rzx766e>



Environmental Racism & Public Health II

A CASE STUDY IN NĀNĀKULI, O‘AHU

NATIVE HAWAIIAN SPEAKER SERIES

NATIVE HAWAIIAN HEALTH SCHOLARSHIP, PAPA OLA LŌKAHI

APRIL 24, 2020

KAMUELA WERNER, UNIVERSITY OF HAWAI‘I AT MĀNOA

MAKANA PARIS, PRINCE KŪHIŌ HAWAIIAN CIVIC CLUB

Overview

- ▶ Environmental Racism
- ▶ Environmental Justice in Hawai'i
- ▶ Nānākuli Case Study
- ▶ Native Hawaiian Health Disparities
- ▶ COVID-19
- ▶ Environmental Racism in Nānākuli?
- ▶ Strategies to Address Environmental Racism & Justice
- ▶ Recommendations

Environmental Racism

AN AMERICAN STORY



Protest in Warren County N.C., 1982



Non-violent
Acts of Civil
Disobedience

U.S. Government Response to Protest

- ▶ 1983 GAO Report, “Siting of Hazardous Waste Landfills and Their Correlation With Racial and Economic Status of Surrounding Communities”
- ▶ 3 out of 4 landfills located in poor and African American neighborhoods
- ▶ Demonstrated disproportionate impact instead of a random distribution

General Accounting Office

Siting Of Hazardous Waste Landfills And Their Correlation With Racial And Economic Status Of Surrounding Communities

This report provides information on the racial and economic characteristics of communities surrounding four hazardous waste landfills in three southeastern States. It also describes Federal criteria for siting landfills and provides data on public participation and how the Environmental Protection Agency's (EPA's) proposed hazardous waste facility permit changes will affect it.

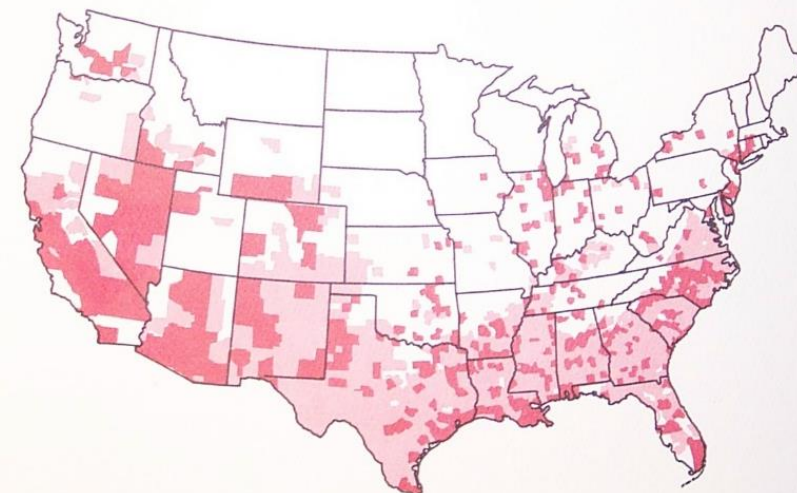


Faith Community Response to Protest

- ▶ 1987 UCCCRJ Report, "Toxic Wastes and Race in The United States"
- ▶ 3 out of 5 Hispanic and African Americans lived in areas with uncontrolled toxic waste sites

TOXIC WASTES AND RACE In The United States

A National Report on the Racial and Socio-Economic
Characteristics of Communities
with Hazardous Waste Sites



COMMISSION FOR RACIAL JUSTICE
United Church of Christ
©1987

National Law Journal Investigates

1992 National Law Journal “Unequal Protection: The Racial Divide In Environmental Law - A Special Investigation”



Polluters in white communities received higher penalties for violating environmental laws than polluters in minority communities



Federal government took longer to address hazards in Super Fund sites located in minority communities and accepted less stringent clean-up plans

Toxic Wastes and Race at Twenty 1987—2007

A Report Prepared for the
United Church of Christ
Justice & Witness Ministries



Justice & Witness Ministries:
Rev. M. Linda Jaramillo
Executive Minister

Dr. Carlos J. Correa Bernier
Minister for Environmental Justice

Principal Authors:
Robert D. Bullard, Ph.D.
Paul Mohai, Ph.D.
Robin Saha, Ph.D.
Beverly Wright, Ph.D.

United Church of Christ
© March 2007

Faith Community Improves Upon Initial Study

- ▶ 1987-2007 UCCCRJ Report “Toxic Wastes and Race at Twenty”
- ▶ disproportionately large numbers of people of color still live in hazardous waste host communities
- ▶ these communities are not equally protected by environmental laws



- ▶ “CANCER ALLEY”
- ▶ 85 mile-long stretch of the Mississippi River lined with oil refineries and petrochemical plants
- ▶ People living in the area more than 50 times likely to get cancer than the average American
- ▶ Predominantly African American and poor communities



- ▶ FLINT, MICHIGAN
- ▶ Predominately African American community
- ▶ Since 2014, residents exposed to dangerous levels of lead in drinking water by city



▶ **NAVAJO LANDS**

- ▶ 1944 – 1986: mining companies blasted 30 million tons of uranium out of Navajo lands
- ▶ The U.S. Energy Department abandoned 521 mines after it stockpiled enough uranium for the Cold War
- ▶ Many Navajo have died of conditions linked to contamination



Environmental Racism

- ▶ Racial discrimination in environmental policy making and the enforcement of regulations and laws; the deliberate targeting of people of color communities for toxic and hazardous waste facilities; the official sanctioning of the life-threatening presence of poisons and pollutants in communities; and the history of excluding people of color from the leadership of the environmental movement.

- ▶ Benjamin Chavis, *The Historical Significance and Challenges of the First National People of Colour Environmental Leadership Summit*, in *Proceedings of the First National People of Colour Environmental Leadership Summit* (Washington, DC: United Church of Christ Commission for Racial Justice, 1991)



Environmental Racism

- ▶ “Where [a] policy, practice, or directive differentially affects or disadvantages (whether intended or unintended) individuals, groups, or communities based on race or color”
 - ▶ Robert D. Bullard, *Natural Resources & Environment* Vol. 7, No. 3, Facility Siting (Winter 1993), pp. 23-26, 55-56



Environmental Racism Criteria



Environmental Justice

HAWAII

Environmental Justice

- ▶ “...the right of every person in Hawai‘i to live in a clean and healthy environment, to be treated fairly, and to have meaningful involvement in decisions that affect their environment and health; with an emphasis on the responsibility of every person in Hawai‘i to uphold traditional and customary Native Hawaiian practices that preserve, protect, and restore the ‘āina for present and future generations. Environmental justice in Hawai‘i recognizes that no one segment of the population or geographic area should be disproportionately burdened with environmental and/or health impacts resulting from development, construction, operations and/or use of natural resources”
- ▶ Hawai‘i Environmental Justice Initiative Report, Department of Health 2008

Environmental Justice Criteria

- ▶ Every person in Hawai'i
 - ▶ Clean and healthy environment
 - ▶ Meaningful involvement in processes affecting health & environment
 - ▶ Native Hawaiian *mālama ʻāina* knowledge
 - ▶ Present and future generations
- ▶ No single population or geographic area
 - ▶ Disproportionately burdened
 - ▶ Environmental and/or health impacts
 - ▶ Development, construction, and/or use of natural resources



“ ...right to a clean and
healthful environment... ”

HAWAII STATE CONSTITUTION ARTICLE XI, SECTION 9

Section 9. Each person has the right to a clean and healthful environment, as defined by laws relating to environmental quality, including control of pollution and conservation, protection and enhancement of natural resources. Any person may enforce this right against any party, public or private, through appropriate legal proceedings, subject to reasonable limitations and regulation as provided by law.



“ ...a due process hearing
was required...”

”

IN RE APPLICATION OF MAUI ELECTRIC CO., LTD. 2017

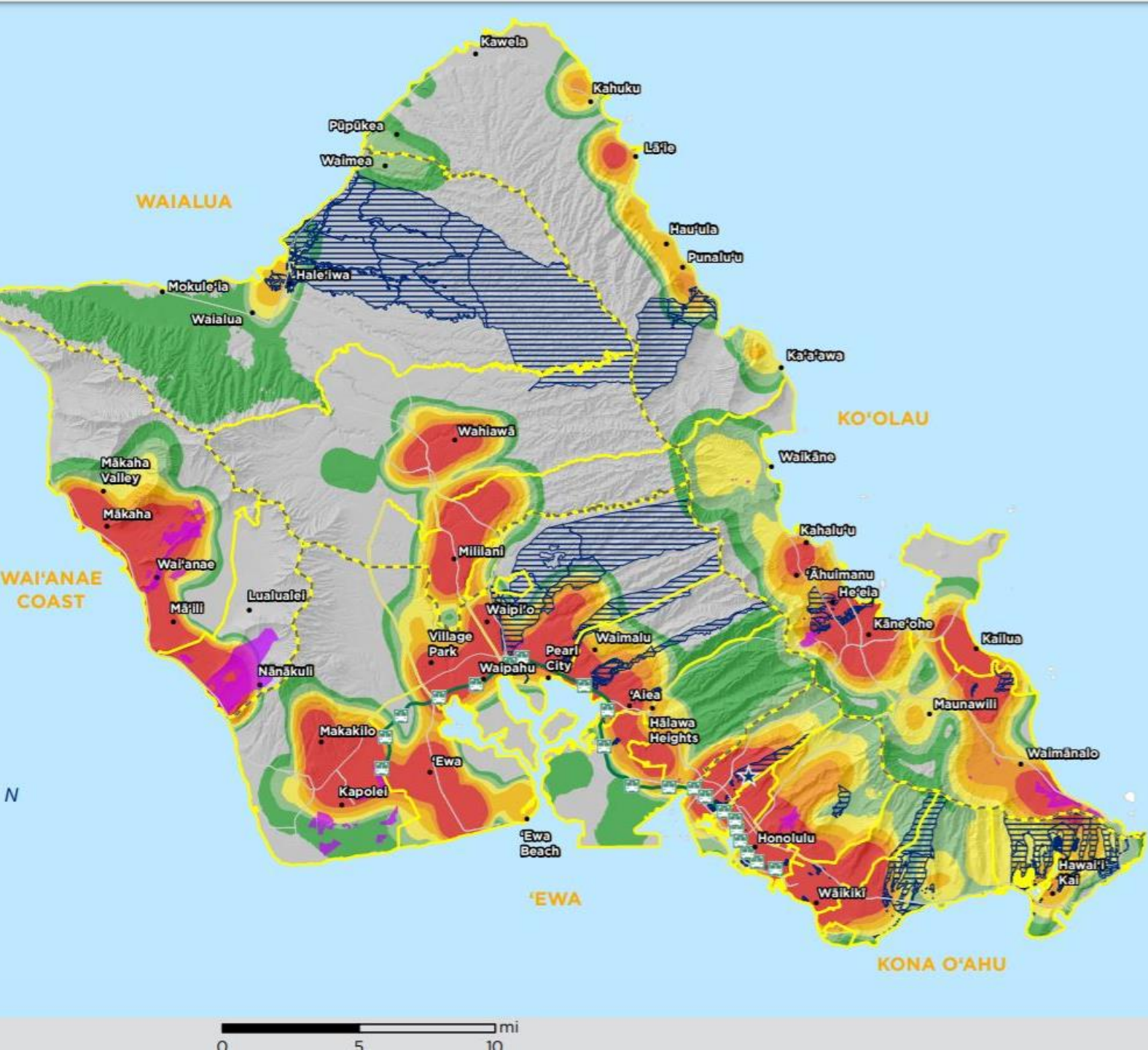
...to protect the asserted property right to a clean and healthful environment guaranteed by article XI, section 9 and defined by HRS Chapter 269.

Environmental Justice Criteria

- ▶ Every person in Hawai'i
 - ▶ Clean and healthy environment
 - ▶ Meaningful involvement in processes affecting health & environment
 - ▶ Native Hawaiian *mālama* 'āina knowledge
 - ▶ Present and future generations
- ▶ No single population or geographic area
 - ▶ Disproportionately burdened
 - ▶ Environmental and/or health impacts
 - ▶ Development, construction, and/or use of natural resources

Nānākuli Case Study

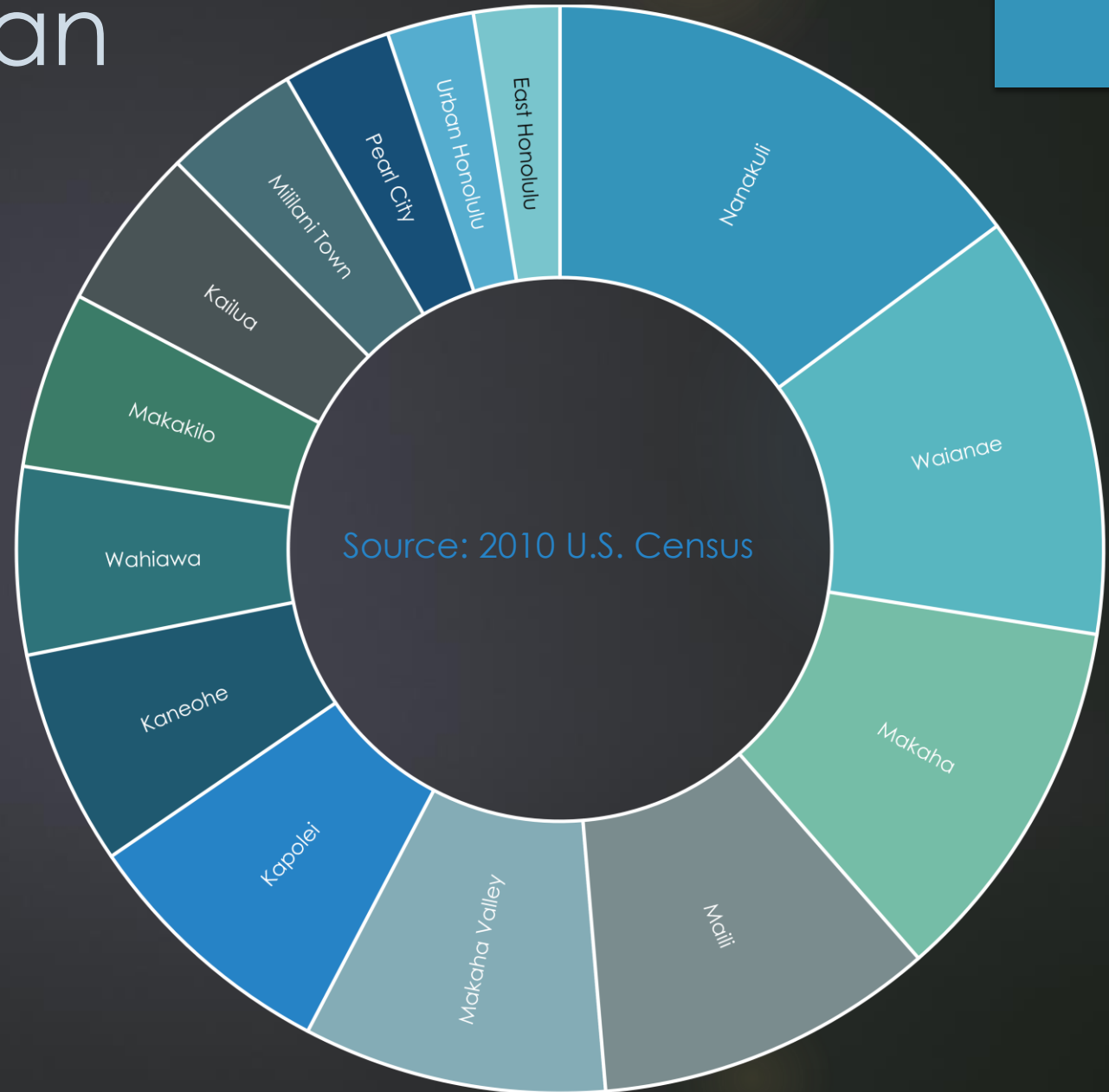
PART1: SITUATING THE SPACE



Native Hawaiians on Oʻahu

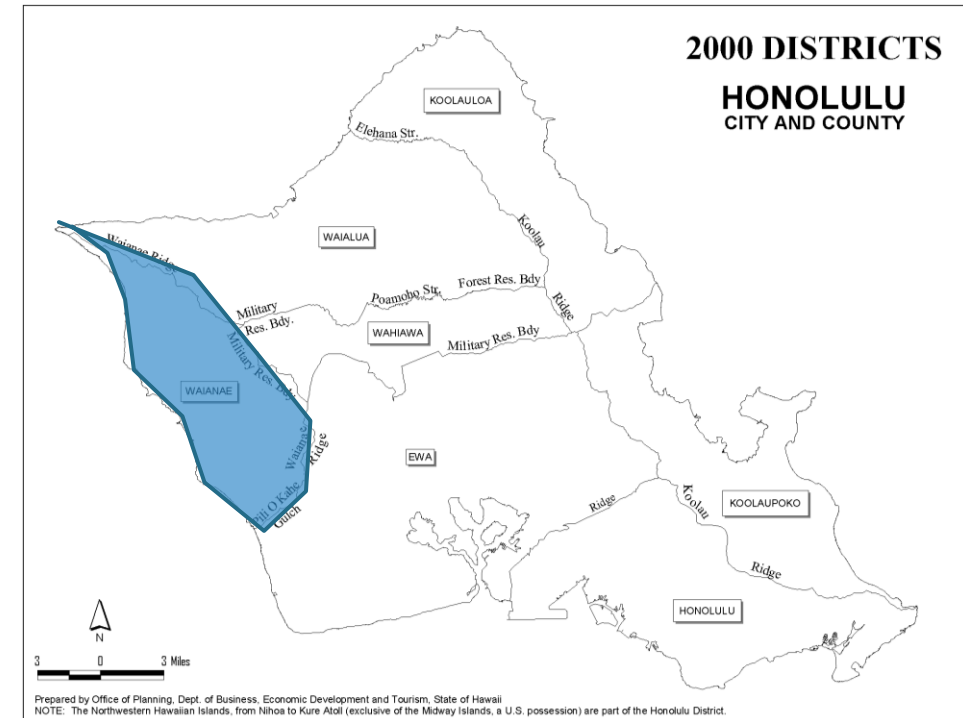
% Native Hawaiian Pop on O'ahu

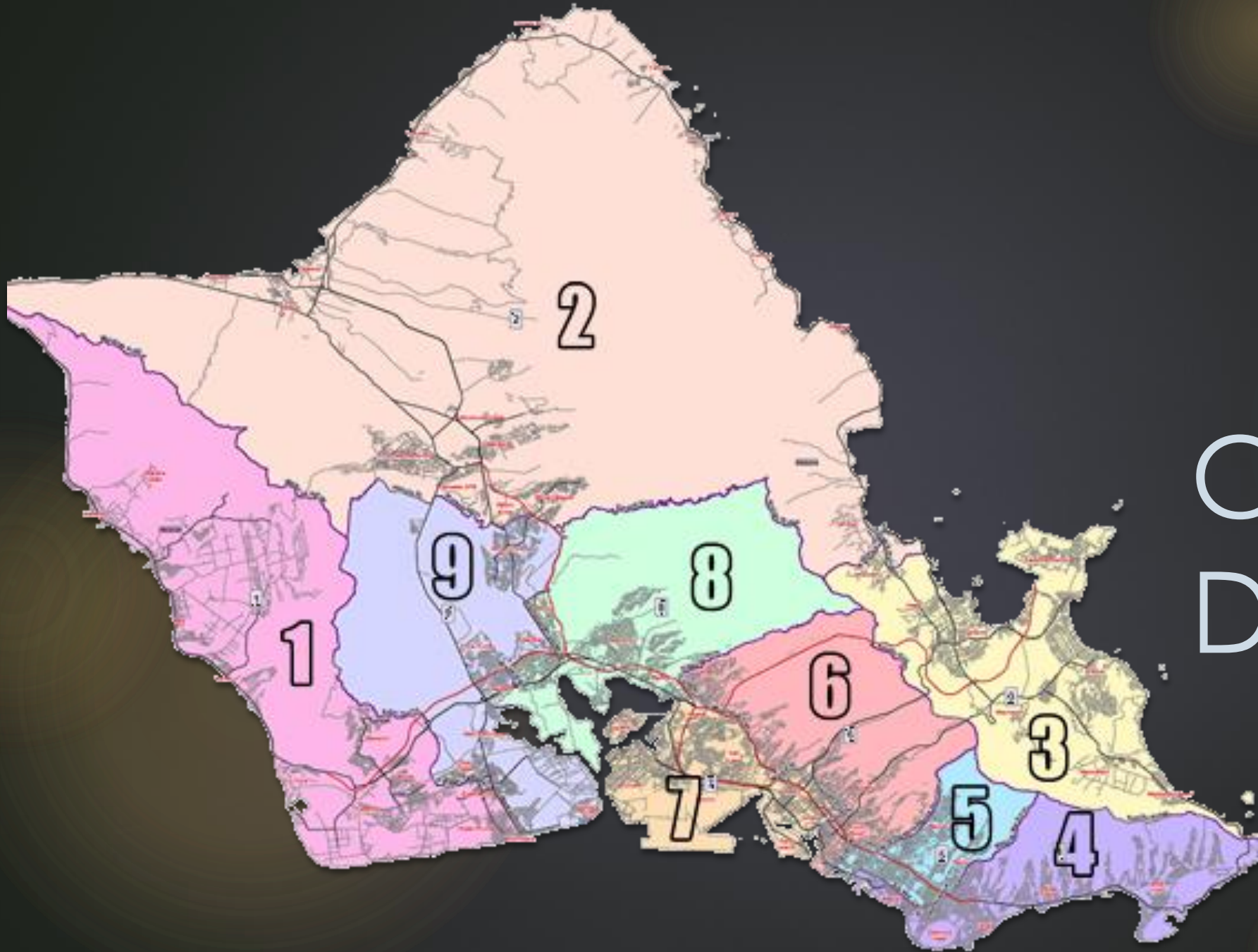
Community	% Haw. Pop.	
Nanakuli	71.50%	Council District 1
Waianae	60.80%	
Makaha	53.10%	
Mali	48.70%	
Makaha Valley	43.40%	
Kapolei	37.40%	
Kaneohe	30.90%	
Wahiawa	26.80%	
Makakilo	25.30%	
Kailua	23.40%	
Mililani Town	19.50%	
Pearl City	15.60%	
Urban Honolulu	12.40%	
East Honolulu	12.30%	



O'ahu Poverty Rates

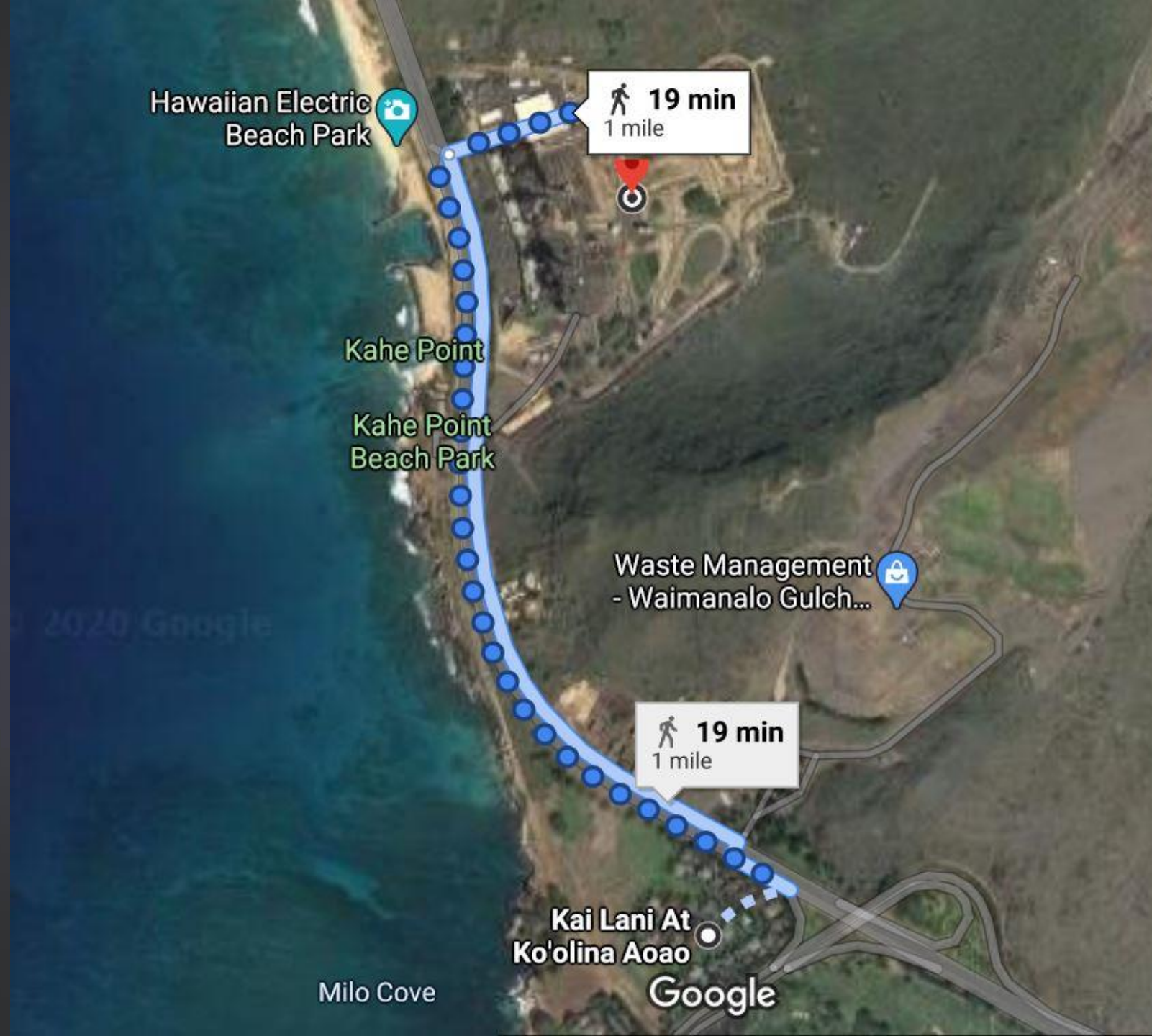
- ▶ census county division (CCD) with the highest rates in 2016 of poverty was **Waianae CCD**
- ▶ over 22% of adults aged 18-64 below the poverty line
- ▶ compared to State of Hawai'i overall poverty rate of 10.8%
- ▶ Central O'ahu, North Shore, and metro Honolulu poverty rate around 10%
- ▶ Ewa and Windward poverty rate around 6%





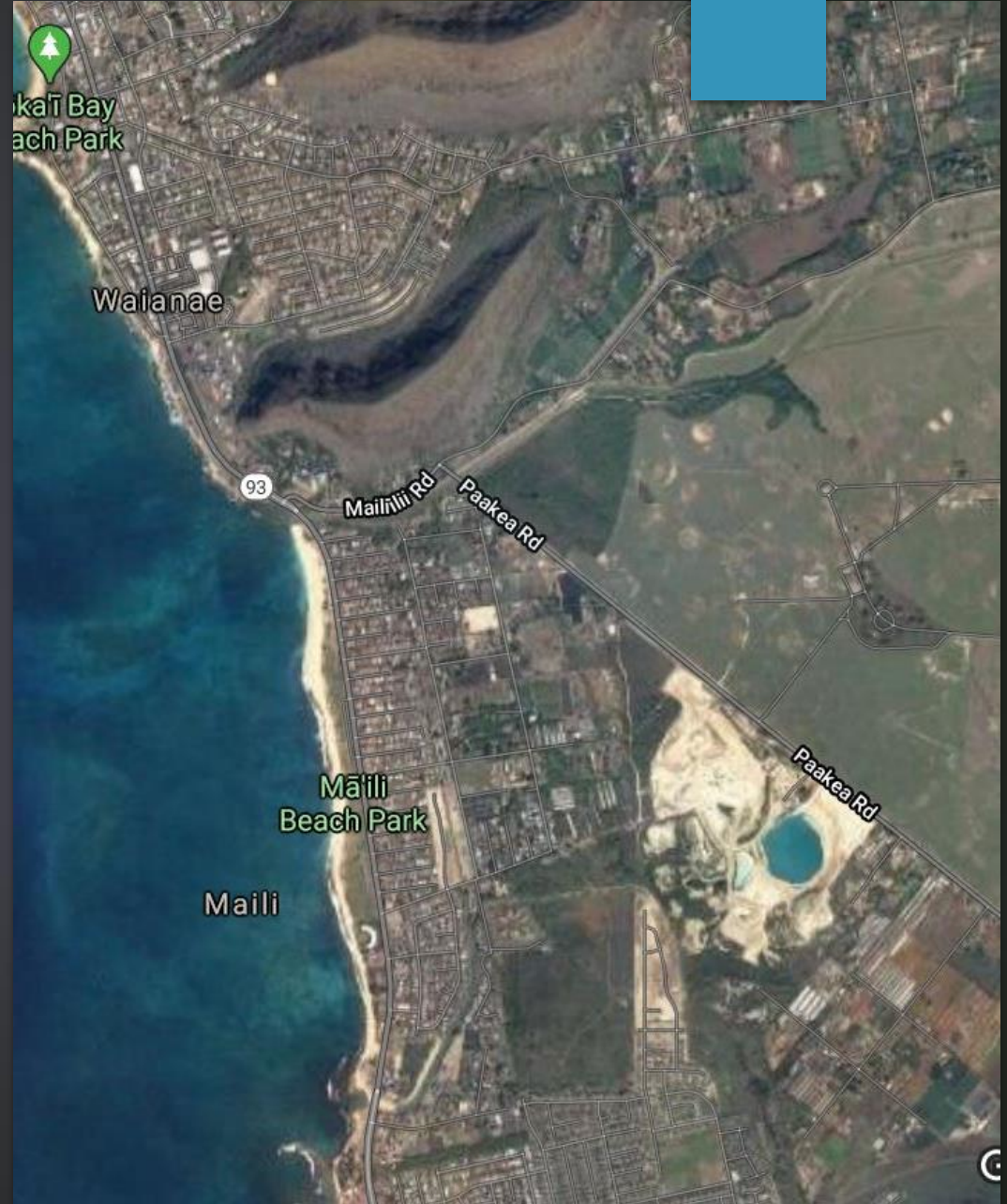
Council Districts

Kahe Power Plant



Wastewater Treatment Plant





Lualualei Naval Magazine

Campbell Industrial Park

- ▶ H-Power
- ▶ Oil Refinery
- ▶ AES Coal Power Plant
- ▶ Heavy industries





Waimanalo Gulch Sanitary Landfill



Nānākuli Case Study

PART2: PVT LANDFILL & PROPOSED RELOCATION
STORIES OF COMMUNITY & STORIES OF LANDFILLS

“ “...the [PVT] landfill is not good for our people...”



DOLLY NAIWI, NĀNĀKULI HIGH SCHOOL EDUCATOR, HOMESTEADER, FORMER PRESIDENT OF NĀNĀIKAPONO HAWAIIAN CIVIC CLUB

BORN 1949, DECEASED 2019 AT AGE 70

DEPARTMENT OF HEALTH HEARING, DRAFT PERMIT RENEWAL AND MODIFICATION PVT LAND COMPANY INTEGRATED SOLID WASTE MANAGEMENT, WAIANAE, OAHU, SEPTEMBER 2, 2010

We affirm the hundreds of kama‘āina testimony presented since the 1980s -- at Neighborhood Board meetings, City and County of Honolulu landfill site selection meetings, State Land Use Commission hearings, Department of Health hearings, and community gatherings at churches and other locations -- voicing concerns over the adverse health impacts of living and working in close proximity to landfills in general and the operations and plans of PVT Land Company, Ltd. (PVT) in specific.



Edward Kenneth
“Hīnano” Werner

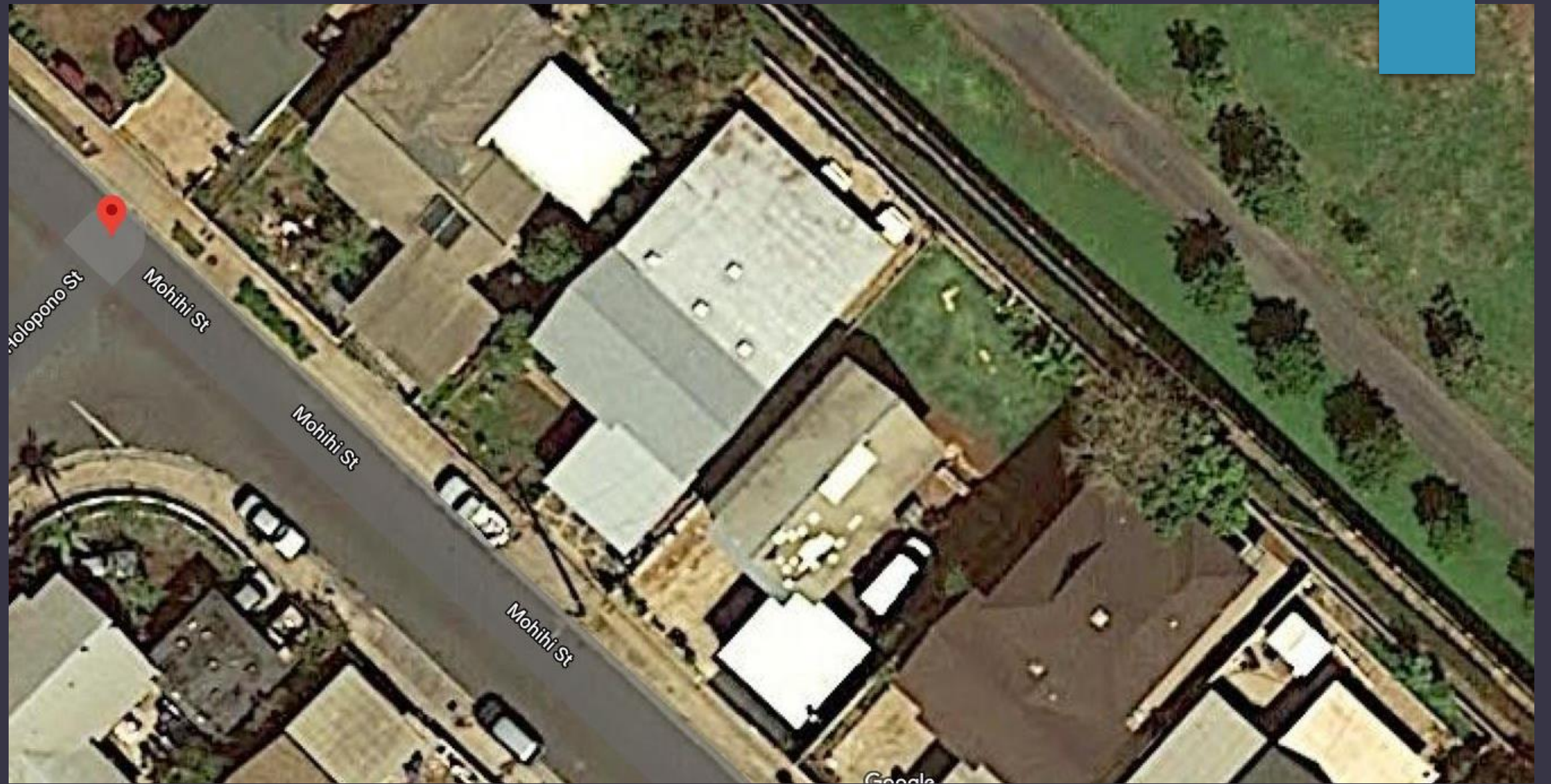
1937 - 2020





Google





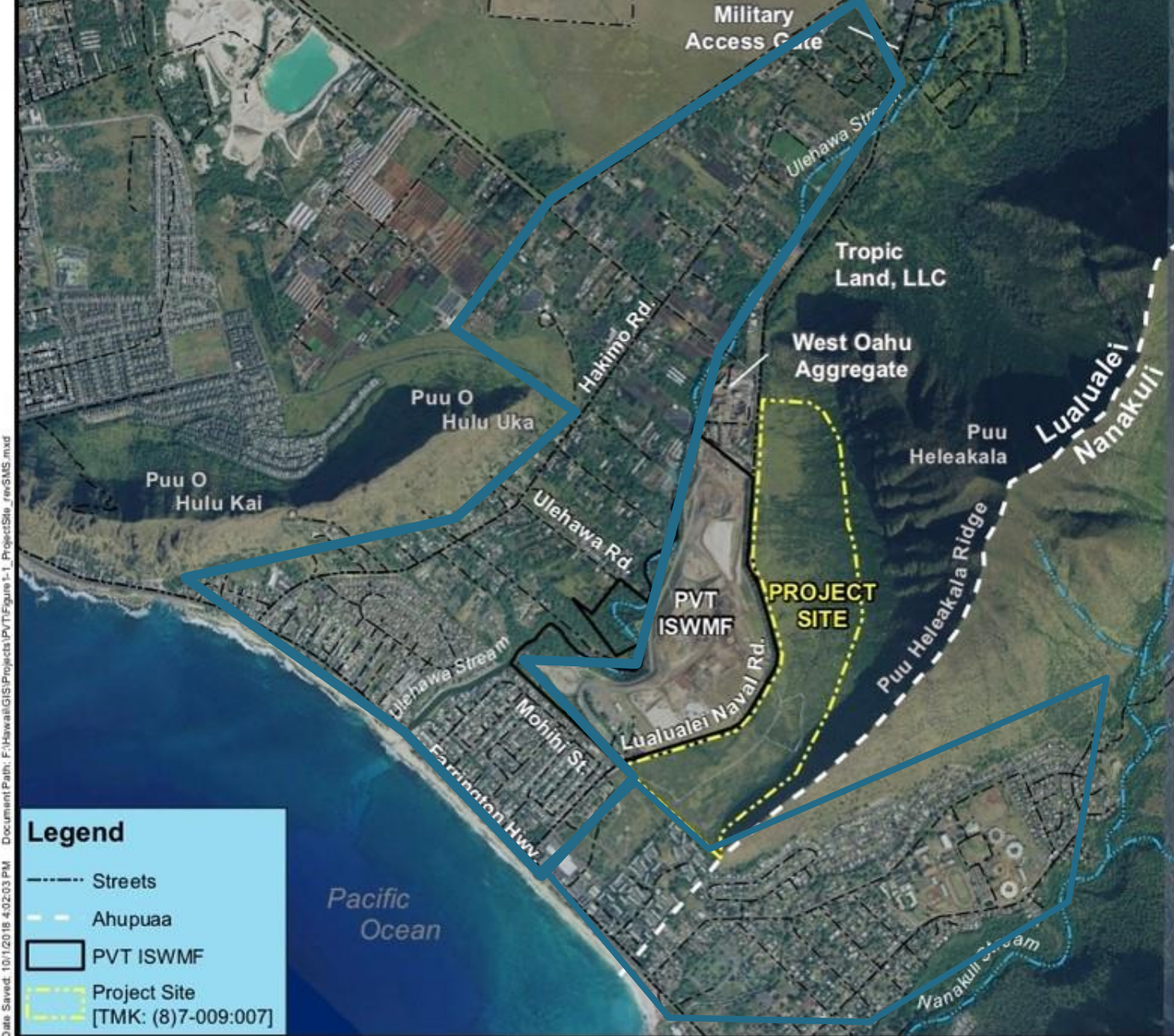
Help Nikita Beat Colon Cancer



Robin Kitsu is organizing this fundraiser on behalf of Nikita Mendonca.

Created June 1, 2017 |  Medical, Illness & Healing

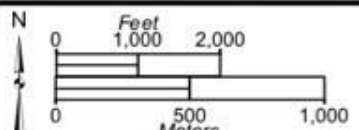
The Nanakuli High and Intermediate School Performing Arts Center is asking for your support as a member of our NPAC family is fighting colon cancer. Former NPAC student and current NPAC assistant, Nikita Mendonca, has been diagnosed with stage 3 colon cancer. Although Nikita was having symptoms for over four years, the various doctors she saw over that time did not diagnose her condition till January 2017 where she received the gut-wrenching news that it was colon cancer.



Date Saved: 10/12/2019 4:02:03 PM Document Path: F:\Hawaii\GIS\Projects\PVT\Figure 1-1_ProjectSite_revSMS.mxd

Legend

- Streets
- - - Ahupuaa
- ▭ PVT ISWMF
- - - PROJECT SITE
[TMK: (8)7-009:007]



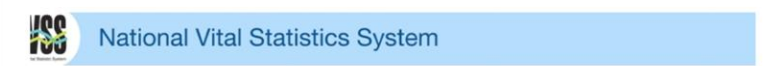
Location Map
 PVT ISWMF Relocation
 Nanakuli, Waianae District, Oahu, Hawaii

Figure
 1-1

Life Expectancies

Census tracks surrounding PVT Landfills including Nānākuli & Princess Kahanu Homesteads: **~72 yrs.**
 HI Average: **~82 yrs.**
A 10 year loss

CDC/US Department of Health



U.S. Small-area Life Expectancy Estimates Project - USALEEP



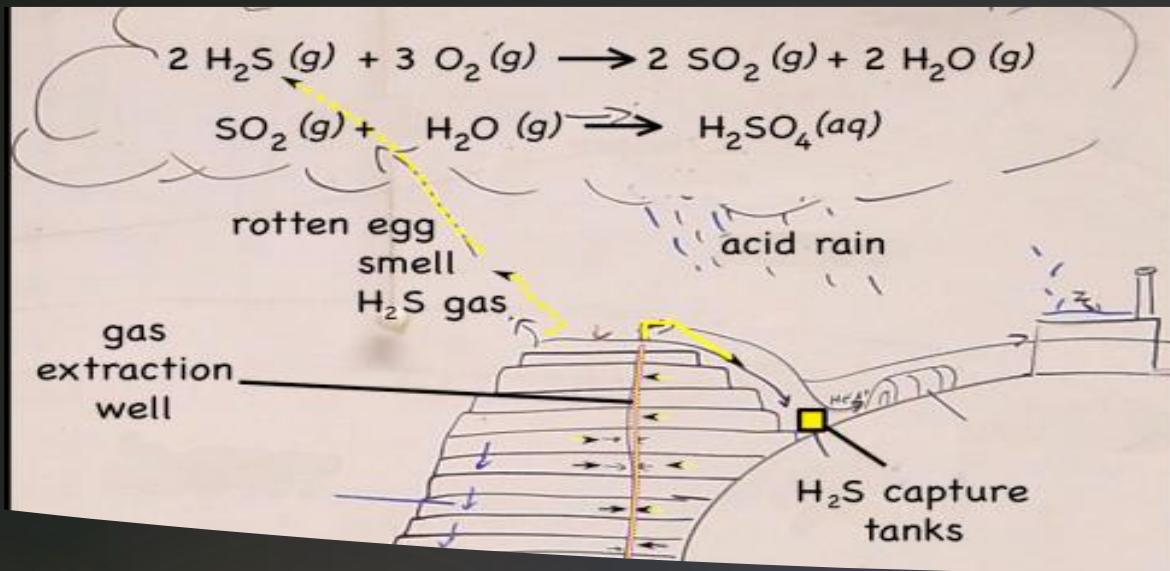
Landfills are Health Hazards

- ▶ “Leaks from the waste may contaminate soils and water streams, and produce air pollution through emissions of e.g. heavy metals and persistent organic pollutants (POPs), **ultimately creating health hazards.**” (emphasis added)

- ▶ *Waste and human health: Evidence and needs.* November 2015, Bonn, Germany, World Health Organization

Health Risks 1-4 miles from Landfills

- ▶ Adverse pregnancy outcomes
- ▶ Increase infant low birth weights
- ▶ Increases in the risk of birth defects
- ▶ Headaches
- ▶ Sleepiness
- ▶ Respiratory problems
- ▶ Central nervous system problems
- ▶ Psychological conditions
- ▶ Gastrointestinal issues
- ▶ *Health effects of residence near hazardous waste landfill sites: a review of epidemiologic literature, Environmental Health Perspectives, 2000; Health effects associated with the disposal of solid waste in landfills and incinerators in populations living in surrounding areas: a systematic review, The International Journal of Public Health, 2013*



- ▶ Landfills w/ Gypsum Drywall Produce Hydrogen Sulfide

- ▶ Tolaymat, T. & D. Carson. Best Management Practices to Prevent and Control Hydrogen Sulfide and Reduced Sulfur Compound Emissions at Landfills That Dispose of Gypsum Drywall. U.S. Environmental Protection Agency, Washington, DC, EPA/600/R-14/039, 2015

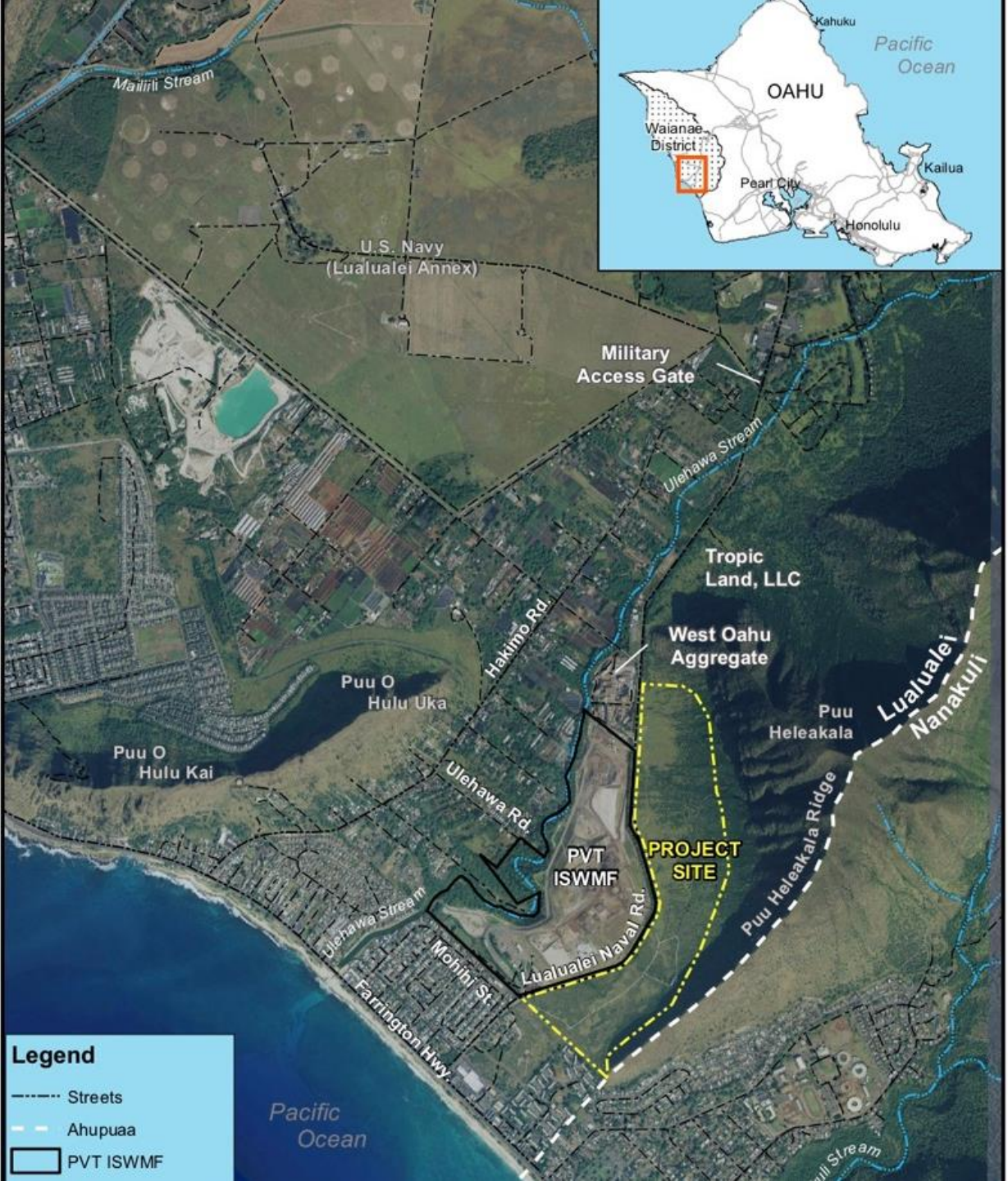
- ▶ Hydrogen Sulfide Exposure Causes

- ▶ Lung Cancer
- ▶ Respiratory Illnesses
- ▶ Respiratory Death

- ▶ *Morbidity and mortality of people who live close to municipal waste landfills: a multisite cohort study*, International Journal of Epidemiology, 2016

PVT Landfill Waste Overview

- ▶ **42%** of All Waste Generated on O‘ahu – **2,072,539** (2018) is construction and demolition waste and goes to a PVT Landfill
 - ▶ Letter to Prince Kūhiō Hawaiian Civic Club, City and County of Honolulu, Department of Environmental Services, dated October 8, 2019
- ▶ **~80%** is recycled by PVT
 - ▶ PVT Integrated Solid Waste Management Facility Relocation Draft EIS, July 11, 2019
- ▶ The **~20%** not able to be recycled remains in the landfill including...
 - ▶ Asbestos
 - ▶ Contaminated Soils
 - ▶ AES Coal Ash
 - ▶ Gypsum > Hydrogen Sulfide Gas
 - ▶ PVT Integrated Solid Waste Management Facility Relocation Draft EIS, July 11, 2019



PVT Landfill Sites

- ▶ Current: 171 acres | Proposed: 179 acres
- ▶ **Within 2 miles...**
 - ▶ 18k people live work and play daily
 - ▶ 13k people (72%) are Native Hawaiians
- ▶ **Within 1 mile...**
 - ▶ Hundreds of Homes
 - ▶ Dozens of farms
 - ▶ Nānākuli Elementary, High and Intermediate
 - ▶ Nānāikapono Elementary
 - ▶ Ka Wai Hona Public Charter School
 - ▶ Kamehameha Schools pre-school
 - ▶ QLCC
 - ▶ Churches/Places of worship
 - ▶ Parks
 - ▶ Stores
 - ▶ Medical clinics
 - ▶ Kūpuna housing
- ▶ **Within ½ mile...**
 - ▶ Princess Kahanu Homestead
 - ▶ Nānākuli Homestead

10/12/2018 4:02:03 PM Document Path: F:\Hawaii\GIS\Projects\PVT\Figures\1_PVT\Site_1_012018_40203.mxd



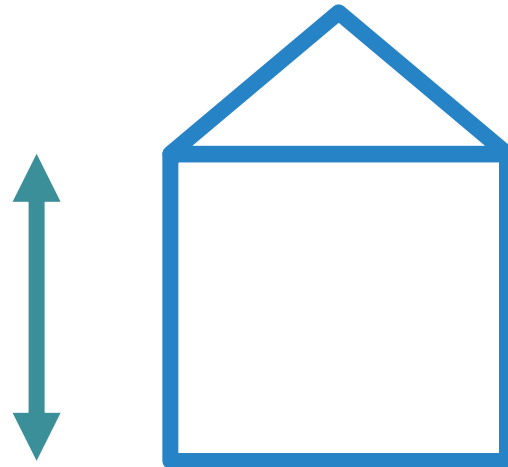
Scope of PVT Landfills

HOW HIGH?

HOW WIDE?

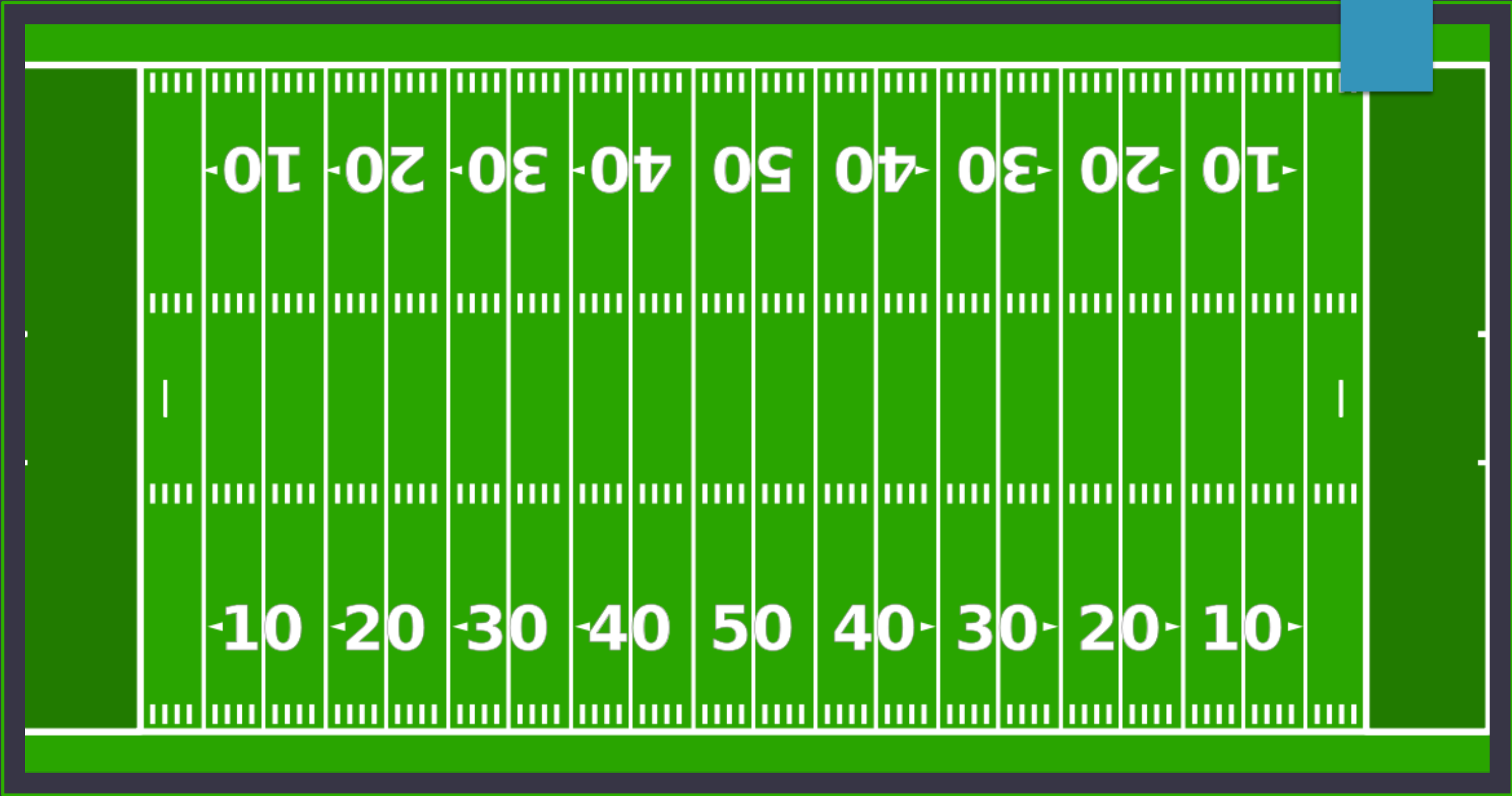
One Story = 10 feet

10 feet

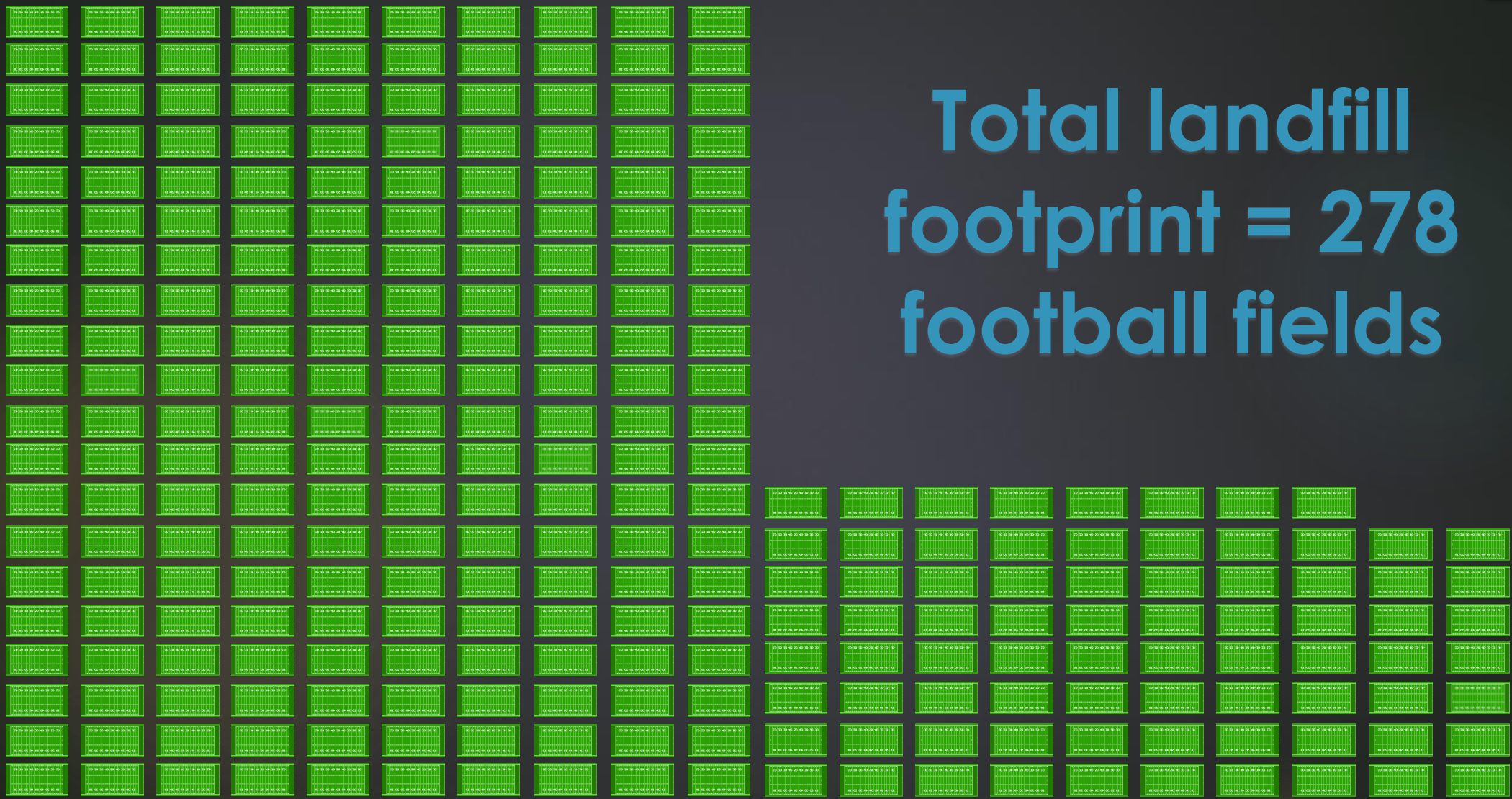


Landfill allowable height - 250 feet





**Total landfill
footprint = 278
football fields**





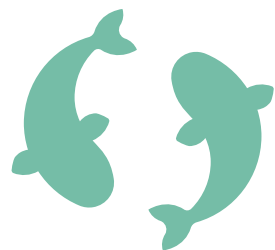
Rules, Regulators, and Place

WHAT APPLIES, WHO ENFORCES, AND WHERE SHOULD LANDFILLS GO?

Laws, Regulations, and Policies



City and County of
Honolulu



State of Hawai'i



U.S. Federal
Government

Permits for Proposed Relocation

Table 1-1 Proposed Action Permits and Approvals

State		
Department of Health, Solid and Hazardous Waste Branch	Solid Waste Management Permit	Modification of Existing Permit (Permit No. LF-0061-15)
Department of Health, Clean Water Branch	National Pollutant Discharge Elimination System Discharges Associated with Industrial Activity NOI B	Modification of Existing Permit (Permit No. HI R50B941)
Department of Health, Clean Air Branch	Noncovered Source Permit	New Permit
Department of Health, Safe Drinking Water Branch	Underground Injection Control Permit	New Permit
Office of Planning, Land Use Commission	Special Use Permit	New Permit
City and County of Honolulu		
Department of Planning and Permitting	Building Permits, including permits for electrical or plumbing work	New Permits
Planning Commission	Special Use Permit	New Permit

**‘A‘OLE PVT
COMPILED COMMUNITY
PETITIONS IN OPPOSITION**

5,500+

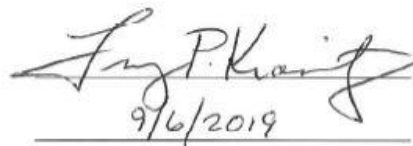
PVT Integrated Solid Waste Management Facility
Relocation: TMK (1) 8-7-009:007

Franz Kraintz, AICP
City and County of Honolulu
Department of Planning and Permitting
650 South King Street, 7th Floor
Honolulu, HI 96813
(808) 768-8046

September 6, 2019

Presented by Prince Kūhiō Hawaiian Civic Club
President Makana Paris
president@pkhcc.org

Received by:



Date:

9/6/2019

Environmental
Impact
Statement

Minimum Distances on Landfills

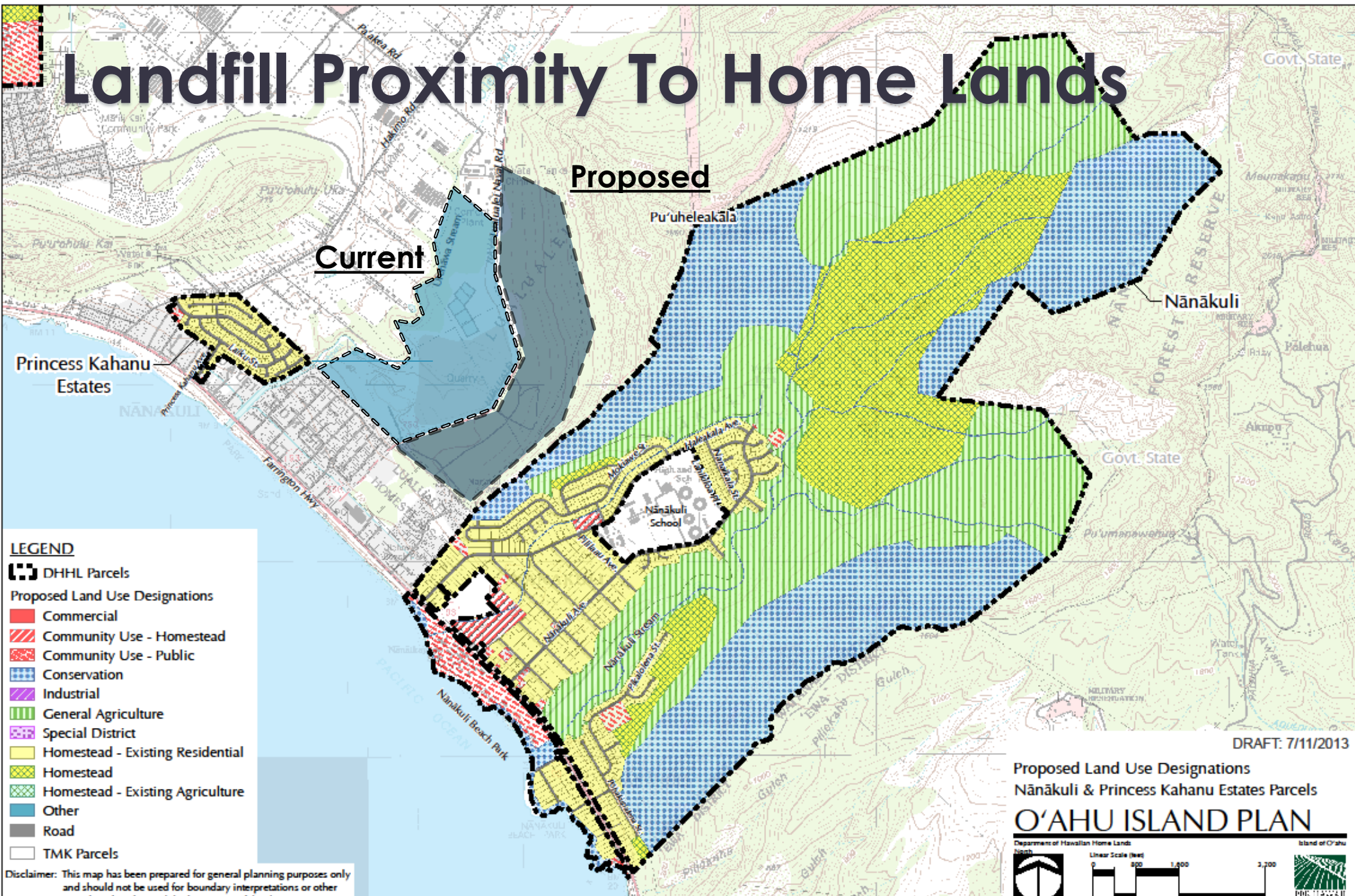


STATE – NONE



OAHU – 500 FEET

Landfill Proximity To Home Lands



Current

Proposed

LEGEND

- DHHL Parcels
- Proposed Land Use Designations**
 - Commercial
 - Community Use - Homestead
 - Community Use - Public
 - Conservation
 - Industrial
 - General Agriculture
 - Special District
 - Homestead - Existing Residential
 - Homestead
 - Homestead - Existing Agriculture
 - Other
 - Road
 - TMK Parcels

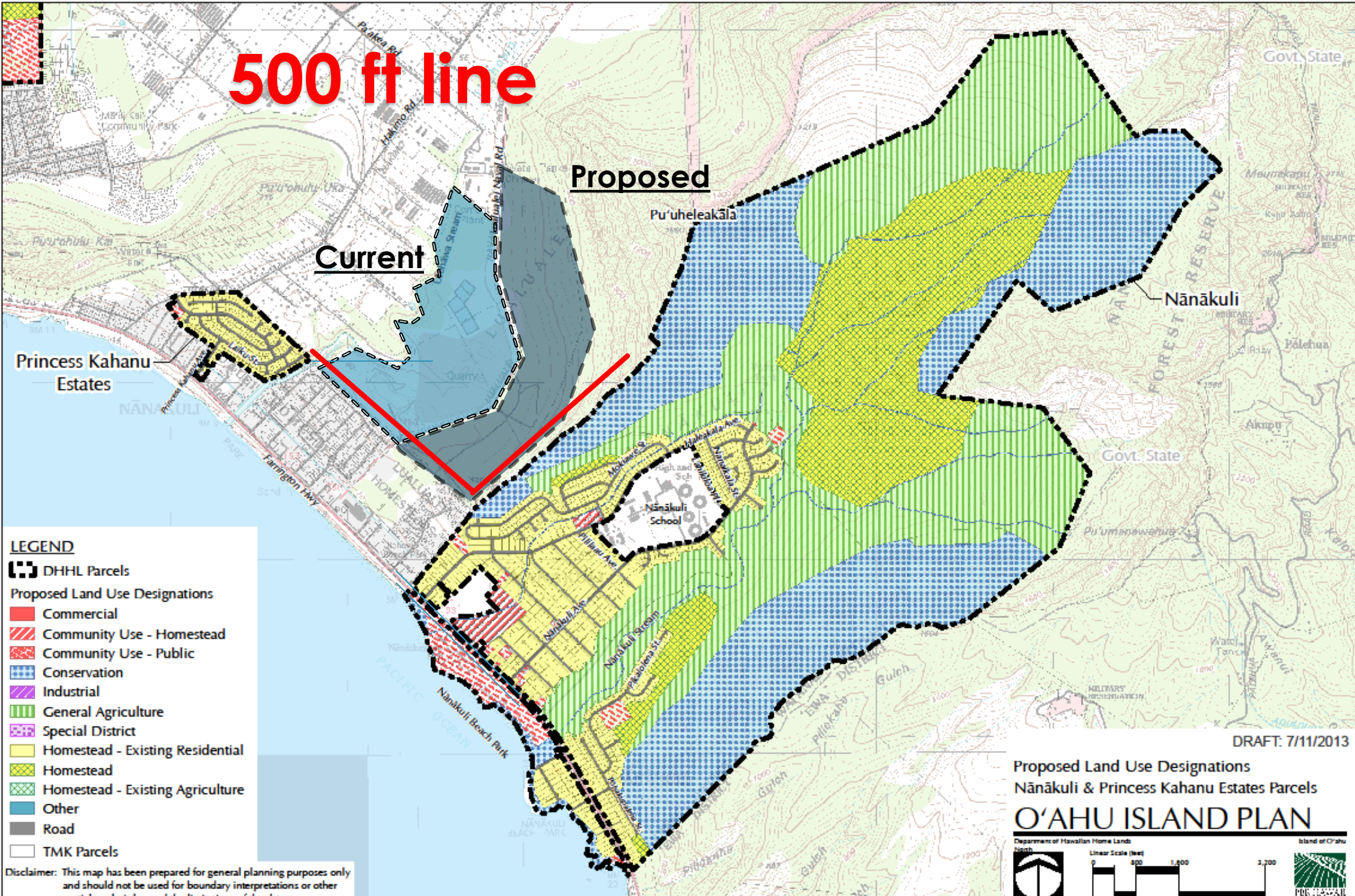
Disclaimer: This map has been prepared for general planning purposes only and should not be used for boundary interpretations or other spatial analysis beyond the limitations of the data.

DRAFT: 7/11/2013

Proposed Land Use Designations
Nānākuli & Princess Kahanu Estates Parcels
O'AHU ISLAND PLAN

Department of Hawaiian Home Lands
Island of O'ahu

500 ft line



Proposed

Current

LEGEND

- DHHL Parcels
- Proposed Land Use Designations**
 - Commercial
 - Community Use - Homestead
 - Community Use - Public
 - Conservation
 - Industrial
 - General Agriculture
 - Special District
 - Homestead - Existing Residential
 - Homestead
 - Homestead - Existing Agriculture
 - Other
 - Road
 - TMK Parcels

Disclaimer: This map has been prepared for general planning purposes only and should not be used for boundary interpretations or other spatial analysis beyond the limitations of the data.

DRAFT: 7/11/2013

Proposed Land Use Designations Nānākuli & Princess Kahanu Estates Parcels

O'AHU ISLAND PLAN

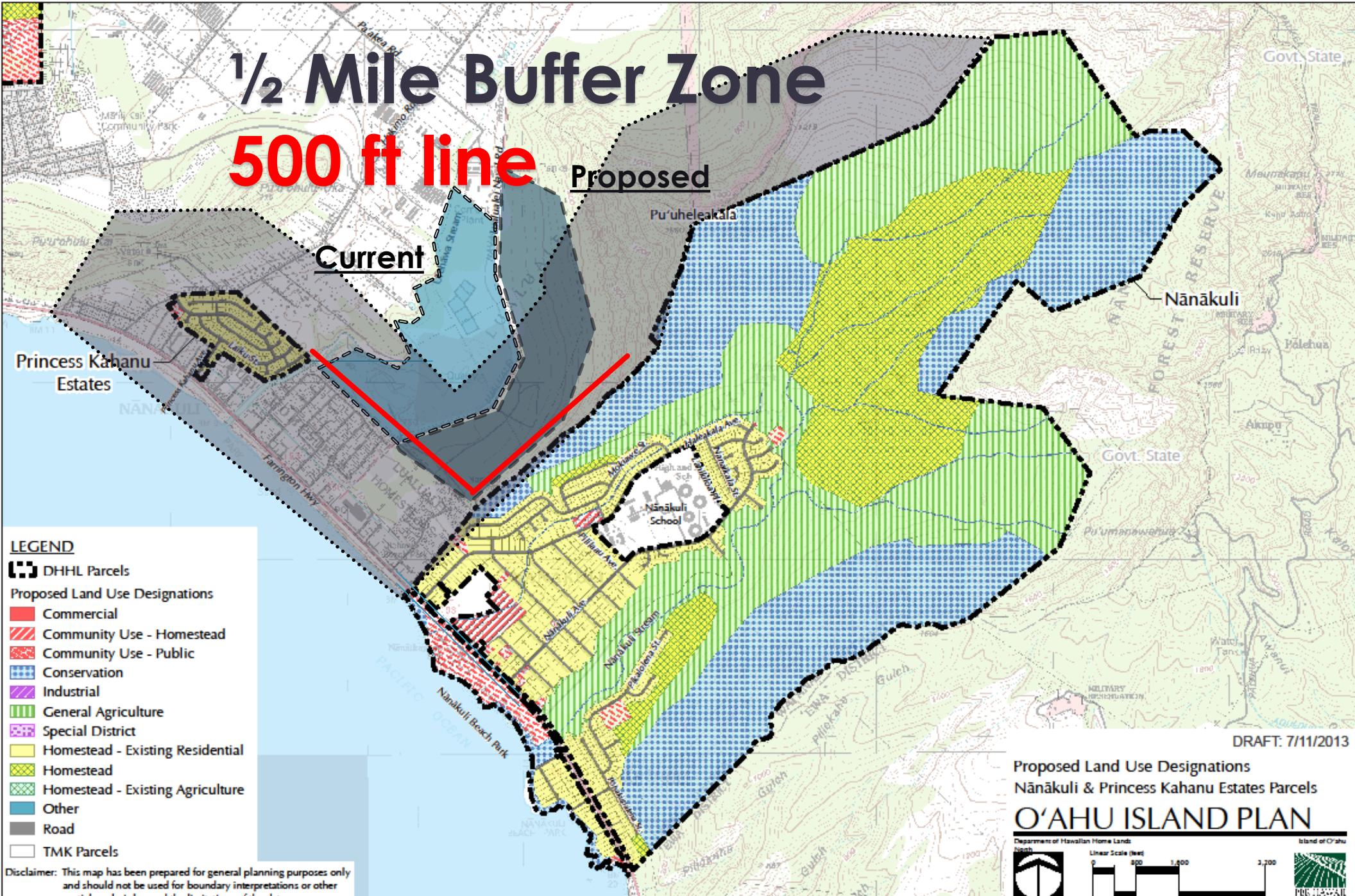
Department of Hawaiian Home Lands

Island of O'ahu

Linear Scale (feet)
0 500 1,000 1,500 2,000

1/2 Mile Buffer Zone

500 ft line



Proposed

Current

Princess Kahanu Estates

Pu'uheleakāla

Nānākuli

Nānākuli School

LEGEND

- DHHL Parcels
- Proposed Land Use Designations
 - Commercial
 - Community Use - Homestead
 - Community Use - Public
 - Conservation
 - Industrial
 - General Agriculture
 - Special District
 - Homestead - Existing Residential
 - Homestead
 - Homestead - Existing Agriculture
 - Other
 - Road
- TMK Parcels

Disclaimer: This map has been prepared for general planning purposes only and should not be used for boundary interpretations or other spatial analysis beyond the limitations of the data.

DRAFT: 7/11/2013

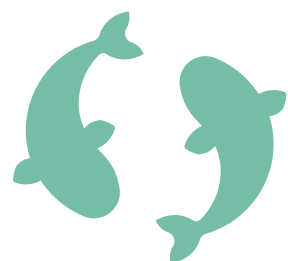
Proposed Land Use Designations
Nānākuli & Princess Kahanu Estates Parcels

O'AHU ISLAND PLAN

Department of Hawaiian Home Lands
Island of O'ahu

Linear Scale (feet)
0 500 1,000 1,500 2,000

Regulators of Landfills



Department of Health of the State
of Hawai'i

Solid and Hazardous Waste Branch

Clean Water Branch

Clean Air Branch



City and County of Honolulu

Department of Environmental Services

Department of Planning and Permitting

Permits for Current Landfill

State		
Department of Health, Solid and Hazardous Waste Branch	Solid Waste Management Permit	✓
Department of Health, Clean Water Branch	National Pollutant Discharge Elimination System Discharges Associated with Industrial Activity NOI B	✗
Department of Health, Clean Air Branch	Noncovered Source Permit	✗
Department of Health, Safe Drinking Water Branch	Underground Injection Control Permit	✗
Office of Planning, Land Use Commission	Special Use Permit	✗ N/A
City and County of Honolulu		
Department of Planning and Permitting	Building Permits, including permits for electrical or plumbing work	✓
Planning Commission	Special Use Permit	✗ Violation



**Report of the
Mayor's Advisory Committee on
Landfill Site Selection (MACLSS)**

City and County of Honolulu, Hawai'i

September 2012

Table 1-1 – List of Sites for Application of Community-Based Criteria

Site Name (Alphabetic Order)	Within UIC/ No Pass Line*	TMK ⁴	Parcel Acreage	Land Ownership
Ameron Quarry	No	42015001	382	Private
Kāne‘ohe by H-3	No	44012001	158	Private
Kapa‘a Quarry Road	No	44011003	258	Private
Ke‘eau	Yes	83001013	634	Private
Upland Hawai‘i Kai	No	39010047	97	Private
Upland Kahuku 1	Yes	56008002	1,621	Federal
Upland Kahuku 2	Yes	57002001	1,529	Federal
Upland Lā‘ie	Yes	55007001	2,231	Private
Upland Nānākuli 1 ⁵	Yes	85006011	882	Private
Upland Pupukea 1	Yes	61006001	2,177	Private
Upland Pupukea 2	Yes	61007001	1,672	Private

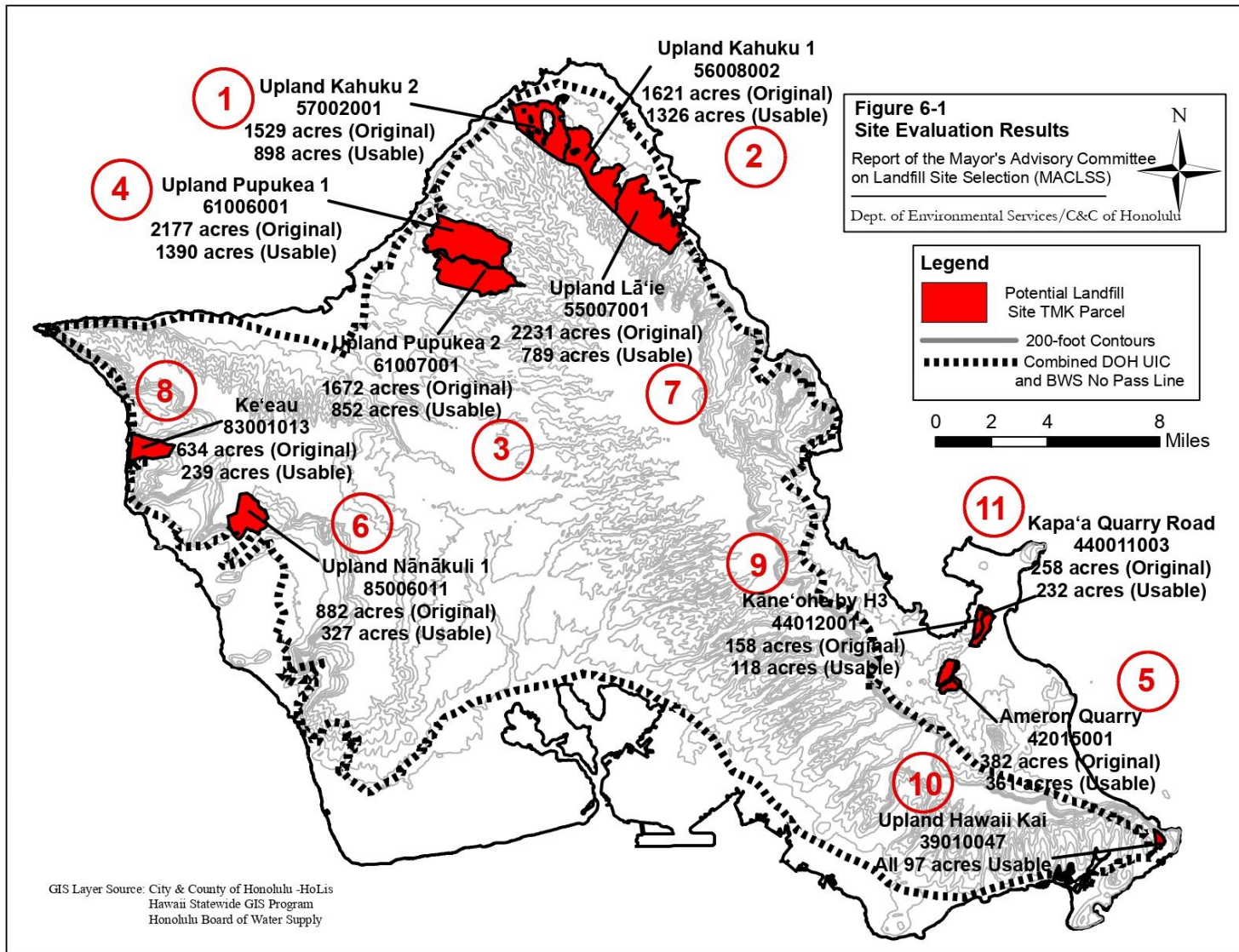
*Sites that intersect the UIC/No Pass Line are considered within the UIC/No Pass Line.

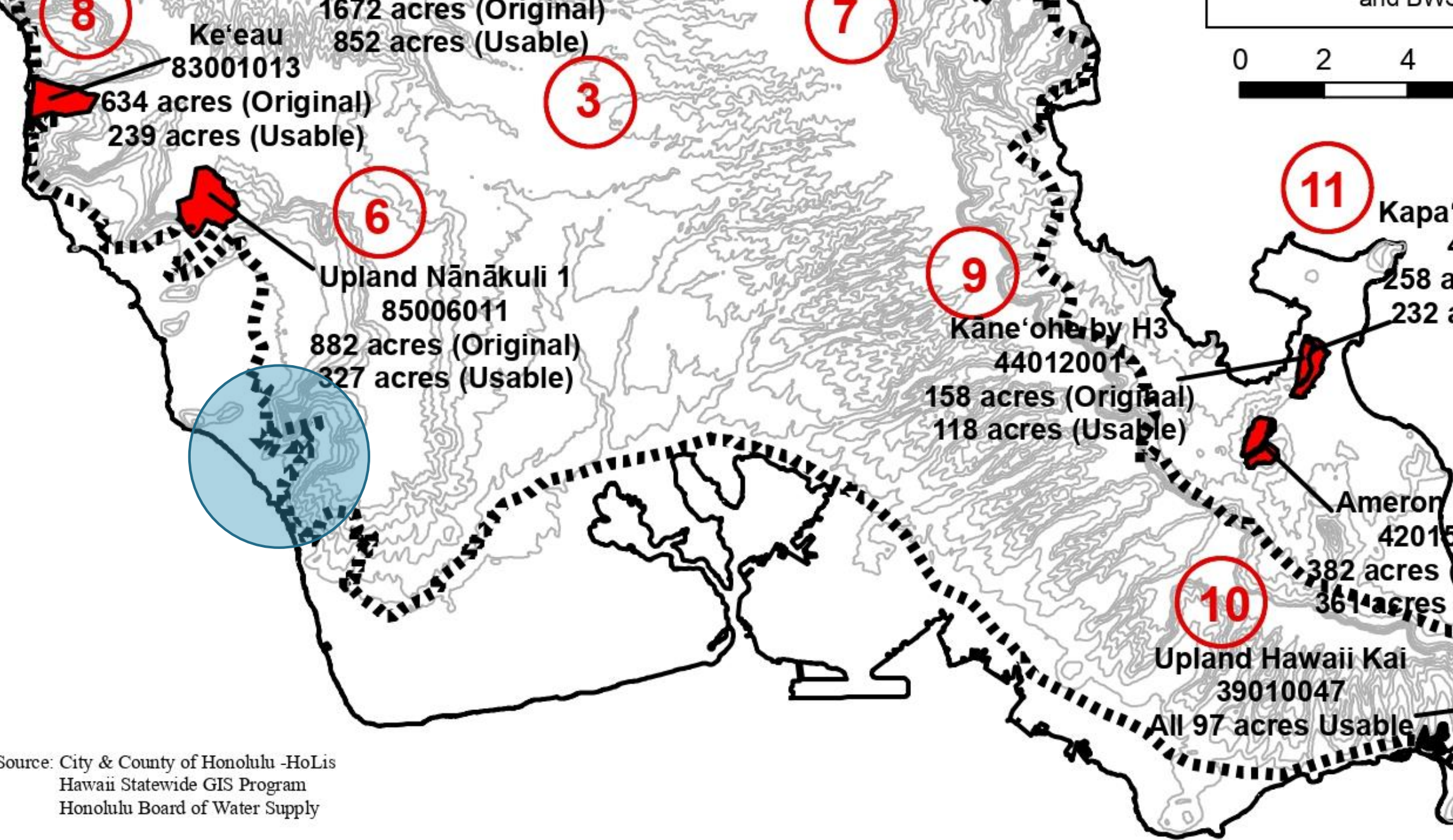
MACLSS
11 Sites
Identified

MACLSS Community-Based Criteria

Table 1-2 – Community-Based Criteria and Weighting

No.	Criterion Name	Weights
1	Landfill Capacity	2.50
2	Location Relative to Educational Institutions, Health Care Facilities, or Parks and Recreation Facilities	9.85
3	Location Relative to Residential Concentrations	10.00
4	Location Relative to Visitor Accommodations	4.00
5	Location Relative to Local or Visitor Commercial Facilities	4.00
6	Effect on Established Public View Planes	2.50
7	Wind Direction Relative to Landfill Site	4.00
8	Effect on Local Roads and Traffic in Residential Neighborhoods	9.55
9	Wear and Tear on Highways and Roadways Caused by Landfill Related Traffic	1.00
10	Location Relative to Identified Community Disamenities	9.25
11	Location Relative to H-POWER	8.65
12	Effect of Precipitation on Landfill Operations	9.25
13	Landfill Development, Operation and Closure Cost	7.00
14	Land Use Displacement Cost	2.50
15	Potential for Solid Waste-Related Land Uses	1.00
16	Location Relative to Wetlands and Natural Area Reserve System Land	4.00
17	Location Relative to Listed Threatened and Endangered Species	2.50
18	Location of Surface Water Resources	8.95
19	Location of Archaeological and Culturally Significant Resources	1.00





GIS Layer Source: City & County of Honolulu -HoLis
 Hawaii Statewide GIS Program
 Honolulu Board of Water Supply



Native Hawaiian Health Disparities

NĀNĀKULI & HAWAI‘I

Asthma

- ▶ Out of all ethnic groups State-wide, Native Hawaiians had the highest percentage of adults with asthma for years 2012, 2013, and 2014
 - ▶ *The Hawaii Health Data Warehouse; Data Source: State of Hawaii , Department of Health, Behavioral Risk Factor Surveillance System (BRFSS)*



“Kahe Homes resident Ruth Gabaylo believes the asthma that her daughters Cinnamon, 2, foreground, and Cayenne, 11 months, suffer from was triggered by the dust and ash that sit atop the mountain of trash at Waimanalo Gulch Sanitary Landfill.”

Source: Cory Lum, *The Honolulu Advertiser* (2001)

Asthma - Nānākuli

- ▶ Out of a total of 24 communities State-wide, the Nānākuli Community has the highest percentage of adults with asthma for years 2012, 2013, and 2014
 - ▶ *The Hawaii Health Data Warehouse; Data Source: State of Hawaii , Department of Health, Behavioral Risk Factor Surveillance System (BRFSS)Hoomaikai*

"I get asthma because of it. It depends on where I go but mostly in Nanakuli my asthma starts acting up because of the landfill," said resident Hokulani Matutio."

Source: Leeward Oahu residents say PVT landfill causes sickness, Hawaii News Now (2008)

Chronic Obstructive Pulmonary Disease - Nānākuli

- ▶ Out of a total of 24 communities State-wide, Chronic Obstructive Pulmonary Disease (COPD) prevalence (45+) was highest for those from the Nānākuli community for the aggregated years 2011-2013 and 2012-2014.
 - ▶ *The Hawaii Health Data Warehouse; Data Source: State of Hawaii , Department of Health, Behavioral Risk Factor Surveillance System (BRFSS)*

Lung Cancer Death Rate by Race/Ethnicity
State: Hawaii

Native Hawaiian and Other Pacific Islander 104.7

Asian 28.2

Other 4.2

White 28.0

Overall 31.3

0 20 40 60 80 100 120

deaths/ 100,000 population

Source: Hawaii State Department of Health, Vital Statistics (2015)

www.hawaiihealthmatters.org

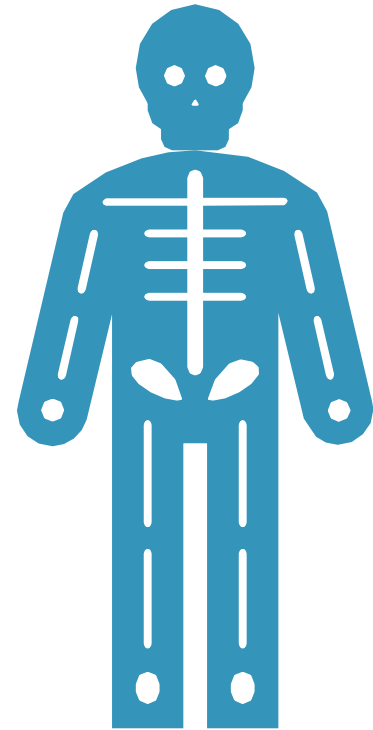
Lung Cancer

Lung & Bronchus Cancers

- ▶ Native Hawaiian males and females have the highest incidence and mortality rates from lung & bronchus cancers
 - ▶ *Hawai'i Cancer at a Glance 2009-2013. University of Hawai'i Cancer Center and Hawai'i Tumor Registry. 2016.*

Colon & Rectal Cancers

- ▶ Native Hawaiians have the highest proportion of late stage colon and rectal cancers
 - ▶ *Hawai'i Cancer at a Glance 2009-2013. University of Hawai'i Cancer Center and Hawai'i Tumor Registry. 2016.*



Uterus/endo- metrium cancer

- ▶ Uterus/endometrium cancer incidence and mortality were highest for Native Hawaiians (2009-2013)
 - ▶ *Hawai'i Cancer at a Glance 2009-2013. University of Hawai'i Cancer Center and Hawai'i Tumor Registry. 2016.*



COVID-19

HAWAII

World Map

NEW

U.S. Map

Critical Trends



COVID-19 Dashboard by the Center for Systems Science and Engineering (CSSE) at Johns Hopkins University (JHU)



Total Confirmed

2,780,094

Confirmed Cases by Country/Region/Sovereignty

- 884,004 US
- 219,764 Spain
- 192,994 Italy
- 159,495 France
- 154,159 Germany
- 144,634 United Kingdom
- 104,912 Turkey
- 88,194 Iran
- 83,885 China
- 68,622 Russia
- 51,073 Brazil



Cumulative Confirmed Cases Active Cases Incidence Rate Case-Fatality Ratio Testing Rate Hospitalization Rate

Total Deaths

194,664

- 25,969 deaths Italy
- 22,524 deaths Spain
- 22,245 deaths France
- 19,506 deaths United Kingdom
- 16,369 deaths New York City **New York US**
- 6,679 deaths

Total Test Conducted in U.S.

4,692,797

- 695,920 tested New York US
- 482,097 tested California US
- 301,147 tested Florida US
- 225,078 tested Texas US
- 200,148 tested New Jersey US
- 195,076 tested

Deaths Recovered US Tested



Confirmed Logarithmic Daily Cases

Admin0

Last Updated at (M/D/YYYY) 4/24/2020, 8:31:36 AM

185

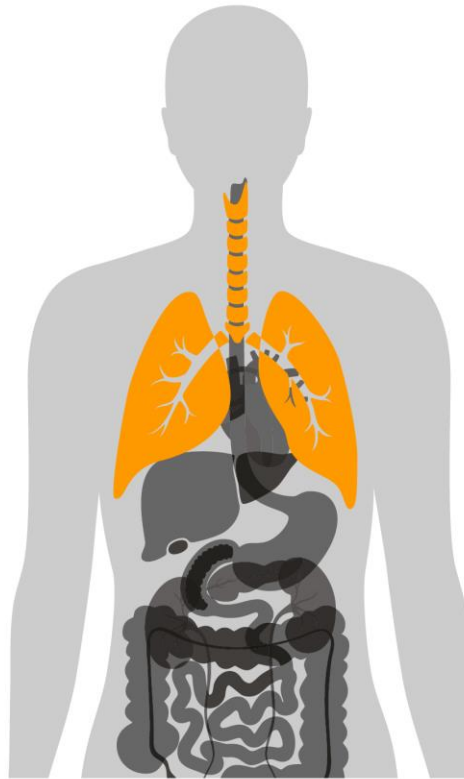
countries/regions

Lancet Inf Dis Article: Here. Mobile Version: Here. Lead by JHU CSSE. Automation Support: Esri Living Atlas team and JHU APL. Contact US. FAQ.

CORONAVIRUS PANDEMIC

COVID-19

COVID-19 is an infectious disease caused by SARS-CoV-2, a new type of coronavirus detected in China in late 2019.








Data shows the disease is mild in 80 percent of patients, severe in 13 percent, and critical in 6 percent.

Most common symptoms:

-  Fever
-  Fatigue
-  Dry cough

Some patients may also have:

-  Aches and pains
-  Runny nose
-  Sore throat
-  Shortness of breath
-  Diarrhoea

In critical cases, COVID-19 can cause severe pneumonia or a multiple-organ failure and can lead to death.

Symptoms

COVID-19



Source: World Health Organization | Last updated: March 12, 2020

@AJLabs ALJAZEERA



People Who Are at Higher Risk for Severe Illness

[Other Languages](#) ▼

[Print Page](#)



COVID-19 is a new disease and there is limited information regarding risk factors for severe disease. Based on currently available information and clinical expertise, **older adults and people of any age who have serious underlying medical conditions** might be at higher risk for severe illness from COVID-19.

Based on what we know now, those at high-risk for severe illness from COVID-19 are:

- **People 65 years and older**
- **People who live in a nursing home or long-term care facility**

People of all ages with underlying medical conditions, particularly if not well controlled, including:

Those at high-risk for severe illness or death from COVID-19

- ▶ People 65 years and older
- ▶ People who live in a nursing home or long-term care facility
- ▶ People of all ages with underlying medical conditions, particularly if not well controlled

▶ *Sources: Center for Disease Control and Prevention*



HARVARD
T.H. CHAN

SCHOOL OF PUBLIC HEALTH

Those who live in U.S. areas with high levels of air pollution that contract COVID-19 are at greater risk to die from the disease than people who live in less polluted areas.

Source: Harvard School of Public Health, COVID-19 PM2.5 A national study on long-term exposure to air pollution and COVID-19 mortality in the United States

Those at high-risk for severe illness or death from COVID-19

- ▶ People 65 years and older
- ▶ People who live in a nursing home or long-term care facility
- ▶ **People of all ages with underlying medical conditions, particularly if not well controlled**
- ▶ **People that are exposed to long term air pollution**

▶ *Sources: Center for Disease Control and Prevention & Harvard School of Public Health*

Those at high-risk for severe illness or death from COVID-19 and Environmental Racism

- ▶ People of all ages with underlying medical conditions, particularly if not well controlled
- ▶ People that are exposed to long term air pollution



This small Louisiana parish has the highest death rate per capita for coronavirus in the country

“Cancer Alley”



MOTHERBOARD
TECH BY VICE

'Cancer Alley' Has Some of the Highest Coronavirus Death Rates in the Country

As predominately Black communities in the polluted areas along the Mississippi from New Orleans to Baton Rouge face heightened risks from COVID-19, the EPA has suspended enforcement of the environmental rules designed to protect them.



Cancer town

A virus stalks a county with one of the highest death rates in US: 'People are dropping like flies'

Search ▾

US edition ▾

The Guardian



FLINT WATER PLANT



Governor Gretchen Whitmer ✓

@GovWhitmer



#COVID19 is disproportionately impacting communities of color, so we're taking action. The Michigan Coronavirus Task Force on Racial Disparities, chaired by @LtGovGilchrist, will identify actions we can take to ensure all Michiganders have access to critical care and resources.

3,133 likes 10:23 AM - Apr 20, 2020



1,200 people are talking about this



NEWS

Michigan task force to address disproportionate impact of coronavirus on black communities

The governor said "the deep inequities people in communities of color face ... have made them more susceptible to COVID-19."



MID-MICHIGAN
NOW



25
FOX 66

Coronavirus Task Force on Racial Disparities created to help Michigan's COVID-19 fight

Flint, Michigan



OFFICE OF THE PRESIDENT AND VICE PRESIDENT

“Unfortunately, today we had to file a lawsuit against the federal government to get our share of the federal dollars that have been allocated for tribes. The First Americans are once again having to fight for what is right and what is ours. Now is the time for us as Diné people to be united against COVID-19, by adhering to the Navajo Nation’s shelter-in-place order and the daily and weekend curfews. Some states are beginning to consider loosening restrictions, but not the Navajo Nation. We are relying on the health care experts and the facts as we continue the fight against COVID-19,” said Navajo Nation President Jonathan Nez.



Navajo Nation

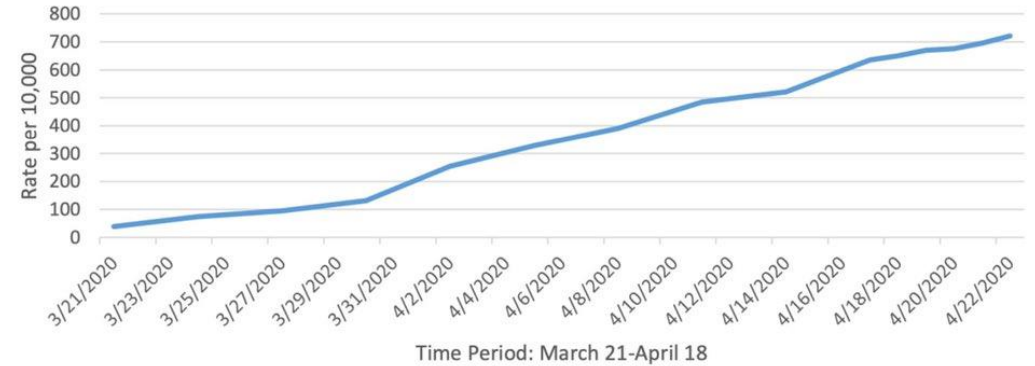
Coronavirus batters the Navajo Nation, and it's about to get worse

The fear of what's ahead is based on precedent. During the swine flu epidemic of 2009, Native Americans died at four to five times the rate of other Americans.

NAVAJO NATION CONFIRMED POSITIVE COVID-19 CASES As of April 22, 2020

Figure 1: Navajo Nation* COVID-19 Crude Incidence Rates

Source: Navajo Epidemiology Center and Navajo Area IHS Collaborative



*Does not include data from border towns.

* Source: Navajo Epidemiology Center - Navajo Nation HCOC Situational Awareness (22 April, 2020).

1,282 Postive Cases
5,549 Negative Tests
49 Deaths



STAY HOME
STAY SAFE
SAVE LIVES





Be **SUPPORTIVE**

Be **CAREFUL**

Be **ALERT**

Be **KIND**

Be **READY** to fight
#COVID19

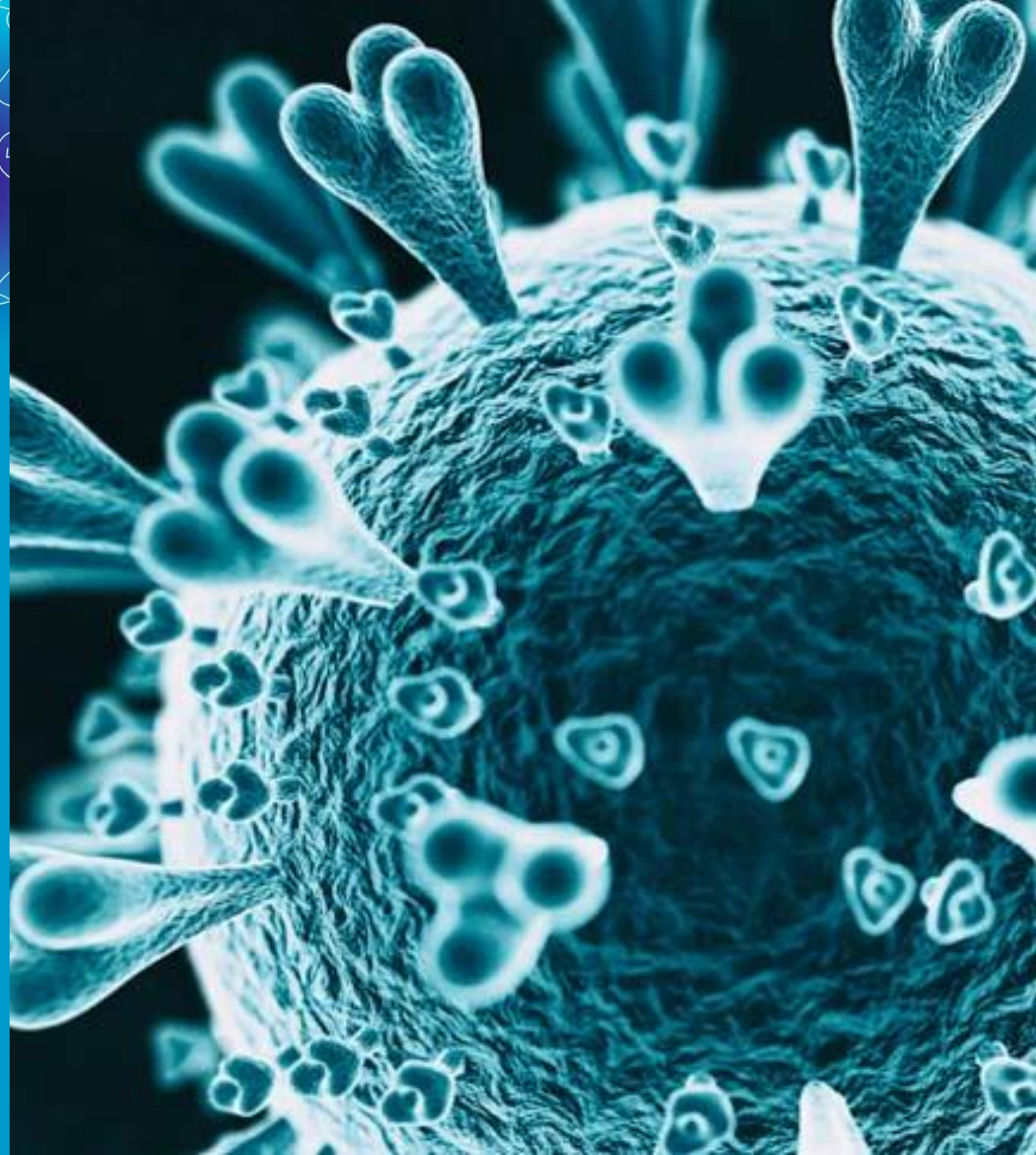
For the latest health advice, go to:
www.who.int/COVID-19



UNITED NATIONS



World Health
Organization





Environmental Racism in Nānākuli?

Environmental Racism Criteria



Environmental Racism?



Where is the waste and sources of pollution located?



Is there unequal treatment towards a specific race or races in that location?



Is there a race or races in authority that are different from that race or those races being affected?



Are there laws, lack of laws, or lack of enforcement that results in unequal treatment?



Strategies

ADDRESSING ENVIRONMENTAL RACISM & ACHIEVING
ENVIRONMENTAL JUSTICE



▶ FUNDING REGULATORY AGENCIES

- ▶ Increase funding for EPA/DOH to conduct independent and academically sound testing on air and water for known causes that lead to a significant negative impact on health and/or loss of life

▶ MONITORING AND DATA ANALYSIS

- ▶ Further develop and validate advanced monitoring and data analysis technologies for little understood and currently unknown causes that lead to a significant negative impact on health and/or loss of life

▶ CLEANER SOCIETY

- ▶ Promote “clean” power, development, and manufacturing

▶ RACIAL DIVERSITY

- ▶ Promoting racial diversity in positions of decision-making authority

▶ “BUFFER ZONES”

- ▶ Creation of “buffer zones” between people and disamenity



Recommendations

WHAT ABOUT LANDFILLS, NATIVE HAWAIIANS, AND ALL OUR
COMMUNITIES OF HAWAI'I?

Recommendations

1. STOP ENVIRONMENTAL RACISM IN NĀNĀKULI

- ▶ Oppose the proposed relocation of PVT Landfill in Nānākuli

2. STOP ENVIRONMENTAL RACISM AGAINST NATIVE HAWAIIANS ACROSS THE STATE

- ▶ Oppose the creation of any landfill within ½ mile of Hawaiian Home Lands

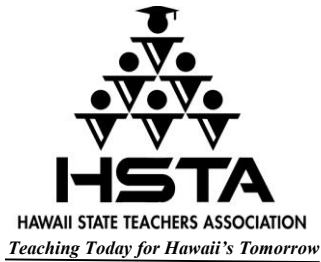
3. PROTECT ALL COMMUNITIES FROM LANDFILLS

- ▶ Support legislation (e.g. SB2368 SD2 HD1) that creates a minimum of ½ mile buffer zone around waste or disposal facilities from homes, hospitals, and schools

Mahalo

Kamuela Werner, NIMHD Minority Health Research
Training Scholar & Makana Paris, President Prince
Kūhiō Hawaiian Civic Club

kamuclaw@hawaii.edu | president@pkhcc.org



1200 Ala Kapuna Street ♦ Honolulu, Hawaii 96819
Tel: (808) 833-2711 ♦ Fax: (808) 839-7106 ♦ Web: www.hsta.org

Corey Rosenlee
President
Osa Tui Jr.
Vice President
Logan Okita
Secretary-Treasurer
Wilbert Holck
Executive Director

TESTIMONY BEFORE THE HOUSE COMMITTEE FINANCE

RE: SB 2386, SD2, HD1 – RELATING TO TEACHER COMPENSATION

MONDAY, JUNE 29, 2020

COREY ROSENLEE, PRESIDENT
HAWAII STATE TEACHERS ASSOCIATION

Chair Luke, and Members of the Committees:

The Hawaii State Teachers Association **supports SB 2386, SD2, HD1**, relating to waste management.

This bill will prohibit any waste or disposal facility from being in a conservation district except in emergency circumstances to mitigate significant risks to public safety and health. It would further require no less than a one-half mile buffer zone for the construction, operation, modification, or expansion of a waste or disposal facility.

HSTA stands in solidarity with our members and their families whose health and quality of life are negatively affected by waste or disposal facilities, including landfills. For example, hundreds of our members and family members in Nānākuli and Mā‘ili are suffering from a public health crisis.

According to the Center for disease Control/National Center for Health Statistics Neighborhood Life Expectancy Project, our members and their families within 2 miles of the current PVT Landfill live **10 years less than the state average of 82 years**, being the 2nd and 3rd lowest life expectancies in the entire state. This is unacceptable.

Every community in Hawai‘i as a matter of fairness and decency deserves a “clean and healthful environment” (HI State Constitution Article XI, Section 9; In re Maui Elec. Co., 2017 Haw.) PVT currently operates only 750 feet from residences (Draft Environmental Impact Statement: PVT Integrated Solid Waste Management Facility - Expanded Recycling, Landfill, Grading and Renewable Energy Project). **The PVT landfill also operates within two miles of Nānākuli Elementary, High and Intermediate, Nānāikapono Elementary, Ka Wai Hona Public Charter School, and Kamehameha Schools pre-school, places of worship, stores,**



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Corey Rosenlee
President
Osa Tui Jr.
Vice President
Logan Okita
Secretary-Treasurer
Wilbert Holck
Executive Director

medical clinics, and kupuna housing that over 18,000 people daily live, work, and play.

The global scientific community affirms what the community of Wai‘anae has been living through -- especially those that live, work, and play in Nānākuli -- that landfills are a health hazard (*See Vrijheid M., Health effects of residence near hazardous waste landfill sites: a review of epidemiologic literature. Environ Health Perspect, 2000; Njoku PO, Edokpayi JN, Odiyo JO, Health and Environmental Risks of Residents Living Close to a Landfill: A Case Study of Thohoyandou Landfill, Limpopo Province, South Africa. Int J Environ Res Public Health, 2019; Waste and Human Health: Evidence and needs, World Health Organization Nov 2015).*

No community should suffer like those in Nānākuli and Mā‘ili. So, we ask that you implement a common sense policy that ensures that no community in the future will suffer the negative effects of waste or disposal facilities, including landfills. We need to protect our keiki and our future. Please ensure that future landfills will not be in anyone’s back yard, including our schools and the neighborhoods our children play in, thus the Hawaii State Teachers Association asks for your support of this bill.



HAWAI'I LABOR COALITION

MORE THAN 65,000 AND GROWING

June 29, 2020
2:00 pm

House Finance Committee
Hawaii State Capitol
Room 329

Aloha House Finance Chair Sylvia Luke, Vice-Chair Ty Cullen, and honorable members:

The Hawaii Labor Coalition (HLC) **SUPPORTS SB 2386 SD2 HD1**. The bill would prohibit any waste or disposal facility from being located in a conservation district except in emergency circumstances to mitigate significant risks to public safety and health. It further requires no less than a one-half mile buffer zone for the construction, modification, or expansion of a waste or disposal facility.

The HLC stands with our members and their families whose quality of life and health are put at risk because of waste or disposal facilities like landfills. Our family in Nānākuli and Mā'ili are suffering from a public health crisis and they live next to an operating landfill that is mere feet away from homes and public spaces.

According to the Center for disease Control/National Center for Health Statistics Neighborhood Life Expectancy Project, our members and their families within 2 miles of the current PVT Landfill live **10 years less than the state average of 82 years**, being the 2nd and 3rd lowest life expectancies in the entire state. This is unacceptable. Every community in Hawai'i as a matter of fairness and decency deserves a "clean and healthful environment" (HI State Constitution Article XI, Section 9; In re Maui Elec. Co., 2017 Haw.) PVT currently operates only 750 feet from residences (Draft Environmental Impact Statement: PVT Integrated Solid Waste Management Facility - Expanded Recycling, Landfill, Grading and Renewable Energy Project). The PVT landfill also operates within two miles of Nānākuli Elementary, High and Intermediate, Nānāikapono Elementary, Ka Wai Hona Public Charter School, and Kamehameha Schools pre-school, places of worship, stores, medical clinics, and kūpuna housing that over 18,000 people daily live, work, and play.

The global scientific community affirms what the community of Wai'anae has been living through -- especially those that live, work, and play in Nānākuli -- that landfills are a health hazard (*See* Vrijheid M., Health effects of residence near hazardous waste landfill sites: a review of epidemiologic literature. *Environ Health Perspect*, 2000; Njoku PO, Edokpayi JN, Odiyo JO, Health and Environmental Risks of Residents Living Close to a Landfill: A Case Study of Thohoyandou



HAWAI‘I LABOR COALITION

MORE THAN 65,000 AND GROWING

Landfill, Limpopo Province, South Africa. *Int J Environ Res Public Health*, 2019; Waste and Human Health: Evidence and needs, World Health Organization Nov 2015).

We acknowledge the current need for waste or disposal facilities including landfills. We believe that new landfills should be in isolated areas that are appropriately zoned, including places like Kalaeloa and Campbell Industrial Park for O‘ahu. We need a place to put our construction and demolition debris so that we can reach our affordable and workforce housing goals, repair our infrastructure, and build a better tomorrow for all Hawai‘i.

No community should suffer like those in Nānākuli and Mā‘ili. So, we ask that you implement a commonsense policy that ensures that no community in the future will suffer the negative effects of waste or disposal facilities, including landfills. Please ensure that future landfills will not be in anyone’s back yard.

Mahalo.



Young Progressives Demanding Action
P.O. Box 11105
Honolulu, HI 96828

June 29, 2020
2:00 PM

TO: House Committee on Finance (FIN)
RE: Testimony in Support of SB2386 SD2 HD1

Aloha Chair Luke, Vice Chair Cullen, Members of the House Committee on Finance,

My name is Jun Shin. I am a Junior at the University of Hawai‘i at Mānoa, and I serve as the Environmental Justice Action Committee Chair for the Young Progressives Demanding Action (YPDA). YPDA advocates for public policies that reflect the values of young people throughout the State of Hawai‘i. One of those values is that all communities have the right to live in a clean and healthy environment. YPDA is in **Support** of **SB2386 SD2 HD1**, Relating to Waste Management.

Conservation districts are an important part of the State of Hawai‘i’s land use laws. These lands conserve, protect, and preserve our precious natural and cultural resources for the public good. Ensuring that natural ecosystems are preserved, allowing for water security, protection of endangered species, and the continued ability for Native Hawaiians to practice their customary and traditional rights. YPDA supports efforts to restrict as best as we can, waste and disposal facilities on or near conservation districts to make sure that these important lands are well-taken care of, for generations to come.

In Nānākuli, the PVT Landfill processes tons of waste already, including toxic coal ash being sent to the landfill from the AES Hawaii Power Plant, the sole coal power plant left in Hawai‘i. This is concerning as the PVT Landfill is only 750ft from residential areas and schools, creating a public health crisis for both the landfill workers and residents. The West Side cannot continue to be unfairly burdened. We support the creation of one-half mile buffer zones (7,920 ft) from landfill sites to ensure that life can go on, students can continue to learn, and people can be treated in hospitals without residents having to continue to worry about the impacts a waste facility has on their families health.

Young Progressives Demanding Action is in **Support** of **SB2386 SD2 HD1**. We respectfully ask for you to pass it through your committee. Please protect our resources and our communities.

Mahalo for the opportunity to testify,

Jun Shin,
Environmental Justice Action Committee Chair
Young Progressives Demanding Action (YPDA)
Cell: 808-255-6663
Email: junshinbusiness729@gmail.com
CC: action@ypdahawaii.org

SB-2386-HD-1

Submitted on: 6/27/2020 7:07:24 AM

Testimony for FIN on 6/29/2020 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Henrietta Paris	Individual	Support	No

Comments:

Aloha Representatives,

My name is Henrietta Paris, and I have been a homemaker and a janitorial service worker over my life. I know that when you live in and around trash, you get sick, that's why we cleanup the trash and throw it away. Please pass this bill and make sure that trash doesn't end up in anyone's backyard. Thank you and have a blessed day.

Sincerely,

Henreitta Paris

Kapoeli, Oahu

SB-2386-HD-1

Submitted on: 6/27/2020 7:08:42 AM

Testimony for FIN on 6/29/2020 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Melvin Paris	Individual	Support	No

Comments:

Aloha Representatives:

Kala mai, I don't mean to offend anyone. You know, I never graduate from high school, but I have worked with animals most of my life. So, if dogs don't sleep where they shit, neither should we. Please pass the bill.

Mahalo,

Melvin Paris

Kapolei, Oahu

SB-2386-HD-1

Submitted on: 6/27/2020 9:01:59 AM

Testimony for FIN on 6/29/2020 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Jo C Stroud	Individual	Support	No

Comments:

Encouraging support of this buffer zone of at least 1/2 mile, more if possible!

Support SB2386SD2HD1

Dr. Jo C. Stroud

SB-2386-HD-1

Submitted on: 6/27/2020 9:19:37 AM

Testimony for FIN on 6/29/2020 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Kekoa Oliveros-Walker	Individual	Support	No

Comments:

Aloha,

My name is Kekoa Oliveros-Walker I am 32 years old and I've lived in nanakuli, O'ahu for the entirety of my life. I see no good coming out of landfills it's nothing polluto our aina and natural resources. It's enhancing the dangers and unsanitary conditions for our future keiki and moopuna. It doesn't matter if these certain items we put in the ground dissolve now or other polluting is polluting if it wasn't there to begin with it shouldn't be there period. There shouldn't be any landfills period in Hawaii we should be looking for other ways to get rid of opala. We need to think about the future not about the past or right now.. Think about what we can control and that's the future of our aina and ohana's well being.. Setting the bar for them to carry on how we will take care all of our resources(land, air, ocean). We need long term solutions not temporary.

Mahalo!!

SB-2386-HD-1

Submitted on: 6/27/2020 10:36:51 AM

Testimony for FIN on 6/29/2020 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Laurie Takeno	Individual	Support	No

Comments:

Honorable Committee Members:

As a concerned citizen and community member, I stand in strong support of HB2386. We have elected you as our policy makers to create and stand by such polices that serve to protect the well being of our local communities. Pass this bill as one step toward protecting the health and wellness of communities who have limited power and privilege to protect themselves and ensure that there is a buffer zone of ½ -mile from landfills and people. We do not need more landfills in our communities, in NÄ• nÄ• kuli and MÄ• 'ili, or in anyone's backyard! We must find more innovative and forward thinking ways to eliminate waste in our state.

SB-2386-HD-1

Submitted on: 6/27/2020 12:07:03 PM

Testimony for FIN on 6/29/2020 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Antoinette Lilley	Individual	Support	No

Comments:

Aloha,

I support ending environmental racism against Native Hawaiians through the passage of this bill. These kinds of hazardous spaces should not be in anyone's backyard. Shame on us if we continue to let the politically and economically disenfranchised bear the brunt of our materialistic and unsustainable way of life. Please pass this bill.

Mahalo,

Antoinette Lilley

SB-2386-HD-1

Submitted on: 6/27/2020 12:35:28 PM

Testimony for FIN on 6/29/2020 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Richard Medeiros	Individual	Support	No

Comments:

Aloha,

I write in strong support of SB2386 SD2 HD1. For too long, our community in Nanakuli is affected by landfills being right next to residents and homes. For health and well being, please ensure all landfills are not near homes and communities.

Mahalo,

Richard

SB-2386-HD-1

Submitted on: 6/27/2020 1:19:43 PM

Testimony for FIN on 6/29/2020 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Tim Bowden	Individual	Support	No

Comments:

Support for [SB2386](#) SD2 HD1

Protect All our 'Ohana, Create a 1/2-Mile Buffer Zone for Landfills

Aloha: Please help protect the health and wellness of all of our communities by ensuring that there is a buffer zone of ½ -mile from landfills and people. Enough-is-enough, no more landfills in our communities, no more landfills in NÄ• nÄ• kuli and MÄ• 'ili, no more landfills in anyone's backyard! Pass SB2386. #Hawaiianlivesmatter

Mahalo,

Tim and Mikki Bowden

SB-2386-HD-1

Submitted on: 6/27/2020 6:04:58 PM

Testimony for FIN on 6/29/2020 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Alan	Individual	Support	No

Comments:

Aloha:

Please help protect the health and wellness of all of our communities by ensuring that there is a buffer zone of ½ -mile from landfills and people. Enough-is-enough, no more landfills in our communities, no more landfills in NĀ• nĀ• kuli and MĀ• 'ili, no more landfills in anyone's backyard! Pass SB2386.

SB-2386-HD-1

Submitted on: 6/28/2020 4:18:02 AM

Testimony for FIN on 6/29/2020 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Sally Thrasher	Individual	Support	No

Comments:

Protect everyone's ohana. Th desecration to the aina and the people has to stop. Make this bill go thru, 1/2 mile away will help stop illnesses, the putrid smell is sickening, it cannot continue. Put the people first, care about the indigenous community. This would be continuing genocide to the Kanaka Maoli, they are the indigenous that care for the aina, this means that you protect Kanaka Maoli.

SB-2386-HD-1

Submitted on: 6/28/2020 7:54:33 AM

Testimony for FIN on 6/29/2020 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Mary Whispering Wind	Individual	Support	No

Comments:

****Protect All our 'Ohana, Create a 1/2-Mile Buffer Zone for Landfills****

Mahalo,

Mary whispering Wind

SB-2386-HD-1

Submitted on: 6/28/2020 8:00:08 AM

Testimony for FIN on 6/29/2020 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Ileana Ruelas	Individual	Support	No

Comments:

My testimony is in support of Bill SB2386, SD2, HD1 .

Buffer zones are necessary to protect the surrounding community against potential harmful impacts to their well-being and health.

We must put into place these community oriented protective measures - as the state of Hawaii does not adequately have practices that continue committed investment to address the creation of waste due to overconsumption patterns (commercially & individually).

If Hawaii will continue to build landfills to manage waste for our communities & construction projects for our growing population's housing needs or economic considerations -then an equally proportionate amount of resources needs to be committed to:

- understand our island's limited capacity for managing waste
- explore/create models of alternative technologies to eliminate the need for landfills
- develop of greater efficiencies/policies/practices around mandating re-use of materials
- innovatively and proactively address the ever shrinking opportunities for landfill sites.

This bill is one steps toward prioritizing the health of aina and kanaka. And demonstrates a movement towards comprehensively considering the impacts of our lifestyle on future generations (ie evaluating our consumption habits, & reducing overconsumption patterns).

mahalo

SB-2386-HD-1

Submitted on: 6/28/2020 8:55:40 AM

Testimony for FIN on 6/29/2020 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
David Shizuma	Individual	Support	No

Comments:

Buffer zones are necessary to protect the surrounding community against potential harmful impacts to their well-being and health.

We must put into place these community oriented protective measures - as the state of Hawaii does not adequately have practices that continue committed investment to address the creation of waste due to overconsumption patterns (commercially & individually).

If Hawaii will continue to build landfills to manage waste for our communities & construction projects for our growing population's housing needs or economic considerations -then an equally proportionate amount of resources needs to be committed to:

- understand our island's limited capacity for managing waste
 - explore/create models of alternative technologies to eliminate the need for landfills
 - develop of greater efficiencies/policies/practices around mandating re-use of materials
- innovatively and proactively address the ever shrinking opportunities for landfill sites.

This bill is one steps toward prioritizing the health of aina and communities.

This effort demonstrates a movement towards comprehensively considering the impacts of our lifestyle on future generations (ie evaluating our consumption habits, & reducing overconsumption patterns).

mahalo

SB-2386-HD-1

Submitted on: 6/28/2020 9:09:28 AM

Testimony for FIN on 6/29/2020 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Joshua Michaels	Individual	Support	No

Comments:

Aloha,

I write in strong support of this measure and respectfully urge you to pass this bill. The residents of Oahu's West Side have already dealt with decades of government neglect and environmental racism, and suffer shockingly disproportionate negative health and social welfare outcomes compared to the rest of the island. Relocating the PVT landfill would devastate the community and endanger Nā• nā• kuli's schools, medical facilities, and kupuna housing. But this is bigger than Nā• nā• kuli -- it's time to end our shameful public policy that treats Native Hawaiian health and well-being as disposable. Landfills do not belong in *anyone's* backyard.

Thank you very much for considering my testimony.

Mahalo,

Josh Michaels

Palolo Valley

(Submitted in my personal capacity)

SB-2386-HD-1

Submitted on: 6/28/2020 11:36:35 AM

Testimony for FIN on 6/29/2020 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Anthony Makana Paris	Individual	Support	No

Comments:

Aloha: Please help protect the health and wellness of all of our communities by ensuring that there is a buffer zone of ½ - mile from waste and disposal facilities, including landfills, and people. Enough-is-enough, no more landfills in our communities, no more landfills in anyone's backyard! #HawaiianLivesMatter

Mahalo,

Anthony Makana Paris

Kapolei, O'ahu

SB-2386-HD-1

Submitted on: 6/28/2020 11:51:23 AM

Testimony for FIN on 6/29/2020 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Kau'i Baumhofer Merritt	Individual	Support	No

Comments:

Aloha, I have a doctorate in social epidemiology and am an expert in Native Hawaiian health disparities. I am in strong support of SB2386 because of its implications for Native Hawaiian health equity and environmental equity. Native Hawaiians already have statistically lower access to quality healthcare via private insurance compared to the total state population (OHA databook Chapter 7 Health Table 7.231), which partially accounts for Native Hawaiian disparities in cancer mortality (Tables 7.145-7.169) and asthma (Tables 7.110 & 7.111). The expansion of the PVT landfill would certainly add to these disparities and result in the further pollution of land that is primarily occupied by Native Hawaiians, other Pacific Islanders, and socioeconomically marginalized peoples. While the PVT is the seminal example of projects and the resultant environmental racism that this bill aims to curtail, the passing of SB2386 will be a step forward for, not just Nanakuli or the Native Hawaiian community, but for all of the State of Hawai'i.

SB-2386-HD-1

Submitted on: 6/28/2020 11:58:58 AM

Testimony for FIN on 6/29/2020 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Sandee Moniz Ps	Individual	Support	No

Comments:

SB-2386-HD-1

Submitted on: 6/27/2020 8:43:49 AM

Testimony for FIN on 6/29/2020 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Heather Thompson	Individual	Oppose	No

Comments:

Please, please I beg of you whoever reads this testimony that you are aware that I live very very close to this landfill. They may have measures in place to try to protect us from the toxic dust and debris but they are NOT working. I have hours of video and photos of toxic dust plumes coming off the landfill into our lungs, on our homes and in our skies. I'm not the only one. We all see it. We all live it and that's why we are begging you. Please stop! You can not control what you have now. How do you expect to care for it once it expands? You won't. Because you do not now. Please for the future of the native Hawaiians and for the others who live here, please stop. Provide us with the protection the government is supposed to give its citizens. PLEASE.

House Committee on Finance
Representative Sylvia Luke, Chair
Representative Ty J.K. Cullen, Vice Chair

Monday, June 29, 2020
2:00 pm, Conference Room 329
State Capitol
415 South Beretania Street

SB2386 SD2 HD1 - RELATING TO WASTE MANAGEMENT

Aloha Chair Luke and Vice-Chair Cullen, and members of the House Committee on Finance:

I am in **SUPPORT** of SB2386 SD2 HD1.

This bill prohibits any waste or disposal facility from being located in a conservation district except in emergency circumstances to mitigate significant risks to public safety and health. It further requires no less than a one-half mile buffer zone for the construction, operation, modification, or expansion of a waste or disposal facility.

From Mā‘ili, my name is Kamuela Werner. I graduated from Nānākuli High School, hold a Bachelors of Science in Natural Resource and Environmental Management as well as a Masters in Public Health from the University of Hawai‘i. I have worked at the Department of Native Hawaiian Health at the John A. Burns School of Medicine as a Native Hawaiian and Pacific Islander health disparities researcher, as a Native Hawaiian Congressional fellow for Senator Mazie Hirono in D.C., and now I am back at the University of Hawai‘i pursuing additional graduate education.

Before moving to Mā‘ili, I grew up in a multi-generational Native Hawaiian household on Mōhihi street in Nānākuli. The Lualualei plain was my backyard where, at the time, you could see straight through to the base of Pu‘u Heleakalā, the sacred and storied place of our ancestor Māui. But no more, now we see “mauna ‘ōpala” as the keiki call it, created by the PVT Land Company. The same company who is proposing to relocate across the street from its current operations on Lualualei Naval Road in Nānākuli for another 30 years—yards away from our community and land recently aquired by Ma‘o Organic Farms. We now tell stories about trash and sickness rather than the accomplishments of our ancestors. Today, I speak on behalf of my ‘ohana that live, work, or goes to school in Nānākuli and Mā‘ili.

We respectfully ask you to **SUPPORT** SB2386 SD2 HD1.

Why? Because there is a public health crisis in Nānākuli and Mā‘ili. According to Center for Disease Control/National Center for Health Statistics in the U.S. Small-Area Life Expectancy Estimates Project based in part on U.S. census data, the census

tracts that include Nānākuli Homestead and the neighborhoods of Auyoung Homestead Road and Mōhihi Street have the 2nd and 3rd lowest life expectancies in the State. Our communities' life expectancy is 8 to 10 years less than the State average of 82 years. Immediately surrounding these communities, the life expectancy jumps between 4 and 6 years from backside Lualualei Valley behind the Wai'anae Coast Comprehensive Center, to Ko'olina, Honokai Hale, and Makakilo. Something is not pono.

From a public health perspective, the operation of a landfill in the current and proposed areas should be avoided for the following reasons: First, for landfills in general, the current and available public health studies associate living in close proximity of 1 to 4 miles away with adverse pregnancy outcomes, increases in infant low birth weights, increases in the risk of birth defects, self-reported headaches, sleepiness, respiratory and central nervous system problems, psychological conditions, and gastrointestinal issues. (See *Health effects of residence near hazardous waste landfill sites: a review of epidemiologic literature*, Environmental Health Perspectives, 2000; *Health effects associated with the disposal of solid waste in landfills and incinerators in populations living in surrounding areas: a systematic review*, The International Journal of Public Health, 2013). As a Construction and Demolition landfill in specific, the current PVT landfill contains tons of gypsum drywall which breaks down to produce hydrogen sulfide (H₂S) gas (See *Hydrogen sulfide generation in simulated construction and demolition debris landfills: impact of waste composition*, The Journal of the Air & Waste Management Association, 2006). Residential exposure to H₂S within 3.1 miles of a landfill is associated with lung cancer deaths as well as with death, disease and hospitalizations from respiratory illnesses (*Morbidity and mortality of people who live close to municipal waste landfills: a multisite cohort study*, International Journal of Epidemiology, 2016). Using the US Census 2017 ACS 5-Year Population Estimates for Nānākuli and Mā'ili, it is estimated that over 18,000 residents live within 3.1 miles of the PVT landfill and are potentially exposed daily to H₂S in specific, and other landfill gasses and debris. In emergency situations, the State and City and County of Honolulu governments can place, and have placed, materials from disaster cleanups into PVT landfill.

Secondly, the Hawai'i Department of Health (HDOH) has never clarified that there is no risk to the public for living in proximity to landfills in general, or the current or proposed PVT landfill in specific, especially within 3.1 miles. Further, HDOH has never reviewed the findings of independent studies which say that there is no risk to public health from landfills in general or from the current or proposed PVT landfills in specific, especially to the thousands of people that live, work, and play within a 3.1-mile radius of landfill operations. In fact, according to the PVT 2019 Draft Environmental Impact Statement, the only HDOH air monitoring station that measures H₂S is located in Puna on Hawai'i Island. HDOH given the current regulations for landfills, has been unable to adequately protect the public health, despite kama'āina testimony presented since the 1980s, voicing concerns over the adverse health impacts of living and working in close proximity to landfills both in general and with regard to the operations and plans of PVT in specific. Lastly, it is not clear if the permit requirements issued by HDOH or the Department of Planning and Permitting of the City and County of Honolulu are being enforced

HDOH and the City and County of Honolulu, given the current regulations for landfills, has been unable to adequately protect the public health, despite the scientific studies that suggest adverse health effects for living within proximity of a landfill up to 4 miles away.

As a Native Hawaiian Congressional fellow who worked in the Office of Sen. Mazie Hirono, I gained a greater understanding of the purpose and value of governmental policies, which are in part, to protect the health and safety of the public. The policies that regulate our landfills today are incomplete, because communities are still at risk, our communities of Nānākuli and Mā'ili communities are at risk.

According to the EPA, environmental justice is the fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income, with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies. I argue, the current regulations and policies that allow PVT to operate and relocate a landfill in the heart of Nānākuli and Mā'ili communities, are racist towards Native Hawaiians and prejudiced towards working families with low to medium incomes. **Today, we can take a step towards environmental justice for all communities.**

While this bill will not directly address the public health crisis currently occurring in Nānākuli and Mā'ili, it does make sure that we protect our communities against such events happening again in the future. Please ensure that waste or disposal facilities, including construction and demolition landfills, are not in anyone's backyard.

Therefore, I urge the committee to **PASS** SB2386 SD2 HD1.

Mahalo.

Ke aloha 'āina,

Kamuela Werner, MPH
Mā'ili Resident

IRON WORKERS STABILIZATION FUND

June 29, 2020

2 pm

Committee on Finance
House of Representatives
Conference Room 329
State Capitol
415 South Beretania Street

Re: SB2386, SD2, HD1 - RELATING TO WASTE MANAGEMENT.

Aloha Chair Sylvia Luke, Vice-Chair Ty Cullen, and members of the House Committees on Water, Land, & Hawaiian Affairs and Energy & Environmental Protection:

We **SUPPORT** SB2386, SD2, HD1. This bill, if enacted, will prohibit any waste or disposal facility from being in a conservation district except in emergency circumstances to mitigate significant risks to public safety and health. It would also require no less than a one-half mile buffer zone for the construction, operation, modification, or expansion of a waste or disposal facility.

We recognize that our island family, and the construction industry in specific, still needs waste or disposal facilities including landfills. We need such facilities to put our construction and demolition debris and recycle them. Without those facilities, we would be unable to reach our affordable and workforce housing goals, repair our infrastructure, and do those necessary developments to address the climate crisis.

We believe it would be good policy to have landfills in isolated areas with appropriate zoning. Such sites on O‘ahu could include places like Kalaeloa and Campbell Industrial Park. Currently the communities in Nānākuli and Mā‘ili are suffering from a public health crisis, with a landfill only a few feet away from homes, farms, and Ulehawa stream. We stand in solidarity with our neighbors and all those that suffer from landfills in their communities.

According to the Center for disease Control/National Center for Health Statistics Neighborhood Life Expectancy Project, our members and their families within 2 miles of the current landfill in Nānākuli and Mā‘ili live **8 to 10 years less than the state average of 82 years**, being the 2nd and 3rd lowest life expectancies in the entire state. This is unacceptable. As a matter of fairness, every community in Hawai‘i deserves a “clean and healthful environment” (HI State Constitution Article XI, Section 9; In re Maui Elec. Co., 2017 Haw.)

The global scientific community affirms what the communities of Wai‘anae have been living through -- especially those that live, work, and play in Nānākuli -- that landfills are a health hazard (*See Vrijheid M., Health effects of residence near hazardous waste landfill sites: a review of epidemiologic literature. Environ Health Perspect, 2000; Njoku PO, Edokpayi JN, Odiyo JO,*

IRON WORKERS STABILIZATION FUND

Health and Environmental Risks of Residents Living Close to a Landfill: A Case Study of Thohoyandou Landfill, Limpopo Province, South Africa. *Int J Environ Res Public Health*, 2019; Waste and Human Health: Evidence and needs, World Health Organization Nov 2015).

We may not have known the negative effects of landfills decades ago, but in 2020, we know better and have no excuse. No community should suffer landfills. Do the right thing, and make sure that all future waste or disposal facilities, including landfills are not in anyone's backyard.

Sincerely,



T. George Paris
Managing Director

TGP: MP

UFCW



United Food & Commercial Workers Union, Local 480
808 Factory Street, Honolulu, Hawaii 96819
Phone: 808 942.7778

Patrick K. Loo
President

Gwen K. Rulona
Secretary Treasurer

June 28, 2020

House Finance Committee
Hawaii State Capitol
Room 329

RE: SB2386 SD2 HD1 - Relating to Waste Management

Dear House Finance Chair Sylvia Luke, Vice-Chair Ty Cullen and members of the committee:

United Food & Commercial Workers Union 480, (UFCW) **SUPPORTS** SB 2386 SD2 HD1. We stand with our members, brothers and sisters and their Ohana's whose quality of life and health are at risk each and every day due to the waste or disposal facilities like landfills.

Our member's and the community should not have to suffer like those in Nanakuli and Ma'ili. Please support SB 2386 SD2 HD1.

Mahalo for your time and work, we appreciate you!

Sincerely,

Gwen K. Rulona
Secretary Treasurer
Director of Education/Legislation/Organizing

“A Union Preparing Today for the Needs of Tomorrow”



IATSE Mixed Local 665
HAWAII'S TECHNICIANS
for
FILM, TELEVISION, STAGE AND PROJECTION
Since 1937

INTERNATIONAL ALLIANCE OF THEATRICAL STAGE EMPLOYEES, MOVING PICTURE TECHNICIANS, ARTISTS AND ALLIED CRAFTS
OF THE UNITED STATES, ITS TERRITORIES AND CANADA, AFL-CIO, CLC

Date: June 28, 2020

To: The Honorable Sylvia Luka, Chair
The Honorable Ty J.K. Cullen, Vice Chair
And Members of the House Committee on Finance

Re: SB 2386, SD 2, HD 1: RELATING TO WASTE MANAGEMENT

Monday, June 29, 2020, at 2:00 PM
Conference Room 329, Hawaii State Capitol

Aloha, Chair Luke, Vice Chair Cullen and Committee Members –

Mahalo for allowing us to testify on this measure. IATSE Local 665 **SUPPORTS** SB2386. This bill will prohibit any waste or disposal facility from being in a conservation district except in emergency circumstances to mitigate significant risks to public safety and health. It would further require no less than a **one-half mile buffer zone** for the construction, operation, modification, or expansion of a waste or disposal facility.

Our union stands in solidarity with our members and their families whose health and quality of life are negatively affected by waste or disposal facilities, including landfills. Hundreds of our members and family members in Nānākuli and Mā'ili are suffering from a public health crisis.


In the 1980's, protestors to the PVT offered numerous oral and written testimony at Neighborhood Board meetings in Honolulu County, State of Hawai'i Department of Health public hearings, and community gatherings, voicing concerns over the adverse health impacts of living and working in close proximity to landfills in general and the PVT Landfill, in particular. Here we are, nearly 40 years later, suffering from the decades-long effect of inhaling dust particles that go airborne when heavy machinery scrapes the decomposing waste or when trucks drive past homes, coating the neighborhood and residents with toxic dust. When it rains, the contaminated water from the PVT Landfill permeates the ground and runs down our streets. These logistical and biological issues have yet to be addressed by the State Department of Health.

According to the Center for disease Control/National Center for Health Statistics Neighborhood Life Expectancy Project, our members and their families within 2 miles of the current PVT Landfill live **10 years less than the state average of 82 years**, being the 2nd and 3rd lowest life expectancies **IN THE ENTIRE STATE**. This is simply unacceptable and could be construed as discriminatory considering 13,000 of the 18,000 residents that live in the area are Native Hawaiian.

Every community in Hawai‘i, as a matter of fairness and decency deserves, a “clean and healthful environment.”ⁱ PVT currently operates only **750 feet from homes**ⁱⁱ. The PVT landfill also operates within two miles of our childrens’ schools (Nānākuli Elementary, High and Intermediate, Nānāikapono Elementary, Ka Wai Hona Public Charter School, and Kamehameha Schools pre-school), places of worship, stores, medical clinics, and kupuna housing where over 18,000 people daily live, work, and play.

The global scientific community affirms what the community of Wai‘anae has been living through - especially those that live, work, and play in Nānākuli - that landfills are a health hazard.ⁱⁱⁱ

Respectfully,



Irish Barber
Business Representative

ⁱ HI State Constitution Article XI, Section 9; In re Maui Elec. Co., 2017 Haw.

ⁱⁱ Draft Environmental Impact Statement: PVT Integrated Solid Waste Management Facility - Expanded Recycling, Landfill, Grading and Renewable Energy Project

ⁱⁱⁱ See Vrijheid M., Health effects of residence near hazardous waste landfill sites: a review of epidemiologic literature. *Environ Health Perspect*, 2000; Njoku PO, Edokpayi JN, Odiyo JO, Health and Environmental Risks of Residents Living Close to a Landfill: A Case Study of Thohoyandou Landfill, Limpopo Province, South Africa. *Int J Environ Res Public Health*, 2019; Waste and Human Health: Evidence and needs, World Health Organization Nov 2015.

June 28th, 2020

House Finance Committee

Chair Luke, Vice-Chair Cullen, and Committee Members,

The IATSE Local 665 SUPPORTS SB 2386, SD2 HD1. The bill for an act will prohibit any waste or disposal facility from being in a conservation district except in emergency circumstances to mitigate significant risks to public safety and health. It would further require no less than a one-half mile buffer zone for the construction, operation, modification, or expansion of a waste or disposal facility.

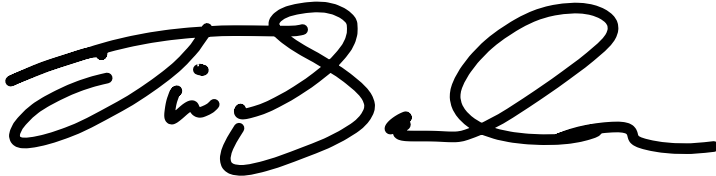
Our union stands in solidarity with our members and their families whose health and quality of life are negatively affected by waste or disposal facilities, including landfills. For example, hundreds of our members and family members in Nānākuli and Māʻili are suffering from a public health crisis.

According to the Center for Disease Control/National Center for Health Statistics Neighborhood Life Expectancy Project, our members and their families within 2 miles of the current PVT Landfill live ***10 years less than the state average of 82 years***, being the 2nd and 3rd lowest life expectancies in the entire state. This is unacceptable. Every community in Hawaiʻi as a matter of fairness and decency deserves a “clean and healthful environment” (HI State Constitution Article XI, Section 9; In re Maui Elec. Co., 2017 Haw.) PVT currently operates only 750 feet from residences (Draft Environmental Impact Statement: PVT Integrated Solid Waste Management Facility - Expanded Recycling, Landfill, Grading and Renewable Energy Project). The PVT landfill also operates within two miles of Nānākuli Elementary, High and Intermediate, Nānāikapono Elementary, Ka Wai Hona Public Charter School, and Kamehameha Schools pre-school, places of worship, stores, medical clinics, and kupuna housing that over 18,000 people daily live, work, and play.

The global scientific community affirms what the community of Waiʻanae has been living through -- especially those that live, work, and play in Nānākuli -- that landfills are a health hazard (See Vrijheid M., Health effects of residence near hazardous waste landfill sites: a review of epidemiologic literature. *Environ Health Perspect*, 2000; Njoku PO, Edokpayi JN, Odiyo JO, Health and Environmental Risks of Residents Living Close to a Landfill: A Case Study of Thohoyandou Landfill, Limpopo Province, South Africa. *Int J Environ Res Public Health*, 2019; Waste and Human Health: Evidence and needs, World Health Organization Nov 2015).

No community should suffer like those in Nānākuli and Mā'ili. So, we ask that you implement a commonsense policy that ensures that no community in the future will suffer the negative effects of waste or disposal facilities, including landfills. Please ensure that future landfills will not be in anyone's backyard.

Fraternally,

A handwritten signature in black ink, appearing to read 'Tuia'ana Scanlan'. The signature is stylized with large loops and a long horizontal stroke at the end.

Tuia'ana Scanlan
IATSE Local 665, President

SB-2386-HD-1

Submitted on: 6/28/2020 1:44:30 PM

Testimony for FIN on 6/29/2020 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Pride at Work - Hawaii	Pride @ Work - Hawaii	Support	Yes

Comments:

Aloha Senators,

Pride at Work – Hawai'i supports the passage of SB 2386.

Pride at Work – Hawai'i encourages you to pass this necessary piece of legislation.

In Solidarity,

Pride at Work – Hawai'i

SB-2386-HD-1

Submitted on: 6/28/2020 1:45:03 PM

Testimony for FIN on 6/29/2020 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Michael Golojuch Jr	LGBT Caucus of the Democratic Party of Hawaii	Support	Yes

Comments:



HAWAII TEAMSTERS & ALLIED WORKERS LOCAL 996

Affiliated with the International Brotherhood of Teamsters

Local996@hawaiiitemsters.com

1817 Hart Street
Honolulu, HI 96819-3205

Telephone: (808) 847-6633
Fax: (808) 842-4575

June 29, 2020

House Finance Committee
Hawaii State Capitol
Room 329

Re: SB2386 SD2 HD1 – Relating to Waste Management

Aloha House Finance Chair Sylvia Luke and Vice-Chair Ty Cullen and members of the committee:

The Hawaii Teamsters **SUPPORTS** SB 2386 SD2 HD1. The bill would prohibit any waste or disposal facility from being located in a conservation district except in emergency circumstances to mitigate significant risks to public safety and health. It further requires no less than a one-half mile buffer zone for the construction, modification, or expansion of a waste or disposal facility.

Local 996 stands with our members and their families whose quality of life and health are put at risk because of waste or disposal facilities like landfills. Our family in Nānākuli and Mā'ili are suffering from a public health crisis and they live next to an operating landfill that is mere feet away from homes and public spaces.

According to the Center for disease Control/National Center for Health Statistics Neighborhood Life Expectancy Project, our members and their families within 2 miles of the current PVT Landfill live **10 years less than the state average of 82 years**, being the 2nd and 3rd lowest life expectancies in the entire state. This is unacceptable. Every community in Hawai'i as a matter of fairness and decency deserves a "clean and healthful environment" (HI State Constitution Article XI, Section 9; In re Maui Elec. Co., 2017 Haw.) PVT currently operates only 750 feet from residences (Draft Environmental Impact Statement: PVT Integrated Solid Waste Management Facility - Expanded Recycling, Landfill, Grading and Renewable Energy Project). The PVT landfill also operates within two miles of Nānākuli Elementary, High and Intermediate, Nānāikapono Elementary, Ka Wai Hona Public Charter School, and Kamehameha Schools pre-school, places of worship, stores, medical clinics, and kupuna housing that over 18,000 people daily live, work, and play.

The global scientific community affirms what the community of Wai'anae has been living through -- especially those that live, work, and play in Nānākuli -- that landfills are a health hazard (*See Vrijheid M., Health effects of residence near hazardous waste landfill sites: a review of epidemiologic literature. Environ Health Perspect, 2000; Njoku PO, Edokpayi JN, Odiyo JO, Health and Environmental Risks*

WAYNE K.S. KAULULAAU
President/Principal Officer

RYAN YOSHIDA
Secretary – Treasurer

FREDERICK LIVA
Vice President

ANTHONY "BULLY" BADAYOS
Recording Secretary

WENDY NAILE
Trustee

JAMES "KIMO" LAROYA JR.
Trustee

WALTER FOX III
Trustee



HAWAII TEAMSTERS & ALLIED WORKERS LOCAL 996

Affiliated with the International Brotherhood of Teamsters

Local996@hawaiiitemsters.com

1817 Hart Street
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Telephone: (808) 847-6633
Fax: (808) 842-4575

of Residents Living Close to a Landfill: A Case Study of Thohoyandou Landfill, Limpopo Province, South Africa. *Int J Environ Res Public Health*, 2019; Waste and Human Health: Evidence and needs, World Health Organization Nov 2015).

We acknowledge the current need for waste or disposal facilities including landfills. We believe that new landfills should be in isolated areas that are appropriately zoned, including places like Kalaeloa and Campbell Industrial Park for O'ahu. We need a place to put our construction and demolition debris so that we can reach our affordable and workforce housing goals, repair our infrastructure, and build a better tomorrow for all Hawai'i.

No community should suffer like those in Nānākuli and Mā'ili. So, we ask that you implement a commonsense policy that ensures that no community in the future will suffer the negative effects of waste or disposal facilities, including landfills. Please ensure that future landfills will not be in anyone's back yard.

Sincerely,

Government Affairs Liaison

Hawaii Teamsters & Allied Workers, Local 996



HAWAII TEAMSTERS & ALLIED WORKERS LOCAL 996

Affiliated with the International Brotherhood of Teamsters

Local996@hawaiiitemsters.com

1817 Hart Street
Honolulu, HI 96819-3205

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Fax: (808) 842-4575



SIERRA CLUB OF HAWAI'I

HOUSE COMMITTEE ON FINANCE

June 29, 2020

2:00 PM

Room 329

In **SUPPORT** of **SB2386 SD2 HD1** Relating to Waste Management

Aloha Chair Luke, Vice Chair Cullen, and members of the committee,

On behalf of our 20,000 members and supporters, the Sierra Club of Hawai'i is in **support of SB2386 SD2 HD1** which seeks to: 1) prohibit any waste or disposal facility from being located in a conservation district except in emergency circumstances and 2) establish a ½ mile buffer zone around new or expanded landfills to mitigate significant risks to public safety and health.

The Sierra Club of Hawai'i is committed to supporting efforts to protect Hawaii's natural resources, which includes state conservation districts, as well as ensure that communities island-wide are not at a safety or health risk from toxic waste which comes from landfills.

The purpose of conservation districts is to conserve, protect, and preserve the important natural and cultural resources within the State. Conservation districts not only contain important natural resources essential for maintaining Hawai'i's ecosystems, but are culturally and historically significant to the Native Hawaiian community. Hawai'i should be holding the standard extremely high for places that hold such importance to the people and the environment. It is critical that we do not allow waste and disposal facilities on or near conservation districts.

The second part of this bill helps to address the expansion of the PVT landfill, which is O'ahu's only construction and demolition landfill, processing up to 3,000 tons of waste each day including toxic coal ash from the AES coal plant. The current proposal to expand the PVT landfill by another 135 acres would leave only a 750-foot buffer zone between the nearest homes and the landfill. This is not an acceptable safety measure. Residents in the area are reporting health issues related to exposure to landfill pollution, dust, debris, asbestos, and other harmful chemicals, while recent U.S. Census Data shows the life expectancies in Nānākuli are ten years less than the Hawai'i average. We support the establishment of a ½ mile buffer zone from landfill sites to address the siting of hazardous waste facilities near to areas where residents live, work, and play.

We urge the committee to pass this measure as it is crucial for protecting state natural and cultural resources which are incredibly valuable to the people and State of Hawai'i. Thank you very much for this opportunity to provide testimony in **support of SB2386**.

SB-2386-HD-1

Submitted on: 6/28/2020 2:56:14 PM

Testimony for FIN on 6/29/2020 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Kevin Chang	Individual	Support	No

Comments:

Aloha House Members of the House Committee on Finance,

I SUPPORT SB2386, SD2, HD1. This bill prohibits any waste or disposal facility from being located in a conservation district except in emergency circumstances to mitigate significant risks to public safety and health. It further requires no less than a one-half mile buffer zone for the construction, modification, or expansion of a waste or disposal facility.

No community should suffer the negative health impacts and decrease in quality of life from a waste or disposal facility, including a landfill. This bill for an act would ensure a minimum safe distance of one-half mile from such facilities and the public. Let's make sure that such sites, including landfills, are not in anyone's backyard.

Aloha

Kevin Chang

SB-2386-HD-1

Submitted on: 6/28/2020 3:01:54 PM

Testimony for FIN on 6/29/2020 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Jalem Correia	Individual	Support	No

Comments:

1065 Ahua Street
Honolulu, HI 96819
Phone: 808-833-1681 FAX: 839-4167
Email: info@gcahawaii.org
Website: www.gcahawaii.org



GCA of Hawaii

GENERAL CONTRACTORS ASSOCIATION OF HAWAII

Quality People. Quality Projects.

LATE

Uploaded via Capitol Website

June 29, 2020

TO: HONORABLE REPRESENTATIVE SYLVIA LUKE, CHAIR , HOUSE COMMITTEE ON FINANCE

SUBJECT: TESTIMONY IN OPPOSITION TO SB2386: RELATING TO WASTE MANAGEMENT.

Hearing

DATE: Monday June 29, 2020

TIME: 2:00 p.m.

PLACE: Conference Room 329
Hawaii State Capitol

Dear Chair Luke and Members of the Committee:

The General Contractors Association of Hawaii (GCA) is an organization comprised of over five hundred general contractors, subcontractors, and construction related firms. The GCA was established in 1932 and is the largest construction association in the State of Hawaii. The mission is to represent its members in all matters related to the construction industry, while improving the quality of construction and protecting the public interest. To that end, we oppose SB2386.

SB 2386 provides that “no person, including any federal agency, the state, or any county, shall construct, operate, modify, or expand a municipal solid waste landfill unit, or any component of a municipal solid waste landfill unit, without first establishing a buffer zone of no less than one-half mile around the municipal solid waste landfill unit.”

If SB 2386 were adopted, the Waimanalo Gulch Sanitary Landfill, the primary City and County landfill for Municipal Solid Waste, would have to close immediately, with no viable alternatives available. It would also cause a significant raise in fees and the potential closure of the PVT Integrated Solid Waste Management Facility (PVT).

SB2386 would have a negative impact on contractors, construction workers, developers, planners, architects and others with a stake in the well-being of the construction industry on Oahu as PVT provides an essential service to the entire industry.

In a recent poll of GCA members:

- 1) 68% of respondents indicated that that any raise in fees for PVT would have a major to severe impact on their company’s current projects;
- 2) 70% of respondents indicated that the potential closure of PVT would have a major to serve impact on their business in the next three to five years; and
- 3) 77% of respondents indicated that any raise in fees for PVT would lead to major to severe increases in costs for public works contracts.

GCA opposes SB2386 and believe that its passage would be very detrimental to the construction industry at large. Thank you for the opportunity to share our opposition.

LATE

SB-2386-HD-1

Submitted on: 6/28/2020 4:24:44 PM

Testimony for FIN on 6/29/2020 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Denver Saxton Coon	Individual	Support	No

Comments:

I SUPPORT SB2386 SD2 HD1 proposed. This bill, if enacted, will prohibit any waste or disposal facility from being in a conservation district except in emergency circumstances to mitigate significant risks to public safety and health. It would also require no less than a one-half mile buffer zone for the construction, operation, modification, or expansion of a waste or disposal facility.

**Testimony of Georgette Silva
Vice President, West Oahu Aggregate Co. Inc.
West Oahu Aggregate Co, Inc
855 Umi St
Honolulu, Hawaii 96819**

Chair Sylvia Luke
Vice Chair Ty Cullen
Members of the House Committee on Finance

Re: SB 2386, SD2, HD1 Relating to Waste Management

Aloha Chair Luke, Vice Chair Cullen and Members of your Committee,

My name is Georgette Silva. I am the Vice President at West Oahu Aggregate Co. Inc. For more than a quarter of a century, we have been providing several types of services to the construction industry and other customers, including producing and delivering recycled concrete for all types of residential and commercial construction projects, transportation of cargo containers, as well as fuel supply services. One of the biggest parts of our business is picking up and delivering bins for construction debris and soil coming from construction and demolition operations.

We oppose this bill because it would hurt our business and hurt the community in which many of us live and work. One of our most important business partners is PVT Land Company. We are one of the largest haulers of construction and demolition debris on the island, and we take all of the construction debris from our customers to PVT Land Co. We have been informed they will have to nearly double their price per ton because of restrictions this bill would place on their operations.

If PVT is not available as a resource, we would have an extremely difficult time operating. The cost of taking debris to the City landfill is problematic because they will not take all the debris we need to deliver. The City's Waimanalo Gulch facility has a limited capacity and will fill up sooner than later. The H-power third boiler went down for repair this past week. Our trucks had to standby two to three hours on Thursday and Friday. I counted 23 rubbish trucks standing by to dump trash. Who will pay for our costs to standby? We need PVT Land Co to stay open as long as possible. It would increase our costs and our customer costs nearly 100 percent.

PVT is our neighbor, so we are very familiar with their operations and their work in the community. They are a highly ethical and environmentally conscious company and a leader in recycling and LEED certification.

We have seen first-hand the many good deeds they perform for the schools and youth athletic programs in the community. If they were forced to stop operating, it would have a significant negative impact, not only on our company, but also the West Oahu Community at large.

Because of the unintended consequences, I ask you to please table this bill.

Thank you for the opportunity to testify on this misguided piece of legislation.

Dana Directo, General Manager
Concrete Coring Company of Hawaii
99-1026 Iwaena St.
Aiea, HI 96701

Chair Sylvia Luke
Vice Chair Ty Cullen
Members of the House Committee on Finance

Re: SB 2386, SD2, HD1 Relating to Waste Management

Aloha Chair Luke, Vice Chair Cullen and Members of your Committee,

I am Dana Directo, the General Manager of Penhall Co. dba Concrete Coring Company of Hawaii. We do demolition and hauling work for construction projects on the Oahu. I am writing in strong opposition to SB 2386, SD2, HD1, which would have a devastating impact on my business and on the businesses of others working in construction, demolition and hauling.

In the short term, this legislation would double the cost of a significant part of my operations. We are already having a hard time because of the economic fallout from the pandemic. We take all of our construction debris to PVT landfill because it is the only approved landfill designated for construction and demolition debris.

It will cripple my company if the legislature passes this bill and forces PVT to restrict the amount and type of material they can take. Additionally, there will be no viable dump facility to remove and dispose asbestos material to. We have several contracts at the moment that will be severely affected by this change. More importantly, it will cause PVT to increase their prices to cover the unanticipated costs of losing the site for their future operations and begin the process of closing down their operations.

Please hold this bill and keep our construction industry strong so we can help the local economy recover from the effects of the pandemic we are experiencing.

Thank you for giving me the opportunity to speak out against this dangerous piece of legislation.

Tajiri
DEMOLITION
DISPOSAL
P.O. Box 19039

HONOLULU, HAWAII 96817
Ph. (808) 841-0217 Fax (808) 841-0219

Testimony of Brian Tajiri

Aloha Chair Luke, Vice-Chair Cullen, and members of the House Committee on Finance.

My name is Brian Tajiri, owner and operator of Tajiri Demolition and Disposal. We have been in business for over 35 years on Oahu and provide demolition and land clearing services for residential, commercial, and industrial customers.

I am writing **IN OPPOSITION** to SB 2386, SD2 HD1, Relating to Waste Management.

The measure, if passed, would significantly impact the entirety of Hawaii's construction industry and in particular will increase the cost of doing business for our company and other construction-related companies.

SB2386 would, in effect, force the closure of the PVT landfill in the coming years. With the passage of this measure on the horizon, PVT has since informed its customers that rates will have to increase to prepare for the loss of future revenue and to prepare for the potential shutdown of their operations. Because there are no other permitted or reasonably priced alternative disposal sites, this closure and increased cost will significantly impact us and many others.

The increased cost of doing business—likely double to tenfold—will ultimately be passed directly onto consumers such as home builders, businesses, and commercial entities and will impact projects large and small from residential remodeling to the biggest infrastructure projects.

Another potential consequence of this measure would be the rise in illegal and unpermitted activities. Our industry must abide by strict state and city restrictions and regulations especially for demolition and the transfer and disposal of solid waste. With increased consumer costs and industry operating expenses, there is the likelihood of individuals choosing to circumvent the health and safety standards to perform unpermitted work or illegally dump construction waste.

For the reasons above, I am in opposition to SB2386 SD2 HD1. Thank you for your time and the opportunity to submit testimony.

Testimony of Richard H.S. Lee
RHS Lee Inc.
96-1414 Waiihona Place
Pearl City, HI 96782

Chair Sylvia Luke
Vice Chair Ty J.K. Cullen
Members of the House Committee on Finance

SB 2386, SD 2 HD1, Relating to Solid Waste
Management

Chair Luke, Vice Chair Cullen and Members
of the Committee,

My name is Richard H.S. Lee, and I am the
president of RHS Lee Inc. We are a trucking
and hauling company located in Pearl City.
We have been in business for more than 50
years. **I am strongly opposed to this bill.**

If this bill passes, it will substantially
increase the cost of doing business for us
and hundreds of other companies that depend
on PVT for disposal of our debris from the
demolition work we do. PVT has informed us
they will have to raise their rates to
cover the cost of closing down their
business.

Right now, PVT's rates are very reasonable.
They charge about half what the City
charges per ton to take the same debris.
This cost increase is going to make it
difficult for us to operate and keep all of
our workers on payroll.

PVT will also be restricting the kind of
material they take to maximize the use of
their remaining space. We have been able to
take everything from our projects to PVT
until now. Again, there is no other place
to take it except Waimanalo Gulch, which is

very expensive.

I am asking the committee to hold this bill, which will be very bad for our company and many other companies like us.

Thank you for the chance to tell you about my concerns with this piece of legislation.

**Testimony
Hawaii Association of
Environmental Contractors**

**Finance Committee Chair Sylvia Luke
Vice Chair Ty J.K. Cullen
Members of the House Committee on Finance**

SB 2386, SD 2 HD1, Relating to Solid Waste Management

Chair Luke, Vice Chair Cullen and Members of the Committee,

We are the Hawaii Association of Environmental Contractors and combined, we employ over 250 highly skilled employees providing a range of specialty contracting services, including hazardous material abatement and remediation, and demolition. We are strongly opposed to this bill for the following reasons:

- 1) It would effectively eliminate the only commercially available asbestos disposal option on Oahu
- 2) It would dramatically increase the costs of asbestos removal and demolition projects, many which are federal, state and county projects
- 3) It would likely result in an increase in illegal dumping, especially of asbestos, which would have disastrous effects on the health and wellbeing of our island community

Our main line of business entails the removal of asbestos. The cost of disposing of the asbestos containing materials will be significant, and without PVT, it will be exponentially greater. The alternative to PVT is to ship the asbestos containing debris to the mainland, which will cost approximately 10 times more or greater than taking it to PVT.

Due to high cost of disposing the asbestos on the mainland, there is a high probability of unscrupulous contractors who will find an illegal dumping ground to dispose of the asbestos. This illegal dumping will not only cost the landowner thousands of dollars to clean up but will jeopardize the health and wellbeing of the community.

PVT does an excellent job maximizing safety in handling all debris, including asbestos. First, the asbestos contractor makes an appointment two days ahead of delivery. The asbestos is double bagged and sealed before arrival, following a best practices protocol. PVT inspects the bags to make sure that none are broken or damaged. The bags are then covered immediately with dirt, so nothing is exposed. This type of professionalism is evident throughout all of PVT's operations.

The cost increases that would occur without PVT could result in some customers delaying or cancelling projects. This would not only have a disastrous effect on the health and safety of our state's infrastructure, it could also jeopardize the entire asbestos abatement industry. Considering that construction and demolition are currently keeping our economy from being even worse during this pandemic and environmental contractors being key

players in this industry, we would hope the state would avoid taking any steps, like forcing PVT to close, which would put us along with the the construction industry as a whole at risk

For the reasons discussed above, we ask that the Committee on Finance hold this bill.

Mahalo for the opportunity to testify on behalf of the Hawaii Association of Environmental Contractors

Attachment: PVT Land Company Memo of June 8, 2020



87-2020 Farrington Highway ▪ Waiānae, Hawaii 96792 ▪ Tel: 808 668-4561 ▪ FAX: 808 668-1368 ▪ Website: www.pvtland.com

June 8, 2020

Re: Changes to the 2020 – 2021 Construction & Demolition Debris Fee Schedule

Dear Valued Customer,

In our letter of May 1, 2020, we wrote to you about the pandemic and the economic uncertainty everyone in the construction industry is facing. To provide some reassurance and stability, we stated our desire to continue our current rates for construction and demolition debris disposal through June 2021.

Unfortunately, because of a bill pending before the state Legislature, PVT can no longer make that commitment. The Legislature is poised to pass Senate Bill No. 2386 (SB 2386), Related to Waste Management, which will require the closure of PVT in the next five years. If this bill passes, effective July 1, 2020, PVT's rates will be increased as follows:

Type of Disposal	Current Rate	Rate Upon Passage of SB 2386 (effective July 1, 2020)
Landfill (All trucks; semis, tandems and bins)	\$57 per ton (minimum charge \$285)	\$90 per ton (minimum charge \$285)
Landfill (All flatbeds/trailers)	\$57 per ton (minimum charge \$228)	\$90 per ton (minimum charge \$270)
Landfill (Pickup trucks/ vans less than 2 tons)	\$79 per load	We will no longer accept homeowner loads; contractor loads will be \$150 per load.
Landfill with LEED tracking (All trucks; semis, tandems and bins)	\$62 per ton (minimum charge \$310)	\$95 per ton (minimum charge \$285)
Landfill with LEED tracking (All flatbeds/trailers)	\$62 per ton (minimum charge \$248)	\$95 per ton (minimum charge \$ 285)
Asbestos	\$98 per ton plus \$98 per load handling fee (minimum charge \$196)	We will no longer accept asbestos.

Page 2

Changes to the 2020 - 2021 Construction & Demolition Debris Fee Schedule

Special Waste Disposal	\$98 per ton plus \$98 per load handling (\$196 min)	No change
Concrete	\$57 per ton	\$90 per ton
Other items and additional handling and service fees	See PVT website	See PVT website for fee increases

Why is PVT forced to take this action? PVT has always supported the construction industry. PVT has been open throughout the pandemic. The strong construction industry has resulted in an increase in construction and demolition debris coming to PVT over the past several months. PVT has handled the increased demand for its services, but it cannot do so forever. To continue to provide this essential service, PVT has been planning for its relocation to an adjacent site as soon as permitting now being considered by the City and County of Honolulu allows.

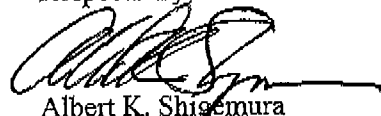
The passage of SB 2386 would prevent PVT's relocation. If PVT is not able to relocate, it must operate its business to maximize the use of the space remaining at the landfill and to ensure proper closure. PVT estimates that it has five years of useful life at the landfill. In addition to the increased fees, PVT will limit its hours of operation and require appointments for disposal (in addition to the usual clearance requirements). PVT will also limit the waste it accepts. In its final years of operation, PVT will no longer accept waste that does not readily compact. PVT will not accept major project demolition debris or disaster debris.

SB 2386 is not necessary. This bill would require a buffer zone of no less than one-half mile around a waste or disposal facility. No landfill in the State of Hawaii meets the requirements proposed in SB 2386. In fact, we believe that PVT has the largest buffer zone in the state at 750 feet. Every other landfill in the state is grandfathered; only PVT's planned relocation is prohibited.

We appreciate your support. Many of you have supported us with testimony and other communications to the Legislature in opposition to SB 2386. We appreciate your support and will need it again in the coming days. With your help, we are hopeful that SB 2386 will not pass, and we will be able to continue our current rates for construction and demolition debris disposal.

Thank you for your support in these difficult times.

Respectfully,



Albert K. Shigemura
President

**Testimony of Don "Rock" Arakaki
Past President/Vice President,
Waianae Coast Rotary, Hawaii Rotary District 5000
P.O Box 651 Waianae HI 96792
Waianae, Hawaii 96792**

SB 2386, SD 2, HD1 Relating to Waste Management

Chair Sylvia Luke
Vice Chair Ty Cullen
Members of the House Committee on Finance

Re: SB 2386, SD2, HD1 Relating to Waste Management

Aloha Chair Luke, Vice Chair Cullen and Members of your Committee,

My name is Don "Rock" Arakaki and I am the Past President of the Waianae Coast Rotary Club (WCRC), Oahu, District 5000, presently serving as the Vice President. I am also the Vice President/Treasurer of the Waianae Military Civilian Advisory Council (WMCAC).

I am writing in opposition to this SB 2386 SD2. PVT Land Company is an important and integral part of our community and contributes a lot to the residents of Waianae and the entire West Coast. This bill would effectively close PVT, which would be very detrimental to our community and surrounding areas.

Like all Rotary Clubs, we are a service organization and PVT's vision aligns very closely with our core values of providing services that improve our community. In our case, they have provided key financial support for the Waianae Coast Annual Christmas Parade, which we sponsored for the past 25 years. The funds they provide to our Rotary Club also help us defray cost to purchase dictionaries, which our club annually distributes to approximately 1,000 third-grade students at 11 Waianae Elementary Schools. We also use funds provided by PVT to supplement our Scholarship Program.

I know that PVT also awards scholarships to a large number of students graduating from Waianae and Nanakuli High Schools. And they undertake many other service-oriented projects that improve the quality of life here in West Oahu.

Last year, our club went on a field trip to PVT and were very impressed with the way they operate the facility, taking care of āina by planting native plants and also by recycling most of the material that comes into their facility. I was personally impressed by how clean and sanitary their operations are. It is completely different from what most people would imagine a landfill would be.

Regarding Disaster Preparedness, Readiness and Recovery. WMCAC and WCRC were instrumental in developing that Waianae Coast Disaster Readiness Program (WCDRP) in collaboration with C&C of Honolulu Department of Emergency Management (DEM), State of Hawaii Emergency Management Agency (HIEMA), and Federal agencies (NOAA, NWS, NDPTC) and implemented the Hawaii Hazards Awareness Resilience Program (HHARP). In 2018, WCDRP was certified as Storm Ready and Tsunami Ready. During a catastrophic natural and/or manmade disaster, it will take at the minimum of 14 days to recover and reinstitute the

infrastructure on Oahu. I understand that PVT will play an important part in the recovery stage where tons of debris and rubble will be transported to the PVT.

I hope you will not pass this bill and force PVT to close. It would be very bad for our organization and limit our ability to conduct service projects. It would have a very negative impact on West Oahu as well.

Thank you for giving me the opportunity to testify against this bill.

**Testimony of McCabe Cox
Clean Energy Solutions
450 South Simmons Way
Suite 670
Kaysville UT 84037**

**Finance Committee Chair Sylvia Luke
Vice Chair Ty J.K. Cullen
Members of the House Committee on Finance**

SB 2386, SD 2 HD1, Relating to Solid Waste Management

Aloha Chair Luke, Vice Chair Cullen and Members of the Committee,

I am McCabe Cox, Chief Operating Officer for CES, an acronym for Clean Energy Solutions. We are an independent power producer (IPP) and build, own, and operate power plants and energy production facilities throughout the Pacific. We sell our renewable energy products at wholesale prices to regulated utilities or large commercial customers. CES is currently developing over \$800 Million (USD) worth of power generation projects.

CES strongly opposes SB 2386 SD2 HD1.

This bill would be disastrous for our Hawaii project, which will produce renewable energy to replace the fossil fuel energy now sold in in the state. We are partnering with PVT Land Company, which will supply the wood chips that will provide the feedstock for our renewable energy facility.

Without the quantity and kind of feedstock only PVT can provide, our project would no longer be financially feasible and would have to be discontinued. In short, it would be disastrous for our project if PVT were forced to close. Hawaii would lose not only the investment we are making in the state and the jobs that would be created, but the state would also lose a source of renewable energy that will help it reach its ambitious goal of becoming 100 percent renewable by 2045.

We respectfully ask that the Committee on Finance hold this bill, so we may continue to develop renewable energy for the people and businesses of Hawaii.

Thank you for the opportunity to testify on this important issue.

Testimony of Greg Perry
President, Enviro Services and Training Center
SB 2386, SD2, HD1 Relating to Waste Management

Chair Sylvia Luke
Vice Chair Ty Cullen
Members of the House Committee on Finance

Re: SB 2386, SD2, HD1, Relating to Waste Management

Aloha Chair Luke, Vice Chair Cullen and Members of your Committee,

My name is Greg Perry and I am a Managing Member of Environmental and Training Services. I am in opposition to this bill. Speaking on behalf of my company and others in the business, we need to have access to the landfill. Construction workers, developers, planners, architects, contractors, government agencies and environmental service companies all depend on the service PVT provides to our island and our people.

PVT landfill is the only officially sanctioned facility to which we can legally take construction and demolition debris. If it were to close, every construction contractor along with federal, state and county governments would suffer. This situation would have a severe impact on all the current construction projects taking place on Oahu and would likely delay or cancel several planned ones.

Through the services my company provides to our clients, I have worked closely with PVT and its officers. Over the years, I have seen their commitment to not only providing the best services to their customers, but also always considering what is best for the community and can be safely disposed of at the landfill. They make sure that everything coming into the facility has been tested and does not contain dangerous contaminants. They recycle nearly everything brought to them. They help projects become LEED certified.

Thank you for the opportunity to express my sentiments on this bill. I hope that you see how determinantal this bill would be to industry workers, to the economy and to the residents of our state.

Please hold this bill.

**Testimony of George Pritchard
CHFour LLC
1234 S. King Street, Suite 203
Honolulu, HI 96814**

Aloha Chair Luke, Vice Chair Cullen and Members of the Committee.

I am writing in **opposition to SB 2386, SD2, HD1 Relating to Waste Management.**

My name is George Pritchard, Managing Partner of CHFour LLC., dba BANAGAS PACIFIC, founded in 2017, is the developer, owner and operator of Biogas production facilities, that converts biomass (organic material), including recycled wood, agricultural and industrial wastes, into 2nd Generation Biofuels producing Renewable Natural Gas (RNG) and organic soil amendments.

We strongly oppose this bill as it would undermine our efforts to produce sustainable, reliable, and locally produced renewable fuel and energy.


The measure, in effect, would force the closure of the PVT Land Company's landfill operations. PVT is the only publicly available facility that is permitted to accept construction and demolition debris on Oahu and is also the State's largest recycler. Up to eighty percent of construction and demolition debris that enters the PVT facility is separated, crushed, or shredded for reuse or recycling. Of greatest importance of recyclables are waste wood and other combustible materials which are processed into feedstock that can be used in a gasifier or an anaerobic digester to produce clean renewable fuels.

Our company utilizes the PVT recyclable feedstocks to supply our locally produced renewable fuel and energy, and the uncertainty and disruption to the feedstock supply will undoubtable impact ours and other renewable energy projects utilizing the PVT organic feedstock.

Producing renewable energy from PVT feedstock will further the State's efforts to reduce Hawaii's dependence on fossil fuels and contribute to meeting the State's recycling goals. If our decision makers and policy leaders remain committed to Hawaii's Clean Energy Initiative by 2045, then please consider deferring this measure—as it will put us back in our path to actualizing that goal.

Thank you for the opportunity to submit testimony.

Sincerely



George Pritchard – Managing Partner

**Testimony of Patty Teruya
Director, Waianae Coast Community Foundation.
SB 2386, SD 2, HD1, Relating to Waste Management**

Chair Sylvia Luke
Vice Chair Ty Cullen
Members of the House Committee on Finance

Re: SB 2386, SD2, HD1, Relating to Waste Management

Aloha Chair Luke, Vice Chair Cullen and Members of your Committee,

My name is Patty Teruya. I am the director of the Waianae Coast Community Foundation (WCCF). I write in strong opposition to this bill. If this bill passes, it will have a severe negative effect on our foundation.

Over the years, PVT Land Company has supported and continues to support numerous WCCF activities, both financially and through in-kind contributions by PVT staff. The contributions have made a significant positive difference to the foundation. More importantly, PVT's support has made important quality of life improvements to West Oahu and the Waianae community.

Many people have benefitted from PVT's generosity and if they had to close, it would have a serious impact on us and on the community at large. There are a lot of people who do not even realize that the improvements to our community are a result of PVT's contributions.

Besides their work as community supporters, PVT also provides much needed jobs to our area. They employ around 80 people, and most of these people come from West Oahu. These are good jobs and provide medical and dental care, a retirement plan, and health and wellness programs. If PVT were to close, it would not only take away all the income from these employees and their families but also their hope for a better life for.

Mahalo nui loa for giving me a chance to offer my opinion on this bill. I hope you will not pass it and inflict harm on our foundation and our community.

Hawaii BioEconomy Trade Organization

HOUSE OF REPRESENTATIVES / HAWAII STATE SENATE
THE THIRTIETH LEGISLATURE REGULAR SESSION OF 2020

COMMITTEES ON FIN
Chair Luke, Vice Chair Cullen

DATE: June 29th, 2020 TIME: 2:00pm
PLACE: Conference Room 329
State Capitol 415 South Beretania Street

LATE

TESTIMONY ON SENATE BILL NO. 2386 SD2, HD1

RELATING TO WASTE MANAGEMENT Position: Oppose

To the Honorable Rep Ryan Yamane, Chair; the Honorable Rep Chris Todd Vice Chair; To the Honorable Rep Nicole Lowen, Chair; the Honorable Rep Wildberger Vice Chair; and Members of the Committee:

Thank you for the opportunity to submit testimony concerning SB 2386, SD 2, Relating to Waste Management. My name is Carl Campagna, and I am the Executive Director of the Hawaii Bioeconomy Trade Organization (HBeTO).

This organization is a 501 (c) (6) non-profit trade organization dedicated to the advancement of integrated biologically-based systems which produce products and services to reuse waste and make renewable fuel, local food, and value-added products in Hawaii.

HBeTO strongly supports collaborations which reduce lifecycle greenhouse gases relative to imported petroleum energy and support the state's economic development. We seek to apply science and data-based best practices to re-use waste as well as restore agricultural land, watersheds, and indigenous ecosystems.

HBeTO opposes SB 2386, SD 2 as passage of this Bill would undermine our efforts to produce sustainable, reliable, and locally produced renewable fuel and energy.

HBeTO understands that SB 2386, SD 2 would require certain landfills to have a buffer zone of no less than one-half mile around them. The requirements of this bill are not workable for any future landfill as evidenced by that fact that no landfill in the State of Hawaii meets this requirement. We are particularly concerned that this measure would stop PVT Land Company from relocating its Integrated Solid Waste Management Facility from its current location to a site across the street on Lualualei Naval Road. You may know that PVT is the only publicly available facility that is permitted to accept construction and demolition debris on Oahu, but PVT is also the State's largest recycler. Up to eighty percent of construction and demolition debris that enters the PVT facility is separated, crushed, or shredded for reuse or recycling. Of greatest importance to HBeTO, wood and other combustible materials are processed into feedstock that can be used in a gasifier or an anaerobic digester to produce clean renewable fuels.

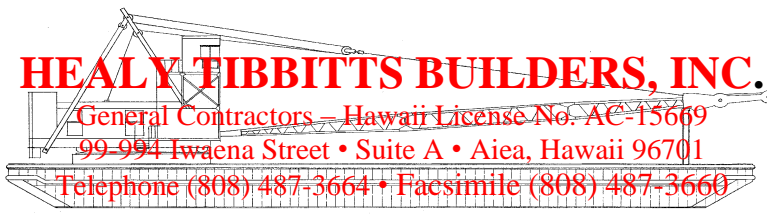
HBeTO strongly supports the re-use of construction debris to produce sustainable, reliable, and locally produced renewable fuel and energy. Producing renewable energy from PVT feedstock will further the State's efforts to reduce Hawaii's dependence on fossil fuels and contribute to meeting the State's recycling goals.

Hawaii BioEconomy Trade Organization

We respectfully ask that you hold this Bill. Rather than impose a strict statewide buffer requirement that cannot be met, we urge you to allow the state and local agencies that issue permits to landfills to consider the site specific and project-specific facts when setting a buffer requirement.

Thank you again for the opportunity to submit comments and for your time and consideration.

Carl Campagna
Executive Director
Hawaii Bioeconomy Trade Organization
808-383-7699
carl@hawaiibioeconomy.org



LATE

June 28, 2020

TO: HONORABLE REPRESENTATIVE SYLVIA LUKE, CHAIR , HOUSE COMMITTEE
ON FINANCE

SUBJECT: TESTIMONY IN OPPOSITION TO SB2386: RELATING TO WASTE
MANAGEMENT.

Hearing

DATE: Monday June 29, 2020

TIME: 2:00 p.m.

PLACE: Conference Room 329
Hawaii State Capitol

Dear Chair Luke and Members of the Committee:

Healy Tibbitts Builders, Inc. (HTBI) is a general contractor in the State of Hawaii and long-standing member of the General Contractors Association of Hawaii (GCA). HTBI has been actively engaged in marine and heavy civil construction work in Hawaii since the early 1963. In addition to being a general contractor, HTBI also performs work as a subcontractor for foundation work.

HTBI strongly opposes the passage of SB 2386. SB 2386 provides that “no person, including any federal agency, the state, or any county, shall construct, operate, modify, or expand a municipal solid waste landfill unit, or any component of a municipal solid waste landfill unit, without first establishing a buffer zone of no less than one-half mile around the municipal solid waste landfill unit.”

If SB 2386 were adopted, the Waimanalo Gulch Sanitary Landfill, the primary City and County landfill for Municipal Solid Waste, would have to close immediately, with no viable alternatives available. It would also cause a significant raise in fees and the potential closure of the PVT Integrated Solid Waste Management Facility (PVT).

SB 2386 would have a negative impact on all contractors, construction workers, developers, planners, architects and Government agencies including the State of Hawaii Department of Transportation and others with a stake in the well-being of the construction industry on Oahu as PVT provides an essential service to the entire industry.

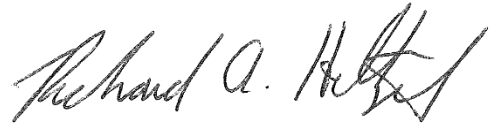
In a recent poll of GCA members:

- 1) 68% of respondents indicated that that any raise in fees for PVT would have a major to severe impact on their company’s current projects;
- 2) 70% of respondents indicated that the potential closure of PVT would have a major to serve impact on their business in the next three to five years; and
- 3) 77% of respondents indicated that any raise in fees for PVT would lead to major to severe increases in costs for public works contracts.

Healy Tibbitts Builders, Inc.

HTBI opposes SB 2386 and believes that its passage would be very detrimental to Hawaii economy and the construction industry at large. Thank you for the opportunity to share our opposition.

Very truly yours,
Healy Tibbitts Builders, Inc.

A handwritten signature in black ink, appearing to read "Richard A. Heltzel". The signature is written in a cursive style with a large, stylized initial "R".

Richard A. Heltzel
President

LATE

SB-2386-HD-1

Submitted on: 6/29/2020 6:17:36 AM

Testimony for FIN on 6/29/2020 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Mahealani Cypher	Koolau Foundation	Comments	No

Comments:

1) We strongly support the protection of conservation areas from industrial types of activities, in the interest of preserving such lands for watershed, natural and cultural resource preservation.

2) We oppose the dispersal of solid waste from one moku (island district) to another.

3) We support the establishment of solid waste recycling centers, using best practices technology, in each island moku.

4) Shipping of our `opala from Hawaii to other areas - or sending a community's solid waste from one district to another - is not environmentally sound.

5) Hawaii should explore public/private partnerships to set up pilot projects for solid waste recycling centers on O`ahu and neighbor islands as soon as possible.

Mahalo for this opportunity to offer our mana`o.

Mahealani Cypher

Ko`olau Foundation

LATE

SB-2386-HD-1

Submitted on: 6/29/2020 7:35:19 AM

Testimony for FIN on 6/29/2020 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Cyrus B. Cariaga	Individual	Support	No

Comments:

Howzit,

Too many decades we have been accepting toxic waste at the Nanakuli Dump; PVT Landfill. It is now a mountain of trash about ten stories high and the want to go higher. Also want they more land to continue. Enough. The traffic coming home from work is ridiculous. Rubbish trucks in front and behind and on the side of me everyday. They all turn off the highway to dump at PVT Landfill. We've seen no whales off the shore near this toxic DUMP also. Enough is enough. They can and will move.

Aloha,

Cyrus B Cariaga



RALPH S. INOUYE CO LTD
GENERAL CONTRACTOR

500 Alakawa St., #220E
Honolulu, Hawaii 96817

T: 808.839.9002
F: 808.833.5971

License No. ABC-457
Founded in 1962

LATE

June 29, 2020
SB 2386 SD2, HD1, Relating to Waste Management
Testimony of Ralph S Inouye Co, Ltd in Strong Opposition

Finance Committee Chair Sylvia Luke
Vice Chair Ty J.K. Cullen
Members of the House Committee on Finance

Aloha Chair Luke, Vice Chair Cullen and Members of the Committee on Finance,

My name is Lance Inouye. I am President and CEO of Ralph S Inouye Co, Ltd, a Hawaii corporation, founded in 1962 (RSI). For decades RSI has played an integral role in the growth and development of Hawaii, having worked on a diverse range of building, renovation, and engineering projects for Federal, State and City agencies, as well as many private entities. Over the years, we have tried our best to practice construction ethically and responsibly, ever mindful of our responsibility to maintain a safe environment using sustainable business practices.

We **strongly oppose SB 2386 SD2, HD1**, which would be devastating to the construction and civil engineering industries in our state, not to mention the adverse effects this bill would have on health and safety of the people of Hawaii and to Oahu's environment. In addition, it would impose a tremendous burden on the taxpayers. If SB 2386 were adopted, PVT Land Company will be forced to raise their fees, which will increase the cost of construction projects immediately. These increases would pose a significant hardship on engineering firms, contractors and other businesses in the construction industry.

In addition, the provisions of this measure would result in the closure of the PVT construction and demolition landfill, the only landfill on Oahu permitted to receive construction and demolition waste. No sanctioned alternative will be available for the foreseeable future, according to the City and County Department of Environmental Services. Without a publicly available facility permitted to accept construction and demolition debris every contractor in the construction industry, as well as federal, state and the county governments, will be harmed. Furthermore, PVT has been invaluable in sustainability initiatives such as green building certification. It is not just a landfill, it is a partner in our collective efforts to minimize waste, ever mindful of our social responsibility to do construction work in an environmentally responsible manner.

Besides contractors, this measure would also have a negative impact on construction workers, developers, planners, architects and others with a stake in the well-being of the construction industry on Oahu. This is particularly important with the coronavirus devastating our economy. Hawaii's travel and tourism industry is already in jeopardy. This bill would surely exacerbate the crisis we are in.

Ralph S Inouye Co, Ltd respectfully requests the Committees to hold this bill. Thank you for the opportunity to submit testimony on this measure.

LATE

SB-2386-HD-1

Submitted on: 6/29/2020 8:41:51 AM

Testimony for FIN on 6/29/2020 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Diane Fitzsimmons	Waialua Moku Director, Hawaiian Civic Club	Support	No

Comments:

***Protect All our 'Ohana, Create a 1/2-Mile Buffer Zone for Landfills**

Please help protect the health and wellness of all of our communities by ensuring that there is a buffer zone of ½ -mile from landfills and people. Enough-is-enough, no more landfills in our communities, no more landfills in NĀ• nĀ• kuli and MĀ• 'ili, no more landfills in anyone's backyard! Pass SB2386. #Hawaiianlivesmatter

LATE

SB-2386-HD-1

Submitted on: 6/29/2020 8:43:14 AM

Testimony for FIN on 6/29/2020 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Lahela Jarrett Holmwood	Individual	Support	No

Comments:

Aloha,

I am in **strong support** of SB2386 SD2 HD1

The health and safety of our citizens MUST ALWAYS BE A PRIORITY in making critical decisions regarding landfill placement and other environmental issues that come before you. Therefore I strongly urge you to pass SB2386 SD2 HD1.

Mahalo,

Lahela Jarrett Holmwood

**PACIFIC COMMERCIAL SERVICES LLC**

P.O. Box 235117, Honolulu, HI 96823-3501
Tel. (808) 545-4599/Fax (808) 845-9773, www.pcsbi.com

June 28, 2020

Chair Sylvia Luke
Vice Chair Ty Cullen
Members of the House Committee on Finance

Re: SB 2386, SD2, HD1, Relating to Waste Management

Aloha Chair Luke, Vice Chair Cullen and Members of your Committee,

My name is Jingbo Chang. I am managing director at Pacific Commercial Services, and **I strongly oppose this bill**, mainly because it would force PVT to close. It would also result in a fee increase to my company and hundreds of other PVT customers. This could not come at a worse time for our company, considering the current economic situation. In short, PVT needs to be allowed to continue to provide waste disposal services to the many construction and demolition companies and contractors in Hawai'i.

My company works with PVT to make sure that all the materials brought to them are handled the right way. We provide our clients with waste removal services. We test the materials to be sure they are safe before PVT accepts them. When our clients have liquid waste, like recycled car wash water and dirt, PVT is the only place that solidifies the mixture for safe disposal.

PVT is the only public landfill on Oahu that accepts construction and demolition debris. It is an environmentally conscious operation and recycles and reuses more than 80 percent of the materials that are brought to them. The state has aggressive goals for recycling, and PVT is instrumental in meeting these.

I am also a Leeward O'ahu resident and see the good stewardship that PVT shows to its neighbors. They support the Nānaākuli schools and the keiki with funding for trips and they also provide educational opportunities and resources so students can learn about their environment. I am in strong support of the permit so that PVT can continue its operations and its support of the surrounding community.

Thank you for the opportunity to provide my input on this decision.

Sincerely,

Pacific Commercial Services LLC

A handwritten signature in black ink, appearing to read 'Jingbo Chang', written in a cursive style.

Jingbo Chang, Ph.D.,
Managing Director/Senior Environmental Scientist



Craig Card, President
Rainbow Waste Services, LLC
91-430 Komohana St.
Kapolei, HI 96707

Finance Committee Chair Sylvia Luke
Vice Chair Ty J.K. Cullen
Members of the House Committee on Finance

SB 2386, SD 2 HD1, Relating to Solid Waste Management

Aloha Chair Luke, Vice Chair Cullen and Members of the Committees,

My name is Craig Card. I am the president of Rainbow Waste Services. We remove and haul debris from construction sites. I am strongly opposed to this bill because it will cost my company and other companies a lot of money at a time when we are already having a difficult time because of the economic crisis we are in. This bill will also cost jobs.

My company depends on PVT. Without PVT, the only alternative will be Waimanalo Gulch, which is twice as expensive and does not reuse or recycle the debris that goes to them. They'll just bury it.

For the good of my company, the construction industry and our fragile economy, please hold this bill.

Thank you for the opportunity to testify.

Island Hauling Inc.
91-255 Oihana Street
Kapolei, HI 96707

LATE

Testimony on SB 2386, SD2, HD1

Aloha Chair Sylvia Luke, Vice-Chair Ty Cullen, and members of the House Finance Committee.

My name is Chad Kobayashi, President and owner of Island Hauling, Inc. Our company specializes in hauling services and has been serving Hawaii since 1990.

I am writing **IN OPPOSITION** to **SB 2386, SD2, HD1**, Relating to Waste Management.

We oppose this bill because it would further hurt Hawaii's economic stability and directly impact the livelihoods of many of our local residents. Many businesses and families including ours have been affected by the COVID-19 pandemic, and this measure would further impact our operations and the businesses of others working in construction, management and transportation of construction and demolition waste.

One of our most important business partners is PVT Land Company. SB2386 would, in effect, force the closure of the PVT landfill in the coming years. Because there are no other permitted or reasonably priced alternative disposal sites, this closure and increased cost will significantly impact us and many others. We have been informed that the cost of doing business will possibly double because of the restrictions that this bill would place on their operations as they head towards eventual shutdown.

In recent testimony on Honolulu City Council Resolution 20-119, identical legislation at the county level, the director of Environmental Services firmly stated that the City and County of Honolulu is obligated to find or develop a viable landfill option within 10 years, and that it would be optimistic for them to do so on their own before that time. She continued that they would have to start their process from the beginning as this measure would eliminate their top five choices and force them to have identify alternative sites. The director also noted that if they are unable to handle the waste on Oahu, they may have to consider shipping it to the neighbor islands—where there exists capacity.

PVT is in the process of expanding onto an adjacent lot and have since attained several of the necessary permits to continue their operations. PVT's expansion would provide continued C&D waste management options for Oahu and the City and County of Honolulu.

While we understand the intent of this measure, the practical ramifications of it are dire for the construction industry as a whole and for the State of Hawaii.

For the reasons above, I am in opposition to SB2386 SD2 HD1. Thank you for your time and the opportunity to submit testimony.



P. O. Box 4070 • Waianae, Hawaii 96792 • Phone: 696-2879 • Fax: 696-7837
License ABC21835 • PUC 107-C • Operating Since 1992
Native Hawaiian, woman-owned small business

LATE

June 29, 2020

TO: HONORABLE REPRESENTATIVE SYLVIA LUKE, CHAIR, HOUSE COMMITTEE ON FINANCE

SUBJECT: TESTIMONY IN **OPPOSITION TO SB2386: RELATING TO WASTE MANAGEMENT.**

Hearing
DATE: Monday June 29, 2020
TIME: 2:00 p.m.
PLACE: Conference Room 329
Hawaii State Capitol

Dear Chair Luke and Members of the Committee:

We are a general contractor located in Waianae. We have utilized the PVT Landfill since their opening for all of our project disposal needs.

Although the buffer zone included in this bill would cause an extreme increase in tipping fees (due to the closure needs of PVT) which would result in a like increase in all construction projects, the larger effect of this bill is that there would no longer be a legal landfill option for any future construction. This would result in a stoppage of all construction work; new, remodeling and demolition.

This construction debris landfill is essential. Everyone from the homeowner putting a new roof on their house or remodeling their kitchen to the developer building much needed new homes in the Koa Ridge area need a landfill for their waste.

With no future landfills in the immediate or long-term future other than the planned expansion of PVT, this bill offers no options and will result in the shut-down of the construction industry.

We are Waianae residents. We have dealt with the public and private landfills being in our back yard for years. With no other options, we accept the reality of waste management needs. Causing the pending closure of PVT will no doubt result in an increase in the illegal dumping our community already has to endure.

Please, unless there is a viable option already in place, do not pass this bill that will result in the closure of PVT landfill.

Mahalo,

Frances Kama-Silva
President

Henry's Equipment Rental & Sales, Inc.

LATE

SB-2386-HD-1

Submitted on: 6/29/2020 9:44:10 AM

Testimony for FIN on 6/29/2020 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Mericia Palma Elmore	SAG-AFTRA	Support	No

Comments:



LATE

To:
House Committee on Finance
Representative Sylvia Luke, Chair
Representative Ty J.K. Cullen, Vice Chair

Monday, June 29, 2020 2 PM
House conference room 329

From:
Bruce Iverson, Director of Marketing and Development,
Reynolds Recycling, Inc.

Testimony in Support of SB2386 SD2 HD1 Relating to Waste Management

After the elimination of significantly problematic areas from previous versions of this bill: requiring a buffer zone around all solid waste operations with a DOH Permit including State Certified Redemption Centers, the modifications to the bill in this latest version makes it such that we can support this SD2 HD1.

Due to this we support the current **SB2386 SD2 HD1**.

Thank you for the opportunity to submit this testimony.

LATE



Moku O Keawe

The Association of Hawaiian Civic Clubs

Hawai'i Council

P.O. Box 7164 | Hilo, Hawai'i | 96720

House Committee on Finance

Monday, June 29, 2020, Conference Rm. 329

Re: SB2386 SD2 HD1 – RELATING TO WAST MANAGEMENT

Aloha Chair Sylvia Luke, Vice-Chair Ty Cullen, and members of the House Committee on Finance,

The Association of Hawaiian Civic Clubs - Hawai'i Council **SUPPORTS** **SB2386, SD2, HD1**. This bill prohibits any waste or disposal facility from being located in a conservation district except in emergency circumstances to mitigate significant risks to public safety and health. It further requires no less than a one-half mile buffer zone for the construction, modification, or expansion of a waste or disposal facility.

At its 60th annual convention, the Association adopted resolution 2019-52, urging the State of Hawai'i and all counties to create an adequate buffer zone around landfills, with a minimum buffer zone of one-half mile.

No community should suffer the negative health impacts and decrease in quality of life from a waste or disposal facility, including a landfill. This bill for an act would ensure a minimum safe distance of one-half mile from such facilities and the public. Let's make sure that such sites, including landfills, are not in anyone's backyard.

The AHCC - Hawai'i Council respectfully urges the Committee to **PASS** **SB2386, SD2, HD1**. Mahalo for allowing us to share our concerns.

Mahalo Nui,

Shane Akoni Palacat-Nelsen
Pelekikena

SB-2386-HD-1

Submitted on: 6/29/2020 9:57:54 AM

Testimony for FIN on 6/29/2020 2:00:00 PM



Submitted By	Organization	Testifier Position	Present at Hearing
Raynae Fonoimoana	Ko'olauloa Hawaiian Civic Club	Support	No

Comments:

June 29, 2020

Ko'olauloa Hawaiian Civic Club

P.O. Box 532

Hau'ula, HI. 96717

Testimony to SUPPORT SB2386

Aloha:

Please help protect the health and wellness of all of our communities by ensuring that there is a buffer zone of ½ -mile from landfills and people. Enough-is-enough, no more landfills in our communities, no more landfills in NĀ• nĀ• kuli and MĀ• 'ili, no more landfills in anyone's backyard! Pass SB2386.

#Hawaiianlivesmatter

Respectfully submitted,

Raynae Fonoimoana

President

LATE

SB-2386-HD-1

Submitted on: 6/29/2020 9:57:59 AM

Testimony for FIN on 6/29/2020 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Jolyn Ballenti	Individual	Support	No

Comments:

Protect All our 'Ohana, Create a 1/2 Mile Burffer Zone for Landfills. Enough is enough, no more landills in our communities, no more landfills in Nanakuli and Maili, no more landills in our backyard!

SB-2386-HD-1

Submitted on: 6/29/2020 9:59:56 AM

Testimony for FIN on 6/29/2020 2:00:00 PM

LATE

Submitted By	Organization	Testifier Position	Present at Hearing
Matthew Gumapac	Individual	Support	No

Comments:

****Protect All our 'Ohana, Create a 1/2-Mile Buffer Zone for Landfills****

Aloha: Please help protect the health and wellness of all of our communities by ensuring that there is a buffer zone of ½ -mile from landfills and people. Enough-is-enough, no more landfills in our communities, no more landfills in NÄ• nÄ• kuli and MÄ• 'ili, no more landfills in anyone's backyard! Pass SB2386. #Hawaiian lives matter

Matthew K. Gumapac

Prince Kuhio Hawaiian Civic Club

June 29, 2020

LATE

Chair Sylvia Luke
House Committee on Finance
Room 329
State Capitol
Honolulu, Hawaii 96813

Re: Supporting SB2386 SD2 HD1 – Relating to Waste Management

Aloha Chair Sylvia Luke and members of the committee:

I **SUPPORT** SB2386 SD2 HD1, please pass it out of your committee. As a Native Hawaiian, I feel discriminated against because I live next to a landfill and where I live, the US Department of Health/CDC says that my life expectancy is 10 years less than others across the state. Not just my life, but the lives of all Hawaiians in Nānākuli and Princess Kahanu Homesteads, almost 13,000 Native Hawaiians. Also, over 5,000 other ethnic groups also suffer 10 years less of their life where we live. I support Black Lives Matter, because they do, and I support Hawaiian lives too!

#HawaiianLivesMatter

There is a ***public health crisis*** in Nānākuli and Mā‘ili. Our kupuna and keiki have delivered numerous Kama‘āina Testimony that goes back to the 1980’s that speak to the health concerns and illness that our community has suffered. Our people are dying, and we need to stop this now.

What is extremely disturbing is that the current landfill and the proposed location for the relocation of the PVT Landfill are mere feet away from Hawaiian Homelands. In total, over 18,000 people are impacted by the current landfill daily. This has been going on for over 35 years. The PVT Landfill in Nānākuli and Mā‘ili is an example of environmental racism in our state given that over 70% of those that reside in Nānākuli and Mā‘ili are Native Hawaiians. Till today, when requesting the permits from the Department of Health and from PVT themselves, they have not provided three of the four necessary permits. I also can attest that more than 500 trucks pass my house every day, likely headed to PVT to dump, in violation of their County Conditional Use Permit. No community should go through what we are. ***This bill is not about shutting down PVT today, its about future planning so landfills are not in anyone’s back yard.*** Support the ½ mile bufferzone from homes, schools, and hospitals. Everyone’s life matters, trash should not be in anyone’s backyard. **#HawaiianLivesMatter**

Me ke aloha,



Eddie Werner
84-470 Farrington Hwy
Wai‘anae Hawaii 96792
(808) 330-4810
alohaeddiewerner@gmail.com

MOKU O MANOKALANIPO
THE KAUA'I COUNCIL OF THE ASSOCIATION OF HAWAIIAN CIVIC CLUBS

LATE

Date: June 29, 2020

To: House of Representatives, Committee on Finance

From: Moku o Manokalanipō, The Kaua'i Council of the Association of Hawaiian Civic Clubs
Malia Nobrega-Olivera, President
malianob@gmail.com

Re: Re: SB2386 SD2 HD1 - Relating to Waste Management

Aloha Luna Ho'omalua Sylvia Luke, *Hope Luna Ho'omalua* Ty Cullen, and members of the House Committee on Finance:

I'm writing on behalf of Moku o Manokalanipō, The Kaua'i Council of the Association of Hawaiian Civic Clubs which represents the four (4) Hawaiian Civic Clubs based on the island of Kaua'i.

Moku o Manokalanipō SUPPORTS SB2386 SD2 HD1. This bill prohibits any waste or disposal facility from being located in a conservation district except in emergency circumstances to mitigate significant risks to public safety and health. It further requires no less than a one-half mile buffer zone for the construction, operation, modification, or expansion of a waste or disposal facility.

Our members actively participated in our 60th annual convention on the island of Maui and the Association adopted resolution 2019-52, urging the State of Hawai'i and all counties to create an adequate buffer zone around landfills, with a minimum buffer zone of one-half mile.

No community should suffer the negative health impacts and decrease in quality of life from a waste or disposal facility, including a landfill. This bill for an act would ensure a minimum safe distance of one-half mile from such facilities and the public. Let's make sure that such sites, including landfills, are not in anyone's backyard .

Therefore, Moku o Manokalanipō respectfully urges the Committee to PASS SB2386 SD2 HD1.

The Hawaiian civic club movement was founded in 1918 by Congressional Delegate Prince Jonah Kūhiō Kalaniana'ole with the creation of the Hawaiian Civic Club; the Association was formally organized in 1959 and in 1968, the Hawaiian Civic Clubs on the island of Kaua'i organized Moku o Manokalanipō, the Kaua'i Council of the Association of Hawaiian Civic Clubs.

LATE

SB-2386-HD-1

Submitted on: 6/29/2020 10:21:47 AM

Testimony for FIN on 6/29/2020 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Sanoë Marfil	Individual	Support	No

Comments:

I support this bill as it will allow communities to have safe environments to raise their children for generations to come.

LATE

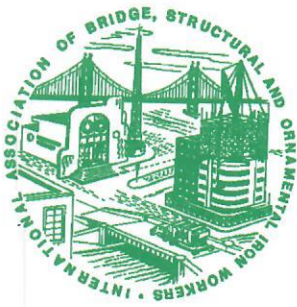
SB-2386-HD-1

Submitted on: 6/29/2020 10:23:56 AM

Testimony for FIN on 6/29/2020 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Lu Ann Faborito	Individual	Support	No

Comments:



INTERNATIONAL ASSOCIATION OF BRIDGE, STRUCTURAL, ORNAMENTAL AND REINFORCING IRON WORKERS

Affiliated with A.F.L.-C.I.O.

LOCAL UNION NUMBER 625
94-497 UKEE STREET • WAIPAHU, HAWAII 96797

T.G. Paris
President Emeritus

LATE

June 29, 2020 - 2 pm

House Committee on Finance
Conference Room 329
State Capitol
415 South Beretania Street

Re: SB2386, SD2, HD1 - RELATING TO WASTE MANAGEMENT.

Aloha Chair Sylvia Luke, Vice-Chair Ty Cullen, and members:

We **SUPPORT** SB2386, SD2, HD1. This bill, if enacted, will prohibit any waste or disposal facility from being in a conservation district except in emergency circumstances to mitigate significant risks to public safety and health. It would also require no less than a one-half mile buffer zone for the construction, operation, modification, or expansion of a waste or disposal facility.

We recognize that our island family, and the construction industry in specific, still needs waste or disposal facilities including landfills. We need such facilities to put our construction and demolition debris and recycle them. Without those facilities, we would be unable to reach our affordable and workforce housing goals, repair our infrastructure, and do those necessary developments to address the climate crisis.

We believe it would be good policy to have landfills in isolated areas with appropriate zoning. Such sites on O'ahu could include places like Kalaeloa and Campbell Industrial Park. Currently the communities in Nānākuli and Mā'ili are suffering from a public health crisis, with a landfill only a few feet away from homes, farms, and Ulehawa stream. We stand in solidarity with our neighbors and all those that suffer from landfills in their communities.

According to the Center for disease Control/National Center for Health Statistics Neighborhood Life Expectancy Project, our members and their families within 2 miles of the current landfill in Nānākuli and Mā'ili live ***8 to 10 years less than the state average of 82 years***, being the 2nd and 3rd lowest life expectancies in the entire state. Hawaiian lives matter, so let's take care of them and all of our communities. Let's make sure that landfills are not in anyone's backyard.

Sincerely,

Joseph O'Donnell
Business Manager/Financial-Secretary Treasurer

LATE

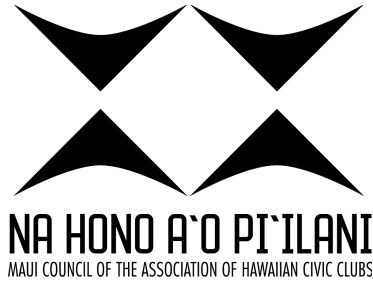
SB-2386-HD-1

Submitted on: 6/29/2020 10:38:57 AM
Testimony for FIN on 6/29/2020 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
william hambaro	Individual	Support	No

Comments:

Aloha: Please help protect the health and wellness of all of our communities by ensuring that there is a buffer zone of 1/2 -mile from landfills and people. Enough-is-enough, no more landfills in our communities, no more landfills in NÄ• nÄ• kuli and MÄ• ‘ili, no more landfills in anyone's backyard! Pass SB2386. #Hawaiianlivesmatter



LATE

House of Representatives, Committee on Finance

Pō'akahī, Iune 29, 2020

Lumi 'Aha Kūkā 329

Ke Kapikala Moku 'āina

415 South Beretānia Street

Re: SB2386 SD2 HD1 - Relating to Waste Management

Aloha Luna Ho 'omalu Sylvia Luke, Hope Luna Ho 'omalu Ty Cullen, and members of the House Committee on Finance:

The Association of Hawaiian Civic Clubs MAUI COUNCIL, Nā Hono A'o Pi'ilani

SUPPORTS SB2386, SD2, HD1.

This bill prohibits any waste or disposal facility from being located in a conservation district except in emergency circumstances to mitigate significant risks to public safety and health. It further requires no less than a one-half mile buffer zone for the construction, modification, or expansion of a waste or disposal facility.

At its 60th annual convention, the Association adopted resolution 2019-52, urging the State of Hawai'i and all counties to create an adequate buffer zone around landfills, with a minimum buffer zone of one-half mile.

Therefore, the Association respectfully urges the Committee to PASS SB2386, SD2, HD1. *Mahalo* for allowing us to share our *mana 'o*.

Me ka 'oia 'i 'o,

Kathryn Holoaumoku Ralar, *Pelekikena*



JAYAR CONSTRUCTION, INC.

1176 Sand Island Parkway ▼ Honolulu, Hawaii 96819-4346
Tel (808) 843-0500 ▼ Fax (808) 843-0067
Contractor's License ABC-14156

LATE

June 29, 2020

TO: HONORABLE REPRESENTATIVE SYLVIA LUKE, CHAIR , HOUSE COMMITTEE
ON FINANCE

SUBJECT: TESTIMONY IN OPPOSITION TO SB2386: RELATING TO WASTE
MANAGEMENT.

Hearing

DATE: Monday June 29, 2020

TIME: 2:00 p.m.

PLACE: Conference Room 329, Hawaii State Capitol

Dear Chair Luke and Members of the Committee:

Jayar Construction, Inc. has been in the site work construction business since 1987, and we oppose SB2386.

SB 2386 provides that “no person, including any federal agency, the state, or any county, shall construct, operate, modify, or expand a municipal solid waste landfill unit, or any component of a municipal solid waste landfill unit, without first establishing a buffer zone of no less than one-half mile around the municipal solid waste landfill unit.”

If SB 2386 were adopted, the Waimanalo Gulch Sanitary Landfill, the primary City and County landfill for Municipal Solid Waste, would have to close immediately, with no viable alternatives available. It would also cause a significant raise in fees and the potential closure of the PVT Integrated Solid Waste Management Facility (PVT).

SB2386 would have a negative impact on contractors, construction workers, developers, planners, architects and others with a stake in the well-being of the construction industry on Oahu as PVT provides an essential service to the entire industry.

We oppose SB2386 and believe that its passage would be very detrimental to the construction industry at large. Thank you for the opportunity to share our opposition.

Sincerely,

Rodney H Nohara
President

LATE

SB-2386-HD-1

Submitted on: 6/29/2020 11:58:02 AM

Testimony for FIN on 6/29/2020 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
rochelle kawelo	Individual	Support	No

Comments:

PROTECT ALL OUR OHANA PLEASE, CREATE A 1/2 MILE BUFFER ZONE ALL LANDFILLS

LATE

SB-2386-HD-1

Submitted on: 6/29/2020 12:29:56 PM

Testimony for FIN on 6/29/2020 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Jaycine Hicks	Individual	Support	No

Comments:

I am in support of SB2386

Please pass this bill so all communities will be given a buffer zone that will keep harmful pollutants away from residential homes. Also, give residents peace of mind that they are safe.

Mahalo,

Jaycine Hicks

LATE

SB-2386-HD-1

Submitted on: 6/29/2020 12:56:55 PM

Testimony for FIN on 6/29/2020 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Lily Cabinatan	Individual	Support	No

Comments:

I support bill SB 2386 because I live in this community and I know the detriments of a toxic landfill to ones health & well being. In my community there are a lot of Polynesian people who have major health issues. Landfills increase the health issues of myself and my community with all the poisonous materials being accepted in the landfill. Many people have died prematurely because of their health issues which is compounded by landfills. We implore you to seriously support this bill because we deserve a better quality of life.

I am a health & wellness instructor & I know landfills with all their airborne debris enter ones body causing breathing & health issues. Please listen to us. Mahalo, Lily Cabinatan

LATE**PALING & SONS TRUCKING**

And Equipment Rentals LLC.
89-130 Mano Avenue
Waianae, Hawaii. 96792

Testimony on SB 2386, SD2, HD1

Aloha Chair Sylvia Luke, Vice-Chair Ty Cullen, and members of the House Finance Committee.

My name is Stephen Paling III, Manager and owner of Paling & Sons Trucking and Equipment Rentals LLC. Our company specializes in hauling services and has been serving Hawaii since 1995.

I am writing **IN OPPOSITION** to **SB 2386, SD2, HD1**, Relating to Waste Management.

We oppose this bill because it would further hurt Hawaii's economic stability and directly impact the livelihoods of many of our local residents. Many businesses and families including ours have been affected by the COVID-19 pandemic, and this measure would further impact our operations and the businesses of others working in construction, management and transportation of construction and demolition waste.

We are a sub contractor to AES. AES is a vital asset to our island because they produce energy for HECO by burning coal. The byproduct of that energy is Ash which we are contracted to haul on a daily basis. PVT Land Company is the only landfill that is qualified and licensed to accept that type of waste material. It would substantially effect the people of our island because AES provided the allotted amount of energy that is needed for our daily livelihood.

One of our most important business partners is PVT Land Company. SB2386 would, in effect, force the closure of the PVT landfill in the coming years. Because there are no other permitted or reasonably priced alternative disposal sites, this closure and increased cost will significantly impact us and many others. We have been informed that the cost of doing business will possibly double because of the restrictions that this bill would place on their operations as they head towards eventual shutdown.

In recent testimony on Honolulu City Council Resolution 20-119, identical legislation at the county level, the director of Environmental Services firmly stated that the City and County of Honolulu is obligated to find or develop a viable landfill option within 10 years, and that it would be optimistic for them to do so on their own before that time. She continued that they would have to start their process from the beginning as this measure would eliminate their top five choices and force them to have identify alternative sites. The director also noted that if they are unable to handle the waste on Oahu, they may have to consider shipping it to the neighbor islands—where there exists capacity.

PVT is in the process of expanding onto an adjacent lot and have since attained several of the necessary permits to continue their operations. PVT's expansion would provide continued C&D waste management options for Oahu and the City and County of Honolulu.

While we understand the intent of this measure, the practical ramifications of it are dire for the construction industry as a whole and for the State of Hawaii.

For the reasons above, I am in opposition to SB2386 SD2 HD1. Thank you for your time and the opportunity to submit testimony.

Sincerely,

Stephen Paling III
