

DAVID Y. IGE
GOVERNOR OF
HAWAII



SUZANNE D. CASE
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

ROBERT K. MASUDA
FIRST DEPUTY

M. KALEO MANUEL
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES
BOATING AND OCEAN RECREATION
BUREAU OF CONVEYANCES
COMMISSION ON WATER RESOURCE MANAGEMENT
CONSERVATION AND COASTAL LANDS
CONSERVATION AND RESOURCES ENFORCEMENT
ENGINEERING
FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

Testimony of
SUZANNE D. CASE
Chairperson

Before the Senate Committees on
WATER AND LAND
and
AGRICULTURE AND ENVIRONMENT

Friday, February 7, 2020
1:35pm
State Capitol, Conference Room 224

In consideration of
SENATE BILL 2386, PROPOSED SENATE DRAFT 1
RELATING TO WASTE MANAGEMENT

Senate Bill 2386 proposes to amend Section 183C-4, Hawaii Revised Statutes (HRS), regarding the rules governing land uses within the Conservation District by inserting language stipulating that no waste or disposal facility shall be located in the Conservation District with the exception of emergency circumstances that shall not exceed three years. Emergency and waste or disposal facility are defined for this subsection. In addition, the Bill also proposes to amend Chapter 342H, HRS, to include language requiring a buffer zone of no less than 0.5-miles around waste or disposal facilities including municipal solid waste landfill units and construction and demolition landfill units. **The Department of Land and Natural Resources supports this measure.**

The Conservation District includes areas necessary for providing watersheds and water sources; preserving scenic areas; providing park lands, wilderness and beach reserves; conserving endemic plants, fish and wildlife; and preventing floods and soil erosion; forestry; and other related activities. Waste and disposal facilities are incompatible in these areas.

For further clarification, the definition of emergency should include language that an emergency would be determined via Governor's Proclamation.

Thank you for the opportunity to comment on this measure.



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

**Testimony in OPPOSITION to SB2386 SD1 Proposed
RELATING TO WASTE MANAGEMENT**

SENATOR KAIALI'I KAHELE, CHAIR
SENATE COMMITTEE ON WATER AND LAND
SENATOR MIKE GABBARD, CHAIR
SENATE COMMITTEE ON AGRICULTURE AND ENVIRONMENT

Hearing Date: 2/7/2020

Room Number: 224

1 **Fiscal Implications:** Unknown.

2 **Department Testimony:** The Department of Health (Department) respectfully opposes this bill.
3 This bill proposes to (1) prohibit a waste or disposal facility (any solid waste facility, including
4 but not limited to transfer stations, landfills, waste to energy, recycling, and composting) from
5 being sited in a Conservation District, except in emergency circumstances; and (2) prohibit
6 anyone from constructing, operating, modifying or expanding a waste or disposal facility
7 without first establishing a buffer zone of at least ½ mile around the waste or disposal facility.

8 The Department has concerns in the following areas affecting HRS342H:

9 (1) The definition of “buffer zone.” “Buffer zone” could be defined many different ways,
10 which may have differing impacts. Three potential definitions include: (1) the distance
11 between the edge of waste or waste activity, and the nearest non-waste activity if not
12 operated by the owner of the waste activity or property line that the waste operation is
13 located, (2) the distance between the edge of waste or waste activity, and the nearest
14 property boundary that the operation owner has control, or (3) the distance between the
15 edge of waste or waste activity, and nearest residential property. For the purpose of our
16 testimony, we assumed the first definition is applicable.

1 (2) Applicability on existing waste and disposal facilities. As written, the buffer zone
2 requirement is applicable to all existing solid waste management facilities including but
3 not limited to landfills, transfer stations, incinerators, composting facilities,
4 bioconversion sites, and recycling facilities. For the majority, if not all of these facilities,
5 there is less than ½ mile between the waste disposal limit or waste activity and at least
6 one property boundary or on-property neighbor. Immediate implementation of this bill
7 could force the closure of all waste management facilities on the effective date, leaving
8 the state with no waste management system. The Department is concerned over the
9 public health threat associated with the lack of a waste management system.

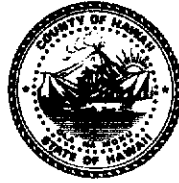
10 (3) Applicability on closed landfills. Landfills that have been closed under current
11 regulations are required to maintain the landfill during its post-closure period. These
12 closed landfills also do not have ½-mile buffer between edge of waste and the landfill
13 property boundary. The Department is concerned whether this buffer requirement will
14 prevent the landfill owners from maintaining their closed landfills, as “no person...shall
15 operate...any component of a municipal solid waste landfill unit...” which may include
16 the gas and leachate collection systems that are used to monitor the condition of the
17 closed landfill.

18 For these reasons, we oppose this bill.

19 **Offered Amendments:** None.

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

Harry Kim
Mayor



William A. Kucharski
Director

Roy Takemoto
Managing Director

Diane A. Noda
Deputy Director

County of Hawai'i

DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

345 Kekūanāo'a Street, Suite 41 · Hilo, Hawai'i 96720

Ph: (808) 961-8083 · Fax: (808) 961-8086

Email: cohdem@hawaiiicounty.gov

February 6, 2020

Senator Kaiali'i Kahele, Chair
Senate Committee on Water and Land
Hawai'i State Legislature
415 South Beretania Street
Honolulu, Hawai'i 96813

Re: SB 2386 OPPOSITION (Prohibiting Waste Facility in Conservation District)
Hearing: February 7, 2020
Time: 1:35 p.m.

Dear Senator Kahele and Members of the Committee on Water and Land:

The County of Hawai'i Department of Environmental Management is unable to support this bill in its current form. Unless there is clarification, the bill's requirements will negatively impact Hawai'i County's solid waste sites.

For the proposed prohibition of a waste or disposal facility being located in a conservation district, it is unclear whether this bill applies to all facilities, including a facility that currently operating, in the process of being closed, already closed, or in a post-closure/monitoring status. Unless there is clarification that current or closed sites established prior to the enactment of the proposed amendments are exempted ("grandfathered in"), it will be an onerous task for Hawai'i County to relocate any facility that is currently on conservation land. The old (closed) Kailua-Kona landfill is located in a conservation district, and without an exemption it would be in violation of the proposed prohibition.

For the proposed requirement of a 1/2-mile buffer zone surrounding a landfill, clarification is needed on whether this applies to all facilities, including current or closed/closing landfills. If there is no exemption for current landfills, our South Hilo Sanitary Landfill, currently in the closure process, would be in violation due to lacking a buffer zone. Imposing this buffer zone on our one operating landfill on Hawai'i Island (the West Hawaii Sanitary Landfill aka Pu'uanahulu) would be a huge fiscal challenge, because the County would have to obtain surrounding lands to fulfill the buffer zone requirement.

Thank you for the opportunity to provide this input.

Sincerely,

A handwritten signature in cursive script that reads "Diane A. Noda".
for William A. Kucharski
Director

MICHAEL P. VICTORINO
Mayor

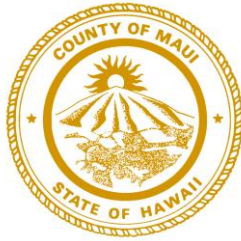
ERIC A. NAKAGAWA, P.E.
Director

SHAYNE R. AGAWA, P.E.
Deputy Director

MICHAEL P. RATTE
Solid Waste Division

SCOTT R. ROLLINS, P.E.
Wastewater Reclamation Division

TAMARA L. FARNSWORTH
Environmental Protection &
Sustainability Division



**COUNTY OF MAUI
DEPARTMENT OF
ENVIRONMENTAL MANAGEMENT**
2050 MAIN STREET, SUITE 2B
WAILUKU, MAUI, HAWAII 96793

FEBRUARY 5, 2020

TESTIMONY ON HB 2688, HB 2442 (SB 2386)

GENERAL COMMENTS TO ALL 3 BILLS:

HB2688 prohibits the State Department of Health from issuing permits for municipal solid waste landfills from being located within 15 miles of "any Hawaiian home lands in existence at the time of application," without regard to whether such "tract" (defined as "any tract of Hawaiian home lands leased, as authorized by section 207" of the Hawaiian Homes Commission are being used for residential, commercial, or industrial purposes.

HB 2442/SB2386 require a minimum one-half mile "buffer zone."

- The County of Maui (County) currently operates four landfills and six closed landfills in the State of Hawaii across three islands. The County facilities are permitted, and operate in accordance with federal and state requirements.
- Arguably the most difficult aspect of permitting and constructing a new landfill is finding a location that is technically, politically, economically and socially acceptable. The Resource Conservation and Recovery Act (RCRA) already contains this criteria for landfill siting, so an additional half mile buffer may have limited benefit to further protect human health and the environment, and come at an exorbitant expense to County of Maui taxpayers.
- No stipulations in the Bill(s) regarding grandfathering of existing permits and landfills and expansions of such.
- "Buffer Zone" is not defined in sufficient detail. Buffer zone could be read to require an area of ½ mile (HB2442/SB2386) of zero allowed land uses. "Buffer zone" should be fully defined in the statute, should these bills move forward.
- HB2442/SB2386 require that no landfill may be located in a state Conservation district, except in cases of emergency and then only for a maximum of 3 years. At the end of the 3 years, a transfer station could be relocated, but a landfill could not and closure of a permitted landfill is a regulatory and time-intensive activity that cannot be accomplished in that timeframe, meaning that the use is effectively a ban.

- No real incorporation date or window allowed to comply with the stipulations within the Bills.
- All or most of the Maui County MSW facilities may not be within compliance should these bills become law. The Solid Waste Division is opposed to these three Bills.

PROPOSED SENATE BILL 2386 COMMENTS:

It is the County of Maui's position that landfill siting criteria set forth by RCRA is sufficient for landfill siting and the half mile blanket buffer as presented in SB2386 is not required. The following is a list of concerns for the four active landfills owned and operated by the County of Maui:

HALF-MILE BUFFER AROUND CENTRAL MAUI LANDFILL

- HC&D (formerly Ameron) would be eliminated
- 7 TMKs (individual parcels) would have to be subdivided for acquisition or acquired in entirety
- Owners such as A & B, MECO, and Komar Maui Properties I, LLC would have to sell or lose property to eminent domain
- County Council would have to approve any land acquisition and Corporation Counsel would need to enforce any legal actions taken.
- County and State land use permits would have to be modified through applications and hearings, subject to approval by local planning commissions and State Land Use Commission
- A portion of County-owned Pulehu Road could be included in the buffer and how a County road becomes landfill buffer is undefined; allowed uses within the buffer (if any) are not defined
- Associated costs are unbudgeted and uncalculated

HALF-MILE BUFFER AROUND LANAI LANDFILL

- 2 TMKs would have to be subdivided for acquisition or acquired in entirety; however, the TMKs on Lanai are large as they are held by one property owner
- A portion of State-owned Kaunalapau Highway could be included in the buffer and how a State Highway becomes a landfill buffer is undefined
- Owners would have to sell or lose property to eminent domain
- County Council has to approve any land acquisition and Corporation Counsel would need to enforce any legal actions taken.
- County and State land use permits would have to be modified through applications and hearings, subject to approval by local planning commissions and State Land Use Commission
- Associated costs are unbudgeted and uncalculated

HALF-MILE BUFFER AROUND MOLOKAI LANDFILL

- 2 quarries are eliminated: Patterson's and Goodfellow's
- 6 TMKs would have to be subdivided for acquisition or acquired in entirety
- A portion of State-owned Maunaloa Highway is included in the buffer and how a State Highway becomes a landfill buffer is undefined
- Owners would have to sell or lose property to eminent domain
- County Council has to approve any land acquisition
- County and State land use permits would have to be modified through applications and hearings, subject to approval by local planning commissions and State Land Use Commission
- Associated costs are unbudgeted and uncalculated

HALF-MILE BUFFER AROUND HANA LANDFILL

- Multiple TMKs would have to be subdivided for acquisition or acquired in entirety
- A portion of State-owned Hana Highway is included in the buffer and how a State Highway becomes a landfill buffer is undefined
- Waikoloa Road runs through the landfill parcel and how a County roadway becomes a landfill buffer is undefined
- Multiple owners would have to sell or lose property to eminent domain
- County Council has to approve any land acquisition
- County and State land use permits would have to be modified through applications and hearings, subject to approval by local planning commissions and State Land Use Commission
- Coastal zone surveys and permits such as Special Management Permit would have to be acquired
- Required area includes a portion of the Pacific Ocean and how an ocean becomes a landfill buffer is undefined
- Associated costs are unbudgeted and uncalculated

SWD has yet to evaluate the impacts to our 6 closed landfills. However the same buffer zone may apply, and if so these facilities would also not be in compliance.

PROPOSED HOUSE BILL 2442 COMMENTS:

https://www.capitol.hawaii.gov/measure_indiv.aspx?billtype=HB&billnumber=2442&year=2020

In addition to this bill HB2688, Relating to Land Use, has been introduced as well. This bill prohibits the DOH from issuing a new MSW landfill permit within 15 miles of any Hawaiian home lands in existence at the time of application for permit.

No addition SWD comments to add at this time for this bill other than those described above. The Bill looks to be exactly the same as SB2386.

PROPOSED BILL 2688 COMMENTS:

https://www.capitol.hawaii.gov/measure_indiv.aspx?billtype=HB&billnumber=2688&year=2020

Re.: 15 mile buffer from and Hawaiian Homelands
The existing CML and Molokai would fall within this buffer zone.

MICHAEL P. VICTORINO
Mayor

ERIC A. NAKAGAWA, P.E.
Director

SHAYNE R. AGAWA, P.E.
Deputy Director

MICHAEL P. RATTE
Solid Waste Division

SCOTT R. ROLLINS, P.E.
Wastewater Reclamation Division

TAMARA L. FARNSWORTH
Environmental Protection &
Sustainability Division



**COUNTY OF MAUI
DEPARTMENT OF
ENVIRONMENTAL MANAGEMENT**
2050 MAIN STREET, SUITE 2B
WAILUKU, MAUI, HAWAII 96793

February 5, 2020

Testimony on HB 2688, HB 2442 (SB 2386)

GENERAL COMMENTS TO ALL 3 BILLS:

HB2688 prohibits the State Department of Health from issuing permits for municipal solid waste landfills from being located within 15 miles of “any Hawaiian home lands in existence at the time of application,” without regard to whether such “tract” (defined as “any tract of Hawaiian home lands leased, as authorized by section 207” of the Hawaiian Homes Commission are being used for residential, commercial, or industrial purposes.

HB 2442/SB2386 require a minimum one-half mile “buffer zone.”

- The County of Maui (County) currently operates four landfills and six closed landfills in the State of Hawaii across three islands. The County facilities are permitted, and operate in accordance with federal and state requirements.
- Arguably the most difficult aspect of permitting and constructing a new landfill is finding a location that is technically, politically, economically and socially acceptable. The Resource Conservation and Recovery Act (RCRA) already contains this criteria for landfill siting, so an additional half mile buffer may have limited benefit to further protect human health and the environment, and come at an exorbitant expense to County of Maui taxpayers.
- No stipulations in the Bill(s) regarding grandfathering of existing permits and landfills and expansions of such.
- “Buffer Zone” is not defined in sufficient detail. Buffer zone could be read to require an area of ½ mile (HB2442/SB2386) of zero allowed land uses. “Buffer zone” should be fully defined in the statute, should these bills move forward.

HB2442/SB2386 require that no landfill may be located in a state Conservation district, except in cases of emergency and then only for a maximum of 3 years. At the end of the 3 years, a transfer station could be relocated, but a landfill could not and closure of a permitted landfill is a regulatory and time-intensive activity that cannot be accomplished in that timeframe, meaning that the use is effectively a ban.

- No real incorporation date or window allowed to comply with the stipulations within the Bills.
- All or most of the Maui County MSW facilities may not be within compliance should these bills become law. The Solid Waste Division is opposed to these three Bills.

PROPOSED SENATE BILL 2386 COMMENTS:

It is the County of Maui's position that landfill siting criteria set forth by RCRA is sufficient for landfill siting and the half mile blanket buffer as presented in SB2386 is not required. The following is a list of concerns for the four active landfills owned and operated by the County of Maui:

HALF-MILE BUFFER AROUND CML

- HC&D (formerly Ameron) would be eliminated
- 7 TMKs (individual parcels) would have to be subdivided for acquisition or acquired in entirety
- Owners such as A & B, MECO, and Komar Maui Properties I, LLC would have to sell or lose property to eminent domain
- County Council would have to approve any land acquisition and Corporation Counsel would need to enforce any legal actions taken.
- County and State land use permits would have to be modified through applications and hearings, subject to approval by local planning commissions and State Land Use Commission
- A portion of County-owned Pulehu Road could be included in the buffer and how a County road becomes landfill buffer is undefined; allowed uses within the buffer (if any) are not defined
- Associated costs are unbudgeted and uncalculated

HALF-MILE BUFFER AROUND LANAI LANDFILL

- 2 TMKs would have to be subdivided for acquisition or acquired in entirety; however, the TMKs on Lanai are large as they are held by one property owner
- A portion of State-owned Kaunalapau Highway could be included in the buffer and how a State Highway becomes a landfill buffer is undefined
- Owners would have to sell or lose property to eminent domain
- County Council has to approve any land acquisition and Corporation Counsel would need to enforce any legal actions taken.
- County and State land use permits would have to be modified through applications and hearings, subject to approval by local planning commissions and State Land Use Commission
- Associated costs are unbudgeted and uncalculated

HALF-MILE BUFFER AROUND MOLOKAI LANDFILL

- 2 quarries are eliminated: Patterson's and Goodfellow's
- 6 TMKs would have to be subdivided for acquisition or acquired in entirety
- A portion of State-owned Maunaloa Highway is included in the buffer and how a State Highway becomes a landfill buffer is undefined
- Owners would have to sell or lose property to eminent domain
- County Council has to approve any land acquisition

- County and State land use permits would have to be modified through applications and hearings, subject to approval by local planning commissions and State Land Use Commission
- Associated costs are unbudgeted and uncalculated

HALF-MILE BUFFER AROUND HANA LANDFILL

- Multiple TMKs would have to be subdivided for acquisition or acquired in entirety
- A portion of State-owned Hana Highway is included in the buffer and how a State Highway becomes a landfill buffer is undefined
- Waikoloa Road runs through the landfill parcel and how a County roadway becomes a landfill buffer is undefined
- Multiple owners would have to sell or lose property to eminent domain
- County Council has to approve any land acquisition
- County and State land use permits would have to be modified through applications and hearings, subject to approval by local planning commissions and State Land Use Commission
- Coastal zone surveys and permits such as Special Management Permit would have to be acquired
- Required area includes a portion of the Pacific Ocean and how an ocean becomes a landfill buffer is undefined
- Associated costs are unbudgeted and uncalculated

SWD has yet to evaluate the impacts to our 6 closed landfills. However the same buffer zone may apply, and if so these facilities would also not be in compliance.

PROPOSED HOUSE BILL 2442 COMMENTS:

https://www.capitol.hawaii.gov/measure_indiv.aspx?billtype=HB&billnumber=2442&year=2020

In addition to this bill HB2688, Relating to Land Use, has been introduced as well. This bill prohibits the DOH from issuing a new MSW landfill permit within 15 miles of any Hawaiian home lands in existence at the time of application for permit.

No addition SWD comments to add at this time for this bill other than those described above. The Bill looks to be exactly the same as SB2386.

PROPOSED BILL 2688 COMMENTS:

https://www.capitol.hawaii.gov/measure_indiv.aspx?billtype=HB&billnumber=2688&year=2020

Re.: 15 mile buffer from and Hawaiian Homelands
(FYI: Lene mentioned DOH may only comment on first Bill.)

The existing CML and Molokai would fall within this buffer zone.



DEPARTMENT OF PUBLIC WORKS
THE COUNTY OF KAUA'I

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

LYLE TABATA
DEPUTY COUNTY ENGINEER

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



Before the
Senate Committee on Agriculture and Environment
And Senate Committee Water and Land
February 7, 2020; 1:35 p.m.
Conference Room 224

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

Honorable Chairs Gabbard and Kahele, and Members of the Committees:

We apologize for the late submission, but the County of Kaua'i Department of Public Works submits testimony and **offers comments** on Senate Bill 2386 S.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 for the construction, operation, modification, or expansion of a waste or disposal facility.

It is our belief that this bill as written would prohibit all current and future recycling, composting, waste diversion, and waste management options on our island.

Specifically, there are no processing facilities on Kaua'i that maintain a half mile buffer zone to operate, and to require a private entity or the County to purchase over 500 acres of extra property per facility is impractical. Kaua'i's only landfill operates on less than 100 acres of land and a 100 foot buffer for comparison. If we were to somehow acquire a half mile buffer zone around our landfill our footprint would expand 600% and force us in to conservation land specifically restricted under this bill as well as agricultural land used by businesses and local farmers.

The Kekaha landfill has an estimated capacity of only 7 years and our transfer stations require significant repairs and renovations. This law would make siting a new landfill or renovating our aging infrastructure on Kaua'i impossible.

We live on an island in the middle of the Pacific with limited resources and available land. The County of Kaua'i Public Works Department values the goals of creating more open spaces and options for green growth, but we must accept the need for waste diversion and disposal options. To prohibit these vital processes would be equivalent to shutting down waste water and sewer

www.kauai.gov

4444 Rice Street Suite 275 • Lihu'e, Hawai'i 96766 • (808) 241-4992 (b) • (808) 241-6604 (f)

An Equal Opportunity Employer



facilities. Humans produce waste in one fashion or another and there must be safe, efficient, and economical choices for our public.

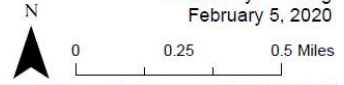
Considering this input if the legislature decides to move forward with the buffer zones, we humbly request that current solid waste facilities be grandfathered in regards to operation, modifications, and expansion.

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

Kekaha Landfill with Half Mile Buffer

2640 ft. Buffer Zone Surrounding the Edge of the Landfill Tax Map Key

Created by A. Wong
February 5, 2020





Chamber of Commerce HAWAII
The Voice of Business

**Testimony to the Senate Committees on Water and Land, and
Agriculture and Environment**

**Friday, February 7, 2020 at 1:35 P.M.
Conference Room 224, State Capitol**

LATE

RE: SB 2386, RELATING TO WASTE MANAGEMENT

Chairs Kahele and Gabbard, Vice Chairs Keith-Agaran and Ruderman, and Members of the Committee:

The Chamber of Commerce Hawaii ("The Chamber") **opposes** SB 2386, 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. This bill would also require no less than a one-half mile buffer zone for the construction, operation, modification, or expansion of a municipal solid waste landfill unit.

The Chamber is Hawaii's leading statewide business advocacy organization, representing about 2,000+ businesses. Approximately 80% of our members are small businesses with less than 20 employees. As the "Voice of Business" in Hawaii, the organization works on behalf of members and the entire business community to improve the state's economic climate and to foster positive action on issues of common concern.

The Chamber is concerned that legislation that will prohibit any waste or disposal facility from being in any conservation zoned lands across the state does not properly take into consideration the circumstances and site conditions. There is a proper process in place currently that would consider circumstances and site conditions in determining whether a waste or disposal facility would be an appropriate land use in the conservation district at a specific site. That process is through the Board of Land and Natural Resources' Conservation District Use Application (CDUA).

Thank you for the opportunity to testify.



KE ONE O KĀKUHIIHEWA

O'ahu Council of the
Association of Hawaiian Civic Clubs

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 HAWAI'I O KAPOLEI
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

KALIIHI-PĀLAMA HCC
KAIMO MUHLESTEIN

KING KAMEHAMEHA HCC
LETANI PELTIER

KO'OLAULO A HCC
RANAE "TESSIE" FONOMOANA

KO'OLAUPOKO HCC
ALICE P. HEWETT

LUALUALEI HCC
SHIRLINE HO

MĀKAHA HCC
LUANN LANKFORD-FAVORITO

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
TONI LEE

PRINCE KŪHIŌ HCC
A. MAKANA PARIS

PRINCESS KAI'ULANI HCC
RUSTY RODENHURST

QUEEN EMMA HCC
RAWLETTE P. KRAUT

HCC OF WĀHIAWA
MARIE "MĀLIA" DOO

HCC OF WAIALUA
MAKALAPUA CASSON-FISHER

WAI'ANAE HCC
CYNTHIA ENRIQUEZ

WAIKIKI HCC
L. PI'IKEA TOMCZYK

HCC OF WAIMĀNALO
KALANI KALIMA

Committee on Water and Land
Committee on Agriculture and Environment

Pō'alima, Pepeluai 7, 2020

Lumi 'Aha Kūkā 224

Ke Kapikala Moku'āina

415 South Beretania Street

Re: SB2386 Proposed SD1 - Relating to Waste Management

Pepeluai 4, 2020

Aloha Luna Ho'omalua Kaiali'i Kahele, *Hope Luna Ho'omalua* Gilbert S.C. Keith-Agaran, *Luna Ho'omalua* Mike Gabbard, *Hope Luna Ho'omalua* Russell E. Ruderman and members of the Senate Committees on Water and Land and Agriculture and Environment:

Ke One O Kākuhihewa-O'ahu Council of the Association of Hawaiian Civic Clubs **SUPPORTS** the intent of SB2386, Proposed SD1. 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.

At its 60th annual convention, the Association of Hawaiian Civic Clubs, of which we are 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 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, Ke One O Kakuhihewa respectfully urges the Committee to **PASS** SB2386, Proposed SD1.

Mahalo nui for the opportunity to provide comments on this important issue to our members and our communities.

Ke One O Kakūhihewa 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.

Handwritten signature of Hailama V. K. K. Farden.

Hailama V. K. K. Farden, President

IRON WORKERS STABILIZATION FUND

February 7, 2020

1:35 pm

Senate Committee on Water and Land
Senate Committee on Agriculture and Environment
Conference Room 224
State Capitol
415 South Beretania Street

Re: SB2386, SD1 Proposed - RELATING TO WASTE MANAGEMENT.

Aloha Chair Kaiali‘i Kahele, Chair Mike Gabbard, Vice-Chair Gilbert S.C. Keith-Agaran, Vice-Chair Russell E. Ruderman and members of the Senate Committees on Water and Land and Agriculture and Environment:

We **SUPPORT** SB2386, SD1 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.

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 in 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 **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.)

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

IRON WORKERS STABILIZATION FUND

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).

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



Ka 'Aha Kenekoa
Committee on Water and Land
Committee on Agriculture and Environment

Pō 'alima, Pepeluali 7, 2020
Lumi 'Aha Kūkā 224
Ke Kapikala Moku 'āina
415 South Beretānia Street

Re: SB2386 Proposed SD1 - Relating to Waste Management

Aloha Luna Ho 'omalu Kaiali'i Kahele, Hope Luna Ho 'omalu Gilbert S.C. Keith-Agaran, Luna Ho 'omalu Mike Gabbard, Hope Luna Ho 'omalu Russell E. Ruderman and members of the Senate Committees on Water and Land and Agriculture and Environment:

The Association of Hawaiian Civic Clubs **SUPPORTS SB2386, Proposed SD1**. 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.

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.

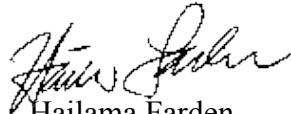
No community should suffer the negative health impacts and decrease in quality of life from a waste or disposal facility, including a landfill. This bill for an act would ensure a minimum safe distance of one-half mile from such facilities and the public. Let's make sure that such sites, including landfills,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

Thus, the Association respectfully urges the Committee to PASS SB2386, Proposed SD1.

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".

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

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

Date: Peleluali 7, 2020

To: Ka 'Aha Kenekoa- Committee on Water and Land, Committee on Agriculture and Environment

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

Re: SB2386 Proposed SD1 - Relating to Waste Management

Aloha Luna Ho'omalua Kaiali'i Kahele, Hope Luna Ho'omalua Gilbert S.C. Keith-Agaran, Luna Ho'omalua Mike Gabbard, Hope Luna Ho'omalua Russell E. Ruderman and members of the Senate Committees on Water and Land and Agriculture and Environment,

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, Proposed SD1 . 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, Proposed SD1.

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.

SB-2386

Submitted on: 2/6/2020 11:03:41 AM

Testimony for WTL on 2/7/2020 1:35:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Vince Kana`i Dodge	Testifying for `Ai Pohaku -The Stone Eaters	Support	No

Comments:

Aloha good people!

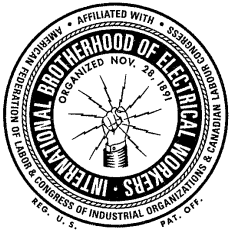
We strongly support SB 2386

We must protect our conservation lands, people and Aina around landfill areas and we must set the date to terminate landfills. In order to do this we must change the way we build. We must design and build and use materials that are totally reusable, that come apart and don't need to be demolished. We need to build buildings that don't generate waste when we are finished using them. This simple paradigm is fleshed out and explained in two excellent books "Cradle to Cradle" & "Upcycle" by William MacDonough and Michael Braungart. The German and Chinese governments r working with McDonough and Braungart in the implementation of the design paradigm. It's not new - native peoples have been building like this forever.

Please support SB2386 and please prepare and introduce the necessary bills to change our building code so that we build without waste and take down buildings that generate no waste.

Aloha Nui!

Vince Kana`i Dodge



International Brotherhood of Electrical Workers

LOCAL UNION NO. 1186 • Affiliated with AFL-CIO

1935 HAU STREET, ROOM 401 • HONOLULU, HI 96819-5003
TELEPHONE (808) 847-5341 • FAX (808) 847-2224

TO: SENATE COMMITTEE ON WATER AND LAND, AND
SENATE COMMITTEE ON AGRICULTURE AND ENVIRONMENT
For Hearing on Friday, February 7, at 1:35p.m., in Room 224

RE: TESTIMONY IN SUPPORT OF SB2386 Proposed SD1

Honorable Chair Kaialii Kahele & Chair Mike Gabbard, and Committee Members:

The International Brotherhood of Electrical Workers Local Union 1186 (IBEW 1186) represents over 3,400 members working in electrical construction, telecommunications, and with Oceanic Cable. Our members include civil service employees at Pearl Harbor, Kaneohe, Hickam, and at every military installation in Hawaii. IBEW Local 1186 also partners with over 110 signatory electrical contracting companies that perform most of the electrical work in the State.

The IBEW 1186 SUPPORTS SB 2386, Proposed SD1. 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 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.

Sincerely,

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

Damien T.K. Kim
Business Manager/
Financial Secretary



Luna O Nā Papa Alaka'i

Pelekikena

Anthony Makana Paris

Hope Pelekikena 'Ēkahi

Randi Fernandez

Hope Pelekikena 'Elua

K ā'eo Kealoha Lindsey

Pu'ukū

Leilani Williams-
Solomon

Kākau 'Ōlelo Ho'opa'a

Sai Furukawa

Kākau 'Ōlelo Palapala

Kamuela Werner

Pelekikena Hala Koke

Yvonne 'PeeWee' Ryan

Nā Luna Alaka'i

Alan Akao
Kuni Agard
Puamana Crabbe
Kanani Pali
Marlene Sai
Bruce Wong

P.O. Box 4728
Honolulu, HI 96812

www.pkhcc.org

*Founded in 1964
by Lili'uokalani
Kawānanakoa Morris*

Senate Committee on Water and Land
Senate Committee on Agriculture and Environment

Friday, February 7, 2020
1:35 pm Conference Room 224
State Capitol
415 South Beretania Street

Re: SB2386 Proposed SD1 - RELATING TO WASTE MANAGEMENT

Aloha Chair Kahele, Chair Gabbard, Vice-Chair Keith-Agaran, Vice-Chair Ruderman and members of the Senate committees on Water and Land and Agriculture and Environment:

The Prince Kūhiō Hawaiian Civic Club **SUPPORTS** SB2386 Proposed SD1. This bill for an act will require half-mile buffer zones around waste or disposal facilities, including landfills. 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.

E aloha kekahi i kekahi

Love one another.

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

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. 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.

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 committees to PASS SB2386 Proposed SD1.

Me ke aloha,



A. Makana Paris

Pelekikena

president@pkhcc.org

Encl.

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



Luna O Nā Papa Alaka'i

Pelekikena

Anthony Makana Paris

Hope Pelekikena 'Ekahi

Randi Fernandez

Hope Pelekikena 'Elua

Matthew Gumapac

Pu'ukū

Denise Kekuna

Kākau 'Ōlelo Ho'opa'a

Sai Furukawa

Kākau 'Ōlelo Palapala

Kamuela Werner

Pelekikena Hala Koke

Yvonne 'PeeWee' Ryan

Nā Luna Alaka'i

Kuni Agard

Puamana Crabbe

Kanani Pali

Marlene Sai

Jennifer Smythe

Bruce Wong

P.O. Box 4728
Honolulu, HI 96812

www.pkfcc.org

*Founded in 1964
by Lili'uokalani
Kawānanakoa Morris*

Via E-mail

Nānākuli-Mā'ili Neighborhood Board

Tuesday, August 20, 2019

Nānākuli Public Library

89-070 Farrington Highway, Wai'anae, HI 96792

nbtestimony@honolulu.gov

7:00 P.M. – 10:00 P.M.

Re: Board Position Regarding PVT EIS - Environmental Justice for Nānākuli

Aloha Chair Cynthia Rezentes and honorable board members:

The Prince Kuhio Hawaiian Civic Club stands in solidarity with Nānāikapono Hawaiian Civic Club and members of the Wai'anae moku community to say “no” to more landfills in our communities (Wai'anae Communities Sustainable Communities Plan, March 2012, 4-17). We affirm all of the 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. We affirm their just call to have a “clean and healthful environment” (Hawaii State Const. Article XI, Sec. 9). From PVT's own accounting, current and proposed landfill operations are only 750 ft. from the nearest residences (PVT ISWMF Relocation EISPN, 2-11). There exists no other such landfill in Hawai'i that abuts hundreds of residences and so closely. Further, there has never been an independent study clarifying that PVT does not pose a threat to public health, especially to the thousands of people that live, work, and play within a 4-miles radius of operations.

Allowing any landfill's continued and expanded operations in the community, given the convergence of scientific evidence demonstrating the negative health effects of landfills and their operations, is a travesty and morally irreprehensible (*See Waste and Human Health – World Health Organization, Nov 2015; Living near a landfill may damage your health, International Journal of Epidemiology, Oxford University Press, 2016*). We must secure Environmental Justice for those that live, work, and play in Nānākuli (Hawai'i Environmental Justice Initiative Report, State of Hawai'i Environmental Council, 2008).

Let us recall our ancestral wisdom and state motto, ua mau ke ea o ka 'āina i ka pono, and let the land be perpetuated in righteousness - not with a landfill in our community that causes adverse health effects. As such, we call upon the Board to withdraw their support for the operating of any landfill in the community of Nānākuli. We all deserve a clean and healthy environment.

Ke Aloha'āina,



A. Makana Paris
Pelekikena

CC: Mayor Kirk Caldwell, Councilmember Kymberly Marcos Pine, Councilmember Ron Menor, Sen. Maile Shimabukuro, Rep. Staycelyn Eli



Luna O Nā Papa Alaka'i

Via E-mail

Pelekikena

Anthony Makana Paris

Nānākuli-Mā'ili Neighborhood Board
Special Meeting

Wednesday, September 4, 2019

Hope Pelekikena 'Ekahi

Randi Fernandez

Nānākuli High and Intermediate School Cafeteria

89-980 Nānākuli Avenue, Wai'anae, HI 96792

nbtestimony@honolulu.gov

7:00 P.M. – 10:00 P.M.

Hope Pelekikena 'Elua

Matthew Gumapac

Re: Board Position Regarding PVT DEIS

Pu'ukū

Denise Kekuna

Aloha Chair Cynthia Rezendes and Board members:

Kākau 'Ōlelo Ho'opa'a

Sai Furukawa

We **OPPOSE** the Board's support of the PVT DEIS. On behalf of our members, including those that live, work, and play in Nānākuli and Mā'ili, we ask that the board not support the PVT DEIS.

Kākau 'Ōlelo Palapala

Kamuela Werner

The Prince Kūhiō Hawaiian Civic Club stands in solidarity with Nānāikapono Hawaiian Civic Club and members of the Wai'anae moku community to say "no" to more landfills in our communities (Wai'anae Communities Sustainable Communities Plan, March 2012, 4-17).

Pelekikena Hala Koke

Yvonne 'PeeWee' Ryan

Nā Luna Alaka'i

Kuni Agard

Puamana Crabbe

Kanani Pali

Marlene Sai

Jennifer Smythe

Bruce Wong

We affirm all of the 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. We affirm their just call to have a "clean and healthful environment" (Hawaii State Const. Article XI, Sec. 9). From PVT's own accounting, current and proposed landfill operations are only 750 ft. from the nearest residences (PVT ISWMF Relocation EISPN, 2-11). There exists no other such landfill in Hawai'i that abuts hundreds of residences and so closely.

P.O. Box 4728

Honolulu, HI 96812

www.pkhcc.org

Allowing any landfill's continued and relocated operations in a community, given the convergence of scientific evidence demonstrating the negative health effects of landfills and their operations, is a travesty and morally reprehensible (See Waste and Human Health – World Health Organization, Nov 2015; *Living near a landfill may damage your health*, International Journal of

*Founded in 1964
by Lili'uokalani
Kawānanakoa Morris*

Epidemiology, Oxford University Press, 2016). We must secure Environmental Justice for those that live, work, and play in Nānākuli (Hawai‘i Environmental Justice Initiative Report, State of Hawai‘i Environmental Council, 2008).

Let us recall our ancestral wisdom and state motto, ua mau ke ea o ka ‘āina i ka pono, and let the land be perpetuated in righteousness - not with a landfill in our community that causes adverse health effects. As such, we call upon the Board to withdraw their support for the operating of any landfill in Lualualei. We all deserve a clean and healthy environment.

Ke Aloha‘āina,



A. Makana Paris
Pelekikena



Public Health Crisis in Nānākuli & Mā'ili

OPPOSE THE RELOCATION OF PVT LANDFILL TO REMAIN IN
NĀNĀKULI & MĀ'ILI

HAWAIIAN HOME LANDS COMMISSION PRESENTATION

DECEMBER 16, 2019

EDDIE WERNER, NĀNĀKULI HOMESTEADER & MAKANA PARIS,
PRINCE KŪHIŌ HAWAIIAN CIVIC CLUB

Overview

- ▶ Public Health Crisis in Nānākuli and Mā'ili
- ▶ Landfills are a Public Health Hazard
- ▶ PVT Landfill Sites next to Hawaiian Home Lands
- ▶ Legal Right to a Clean and Healthy Environment
- ▶ PVT Landfills are Environmental Racism against Native Hawaiians
- ▶ Alternate Landfill Sites Studies Exists and Nānākuli and Mā'ili are not Recommended
- ▶ Stop Environmental Racism: No more Landfills in Council District 1 (Leeward Coast)
- ▶ Recommendations




Date Saved: 10/12/2018 4:02:03 PM Document Path: F:\Hawaii\GIS\Projects\ISWMF\Figure 1-1_ProjectSite_revSMS.mxd

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

 National Vital Statistics System

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

 **Neighborhood Life Expectancy Project**

Figure 1-1



“ “...the landfill is not good
for our people...”

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

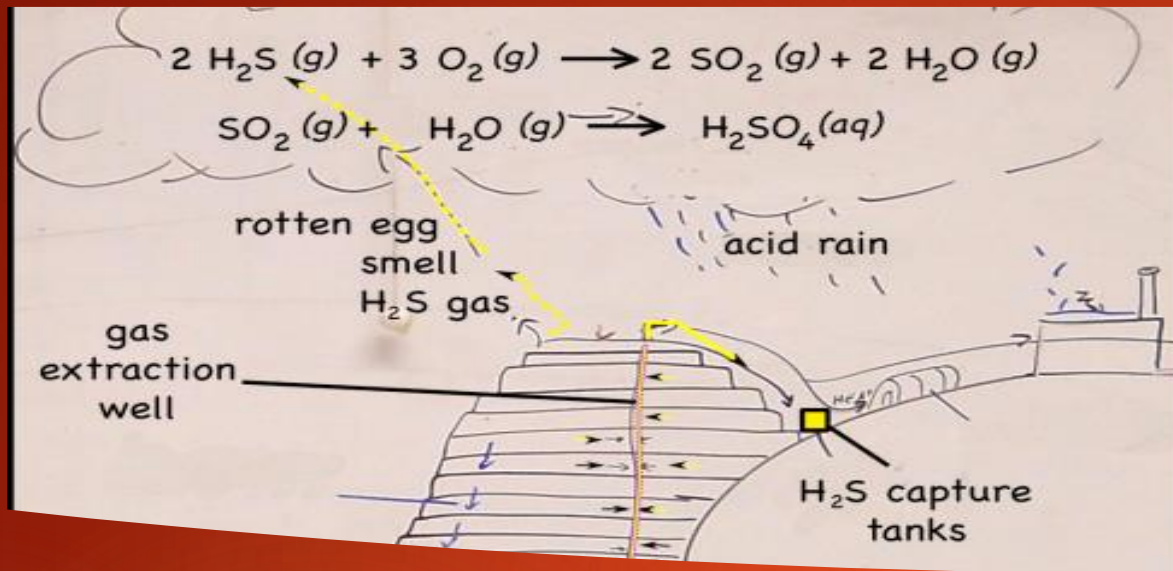
BORN 1949, DECEASED 2019 AT AGE 70

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.

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 Kuhio 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

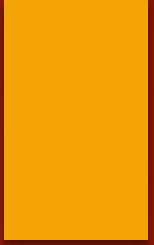
Landfills are Health Hazards

- ▶ “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



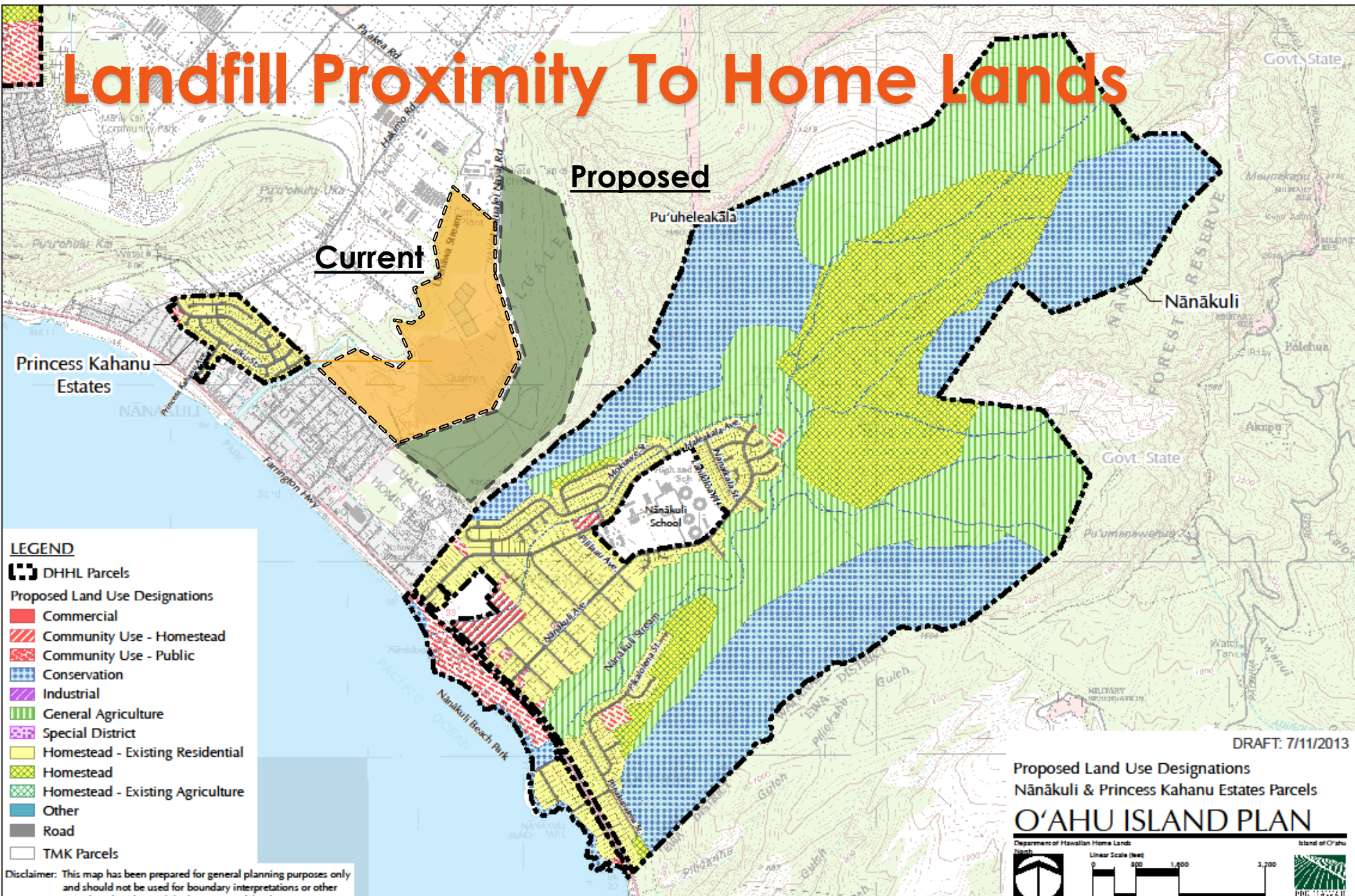
PVT Landfill Sites

- ▶ 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



Landfill Proximity To Home Lands

PDF - PDF - Q:\Oahu\DHHL - Oahu Island Plan\PDF Land Use Designations Maps
 Path: Q:\Oahu\DHHL - Oahu Island Plan\GIS\Project\Proposed Land Use Designation\Nanakuli.mxd



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.

Proposed

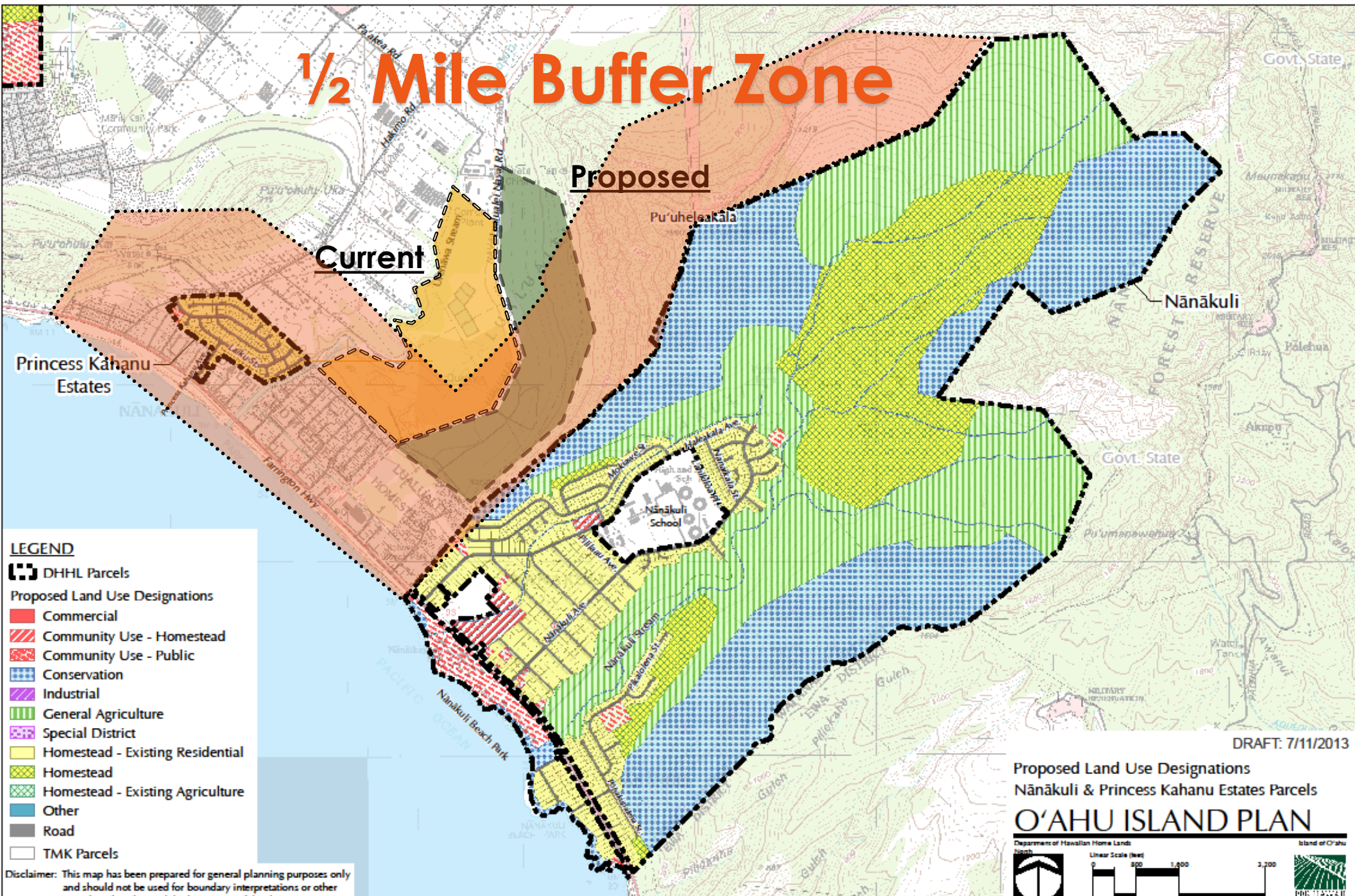
Current

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

1/2 Mile Buffer Zone



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 Kāhānu Estates Parcels
O'AHU ISLAND PLAN

Department of Hawaiian Home Lands
 Island of O'ahu



“ ...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.

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

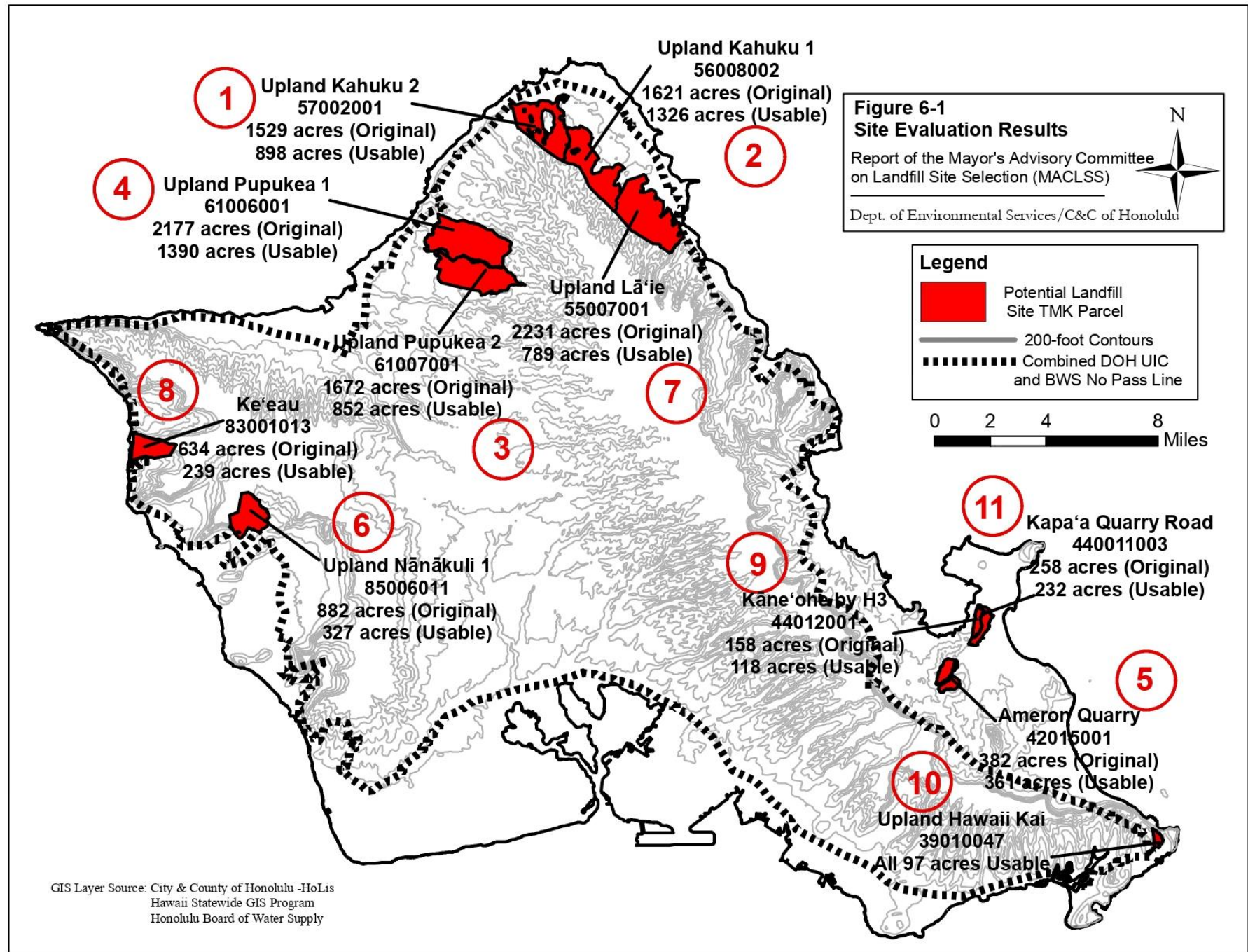
Environmental Justice

- ▶ State definition of environmental justice “...is 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, 2008

Alternate Sites Exists

The report took into account landfill sites to include both both municipal solid waste and construction and demolition waste.

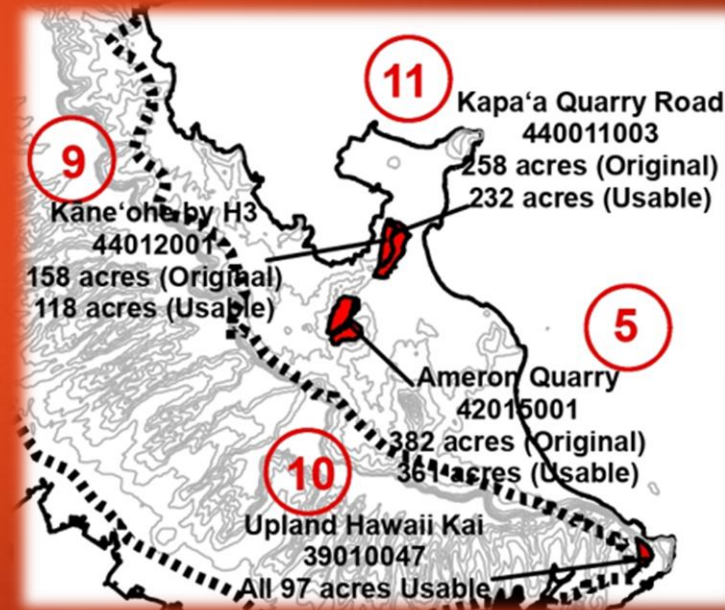
9 Community members; 6 Consultants; Multiple community hearings



Preferred Sites Given O‘ahu Aquifers

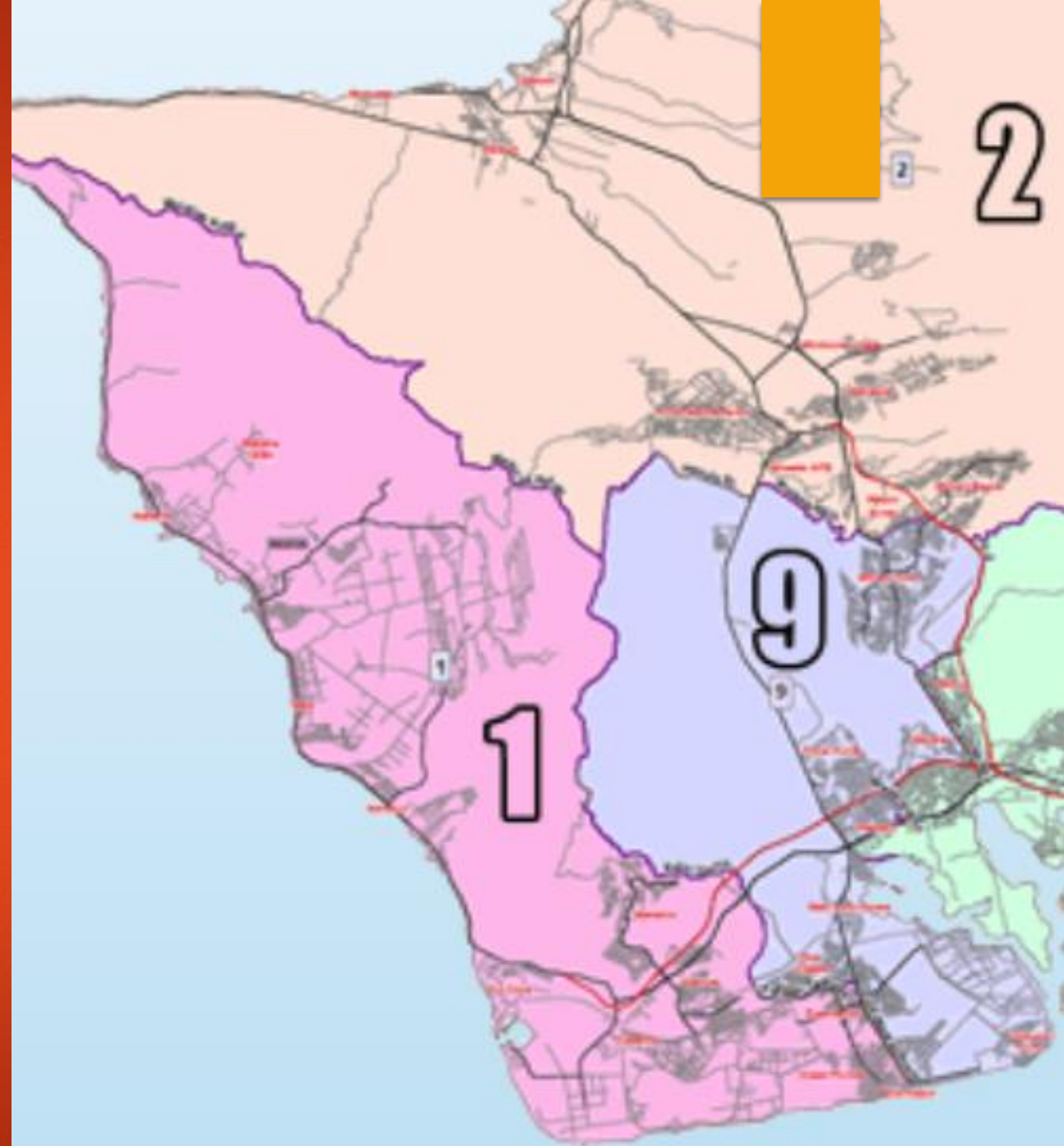
- Sites that do not violate the Board of Water Supply “No Pass Zone” or violate the State Underground Injection Control “No Pass Line” used to protect drinking water aquifers include:

1. **Ameron Quarry** (42015001)
2. **Kāne‘ohe by H3** (44012001)
3. **Kapa‘a Quarry Road** (440011003)
4. **Upland Hawai‘i Kai** (39010047)



No More Landfills in Council District 1

- ▶ Council District 1 takes nearly 100% of All Solid Waste on O'ahu
 - ▶ Municipal Solid Waste: Waimanalo Gulch Sanitary Landfill
 - ▶ Construction & Demolition: PVT Landfill
- ▶ Council District 1 has the highest concentration of Native Hawaiians in the world
- ▶ Stop Environmental Racism: No more landfills in Council District 1
 - ▶ No landfill at Kea'au, Upland Nānākuli, and other potential sites in Lualualei including Pacific Aggregate



Recommendations

1. Oppose the proposed relocation of PVT Landfill in Nānākuli & Mā'ili
2. Oppose the creation of any landfill within ½ mile of Hawaiian Home Lands
3. Support legislation that creates minimum buffer zones of ½ mile between landfills and residences

Mahalo

Eddie Werner, Nānākuli Homesteader & Makana
Paris, President Prince Kūhiō Hawaiian Civic Club

alohaeddiewerner@gmail.com |
president@pkhcc.org



Founded 1889

PLUMBERS AND FITTERS LOCAL 675 UNITED ASSOCIATION



February 6, 2020

The Honorable Senator Kai`ali`i Kahele, Committee Chair
The Committee on Water and Land
The Honorable Senator Mike Gabbard, Committee Chair
The Committee on Agriculture and Environment
State Capitol Conference Room 224
415 South Beretania St.
Honolulu, Hawai`i 96813

Re: Senate Bill 2386- Relating To Waste Management
Friday, February 7, 2020 at 1:35 pm

Aloha Chair(s), Vice-Chair(s), Committee Members;

Chartered in 1919, the Plumbers and Fitters UA, Local 675 is one of the oldest organized labor unions in Hawai`i and one of three 'licensed' skilled-construction trades, steeped in a rich history as one of Hawai`i's construction-industry pioneers.

On behalf of Local 675, Business Manager Val Ceria and its nearly 2,300 hard-working members and their families, we would like to thank the Committee Chair, Vice Chair and its members for allowing us to provide comments in SUPPORT of Senate Bill 2386 as well as the proposed Senate Draft 1.

Senate Bill 2386 essentially 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 further requires no less than one-half mile buffer zone for the construction, operation, modification, or expansion of a waste or disposal facility.

Although we acknowledge and recognize Hawai`i's unique challenges regarding waste management, we humbly ask that you consider the minimum standards proposed in Senate Bill 2386, as they are intended to protect public health, safety and welfare when siting new and/or expanding current waste or disposal facilities.

It is our observation that although environmental impact statements and health risk assessments typically measure potential impacts from airborne dust particles, they are not exhaustive and appear not to consider or measure other by-products that are generated from the decomposing waste stream, known to pose significant health risks.¹

¹ Methane and Hydrogen Sulfide Gases at C&DD Landfills, State of Ohio Environmental Protection Agency Fact Sheet No. 0669, September 2001.



In addition, published guidelines support the recommended minimum half-mile distance buffer zone when siting a waste disposal site.²

For these reasons we ask for your favorable consideration of Senate Bill 2386 as well as the amendments in the proposed Senate Draft 1. Mahalo for the opportunity to provide comments.

² Guidelines for Design and Operation of Municipal Solid Waste Landfills in Tropical Climates, International Solid Waste Association (ISWA), February 2013, p. 9-10.



Nicole Chatterson
Executive Director, Zero Waste O‘ahu
oahu.zerowaste@gmail.com
808.561.7730

February 6, 2020

Re: Testimony in Support of SB 2386

Aloha e Chair Kahele, Chair Gabbard and Members of both the Water and Land and Agriculture, Energy, and Environment Committees:

My name is Nicole Chatterson, I from Mānoa and serve as a Co-Founder and Executive Director of Zero Waste O‘ahu—a community-based organization working to support a waste-free future for Hawai‘i. I am writing in strong **support of SB 2386**, which prohibits any waste disposal facility from being located in a conservation district except in emergency circumstances and also creates reasonable buffer-zones between residents and facilities.

I completed my Master’s Thesis at the University of Hawai‘i on the environmental justice and climate impacts of H-POWER, O‘ahu’s waste to energy (WTE) facility. From that research, it became clear to me how imperative it is to create buffer zones between residents and solid waste disposal facilities. There are no long term studies on the health burdens to Hawai‘i residents from exposure to local waste management sites, however, we do have access to sobering information from other communities. While this information focuses on WTE, it is a clear example of the scope of impacts from solid waste facilities and the need creating boundaries around where they are cited.

- Even with pollutant controls, waste incinerators emit problematic levels of pollution from ash and smokestacks (Schell and Denham, 2003; Rabl et al., 2008; Pavlas and et al., 2010; Schmitz, 2017).
- A study in France demonstrated that women exposed to dioxins from incineration by-products experience increased cancer risk.
- Heavy metal exposure from incineration ash was linked to increased cancer risk among women in Italy (Genaro and Gentilini 2011; Schell, Burnitz, and Lathrop 2010).

In 2016 H-POWER released 126 tons/year of the pollutant PM10 (which is more than 95% of PM emitters in Hawai‘i) and emitted more PM2.5 than 93% of the other sources. These



emissions occur even with the use of high-end pollution control technology. PM, or particulate matter, has been linked with lung, stomach, liver, colon-rectal, and childhood cancers as well as soft tissue sarcoma and non-Hodgkin's lymphoma. It is known to cause oxidative stress, bronchitis, inflammation, increased blood viscosity, genetic damage, and alteration of cell function (Genaro and Gentilini 2011; Hannigan, Busby, and Cass 2005; Rabl, Spadaro, and Zoughaib 2008).

Similarly, PM is an issue for places like the PVT landfill, which accepts waste ash from the AES Coal Plant. An expansion of this operation would continue to place a disproportionate health burden on residents of this area. Requiring no less than a one-half mile buffer zone for the construction, operation, modification, or expansion of a municipal solid waste landfill unit is the bare minimum needed to safer and a more just system. I would suggest pushing that buffer zone even wider.

Another glaring trend is the social justice implications of where we site our solid waste facilities. On O'ahu, for example, most of the waste management infrastructure is located on the Leeward side of the island, in the moku of Wai'anae. This is home the largest populations of Kakana 'Ōiwi in the world, who are now carrying the body burden of our waste stream. Creating safer boundaries and protecting conservation districts from the impact of waste management needs to be done to support the well-being of Wai'anae residents.

Alongside the myriad of other reasons that SB 2386 needs to be passed, this issue also aligns with the following UN Sustainable Development Goals, which have been adopted as a guiding framework by the Hawai'i State Senate.

- SDG 3=Good Health and Well-Being
- SDG 9=Industry, Infrastructure and Innovation
- SDG 11=Sustainable Cities and Communities
- SDG 12 = Responsible Production & Consumption
- SDG 13 = Climate Action
- SDG 14 = Life Below Water
- SDG 15 = Life on Land

Mahalo for your time and consideration.

Nicole Chatterson

Director, Zero Waste O'ahu

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

**SB 2386 Proposed Draft 1,
Relating to Waste Management**

SUBMITTED VIA CAPITOL WEBSITE

Chair Kaialii Kahele
Vice Chair Gilbert S.C. Keith-Agaran
Senate Committee on Water and Land

Chair Mike Gabbard
Vice Chair Russell E. Ruderman
Senate Committee on Agriculture and Environment

Re: SB 2386 Proposed SD 1, Relating to Waste Management

Dear Chair Kahele, Vice Chair Keith-Agaran, Chair Gabbard, Vice Chair Ruderman and Members of the Joint Committees,

Thank you for the opportunity to submit testimony concerning SB 2386 Proposed SD 1, Relating to Waste Management. PVT **strongly opposes** SB 2386 Proposed SD 1, which would be devastating to the health and safety of the people of Hawaii and to the environment.

SB 2386 Proposed SD 1 provides that “[n]o person, including any federal agency, the State, or any county, shall construct, operate, modify, or expand a waste or disposal facility including a municipal solid waste landfill unit, any component of a municipal solid waste landfill unit, a construction and demolition landfill unit, or any component of a construction and demolition landfill unit, without first establishing a buffer zone of no less than one-half mile around the waste or disposal facility.”

If SB 2386 Proposed SD 1 is adopted, on Oahu, the immediate impact of this Bill is to close the Waimanalo Gulch Sanitary Landfill. It would also result in the closure of HPOWER, as HPOWER would not be able to dispose of its ash, which currently is disposed at the Waimanalo Gulch Sanitary Landfill. The residents, visitors, businesses and government entities on Oahu would have no legal place to take their municipal solid waste. Illegal dumping would be rampant. The residents, visitors, businesses and government agencies on Oahu would also be deprived of an important source of electricity on Oahu.

In addition, SB 2386 Proposed SD 1 would result in the immediate closure of the PVT Integrated Solid Waste Management Facility. PVT is the only publicly available facility that is permitted to accept construction and demolition debris on Oahu. If PVT is closed, each and every contractor in the construction industry, as well as federal, State and local governments, would have no legal place to take their construction and demolition debris. Construction projects

on Oahu would come to a halt. Illegal dumping would be even more widespread.

In addition, if PVT is closed, 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. By recycling and converting debris into feedstock for the production of energy, PVT can help reduce Hawaii's dependence on landfills and fossil fuels.

Together with PVT, the construction industry is the largest recycler of solid waste on Oahu. The City and County of Honolulu recently published its 2019 Integrated Solid Waste Management Plan Update (November 2019). The 2019 Report describes the tremendous increase in recycling on Oahu, from 74,000 tons of material in 1988 to 1,198,000 tons in 2017. The construction industry, including PVT, is the largest recycler with 763,279 tons of rock, concrete and asphalt recycled. This does not count the metal recycling by PVT and others in the construction industry or the generation of feedstock by PVT. See Table 4-1. Total Tons Recycled, Calendar Year 2017 at https://www.opala.org/solid_waste/pdfs/ISWMP_2019_Final.pdf

Finally, SB 2386 Proposed SD 1 is not necessary. Both state and local government currently regulate the buffer zones for landfills. For example, for the Waimanalo Gulch Sanitary Landfill, the buffer zone requirement can be found in the Special Use Permit issued to the City by the State Land Use Commission. For PVT, the buffer zone requirement can be found in its Solid Waste Management Permit issued by the State Department of Health. The applicable rules allow the consideration of various factors that are site specific. In contrast, the proposals before you are simply designed to close facilities that are operating in accordance with the permits they have been issued.

PVT respectfully requests that the Committees hold this measure. Thank you again for the opportunity to submit comments.



SIERRA CLUB OF HAWAI'I

SENATE COMMITTEE ON WTL & AEN

February 7, 2020 1:35 p.m. Room 224

In SUPPORT of SB 2386: Relating to waste management.

Aloha Chair Kahele, Chair Gabbard, Vice Chair Keith-Agaran, Vice Chair Ruderman, and members of both committees,

On behalf of our 20,000 members and supporters, the Sierra Club of Hawai'i **is in support of SB2386**, which seeks 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.

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 of Hawaii. State conservation districts not only contain important natural resources essential for maintaining Hawaii's ecosystems, but are culturally and historically significant to the Native Hawaiian community. Hawaii 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.

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 Hawaii. Thank you very much for this opportunity to provide testimony in **support of SB 2386**.

Mahalo, Lori Mallini
Volunteer, Sierra Club of Hawaii

The Thirtieth Legislature
Regular Session of 2020

STATE SENATE

Committee on Water and Land

Senator Kai Kahele, Chair

Senator Gilbert Keith-Agaran, Vice Chair

Committee on Agriculture and the Environment

Senator Mike Gabbard, Chair

Senator Russell Ruderman, Vice Chair

State Capitol, Conference Room 224

Friday, February 7, 2020; 1:35 p.m.

**STATEMENT OF THE ILWU LOCAL 142 ON S.B. 2386
PROPOSED SD1 RELATING TO WASTE MANAGEMENT**

The ILWU Local 142 supports S.B. 2386, 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 for the construction, operation, modification, or expansion of a municipal solid waste landfill unit.

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. Thank you for the opportunity to share our views on this matter.



ASSOCIATION OF HAWAIIAN CIVIC CLUBS
HAWAI‘I COUNCIL - MOKU O KEAWE ‘APANA
P.O. Box 7164 | Hilo, Hawai‘i | 96720

Committee on Water and Land
Committee on Agriculture and Environment
Friday, February 7, 2020 Conference Room 224
Re: SB2386 Proposed SD1 – Relating to Waste Management

Aloha Chair Kahele and Chair Gabbard and members of the Committees,

The Association of Hawaiian Civic Clubs – Hawai‘i Council **SUPPORTS** SB2386, Proposed SD1. 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.

At its 60th annual convention, members of the Hawai‘i Council along with others, 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.

Waste and disposal facilities play a vital role however, communities should not 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 Hawai‘i Council is comprised of nine (9) active clubs on the Island of Hawai‘i and that we are part of a collective of fifty (51) other clubs throughout the State of Hawai‘i and the United States that meet annually to vote on resolutions that advocate for the betterment of the conditions for Native Hawaiians. Thank you for hearing our testimony.

Mahalo nui,

Shane Palacat-Nelsen
Pelekikena

SB-2386

Submitted on: 2/4/2020 8:58:09 PM

Testimony for WTL on 2/7/2020 1:35:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Alexandra Kahn	Testifying for Surfrider Oahu	Support	No

Comments:



**HAWAII BUILDING &
CONSTRUCTION** TRADES
COUNCIL

735 Bishop Street, Suite 412 * Honolulu, HI 96813
(808) 524-2249 * www.hbctc.org

EXECUTIVE BOARD

DAMIEN T.K. KIM

President

International Brotherhood
Of Electrical Workers
Local 1186

MARC YAMANE

Vice President

Elevator Constructors
Local 126

PETER IRIARTE

Secretary/Treasurer

Operative Masons &
Plasterers Local 630

DOUGLAS FULP

Sergeant-At-Arms

International Association of
Heat & Frost Insulators &
Allied Workers Local 132

MELVIN P. SILVA

Trustee

Bricklayers & Allied
Craftworkers Local 1

VALENTINO CERIA

Trustee

Plumbers & Fitters
Local 675

ART TOLENTINO

Sheetmetal Workers, I.A.
Local 293

WAYNE KAULULAAU

Hawaii Teamsters &
Allied Workers Local 996

JACOB EVENSON

Boilermakers, Ironship
Builders Local 627

JOSEPH O'DONNELL

Ironworkers Local 625

VAUGHN CHONG

Roofers, Waterproofers &
Allied Workers United Union
Of Roofers Local 221

RYDEN VALMOJA

District Council 50
Painters & Allied Trades
Local 1791
Carpet, Linoleum & Soft Tile
Local 1926
Drywall, Tapers & Finishers
Local 1944
Glaziers, Architectural Metal
& Glassworkers Local 1889

February 5, 2020

The Honorable Kai Kahele, Chair
Committee on Water & Land
The Honorable Mike Gabbard, Chair
Committee on Agriculture & Environment
State Capitol, Room 224
Honolulu, Hawaii 96813

RE: SB 2386

Aloha Chairs Kahele & Gabbard and Members of the Water, Land, Agriculture and Environment Committees:

My name is Gino Soquena, Executive Director of the Hawaii Building & Construction Trades Council. On behalf of the 15 Construction Trade Unions and their Members that I represent, I would like to offer written testimony in **STRONG SUPPORT** of Bill SB2386, Proposed SD1. The bill will create a ½ mile buffer zone around waste or disposal facilities, including landfills.

The HBCTC 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.

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.

We urge you to pass this bill so that no community will suffer the negative effects of waste or disposal facilities, including landfills, in the future. No community should suffer. Landfills should not be in anyone's back yard.

Mahalo Nui Loa,

Gino Soquena
Executive Director
Hawaii Building & Construction Trades Council



**COMMITTEES ON WATER AND LAND, AND AGRICULTURE AND ENVIRONMENT
State Capitol, Conference Room 224
415 South Beretania Street
1:35 PM**

February 7, 2020

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

Chairs Kahele and Gabbard, Vice Chairs Keith-Agaran and Rudeman, and members of the committees:

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, which 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. 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.

The bill doesn't clearly articulate the problem it is attempting to address. We're concerned that legislation that will prohibit any waste or disposal facility from being located in any conservation zoned lands across the state does not properly take into consideration the circumstances and site conditions. With roughly one-half the state zoned conservation and the other one-half zoned agriculture (only about 200,000 acres state-wide is zoned urban), prohibiting, by law, any use of conservation lands would seem to be an extreme position and does not recognize specific circumstances and site conditions.

There is already a proper process in place that would consider circumstances and site conditions in determining whether or not a waste or disposal facility would be an appropriate land use in the Conservation District at a specific site. The process used by the Board of Land and Natural Resources is the Conservation District Use Application (CDUA) process.

Without a better understanding of the need for this legislation, we are opposed to S.B. 2386. We appreciate the opportunity to provide our comments on this matter.

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

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

www.biahawaii.org
info@biahawaii.org

SB-2386

Submitted on: 2/6/2020 1:09:01 PM

Testimony for WTL on 2/7/2020 1:35:00 PM

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

Comments:

Aloha Senators:

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, O'ahu, HI

SB-2386

Submitted on: 2/6/2020 8:49:34 AM

Testimony for WTL on 2/7/2020 1:35:00 PM

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

Comments:

Aloha,

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

Kapolei, Oahu

SB-2386

Submitted on: 2/6/2020 12:38:54 PM

Testimony for WTL on 2/7/2020 1:35:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Jennifer Milholen	Individual	Support	No

Comments:

Aloha committee members. Mahalo for considering this measure. I am writing in support of SB2386. I thank the Sierra Club Hawaii for bringing the relevant points below to my attention.

"The current landfill has been in operation for over 35 years and recent data shows the generational health crisis that it has created on the Wai'anae Coast. Air pollution is flowing into nearby homes, parks, schools, hospitals and churches, as some are as close as 750 feet to the landfill site.

Residents in the area are reporting health issues related to exposure to landfill pollution, dust, debris, asbestos, and other harmful chemicals. West O'ahu residents deserve better.

Materials containing asbestos are allowed at the PVT Landfill, if wrapped in 6mm of plastic. Both asbestos and plastics are known hazards to the environment and public health. Recent US Census Data shows the life expectancies in NÄ• nÄ• kuli are ten years less than the Hawai'i average.

Along with an increased risk of cancer from toxic heavy metal exposure, coal ash can affect human development, create lung and heart problems, cause stomach ailments, and contribute to premature mortality.

WHY DOES THIS MATTER?

Living within three miles of a landfill site is damaging to human health. Residents are exposed to chemicals from the landfill through air pollution, direct contact, ingesting drinking water or food contaminated by chemicals or through breast milk.

Each new truckload of garbage dumped daily into a landfill leads to an unknown amount of environmental pollution, expensive remediation costs, and health threats to those who live and work near the site. In 2012, the Honolulu City Council's Legislative Matters Committee asserted that the parcel proposed as PVT's relocation site has cultural and historic significance to the Native Hawaiian community and should not be developed.

This is a justice issue. A 2016 study found “a consistent pattern over a 30-year period of placing hazardous waste facilities in neighborhoods where poor people and people of color live.”

Mahalo for your consideration and supporting this measure.

Jennifer Milholen

Senate

Committee on Water and Land

Senator Kaiali‘i Kahele, Chair

Senator Gilbert S.C. Keith-Agaran, Vice Chair

Committee on Agriculture and Environment

Senator Mike Gabbard, Chair

Senator Russell E. Ruderman, Vice Chair

Friday, February 7, 2020

1:35 pm, Conference Room 224

State Capitol

415 South Beretania Street

SB2386 SD1 - RELATING TO WASTE MANAGEMENT

Aloha Chairs Kahele and Gabbard, Vice-Chairs Keith-Agaran and Ruderman, and members of the Senate Committees on Water and Land and Agriculture and Environment:

I am in **SUPPORT** of SB2386, proposed SD1.

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 acquired 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 go to school in Nānākuli and Mā‘ili.

We respectfully ask you to **SUPPORT** SB2386 SD1.

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 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 committees to **PASS** SB2386, proposed SD1.

Mahalo.

Ke aloha ‘āina,

Kamuela Werner, MPH
Mā‘ili Resident