

Nicole Chatterson  
Executive Director, Zero Waste O‘ahu  
[oahu.zerowaste@gmail.com](mailto:oahu.zerowaste@gmail.com)



---

Testimony in **OPPOSITION** to **HB 1682 HD1: RELATING TO THE ISSUANCE OF’  
SPECIAL PURPOSE REVENUE BONDS TO ASSIST NEXT LEVEL SOLUTIONS  
GROUP INC.**

To the joint Committee Hearing of AEN and EET

March 21, 2022 at 1:00PM; Conference Room 224 & Videoconference

To: Chair Gabbard, Chair Wakai and Members of the AEN and EET Committees

Date: March 20, 2022

Aloha Chairs and Committee Members,

As the Executive Director of Zero Waste O‘ahu, a local non-profit working to rebuild an equitable and waste-free Hawai‘i, I am testifying in **opposition to HB 2399 HD1**, which would approve special purpose revenue bonds to support Next Level Solutions Group, Inc. in pursuing a private industrial enterprise, which is a “waste-to-energy facility” that is purported to be in the public benefit.

We offer the following comments and basis for opposition:

1. The City and County of Honolulu recently completed a 10 year waste management strategy, called the [Integrated Solid Waste Management Plan](#). **This strategy prioritizes waste reduction. This measure does not further that priority and is out of step with the priorities of the county and of residents living here. These priorities include:**
  - a. *“Reduce per-capita waste generation 25 percent by 2030, from 6.5 pounds per day to 4.9 pounds per day, and*
  - b. *Reduce carbon emissions from the waste stream by substantially reducing or eliminating carbon-based single-use plastics and polystyrene from the waste stream going to H-POWER and landfill by 2030.”* (see Chapter 3: Source Reduction and Reuse for full details).



- 
2. As a private endeavor asking for investments via special purpose revenue bonds, the proposed Next Level facility would need to prioritize profit. **The profit model for private WTE facilities hinges on receiving waste to process** (via burning or other means) and then sell in the form of energy or other outputs. As such, it **enables and requires the further production of waste, which is directly at odds with the City and County’s stated priorities and not in the interest of the public.**
  
  3. Waste generation, and **industries that encourage or rely on waste generation, are not in the best interest to of the public because:**
    - a. [42 percent of U.S. greenhouse gas emissions stem from the energy used to produce, process, transport, and dispose of goods and food.](#) This is a big issue as we think about climate change. We need to **focus on producing less waste in order to offer public benefit**, not producing more of it to turn into fuel (especially considering there are other, better suited, renewable energy technologies).
    - b. **Processing waste cannot be done without negative impact to the climate and it poses risks to our water, air, and ecosystems.** There is currently no waste management technology that avoids these risks. Therefore, it is critical we **focus our resources on creating less waste to manage in order to offer public benefit.**
  
  4. While the state is not directly funding this project, approval of special purpose revenue bonds indicates the state condones such a project. **Approving a project like this for state bonds oversteps the autonomy of the county to create and design their own waste management infrastructure while ignoring the county’s stated goals around waste reduction.** Creating **more waste-to-energy infrastructure** will not help us reduce the amount of waste we have to manage, it **will likely encourage and exacerbate waste production.**
  
  5. The **preamble to the bill sets a false premise from which to evaluate the merits of the project**, in particular the claim in SECTION 1 that “Next Level Solutions Group Inc.’s development of waste-to-energy technology benefits Hawaii by.... (2) Protecting the environment, including by not releasing toxins and other harmful emissions into the

**Nicole Chatterson**  
**Executive Director, Zero Waste O‘ahu**  
[oahu.zerowaste@gmail.com](mailto:oahu.zerowaste@gmail.com)



---

air...” While air emissions are regulated (and if the system was set up well, emissions could be less than H-POWER), **it is false to state that no emissions will occur and therefore inaccurate to position it as a potential benefit to the public.**

6. Lastly, Next Level indicates that they intend to pursue gasification specifically in their testimony. Meanwhile, the bill refers broadly to “waste-to-energy”. At the very least, **the bill should explicitly state that bonds will be issued for gasification research and not provide leeway for other waste-to-energy methodologies to be explored.**

We would support the issuance of special purpose revenue bonds that would benefit the public by reducing the amount of waste generated \*prior\* to disposal at waste-to-energy facilities, landfills, or in recycling systems.

For example, if Next Level were to propose building out reuse and refilling infrastructure for local packaging reuse, that would be a tremendous benefit to our community, create clean green jobs, and get us closer to resolving a problem instead of exacerbating it. That is the direction we need to go in and the direction that our County Integrated Solid Waste Management Plan prioritizes as well.

Mahalo the opportunity to weigh in on this measure and for your time and consideration of our comments.

Aloha,

Nicole Chatterson, Executive Director, Zero Waste O‘ahu





Next Level Solutions Group Inc.  
3480 Waiialae Avenue, Suite 2 Honolulu, HI 96816  
808.781.9700  
office@Nextlevelsolutions.com

THE HONORABLE MIKE GABBARD, CHAIR  
SENATE AGRICULTURE AND ENVIRONMENT COMMITTEE  
THE HONORABLE GLENN WAKAI  
SENATE ENERGY, ECONOMIC DEVELOPMENT, AND TOURSIM COMMITTEE  
Thirty-First State Legislature  
Regular Session of 2022  
State of Hawai'i

March 21, 2022

RE: HB1682 HD1; RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST NEXT LEVEL SOLUTIONS GROUP INC.

Chair Gabbard, Chair Wakai, Vice Chair Nishihara, and Vice Chair Misalucha, and members of the Senate Committee on Agriculture and Environment and Senate Committee on Energy, Economic Development, and Tourism, Next Level Solutions Group Inc. ("NLSG") submits the following testimony in support of HB1682 HD1 that authorizes the issuance of special purpose revenue bonds to assist NLSG in developing a gasification waste to energy facility in Honolulu, Hawaii that will reduce pollutants in the air and land and reduce the amount of waste going into the landfill in comparison to H-Power, the older incinerator technology currently being used by the City and County of Honolulu that converts waste to electricity.

NLSG will supplement H-Power by being completely private through its focus on recycled waste, medical waste, and other waste being exported out of Oahu. We will process the waste into electricity in phase 1, and in later phases, we will also process the waste into building materials, fuels, and other byproducts. Our project will create more jobs and generate more capital within Hawaii's economy. As waste to energy technology improves over time, we will upgrade our facility to be more efficient environmentally and economically.

NLSG is requesting \$50 million in special purpose revenue bonds for this project. Should this bill pass the Hawaii State Legislature and Governor of Hawaii, NLSG will undergo review by

financial institutions to qualify for the bonds. If approved, financial institutions will float the bonds in the market for investors to invest in. In turn, NLSG will pay back the bonds. Thank you for allowing us to testify in support of HB1682 HD1.

**HB-1682-HD-1**

Submitted on: 3/20/2022 11:33:50 AM

Testimony for AEN on 3/21/2022 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Ted Bohlen	Testifying for Climate Protectors Hawai'i	Comments	Remotely Via Zoom

Comments:

To: The Honorable Michael Gabbard, Chair, The Honorable Clarence Nishihara, Vice Chair, and Members of the Senate Committee on Agriculture and Environment, and

The Honorable Glenn Wakai, Chair, the Honorable Bennette Misalucha, Vice Chair, and members of the Senate Committee on Energy, Economic Development, and Tourism.

From: Climate Protectors Hawai'i (by Ted Bohlen)

Re: Hearing **HB1682 HD1 RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST NEXT LEVEL SOLUTIONS GROUP, INC.**

Hearing: Monday, March 21, 2022, 1:00 p.m., CR 224 and by videoconference

Aloha Chairs Gabbard and Wakai, Vice Chairs Nishihara and Misalucha, and Members of the Committees on Agriculture and Environment and Energy, Economic Development, and Tourism:

The Climate Protectors Hawai'i is a group focused on reversing the climate crisis and encouraging Hawai'i to lead the world towards a safe and sustainable climate and future. The Climate Protectors Hawai'i **COMMENTS** that this proposal has received almost no scrutiny in hearings and almost no testimony except from representatives of Next Level. **It is not clear whether the project would be in the public interest.**

The project proponents claim that it "will reduce pollutants in the air and land and reduce the amount of waste going into the the landfill in comparison to H-Power, the older incinerator technology currently being used ... ." Reducing the waste entering the landfills is generally good for the environment, especially reducing organic waste that can produce methane, a potent greenhouse gas.

Being better than H-Power doesn't necessarily mean a project is in the public interest.

Gasification of "recycled waste, medical waste and other waste," can put carbon and other greenhouse gases and other pollutants into the atmosphere, which generally can harm the climate, the environment, and even human health. Whether this project will benefit or harm the climate should be determined by a careful lifecycle greenhouse gas analysis.

The Climate Protectors Hawai'i appreciate the Committee's consideration of these concerns.

Mahalo!

Climate Protectors Hawai'i (by Ted Bohlen)

THE HONORABLE MIKE GABBARD, CHAIR  
SENATE AGRICULTURE AND ENVIRONMENT COMMITTEE  
THE HONORABLE GLENN WAKAI  
SENATE ENERGY, ECONOMIC DEVELOPMENT, AND TOURSIM COMMITTEE Thirty-First State Legislature  
Regular Session of 2022  
State of Hawai'i

March 21, 2022

RE: HB1682 HD1; RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST NEXT LEVEL SOLUTIONS GROUP INC.

Chair Gabbard, Chair Wakai, Vice Chair Nishihara, and Vice Chair Misalucha, and members of the Senate Committee on Agriculture and Environment and Senate Committee on Energy, Economic Development, and Tourism, as representative of Next Level Solutions Group Inc. ("NLSG"), I submits the following testimony in support of HB1682 HD1 that authorizes the issuance of special purpose revenue bonds to assist NLSG in developing a gasification waste to energy facility in Honolulu, Hawaii that will reduce pollutants in the air and land and reduce the amount of waste going into the landfill in comparison to H-Power, the older incinerator technology currently being used by the City and County of Honolulu that converts waste to electricity. NLSG will supplement H-Power by being completely private through its focus on recycled waste, medical waste, and other waste being exported out of Oahu. We will process the waste into electricity in phase 1, and in later phases, we will also process the waste into building materials, fuels, and other byproducts. Our project will create more job, education opportunities and generate more capital within Hawaii's economy. As waste to energy technology improves over time, we will upgrade our facility to be more efficient environmentally and economically. NLSG is requesting \$50 million in special purpose revenue bonds for this project. Should this bill pass the Hawaii State Legislature and Governor of Hawaii, NLSG will undergo review by financial institutions to qualify for the bonds. If approved, financial institutions will float the bonds in the market for investors to invest in. In turn, NLSG will pay back the bonds. Thank you for allowing us to testify in support of HB1682 HD1.

Mahalo

Tony Hong



DAVID Y. IGE  
GOVERNOR



CRAIG K. HIRAI  
DIRECTOR

GLORIA CHANG  
DEPUTY DIRECTOR

EMPLOYEES' RETIREMENT SYSTEM  
HAWAII EMPLOYER-UNION HEALTH BENEFITS TRUST FUND  
OFFICE OF THE PUBLIC DEFENDER

**STATE OF HAWAII**  
**DEPARTMENT OF BUDGET AND FINANCE**  
P.O. BOX 150  
HONOLULU, HAWAII 96810-0150

ADMINISTRATIVE AND RESEARCH OFFICE  
BUDGET, PROGRAM PLANNING AND  
MANAGEMENT DIVISION  
FINANCIAL ADMINISTRATION DIVISION  
OFFICE OF FEDERAL AWARDS MANAGEMENT (OFAM)

**WRITTEN ONLY**

TESTIMONY BY CRAIG K. HIRAI  
DIRECTOR, DEPARTMENT OF BUDGET AND FINANCE  
TO THE SENATE COMMITTEES ON AGRICULTURE AND ENVIRONMENT AND  
ENERGY, ECONOMIC DEVELOPMENT, AND TOURISM  
ON  
HOUSE BILL NO. 1682, H.D. 1

**March 21, 2022**  
**1:00 P.M.**  
**Room 224 and Videoconference**

RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO  
ASSIST NEXT LEVEL SOLUTIONS GROUP INC.

The Department of Budget and Finance (the "Department") offers the following comments on House Bill No. 1682, H.D. 1, which authorizes the issuance of Special Purpose Revenue Bonds (SPRB) to assist Next Level Solutions Group Inc., a Hawaii corporation, in the development of a waste-to-energy facility pursuant to Part V, Chapter 39A, Hawaii Revised Statutes. The amount of the authorization is unspecified.

The Department would like to inform the Legislature and prospective SPRB parties that should the legislation be approved, approval of the SPRB issuance and conduit loan will require further review of the financing proposal to ensure compliance with all federal, state and credit underwriting requirements. Additionally, the Department would like to note that House Bill No. 1829, H.D. 2, specifies that the entire allocation of the state bond ceiling cap shall be used for housing related projects for the next six years provided that the allocations authorized, but not issued before July 1, 2022 shall not be affected. An authorization to issue a SPRB does not allocate the state bond ceiling. The allocation of the state bond ceiling is made at the closing of

the bonds. Since the bill specifies that the entire state bond ceiling shall be used for housing related projects, all authorized and not issued SPRBs subject to the bond ceiling cap will be prohibited from issuance by the Department for the next six years regardless of the authorization received prior to July 1, 2022. For additional information, please consult our FAQ located at the following link: <http://budget.hawaii.gov/wp-content/uploads/2012/11/SPRB-FAQ.pdf>.

Thank you for your consideration of our comments.

**HB-1682-HD-1**

Submitted on: 3/17/2022 8:02:22 PM

Testimony for AEN on 3/21/2022 1:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Gerard Silva	Individual	Oppose	Written Testimony Only

Comments:

Opposed unless voted on By the People of Hawaii!!

**HB-1682-HD-1**

Submitted on: 3/19/2022 6:59:00 AM

Testimony for AEN on 3/21/2022 1:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
laurel brier	Testifying for Kauai women's caucus	Oppose	Written Testimony Only

Comments:

Time and again studies have shown that WTE discourages recycling and composting and you lose valuable resources and increase GHG emissions with new the mining of new raw materials. Even Oahu does not have the capacity to support these operations. WTE is not supported by the environmental community. Materials Recovery can create better jobs.

**HB-1682-HD-1**

Submitted on: 3/19/2022 12:58:22 PM

Testimony for AEN on 3/21/2022 1:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Ruta Jordans	Individual	Oppose	Written Testimony Only

Comments:

I can't believe that a bill based on so many incorrect assumptions has made it so far in the legislative process, while bills that might have actually influenced for the good of Hawaii, such as the Green Amendment, did not. Please understand that waste to energy in any form is the most expensive and polluting option for dealing with waste. If it involves burning of waste or burning the results of processed waste, you are still burning and putting greenhouse gasses into the atmosphere. Look back at the history of our effect on the climate. The last 200 years have been focused on burning to make energy, and see where that has gotten us. Burning is the problem, not the solution.

**HB-1682-HD-1**

Submitted on: 3/20/2022 9:19:13 AM

Testimony for AEN on 3/21/2022 1:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Koohan Paik	Individual	Oppose	Written Testimony Only

Comments:

WASTE TO ENERGY = WASTE OF ENERGY

Don't be fooled by the greenwashing language of these incineration schemes.

A liveable future rests in pivoting from our culture of waste to resource recovery and zero-waste solutions.

**STRONGLY OPPOSE!!!**

**HB-1682-HD-1**

Submitted on: 3/20/2022 11:36:37 AM

Testimony for AEN on 3/21/2022 1:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Keith Neal	Individual	Oppose	Written Testimony Only

Comments:

Strongly oppose!

The age of combustion is over, should we continue, we do so at our collective peril.

Burning municipal garbage for energy has been totally discredited since the 1970's due to it's inefficiency and generation of toxics.

Far better initiatives to undertake are: reduce, reuse, recycle and repurpose.

The end products of a given process need to be the source material of another process of goods or services. Think of unconsumed/unused food that is composted to grow more food.

Respectfully submitted,

Keith Neal

**HB-1682-HD-1**

Submitted on: 3/20/2022 12:10:47 PM

Testimony for AEN on 3/21/2022 1:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Maki Morinoue	Individual	Oppose	Written Testimony Only

Comments:

Aloha

My name is Maki Morinoue and I am a 4th generation Kama'aina. Our ohana before making it illegal used the method of burning trash in my grandparents and father's time. I recall the toxic smell in which I recognised when visiting 3rd and 4th world countries. It is very distinc smell.

We now have the environmental impact knowledge that burning of garbage is extremely toxic when there is chemical material involved. There is much evidence that plastic is in fact very toxic to our well being, air quality and toxic to touch even decades after the burning.

I find we are moving in the wrong direction when we lift regulations that were placed in order to protect our Natural Resources and the health of our community at large. Our wind patterns often bring us smoke from our neighbors.

Please Oppose HB1682 HD1 today.

Mahalo  
Maki Morinoue  
Holualoa  
96725



**HB-1682-HD-1**

Submitted on: 3/21/2022 7:41:27 AM

Testimony for AEN on 3/21/2022 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Megan Lamson Leatherman	Individual	Oppose	Written Testimony Only

Comments:

Mahalo for the opportunity to testify in **STRONG OPPOSITION on bill (HB1682 HD1)**, that "Authorizes the issuance of special purpose revenue bonds to assist Next Level Solutions Group Inc., in developing a waste-to-energy facility."

Around the world, the zero waste community has proven that waste reduction, diversion, and reuse can be accomplished and will ultimately create more jobs and less carbon emissions than any waste-to-energy technology. The Hawai'i Sustainability Initiative seeks to have our state be carbon neutral by 2045. Waste-to-energy (biomass, trash burning, etc.) facilities bring us in the totally opposite direction. Please see these developments as they are: waste of time, tax-payer money, and toxic to our environment and human health and **KILL** this bill.

*Learn more here:*

- <https://www.no-burn.org/>
- <https://zwia.org/>

Many thanks for your time and consideration. Please do **not** use state bonds to fund any such climate-emission monster guised as a "solution".

Best,

*Megan Lamson Leatherman, M. Sc.*

Honalo, North Kona