



STATE OF HAWAII  
DEPARTMENT OF HEALTH  
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**Testimony in SUPPORT of HB2147  
RELATING TO MUNICIPAL SOLID WASTE LANDFILL PERMITS.**

REPRESENTATIVE NICOLE E. LOWEN, CHAIR  
HOUSE COMMITTEE ON ENERGY AND ENVIRONMENTAL PROTECTION  
Hearing Date: 2/3/2022 Room Number: 325

1 **Fiscal Implications:** None

2 **Department Testimony:** The Department of Health (Department) supports this measure and  
3 requested the introduction of this bill. This bill proposes to reinstate the Department's authority  
4 to permit federal municipal solid waste (MSW) landfills.

5 Section 342H-52 was amended in 2020 through Act 73, a portion of which, documented in the  
6 last committee report of the session, removed the Department's ability to permit federal  
7 municipal solid waste landfills. Currently, there is one federal MSW landfill at Kaneohe Marine  
8 Corps Base Hawaii. In addition, according to the U.S. Environmental Protection Agency, the  
9 removal of the Department's authority to issue permits to federal MSW landfills appears to place  
10 the State in non-compliance with Resource Conservation and Recovery Act § 4005(c) and 40  
11 Code of Federal Regulations § 239.6(e), which require that states adopt and implement permit  
12 programs that assure each solid waste management facility within their state obtain a permit and  
13 comply with the applicable criteria. As a result, the Department and the State of Hawaii may lose  
14 state program approval to allow for alternative liner and cover design and groundwater  
15 monitoring programs that may be more suited for local site conditions, from the federal  
16 standards.

17 **Offered Amendments:** None

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

**HB-2147**

Submitted on: 2/3/2022 8:37:59 AM

Testimony for EEP on 2/3/2022 9:05:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Remote Testimony Requested</b>
Ramzi Mansour	Hawai'i County Dept. of Environmental Management	Support	No

Comments:

February 3, 2022

Chair Lowen and Honorable Members of the Committee on Energy and Environmental Protection:

The County of Hawai'i Department of Environmental Management supports HB 2147, which will reinstate the State of Hawai'i Department of Health's authority to permit federal MSW landfills. The DOH's authority to permit federal MSW landfills was removed through Act 73.

According to the U.S. Environmental Protection Agency, the removal of the State of Hawai'i Department of Health's authority to issue permits to federal MSW landfills appears to place the State of Hawaii in non-compliance with Resource Conservation and Recovery Act § 4005(c) and 40 Code of Federal Regulations § 239.6(e), which require that states adopt and implement permit programs that assure each solid waste management facility within their state obtain a permit and comply with the applicable criteria.

The State of Hawai'i has such program already in place which is the basis for the Solid Waste Management Permit issued for the County of Hawai'i's West Hawai'i Sanitary Landfill. Without the EPA's approval, the State of Hawai'i may lose state program approval to allow for alternative liner, cover design, and groundwater monitoring programs that may be more suited for local site conditions which is the case for the West Hawaii Sanitary Landfill.

The County of Hawai'i DEM supports the State of Hawai'i Department of Health's authority to permit federal MSW landfills.

Thank you for the opportunity to provide testimony.

Ramzi Mansour, Director

Department of Environmental Management

**HB-2147**

Submitted on: 2/1/2022 2:49:05 PM

Testimony for EEP on 2/3/2022 9:05:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Remote Testimony Requested</b>
Gerard Silva	Individual	Oppose	No

Comments:

Get Ride of the Health Department Or we will have no chouse but to Vote all of You out!!

**HB-2147**

Submitted on: 2/3/2022 5:05:30 AM

Testimony for EEP on 2/3/2022 9:05:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Remote Testimony Requested</b>
Johnnie-Mae L. Perry	Individual	Support	No

Comments:

The 4Rs

RESPONSIBLE GOVERNMENT, MANUFACTURERS, CONSUMERS

REDUCE

RECYCLE

REFUSE