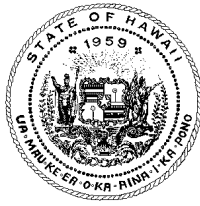


JOSH GREEN, M.D.
GOVERNOR



STATE OF HAWAII | KA MOKU'ĀINA 'O HAWAII
DEPARTMENT OF PUBLIC SAFETY
Ka 'Oihana Ho'opalekana Lehulehu
1177 Alakea Street
Honolulu, Hawaii 96813

TOMMY JOHNSON
DIRECTOR

Melanie Martin
Deputy Director
Administration

Michael J. Hoffman
Acting Deputy Director
Corrections

William F. Oku
Deputy Director
Law Enforcement

No. _____

TESTIMONY ON SENATE BILL 1247, SENATE DRAFT 1
RELATING TO WASTE-TO-ENERGY

By

Tommy Johnson, Director
Department of Public Safety

Senate Committee on Ways and Means
Senator Donovan M. Dela Cruz, Chair,
Senator Gibert S.C. Keith-Agaran, Vice Chair

Wednesday, March 1, 2023; 10:10 a.m.
State Capitol, Conference Room 211 and via Video Conference

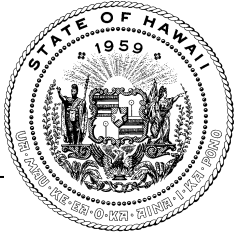
WRITTEN TESTIMONY ONLY

Chair Dela Cruz, Vice Chair Keith-Agaran, and Members of Committees:

The Department of Public Safety (PSD) would like to offer **comments** on Senate Bill (SB) 1247, Senate Draft 1 which requires the Hawai'i State Energy Office to enter into a public-private partnership to build a waste-to-energy generating facility.

PSD believes that engaging with our private partners to fund a waste-to-energy generating facility positively leverages state resources and facilitates collaboration toward our state's efforts to improve energy efficiency. Further, such a facility would divert solid waste from our landfills thereby preserving our environment and natural resources. This project aligns with the state's energy security and resilience initiatives and the waste-to-energy facility will contribute to ongoing efforts to reduce our dependence on fossil fuels.

Thank you for the opportunity to provide comments on SB 1247, SD 1.



HAWAII STATE ENERGY OFFICE STATE OF HAWAII

JOSH GREEN, M.D.
GOVERNOR

MARK B. GLICK
CHIEF ENERGY OFFICER

235 South Beretania Street, 5th Floor, Honolulu, Hawaii 96813
Mailing Address: P.O. Box 2359, Honolulu, Hawaii 96804

Telephone: (808) 587-3807
Web: energy.hawaii.gov

Testimony of
MARK B. GLICK, Chief Energy Officer

before the
SENATE COMMITTEE ON WAYS AND MEANS

Wednesday, March 1, 2023
10:10 AM
State Capitol, Conference Room 211 & Videoconference

Providing COMMENTS on
SB 1247, SD1

RELATING TO WASTE-TO-ENERGY.

Chair Dela Cruz, Vice Chair Keith-Agaran, and Members of the Committee, the Hawai'i State Energy Office (HSEO) offers comments on SB 1247, SD1. SB 1247, SD1, deletes the language that would have required the waste-to-energy (WTE) facility to be developed on land under the jurisdiction of the Department of Land and Natural Resources and makes other amendments.

HSEO appreciates the contribution WTE technology has made to Hawai'i's renewable energy goals. Hawai'i's only WTE facility, H-POWER in Kapolei, O'ahu, began generating electricity in 1990 and in 2021 generated just under 6% of O'ahu's electricity.¹

HSEO acknowledges it has limited expertise and experience in public-private partnerships as a means to carry out its statutory duties. Building such capacity within HSEO would require additional resources and staffing. HSEO is also concerned its role as a project partner would compromise its neutrality with Hawai'i regulatory agencies and its current ability to facilitate projects by serving as a conduit between the private and public sectors, including matters in front of the Hawai'i Public Utilities Commission.

¹ 2021 Renewable Portfolio Standard Status Report, Hawaiian Electric, [DocumentViewer \(hawaii.gov\)](#)

If a WTE project is to provide electricity to the utility grid, the potential developer should be aware that the development of a new utility-scale renewable energy project requires extensive planning and stakeholder coordination. Currently, Hawaiian Electric's Integrated Grid Planning (IGP) process, "working to define the plan for putting together Hawai'i's clean energy grid,"² includes a description of the selection process.³ HSEO recommends discussions for any new WTE facilities within Hawaiian Electric's service territory (O'ahu, Maui Nui, Hawai'i Island) be informed by the IGP process. In addition, a new renewable energy project that proposes to sell electricity to a regulated public utility must go through a competitive bidding (request for proposals) process unless the utility applies for and receives a waiver for a specific project.

Finally, HSEO notes that several recent attempts to develop new WTE facilities have been unsuccessful due to various reasons including lack of sufficient feedstock (waste) for the projects to be cost-effective. The counties of Kaua'i, Hawai'i, and Maui, as well as the City and County of Honolulu, may have additional information on the current and projected amounts and types of waste available.

Thank you for the opportunity to testify.

² [Integrated Grid Planning | Hawaiian Electric](#)

³ [Board-Grid-Scale-Renewables-4.png \(2000x2603\) \(hawaiianelectric.com\)](#)



Environmental Caucus of The Democratic Party of Hawai'i

February 27, 2023

To: The Honorable Donovan M. Dela Cruz, Chair
The Honorable Gilbert S.C. Keith-Agaran, Vice Chair, and Members of the
Senate Committee on Ways and Means
Senate, Hawai'i State Legislature

Re: SB 1247 – Relating to Waste-to-Energy

Hearing: Wednesday, March 1, 2023, 10:10 am, Room 211 & videoconference

Position: **Strong Opposition**

Aloha, Chair Dela Cruz, Vice Chair Keith-Agaran, and Committee Members:

The Environmental Caucus of the Democratic Party of Hawai'i has 7,500 enrolled members who are politically active and strong supporters of the environment. As Co-chairs of the Caucus, we strongly oppose SB 1247. This bill would amend HRS §196-71(b) to state that “The Hawaii State Energy Office shall ... (5) enter into a public-private partnership to develop a waste-to-energy generating facility on land under the jurisdiction of the Department of Land and Natural Resources.”

The Environmental Caucus recognizes the frustration that many Members of the Legislature, as well as the general public, are experiencing because Hawai'i is inundated with vast quantities of trash. Some Legislators, and many people in the general public, believe that increasing the burning of trash to generate energy solves two vexatious problems at once: Getting rid of the trash and generating electrical power, seemingly at less cost than importing and burning fossil fuels.

We wish that these twin problems could be resolved so simply and easily. But they can't be. First, burning trash generates more air pollution than burning oil or coal does. Second, mandating that a State agency shall enter into a public-private partnership to do something expensive, such as building a power plant – probably costing something on the order of \$100 million, puts the State further down the path of burning materials, rather than shifting, as we must, to solar and other energy production that is much more environmentally friendly, as well as being better for our health. Third, when a State agency must comply with a firmly stated mandate, it is stuck in an extremely bad negotiating position, especially because private parties that might want to build an incinerator would certainly demand a steady stream of inflowing trash for incineration. But neither Honolulu nor any other county can generate the “necessary” amount of trash to keep such an incinerator steadily operating. One or more companies can



Environmental Caucus of
The Democratic Party of Hawai'i

Testimony in opposition to SB 1247- Waste to Energy - WAM
Hearing: Wednesday, March 1, 2023, 10:10 am, Room 211
Page 2

demand that the State Energy Office must agree to enter into a long-term contract on very disadvantageous terms, and such a company could easily sue the Energy Office to force compliance. We add, also, that public-private partnerships are just a very bad way for a government agency to do business. Far too many such arrangements result in the public agency absorbing great risks, while the private entity reaps the profits.

For these important reasons, we strongly urge you to DEFER this bill. Thank you very much in advance for providing us the opportunity to testify on this poorly considered bill.

Alan B. Burdick and *Melodie Huiya*, co-chairs
Environmental Caucus of the Democratic Party of Hawai'i
Burdick808@gmail.com 808-927-1500
legislativepriorities@gmail.com 808-258-8889



To: The Senate Committee on Ways and Means (WAM)
From: Sherry Pollack, 350Hawaii.org
Date: Wednesday, March 1, 2023, 10:10am

In strong opposition to SB1247 SD1

Aloha Chair Dela Cruz, Vice Chair Keith-Agaran, and WAM Committee members;

I am Co-Founder of the Hawaii chapter of 350.org, the largest international organization dedicated to fighting climate change. 350Hawaii.org **strongly opposes SB1247 SD1** that requires the Hawaii State Energy Office to enter into a public-private partnership to develop a waste-to-energy generating facility on land under the jurisdiction of the Department of Land and Natural Resources.

Waste-to-energy is a greenwashing term used by the industry for waste/trash incineration. Trash incineration is one of the most expensive and polluting ways to make energy or manage waste. It's more polluting than coal (even for the climate) and produces 10 times fewer jobs than reuse, recycling and composting.¹

Regardless of what is being burned (mixed municipal solid waste, plastic, etc.), waste incineration creates and/or releases harmful chemicals and pollutants into the air. Incinerators are really “trash-to-toxic ash-and-toxic-air-pollution” facilities. Studies have found in communities around incinerators an increase in pre-term babies and babies born with spina bifida or heart defects, as well as cancers, including childhood cancers.² Moreover, incinerators do not avoid landfills. For every 100 tons of trash burned, 30 tons become toxic ash that goes to landfills.³ The other 70 tons become air pollution.

We don't need technologies that threaten public health and the environment. Incineration is a false solution that the legislature should firmly reject. Communities on Oahu are already exposed to H-POWER's toxic emissions. We need to move away from these harmful technologies, not towards them. Our money is better spent on true clean power technology with new battery storage. Real solutions must focus on producing less waste, manufacturing

¹ Tellus Institute, More Jobs, Less Pollution: Growing the Recycling Economy in the United States, 2011. www.recyclingworkscampaign.org.

² <http://www.energyjustice.net/incineration/healthstudies.pdf>

³ <http://www.energyjustice.net/incineration/ash>

less plastic, and using effective and proven methods of recycling—not finding new ways to incinerate these materials.

Thank you for the opportunity to testify.

Sherry Pollack
Co-Founder, 350Hawaii.org



**Hawaiian
Electric**

**TESTIMONY BEFORE THE SENATE COMMITTEE
ON WAYS AND MEANS**

S.B. 1247 S.D.1

Relating to Waste-to-Energy

March 1, 2023

10:10 a.m., Agenda Item #31

State Capitol, Conference Room 211

Greg Shimokawa
Director, Renewable Acquisition
Hawaiian Electric

Chair Dela Cruz, Vice Chair Keith-Agaran, and Members of the Committee:

My name is Greg Shimokawa and I am testifying on behalf of Hawaiian Electric commenting with significant concerns on S.B. 1247 S.D.1, Relating to Waste-to-Energy. While we understand the concerns that prompted this bill, without further information we cannot determine if such a bill would indeed address such concerns.

This bill proposes to amend HRS Section 196-71 subsection (b) by adding a subsection to it that would require the Hawaii State Energy Office to enter into a public-private partnership to develop a waste-to-energy generating facility.

While having more renewable energy projects online will help the state meet its 2045 100% renewable energy goal, Hawaiian Electric would like further clarification on the intent of this bill.

Hawaiian Electric purchases power from the 69-megawatt H-POWER waste-to-energy plant owned by the City & County of Honolulu. The plant is capable of burning approximately 3,000 tons of garbage per day to produce steam that drives two steam

turbine generators, which provides the electricity that is sold to Hawaiian Electric and distributed to customers. A shortage of trash has hampered the ability of H-POWER to meet its contractual obligations.¹ Increased recycling and reuse efforts could further limit available trash. Hawaiian Electric contemplates whether adding another waste-to-energy facility on O'ahu would be in the best interest of its customers.

S.B. 1247 S.D.1 does not specify how the energy from this waste-to-energy generating facility will be used. It should state if the energy would be sold to a public utility or directly used for or sold to public and/or private entities. If the intent is to sell the capacity and/or energy to Hawaiian Electric, any such project would need to bid into Hawaiian Electric's request for proposals for energy and would not be guaranteed a contract with the utility. Competitive bidding helps ensure that the projects selected to provide energy and capacity to the utility will provide the best benefits to our customers. Hawaiian Electric currently has an open request for proposals that any interested waste-to-energy facility could bid into, without the need for legislation.

Further, the Hawaii State Energy Office has testified that "it has limited expertise and experience in public-private partnerships as means to carry out its statutory duties."

Given the above, Hawaiian Electric has significant concerns regarding whether the plant would have enough fuel or the project would have an off taker.

Thank you for this opportunity to comment on S.B. 1247 S.D.1.

¹ <https://www.civilbeat.org/2022/04/a-bill-to-finance-a-new-waste-to-energy-plant-on-oahu-raises-questions/>



To: The Honorable Chair Donovan Dela Cruz, the Honorable Vice Chair Gilbert Keith-Agaran, and Members of the Committee on Ways and Means

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

Re: **Hearing SB1247 SD1 RELATING TO WASTE-TO-ENERGY.**

Hearing: Wednesday March 1, 2023, 10:10 a.m., room 211

Aloha Chair Dela Cruz, Vice Chair Keith-Agaran, and Members of the Committee on Ways and Means:

The **Climate Protectors Hawai'i respectfully but STRONGLY OPPOSES SB1247 SD1!**

At first blush, “waste to energy” sounds like a good idea: reduce waste volume while generating electricity. But, in reality incinerating “trash to toxic air pollution and toxic ash” is a terrible idea. It harmful to the wallets of county taxpayers as well as public health and the environment. **Incineration is generally more expensive than landfilling.** The World Bank reported in 2018 that **both capital and operating expenditures for incinerators are higher than costs for other options** such as composting, anaerobic digesting and landfills.

Incineration is far worse for public health and the environment even than coal and oil. It releases into the air hazardous pollutants such as lead, mercury and dioxins that can be carcinogenic and harmful to the central nervous system. It has been associated with birth defects. Incineration also releases fine particle pollution that can exacerbate respiratory ailments such as chronic bronchitis, asthma, COPD, and emphysema. It produces toxic ash that, when placed in landfills, can pollute drinking water and surface waters, which can harm human health. Incineration is twice as bad for the climate as landfilling, emitting greenhouse gases including carbon dioxide, nitrous oxide, NOx, ammonia, and total carbon.

Mandating that a State agency enter into a contract with a public-private partnership to build a facility, especially one that may cost on the order of \$100 million, is unwise; it leaves the State in a bad negotiating position that would drive up costs if a project ever went forward. **Moreover, the bill makes no sense economically; neither Oahu nor the neighbor islands have the trash volume to support another incinerator economically.** See the testimony on this point from SanHI Government Strategies. The City and County taxpayers are already paying too much for H-Power because we don't produce enough trash to meet the minimum charge under the existing ill-advised Covanta contracts.

Rather than building more polluting incineration, we should produce less trash by reusing and redesigning packaging, diverting organic waste from the landfill into composting, and recycling trash that has economic value, including construction and demolition waste.

Please hold this bill!

Mahalo!

Climate Protectors Hawai'i (by Ted Bohlen)

SB-1247-SD-1

Submitted on: 2/28/2023 8:21:18 AM

Testimony for WAM on 3/1/2023 10:10:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|-----------------------------------------------|---------------------------|------------------------|
| Ruta Jordans | Testifying for Kauai Climate Action Coalition | Oppose | Written Testimony Only |

Comments:

The only ones benefitting from a "waste to energy" scheme are the corporations doing the burning. Building an incinerator is multiple times more expensive than building a MRF with curbside recycling or solar panels and wind turbines. Neighboring counties do not produce sufficient waste to keep the boilers fed and the counties end up paying for what they have not produced. Burning usable material, such as organics, which should be composted, robs us of a valuable soil amendment. But the most important point in opposition to SB1247 is our children and their children's future. Burning sends more greenhouse gasses into the atmosphere at a time when we should be reducing these emissions. The climate crisis is real and needs everyone of us in every way possible to DECREASE emissions. Please vote NO on SB1247!

SB-1247-SD-1

Submitted on: 2/28/2023 8:35:33 AM

Testimony for WAM on 3/1/2023 10:10:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|------------------------------------|---------------------------|---------------------------|
| Ruta Jordans | Testifying for Zero Waste Kauai | Oppose | Written Testimony Only |

Comments:

The ones benefitting from a "waste to energy" scheme are the corporations doing the burning. Building an incinerator is multiple times more expensive than building a MRF with curbside recycling or alternative energy sources such as solar panels. Neighboring counties do not produce sufficient waste to keep the boilers fed and the counties end up paying for the trash they have not produced. Burning usable material, such as organics, which should be composted for soil amendment, robs us of the value in our trash.

But the most important point in opposition to SB1247 is our children's and their children's future. Burning sends more greenhouse gasses into the atmosphere at a time when we should be reducing these emissions. The climate crisis is real and needs everyone of us in every way possible to DECREASE emissions. Please vote NO on SB1247!

IRON WORKERS STABILIZATION FUND

March 1, 2023

10:10 am

Senate Committee on Ways and Means

Conference Room 211 & Videoconference
State Capitol
415 South Beretania Street

Re: SB 1247, SD1 - RELATING TO WASTE-TO-ENERGY.

Aloha Chair Donovan Dela Cruz, Vice Chair Gilbert Keith-Agaran, and Members of the Committee:

We **STRONGLY SUPPORT** the intent of SB1247, SD1 which requires the State to enter into a public-private partnership to develop a Waste-to-Energy (WTE) generating facility.

Increasing processing of solid waste through WTE will decrease our need for landfills. This project will help us to aggressively handle our 'opala while addressing the common saying, "No landfills in our backyards!" All four counties are challenged with their solid waste processing and their legacy landfills. Having the state build a WTE facility could lead to statewide coordination of solid waste processing and lead to synergies and economies of scale that do not exist in anyone county. The proposed WTE facility has the potential to serve the entire state and reduce solid waste going into landfills statewide.

Hawai'i has a goal of producing 100% of its electricity from clean renewable sources by 2045. Utilizing WTE, a firm renewable source of energy, will help our state move closer to achieving this important goal.

WTE technology will also help to reduce Greenhouse Gas emitted from legacy landfill emissions as our state addresses the significant effects of climate change and rising sea levels.

We urge the committee to PASS SB1247, SD1.

Sincerely,


T. George Paris
Managing Director

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



Testimony in **OPPOSITION** of **SB 1247: RELATING TO WASTE-TO-ENERGY**

Committee Hearing of WAM

March 1, 2023 at 10:10 AM, CCR 211 & Videoconference

February 28, 2023

Aloha Chair Dela Cruz, Co-Chair Keith-Agaran and members of the WAM Committee,

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 **strong opposition to SB 1247 SD1: RELATING TO WASTE-TO-ENERGY**. This bill is concerning. It forces the hand of the State Energy Office to engage in a particular set of waste management technologies, referred to as waste-to-energy (WTE). Not only is this overly prescriptive and pre-selecting a technology without due diligence, the WTE technology selected is well understood to present a number of human health issues, climate issues, and environmental issues. This bill preemptively forces more WTE upon the people of Hawai‘i without stakeholder engagement or due diligence on part of the State Energy Office.

O‘ahu already hosts a WTE facility called H-POWER. The public interest would be best served by first evaluating the pros, cons, and capacity of our existing infrastructure.

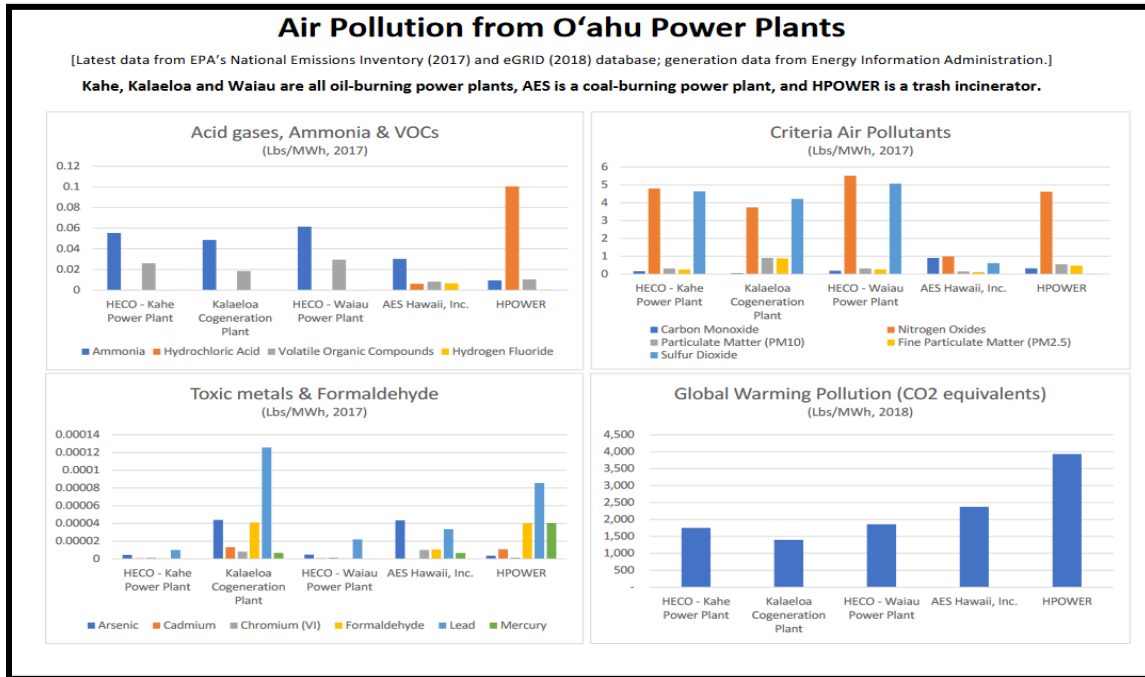
As we can see from H-POWER data, positioning WTE as a “renewable” or “clean” power source is an unfounded claim. Please see the graphs below from a factsheet¹ about H-POWER developed by the Energy Justice Network. They compare the energy generated from H-POWER against other power generating facilities on the island. H-POWER produces more acid gasses and global warming pollution than any other plant on the island.

Why should the state be required to further engage in a form of energy production that works against our climate goals?

¹ <http://www.energyjustice.net/incineration/HPOWERemissions.pdf>

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

Figure 1: H-POWER emissions charts



The bill preamble cites “reducing our solid waste stream” as a community benefit of WTE. This is incorrect. Reducing our solid waste stream would include policies like mandatory reuse, packaging reduction, and other sustainable procurement practices. WTE does nothing to reduce the amount of solid waste in need of management. It reduces the volume of waste buried in the landfill. This can extend the life of the landfill, but as we see in the attached graphs, this also comes at the expense of severe pollution. If this legislature is interested in supporting the reduction of waste, pursue policies that do so directly.

Across the board WTE technologies are well documented to be expensive, to emit problematic levels of GHG emissions (thus not qualifying as clean energy), and (in the case of RDF and mass burn facilities) to emit a number of hazardous pollutants through both smokestacks and fly ash. Forcing the State Energy Office to further engage in this technology without proper due diligence is neither in the best interest of the public nor in the best interest of building sustainable and right-sized waste management infrastructure and clean energy. Please table this bill.

Please feel free to contact me with any questions. Mahalo for your time and consideration.

Nicole Chatterson, Executive Director, Zero Waste O‘ahu



SENATE COMMITTEE ON WAYS AND MEANS

March 1, 2023 10:10 AM Conference Room 211

In **OPPOSITION** to **SB1247 SD1**: Relating to Waste-to-Energy

Aloha Chair Dela Cruz, Vice Chair Keith-Agaran, and Committee members,

On behalf of our 20,000 members and supporters, the Sierra Club of Hawai'i **OPPOSES** SB1247 SD1, which mandates the development of a solid waste incineration plant that would risk substantial harm to human health and the environment, while inhibiting our ability to pursue much more sustainable and economical solutions to our energy needs and waste stream challenges.

The Sierra Club appreciates this measure's desire to reduce our islands' solid waste streams and meet their energy needs. However, the expansion of waste-to-energy in Hawai'i may result in severe unintended consequences that may actually frustrate these overall goals.

For example, the incineration of solid waste in waste-to-energy facilities has been shown to both produce toxic ash and emit large amounts of toxic emissions containing pollutants such as dioxin, lead and other heavy metals, and PFAS. Communities surrounding a new waste to-energy facility that are exposed to air, soil, and water contamination from such difficult-to-contain incinerator ash and emissions may therefore be at heightened risk of serious and terminal illnesses, including lung and heart diseases, neurological complications, reproductive issues, and cancer.

In addition, energy production through solid waste incineration has a carbon intensity much higher than that of energy derived even from conventional fossil fuels, exacerbating, rather than relieving, our planetary climate crisis.

Notably, peer reviewed life-cycle assessments of waste management have also shown that three to five times more energy can be saved "through alternative strategies such as waste prevention, reuse, recycling, and composting than can be generated by burning." As we have seen with the H-POWER facility on O'ahu, creating a dependency on waste-to-energy facilities can actually disincentivize and even penalize these latter, true solutions to our waste and energy challenges.¹

Lastly, trash incineration is an aging and costly industry that is currently in rapid decline.² Most municipal solid waste incinerators currently in operation today were built in the 1980s; in the U.S., at least 31 municipal solid waste incinerators *closed* between 2000 and 2020, largely

¹ Marcel Honore, *The Trash That Fuels Oahu's Power Plant Is Vanishing As Fast As The Tourists*, HONOLULU CIVIL BEAT, April 25, 2020 available at <https://www.civilbeat.org/2020/04/the-trash-that-fuels-oahus-power-plant-is-vanishing-as-fast-as-the-tourists/>.

² <https://www.no-burn.org/wp-content/uploads/The-High-Cost-of-Waste-Incineration-March-30.pdf>

due to the financial burdens and health risks of these facilities.³

Accordingly, this measure's mandate to expand of waste-to-energy strategies in Hawai'i may only lead to significant harms to our communities and our environment, while potentially preventing us from realizing much more cost-effective solutions to reducing our solid waste streams.

For the above reasons, the Sierra Club of Hawai'i respectfully urges the Committee to **HOLD** SB1247 SD1. Mahalo nui for the opportunity to testify.

³ BAPTISTA, A. & PEROVICH, A., U.S. SOLID WASTE INCINERATORS: AN INDUSTRY IN DECLINE (2019), *available at* [https:// www.no-burn.org/industryindecline](https://www.no-burn.org/industryindecline).



SanHi

GOVERNMENT STRATEGIES

A LIMITED LIABILITY LAW PARTNERSHIP

DATE: February 28, 2023

TO: Senator Donovan Dela Cruz
Chair, Committee on Energy, Economic Development & Technology

FROM: Mihoko Ito

RE: **S.B. 1247, S.D. 1 - Relating to Waste-to-Energy**
Hearing Date: Tuesday, March 01, 2023 at 10:10 a.m.
Conference Room: 211 & videoconference

Dear Chair Dela Cruz, Vice Chair Keith-Agaran, and Members of the Committee on Ways and Means:

We submit this testimony in **opposition** to S.B. 1247, S.D. 1, on behalf of Covanta, who is the operator of HPOWER.

Every year, HPOWER processes more than 745,000 tons, or 85% of Oahu's post-recycled municipal solid waste that would otherwise have ended up in the Waimanalo Gulch landfill. In addition to being a source of odor and groundwater contamination, landfills are the third largest source of methane in the U.S. The EPA estimates that for every 1 ton of electricity processed at a waste-to-energy plant rather than sent to a landfill, approximately 1 ton of CO₂e is avoided. This negative carbon effect is largely due to avoiding the generation of methane - a GHG that is 84 times more potent than Co₂.

The power generated at HPOWER supplies the electricity grid on Oahu with up to 10% of the island's electricity needs. The plant reduces the volume of waste going to Waimanalo Gulch by 90% and recycles various ferrous and non-ferrous metals, resulting in GHG savings of 603,000 tons annually.

S.B. 1247, S.D. 1, requires the Hawai'i State Energy Office to enter into a public-private partnership to develop a waste-to-energy generating facility. While we appreciate that this measure makes statements about the benefits of waste-to-energy, we believe that it is completely unnecessary to build a new waste-to-energy plant, given the existence of HPOWER. We also believe it will be costly to implement this measure and ask that the Committee at a minimum include an appropriation to the measure. Finally, we believe that a full fiscal and overall impact estimate should be done before proceeding to develop any new waste-to-energy facility on Oahu.

For these reasons, Covanta opposes this bill and respectfully requests that it be held. Thank you for the opportunity to submit testimony on this measure.



International Brotherhood of Electrical Workers

LOCAL UNION NO. 1186 • Affiliated with

1935 HAU STREET, ROOM 401 • HONOLULU, HI 96817
TELEPHONE (808) 847-5341 • FAX (808) 847-2224

LATE

TO: SENATE COMMITTEE ON WAYS AND MEANS
Hearing on Wednesday, March 1, 2023 at 10:10 a.m., Conference Room 211

RE: TESTIMONY IN **SUPPORT** OF SB 1247 SD1

Honorable Chair Donovan M. Dela Cruz, Vice Chair Gilbert S.C. Keith-Agaran, and Members of the Committee on Ways and Means:

The International Brotherhood of Electrical Workers Local Union 1186 (IBEW 1186), is comprised of over 3,600 men and women working in electrical construction, telecommunications, Spectrum, civil service employees, and educator and faculty associations.

IBEW 1186 **SUPPORTS** this bill for the development of an energy generating plant that will result in multiple benefits. Expansion of existing landfills and the search for new locations for additional landfills has been a heavily debated matter. Waste-to-energy facilities help relieve the need for landfill space, while also providing much needed alternative sources of energy for our businesses and residents. The amendment in SD1 is another positive step in opening up the potential for these projects beyond the limited locations owned by only a single state agency.

Public-Private Partnerships are proven successes in assisting government in developing necessary capital improvement projects, preserving what is often limited public monies available for all the needs of the communities.

IBEW 1186 also recommends the use of Project Labor Agreements (PLA), which brings added efficiency, savings, workforce development, and quality to any large-scale project.

Thank you for this opportunity to submit this testimony.

Sincerely,

Damien T.K. Kim
Business Manager/
Financial Secretary



OPERATING ENGINEERS LOCAL UNION No. 3

2181 LAUWILIWILI STREET, KAPOLEI, HI 96707 • (808) 845-7871 • FAX (808) 682-0906
Jurisdiction: Northern California, Northern Nevada, Utah, Hawaii, and the Mid-Pacific Islands

LATE

February 28, 2023

Honorable, Donovan M. Dela Cruz, Senate Committee on Ways and Means, Chair
Honorable, Gilbert S.C. Keith-Agaran, Senate Committee on Ways and Means, Vice Chair
Honorable Members of the Senate Committee on Ways and Means

RE: SB 1247- ESTABLISHES LABOR REQUIREMENTS FOR THE CONSTRUCTION OF RENEWABLE ENERGY PROJECTS WITH A CAPACITY RATING OF MEGAWATTS OR GREATER. EFFECTIVE 6/30/3000. (HD1)

Chair Dela Cruz,

My name is Ana Tuiasosopo. I am the District Representative and Trustee for Operating Engineers Local 3. We are the largest construction union in the United States. I and the members of Operating Engineers Local 3 support SB 1247.

This bill for the development of an energy generating plant that will result in multiple benefits. Expansion of existing landfills and the search for new locations for additional landfills has been a heavily debated matter. Waste-to-energy facilities help relieve the need for landfill space, while also providing much needed alternative sources of energy for our businesses and residents.

Public-Private Partnerships are proven successes in assisting government in developing necessary capital improvement projects, preserving what is often limited public monies available for all the needs of the communities.

We humbly ask for your support and approval of SB 1247.

Sincerely,

Ana Tuiasosopo
Hawaii District Representative, Trustee
Hawaii Operating Engineers Local 3

SB-1247-SD-1

Submitted on: 2/27/2023 11:31:32 AM

Testimony for WAM on 3/1/2023 10:10:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|---------------------------|
| Douglas Perrine | Individual | Oppose | Written Testimony Only |

Comments:

I strongly oppose SB1247 for reasons that are outlined in detail in testimony already entered by Hawaiian Electric Industries, Zero Waste Hawaii, Our Revolution, and other testifiers. Given that the existing waste-to-energy facility cannot always obtain enough feedstock to operate at full capacity, and considering the environmental damage likely to result from construction of a new one, this bill smells of a corrupt deal between legislators and some private entity. All the benefits from such a project would go to some private sectors while all the harms would go to the general public.

SB-1247-SD-1

Submitted on: 2/27/2023 9:12:50 PM

Testimony for WAM on 3/1/2023 10:10:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|-------------------------------------|---------------------------|------------------------|
| laurel brier | Testifying for Kauai women's caucus | Oppose | Written Testimony Only |

Comments:

How many 100s of thousands have we already spent in Hawaii for WTE studies that have already shown it is not economically viable? What are the consequences of burning resouces that could be reused? Despite what the marketeers advertise incineration is polluting and bad for the environment.

Strongly OPPOSE

Zero Waste Strategies can and have worked

SB-1247-SD-1

Submitted on: 2/27/2023 9:47:26 PM

Testimony for WAM on 3/1/2023 10:10:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|---------------------------|
| Melissa Barker | Individual | Oppose | Written Testimony Only |

Comments:

Honorable Members,

I respectfully ask that you oppose SB1247 SD1 relating to waste to energy.

Thank you for your attention and courtesy.

Melissa Barker

Kapaa, HI

SB-1247-SD-1

Submitted on: 2/27/2023 9:49:08 PM

Testimony for WAM on 3/1/2023 10:10:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|------------------------|
| Paul Bernstein | Individual | Oppose | Written Testimony Only |

Comments:

Aloha Chair Dela Cruz and members of the Ways & Means committee:

As a rate payer and a tax payer, I **oppose** SB1247. In previous testimony, HECO's stated:

"A shortage of trash has hampered the ability of H-POWER to meet its contractual obligations. Increased recycling and reuse efforts could further limit available trash. Hawaiian Electric contemplates whether adding another waste-to-energy facility on O'ahu would be in the best interest of its customers."

Seems the answer is a clear no. This unit is unnecessary. Therefore, I request this committee kill this bill lest the legislature unfairly, financially burden tax and rate payers.

Respectfully,

Paul Bernstein

SB-1247-SD-1

Submitted on: 2/27/2023 11:03:30 PM

Testimony for WAM on 3/1/2023 10:10:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|--------------|--------------|--------------------|------------------------|
| David Hunt | Individual | Oppose | Written Testimony Only |

Comments:

SB1247 “REQUIRING the Hawaii State Energy Office to enter into a public/private partnership to develop a waste-to-energy generating facility on land under the jurisdiction of the Department of Land and Natural Resources”

Aloha Senators,

Blind Faith and a Blank Check !

SB1247 is both *arrogant*, and political and economic stupidity.

SB 1247 asks you to suspend common sense and economic and environmental responsibility.

SB1247 is irresponsible.

SB1247 requires only blind faith and a blank check. The account holder for that check, however, is taxpayers and ratepayers. The economic *consequences* of this horrible legislation would harm every taxpayer, every ratepayer in Hawaii.

As a taxpaying resident and a ratepayer, it both pains and angers me that SB1247 has found traction in the senate.

We can NOT BURN our way to clean energy. We can not burn our way to a sustainable climate. We can not burn our way to safe / clean land, air, and water. And finally we can not produce clean, affordable energy for our taxpayers, residents, and ratepayers by burning garbage and releasing the byproducts into our land, air, and water.

The ***REQUIREMENT*** language in SB1247 ASSUMES so much with so little study, rationale, research, demonstration, fiscal impact disclosure, and reason. SB1247 requires only blind faith and a blank check for a policy that has proven to be a failure.

As I read this bill, which make so little sense, I am left to wonder whether the author(s) are simply arrogant or serving some other unstated agenda.

Regardless of who and why this bill is before you, This bill does not pass the *smell test* and fails to demonstrate even common sense.

If you want to burn some GARBAGE, burn SB1247.

I request that you demonstrate good leadership and your constituents' best interest, and VOTE NO on SB1247.

SB-1247-SD-1

Submitted on: 2/28/2023 6:11:12 AM

Testimony for WAM on 3/1/2023 10:10:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|---------------------------|
| Caroline Azelski | Individual | Support | Written Testimony Only |

Comments:

In support of SD1. Thank you.

SB-1247-SD-1

Submitted on: 2/28/2023 8:28:38 AM

Testimony for WAM on 3/1/2023 10:10:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|------------------------|
| Mark A. Koppel | Individual | Oppose | Written Testimony Only |

Comments:

TESTIFYING IN STRONG OPPOSITION TO SB1247

Aloha Sen. DelaCruz. Oh yes, and you others whom he'll tell how to vote.

Sorry for the rude introduction, but that's what I read in Civil Beat. Your constituents read it too.

SB1247 is, of course, a terrible bill.

I'll leave it to the experts to give you the Facts. Please don't ignore them as so often happens.

Incineration Sounds great. Gets rid of trash And create energy. Win-win right? No, lose-lose.

Burning is the worst way to get rid of trash. It creates toxic pollution which somehow always seems to land in Native Hawaiian neighborhoods. It is one of the most expensive ways to produce energy.

Solution: Waste reduction (no plastic) and Solar.

Ask Senator DelaCruz. He knows the facts , although he sometimes seems oddly reluctant to share them.

Mahalo

Mark Koppel

31-329 Lepoloa Rd.

Ninole, HI 96773

LATE

SENATE COMMITTEE ON WAYS AND MEANS
March 1, 2023 at 10:10 am

OPPOSING SB 1247 SD 1

My name is John Kawamoto, and I oppose SB 1247 SD 1 because it would result in the unnecessary emissions of greenhouse gases, which are warming the Earth and making the Earth less livable for humans.

The bill requires the State Energy Office to enter into a public-private partnership to develop a facility that would burn municipal solid waste to produce electricity. Municipal solid waste is considered to be dirty energy because each ton that is burned releases between 0.7 tons and 1.7 tons of carbon dioxide. In addition, toxic chemicals that cause illness and disease are released.

Waste-to-energy generating facilities are typically intended to last for 20 to 30 years. During that period, the urgent transition to lower carbon-intensive power generation would be delayed. Furthermore, burning municipal solid waste is the most expensive way to handle it. Renewable energy options for generating electricity, such as wind and solar, are not only cleaner, but also less expensive.

A waste-to-energy generating facility would undermine the move to lower-carbon options for waste management, including composting organic waste and recycling other waste.

This bill requires the State Energy Office to take an action that contradicts its mission, which, according to HRS 196-71, is “to promote energy efficiency, renewable energy, and clean transportation to help achieve a resilient clean energy economy.” Furthermore, this bill will make it unlikely that Hawaii will achieve its goal, set by the Legislature, of net-negative emissions by 2045, which is codified in HRS 225P-5(a).

Hawaii should be advancing as quickly as possible toward a clean, renewable energy future, and this bill moves us backward.

LATE

SB-1247-SD-1

Submitted on: 2/28/2023 2:02:01 PM

Testimony for WAM on 3/1/2023 10:10:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|------------------------|
| John Patt | Individual | Oppose | Written Testimony Only |

Comments:

Have you no children? Burning our opala is one of the worst decisions we can make regarding our children's and grnadchildren's future. Hawaii is in a vulnerable position regardling climate change, yet we are contemplating adding even more green house gas to our atmosphere by burning our trash. Do we think that we can safely burn our garden hoses, shower curtains, vinyl lawn chairs, foam cushions and more without effect?

Do we think that we can afford the put or pay contract that that has already bankrupted cities like Harrisburg, PA?

Stand up for our future, and vote "No" on SB1247.