

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

**Testimony COMMENTING on HB0256  
RELATING TO ENVIRONMENTAL PROTECTION**

REPRESENTATIVE NICOLE E. LOWEN, CHAIR  
HOUSE COMMITTEE ON ENERGY & ENVIRONMENTAL PROTECTION

February 13, 2025; 10:15 AM; Room Number: 325

1 **Fiscal Implications:** Undetermined.

2 **Department Position:** The Department of Health (Department) respectfully offers comments  
3 and amendments.

4 **Department Testimony:** The Environmental Management Division, Clean Air Branch  
5 (EMD-CAB) provides the following testimony on behalf of the Department.

6 The Department supports the intent of this measure that proposes to prevent backsliding  
7 on existing air emission limits in the event that the United States Environmental Protection  
8 Agency (EPA) proposes new emission limits for waste-to-energy facilities. Typically, new federal  
9 regulations increase the level of stringency placed on air pollution sources based on new  
10 information, data, technologies, and lengthy and comprehensive evaluations, while this bill  
11 considers the opposite. Although we are unable to predict future changes to federal air  
12 regulations, the Department recognizes the benefit of preventing the relaxation of emission  
13 standards in maintaining and protecting air quality.

14 With regard to whether there are any legal obstacles to carrying out this measure, we defer  
15 to the Department of the Attorney General.

1       The Department also notes that while the measure averts the relaxing of the standards by  
2 locking them in as of December 31, 2024, it also prevents them from being tightened if more  
3 stringent limits were to be adopted. To correct this, we propose an amendment to Section 2 of  
4 the measure.

5       **Offered Amendments:** Additions appear as underlined.

6       “SECTION 2. An owner or operator of a waste-to-energy facility shall comply with the  
7 emission limitations of the following subparts of title 40 Code of Federal Regulations part 60  
8 entitled “Standards of Performance for New Stationary Sources”, as those subparts existed on  
9 December 31, 2024, which are hereby incorporated by reference, unless those limits are made  
10 more stringent:”

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

**DEPARTMENT OF ENVIRONMENTAL SERVICES  
KA 'OIHANA LAWELAWE KAIĀPUNI  
CITY AND COUNTY OF HONOLULU**

1000 ULU'ŌHI'A STREET, SUITE 308 • KAPOLEI, HAWAII 96707  
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RICK BLANGIARDI  
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ROGER BABCOCK, JR., Ph.D., P.E.  
DIRECTOR  
PO'O

MICHAEL O'KEEFE  
DEPUTY DIRECTOR  
HOPE PO'O

IN REPLY REFER TO:  
WAS 25-26

February 11, 2025

The Honorable Nicole E. Lowen, Chair  
The Honorable Amy M. Perruso, Vice Chair  
and Members of the Committee on Energy & Environmental Protection  
415 South Beretania Street  
Honolulu, Hawai'i 96813

Dear Chair Lowen and Vice Chair Perruso:

SUBJECT: House Bill 256 - Relating to Environmental Protection

The City and County of Honolulu's (City) Department of Environmental Services (ENV) supports HB 256, Relating to Environmental Protection, and remains committed to operating the City's waste-to-energy facility, H-POWER, in a safe and responsible manner that minimizes any impact to public health and the environment.

Should you have further questions, please contact me at (808) 768-3486.

Sincerely,

Roger Babcock, Jr., Ph.D., P.E.  
Director Designate



# Environmental Caucus of The Democratic Party of Hawai'i

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February 12, 2025

## Testimony in Support of HB256: Relating to Environmental Protection

**To:** Chair Nicole E. Lowen, Vice Chair Amy A. Perruso, and Members of the Committee on Energy & Environmental Protection

**From:** The Environmental Caucus of the Democratic Party of Hawai'i

**Date:** Friday, February 13, 2025, 10:15 a.m.

**Place:** Conference Room 324 & Videoconference

**Subject:** Support for HB256 - Relating to Environmental Protection

**Aloha Chair Lowen, Vice Chair Perruso, and Members of the Committee on Energy & Environmental Protection,**

The Environmental Caucus of the Democratic Party of Hawai'i strongly supports HB256, (**with amendments**) which requires owners or operators of waste-to-energy facilities to comply with certain United States Environmental Protection Agency regulations as they existed on December 31, 2024. We believe this measure is essential to protect public health and the environment from the harmful emissions produced by these facilities, particularly H-POWER.

### Key Points:

- 1. Trash Incineration is Dirtier Than Coal Burning:** Trash incineration releases significantly higher levels of pollutants compared to coal burning. It emits 65% more carbon dioxide (CO<sub>2</sub>), as much carbon monoxide (CO), three times as much nitrogen oxides (NO<sub>x</sub>), five times as much mercury, nearly six times as much lead, and 27 times more hydrochloric acid (HCl) than coal power plants.
- 2. H-POWER's Incinerator is a Major Polluter:** H-POWER's incinerator is one of the largest industrial air polluters on O'ahu. Two of the three burners at H-POWER are 35 years old and lack two of the four pollution control systems that most incinerators have. They have no controls to reduce nitrogen oxides that trigger asthma attacks or to capture highly toxic chemicals such as dioxins and mercury.
- 3. Inadequate Pollution Controls:** If H-POWER were built today, it would be illegal to operate as dirty as it currently does due to its inadequate pollution controls. This highlights the urgent need for updated regulations and stricter enforcement.

## **Arguments in Support:**

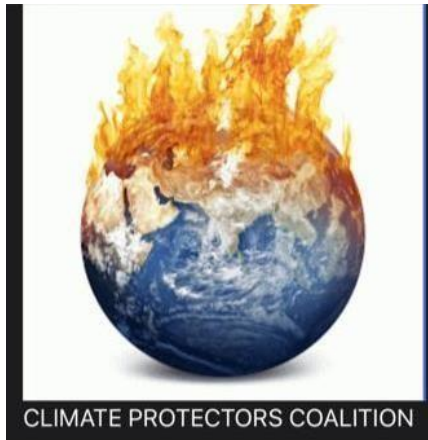
1. **Protecting Public Health and the Environment:** Strengthening regulations for waste-to-energy facilities is crucial for safeguarding public health. The harmful emissions from H-POWER pose serious health risks, particularly for vulnerable populations such as children, the elderly, and those with respiratory conditions.
2. **Compliance with Updated EPA Regulations:** We propose an **amendment to HB256 to require that the state adopt the EPA's draft regulations for Large Municipal Waste Combustors as proposed on January 23, 2024.** While HB256 references the EPA regulations as they existed on December 31, 2024, adopting the draft regulations proposed on January 23, 2024, would ensure that facilities like H-POWER adhere to the latest standards for controlling emissions and protecting air quality.
3. **Addressing Long-Standing Environmental Concerns:** The Clean Air Act regulations that HB256 aims to protect are from 2006. The U.S. Environmental Protection Agency is required to update these regulations every five years but had to be sued (under the Biden administration) to update them. A federal court required that they be updated by December 2024, but before President Trump took office, it was agreed to delay this by a year. At best, new regulations would be in effect by 2029 if not further delayed by the Trump administration.

We believe that adopting the EPA's draft regulations and strengthening the existing standards for waste-to-energy facilities like H-POWER is essential for protecting the health and well-being of our community. We urge the Committee to favorably consider HB256 and support its passage with the proposed amendments.

Thank you for the opportunity to testify.

**Sincerely,**

**Melodie Aduja and Alan Burdick**  
**Co-chairs Environmental Caucus of the Democratic Party of Hawai'i**



To: The Honorable Representative Nicole Lowen, Chair, the Honorable Amy Perruso, Vice Chair, and Members of the Committee on Energy and Environmental Protection.

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

Re: Hearing HB256 RELATING TO ENVIRONMENTAL PROTECTION

Hearing: Thursday February 13, 2025 10:15 a.m.

Aloha Chair Lowen, Vice Chair Perruso, and Energy and Environmental Protection Committee Members:

The mission of the Climate Protectors Hawai'i is to educate and engage the local community in climate change action, to help Hawai'i show the world the way back to a safe and stable climate.

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**The Climate Protectors Hawai'i SUPPORTS HB256 but PROPOSES AN AMENDMENT!**

Large trash incinerators release large quantities of toxic emissions. H-POWER is the largest source of toxic air emissions on Oahu. Its two older burners, now 35 years old, lack two of the four emissions control devices that are required of most incinerators. They have no controls for nitrogen dioxide that triggers asthma attacks or toxic chemicals such as dioxins and mercury.

States are allowed by law to have stricter air emissions than the federal rules. **In order to protect Oahu residents from toxic air emissions, Hawai'i rules for large incinerators should be made more protective, not less protective. Climate Protectors Hawai'i supports this bill's requiring State regulations for Large Municipal Waste Combustors that will not be weakened if the federal government does so.**

Climate Protectors Hawai'i **PROPOSES that the bill be amended** to require that the state adopt EPA's draft regulations for Large Municipal Waste Combustors as proposed on **January 23, 2024**. These limits are more appropriate than the EPA's watered down December 2024 proposed limits that have not gone into effect and are unlikely to do so, given the change in administration at EPA.

The December 2024 proposed regulations were the weakest of three proposed options for 8 of 9 pollutants, and they picked the middle-option for the nitrogen oxides that trigger asthma attacks. At best, new federal regulations would not be in effect until 2029 or later if delayed by the Trump administration. The State needs to act to protect its residents from toxic incinerator emissions.

Please pass this bill **amended to require State adoption of EPA's proposed regulations for Large Municipal Waste Combustors from January 23, 2024.**

Mahalo!

Climate Protectors Hawai'i (by Ted Bohlen)

**February 13, 2025**

Honorable Nicole E. Lowen, Chair  
Honorable Amy A. Perruso, Vice Chair  
Hawaii State House of Representatives  
Committee on Energy & Environmental Protection

Re: Testimony **IN STRONG SUPPORT** of House Bill 256;  
Relating to Environmental Protection

Aloha Chair Lowen, Vice Chair Perruso, and Members of the Committee:

Reworld **STRONGLY SUPPORTS HB 256**, which would require waste-to-energy facilities to comply with existing U.S. Environmental Protection Agency (EPA) emissions standards as of December 24, 2024, even if those standards are made less strict in the future. Reworld, as operator of the City & County of Honolulu's waste-to-energy facility (HPOWER), has consistently operated well below the stringent EPA emissions standards and is committed to doing so in the future. Therefore, Reworld respectfully requests the Committee to adopt HB 256.

**A. HPOWER Diverts Solid Waste from Landfills while Producing 10% of Oahu's Energy Needs**

Reworld is the long-time operator of the HPOWER facility, which is tasked with diverting solid waste from the city's landfill while converting waste into energy. The facility processes 620,000 tons of municipal solid waste and recovers 19,000 tons of metals for recycling yearly. HPOWER creates enough renewable electricity to power 60,000 homes or approximately 10% of Oahu's energy needs.

**B. The Clean Air Act and Maximum Available Control Technology (MACT) Successfully Reduced Emissions from Waste-To-Energy Facilities**

The installation of air pollution control equipment at HPOWER and waste-to-energy facilities around the U.S. was driven by the Clean Air Act Amendments of 1990 and the included Maximum Achievable Control Technology (MACT) standards. Following the implementation of these requirements, emissions from the industry dropped dramatically due to the closure of



outdated facilities and the installation of updated air pollution control equipment for those remaining in operation.

Emissions from waste-to-energy facilities have continued to drop, with average 2020 concentrations 43-99.9% lower than 1990 levels, even as the industry processed more waste than ever before. Reworld is proud that our first sustainability program, established in 2007, resulted in up to a 74% reduction in emissions from our waste-to-energy facilities.

**C. HPOWER Operates Well Below the Emission Standards and Supports HB 256 to Protect Those Standards from Any Potential Weakening in the Future**

HPOWER has an excellent compliance record with the EPA's air emission limits for Municipal Waste Combustors (MWCs). The facility continuously operates below the emission limits set by the EPA, as depicted in the attached graphs showing the facility's performance over the years.<sup>1</sup>

Under HB 256, waste-to-energy facilities will be required to comply with EPA emissions regulations existing as of December 24, 2024, even if those regulations are changed and made less strict in the future. Reworld strongly supports this bill to protect Hawaii and its residents from any potential weakening of federal standards applicable to HPOWER and other waste-to-energy facilities. Therefore, Reworld respectfully requests this Committee adopt this measure.

Thank you for the opportunity to provide testimony in support of HB 256.

Frazier Blaylock  
Senior Director, Government Relations  
Reworld (f/k/a Covanta)  
4960 Fairmont Avenue #605  
Bethesda, MD 20814

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<sup>1</sup> An electronic version of the graphs can be viewed here: [Microsoft PowerPoint - 2023 Facility Performance Sheets \(final\)](#)

## H-Power TTF

2023 Facility Performance

### Landfill Diversion

**620,000**  
tons of MSW processed

Enough to cover  
**447**  
Football Fields

Or, fill  
**75,100**  
garbage trucks,  
bumper to bumper

### Energy Recovery

**328,000**  
MWh net electricity export

Enough to power  
**31,000**  
homes for 1 year

Or, charge  
**76,000**  
Electric vehicles for 1 year

### Metal Recycling

**17,600**  
tons of ferrous metals

Equivalent to:  
**15,000**  
cars recovered from steel

Paperclip chain wrapped around the earth  
**27 times**

**1,400**  
tons of non-ferrous metals

**94M**  
aluminum cans

Energy savings from avoided metal mining:  
**4.3M**  
gallons of gasoline



### Net Greenhouse Gas (GHG) Avoidance

**2.4 tons**  
of net CO<sub>2</sub>e avoided\* for every ton of waste diverted from landfill

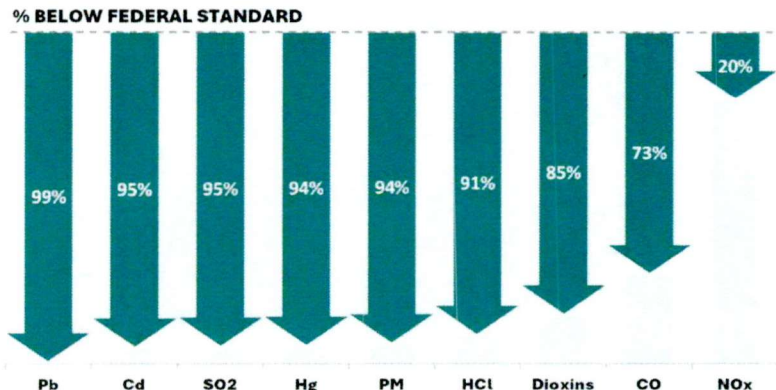
**1.3M**  
metric tons of GHGs avoided

Equivalent to removing/displacing:  
**330,000**  
Vehicles from roads  
**1.65B**  
Pounds of coal

### Environmental Compliance

up to  
**99% below**  
Federal emissions standards, based on annual averages\*\*

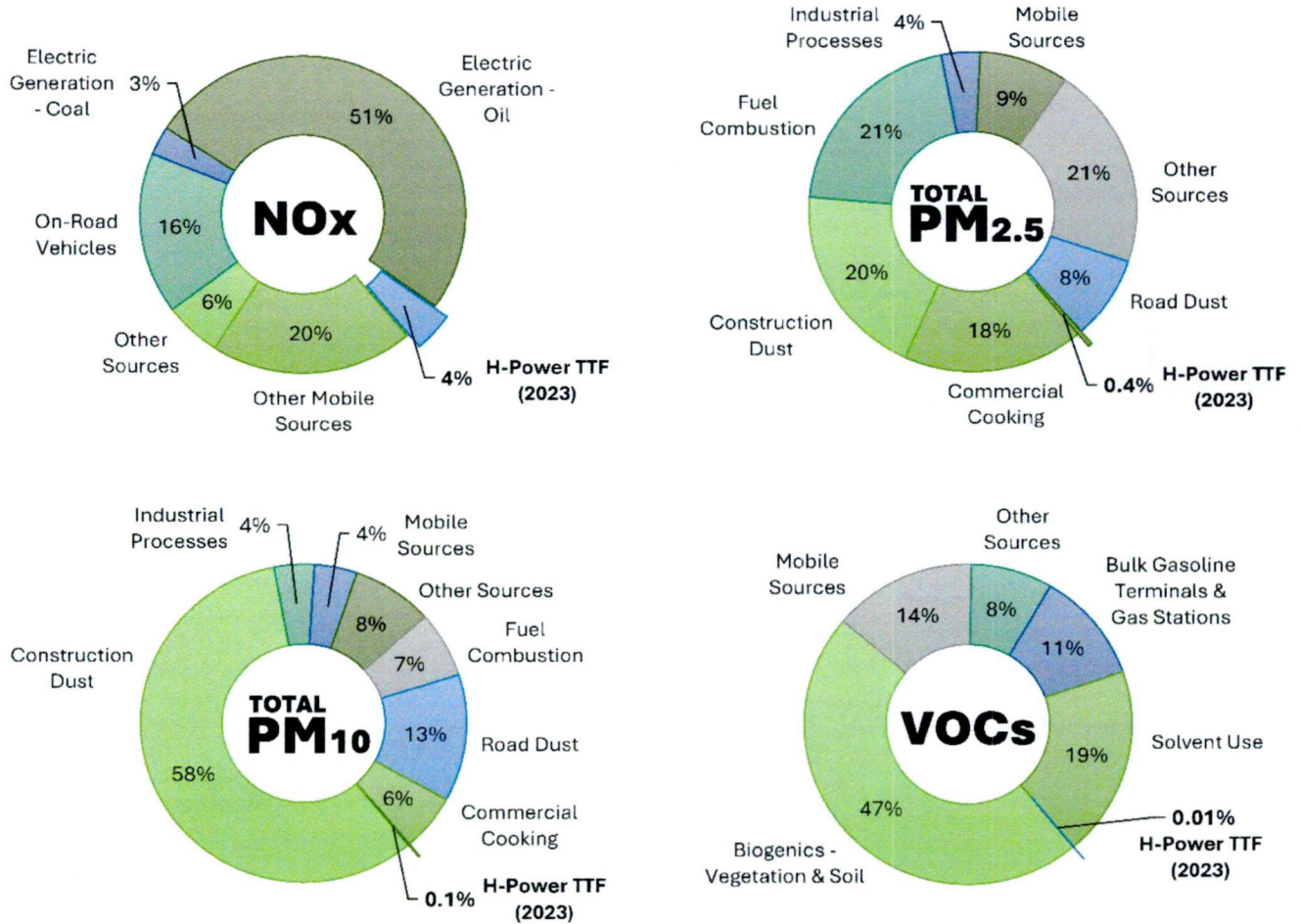
**99.98% compliant**  
with Continuous Emissions Monitoring (CEMS) standards





## How Do Our Emissions Compare to Other Sources in the County?

Local air emissions\*\*\* in Honolulu County, HI



\* GHGs are represented in CO<sub>2</sub> equivalents (CO<sub>2</sub>e) using global warming potentials (GWPs) to compare the warming power of different gases. This analysis uses the 20-yr GWP for methane of 81 from the IPCC's 6<sup>th</sup> assessment report. TTFs in the U.S. reduce lifecycle emissions by an average of 2.4 tons of CO<sub>2</sub>e per ton of MSW diverted from landfills. The data presented here reflects facility-specific operating data and the local electrical grid, which can differ from the national average.

\*\* 2021-2023 Average Annual Emissions compared to federal guidelines for existing facilities (40 CFR 60 Subpart Cb). Facility may be subject to more stringent requirements by permit or in accordance with other federal guidelines.

\*\*\* Based on the 2020 US EPA National Emissions Inventory; the most recently released complete inventory. Where available, the facility's 2020 emissions were replaced with the most recently reported 2023 emissions.

**HB-256**

Submitted on: 2/10/2025 11:22:27 AM

Testimony for EEP on 2/13/2025 10:15:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Douglas Perrine	Individual	Support	Written Testimony Only

Comments:

Please pass HB256 to protect our air quality.

**HB-256**

Submitted on: 2/11/2025 3:48:25 PM

Testimony for EEP on 2/13/2025 10:15:00 AM

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

Comments:

This bill, HB256, needs to strengthen the weak and outdated standards that currently exist. Please make it stronger!

**Did you know...**

- trash incineration is [dirtier](#) than coal burning?
- [H-POWER's incinerator](#) is one of the largest industrial air polluters on O'ahu?
- 2 of the 3 burners at H-POWER are 35 years old and are totally missing two of the four pollution control systems that most incinerators have? They have no controls to reduce the nitrogen oxides that trigger asthma attacks, or to capture the most toxic chemicals such as dioxins and mercury.
- if H-POWER were built today, it would be illegal to operate as dirty as it is.


**HB-256**

Submitted on: 2/11/2025 3:58:56 PM

Testimony for EEP on 2/13/2025 10:15:00 AM

Submitted By	Organization	Testifier Position	Testify
fred hofer	Individual	Support	Written Testimony Only

Comments:

I, Fred Hofer, supportvthid Bill yet I want it amended, I want to support a much stronger   
House Bill 256 --

- a bill that aims to prevent the Trump administration from weakening the standards on the state's only trash incinerator: H-POWER in Campbell Industrial Park in Kapolei, O'ahu.

I believe this bill could do MUCH better because it basically does nothing-yet

It needs to strengthen the weak and outdated standards that currently exist.

Did you know... trash incineration is dirtier than coal burning?

H-POWER's incinerator is one of the largest industrial air polluters on O'ahu?

2 of the 3 burners at H-POWER are 35 years old and are totally missing two of the four pollution control systems that most incinerators have?

They have no controls to reduce the nitrogen oxides that trigger asthma attacks, or to capture the most toxic chemicals such as dioxins and mercury.

If H-POWER were built today, it would be illegal to operate as dirty as they are.

This bill should require that updated standards be adopted by the state since they may not happen at all under the Trump administration.

Fred Hofer

Hilo

**HB-256**

Submitted on: 2/11/2025 7:15:22 PM

Testimony for EEP on 2/13/2025 10:15:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Monica Stone	Individual	Comments	Written Testimony Only

Comments:

Aloha Committee Members and mahalo for receiving my comments on bill HB256.

H-POWER is missing major pollution control systems under these regulations. Please amend the bill to adopt EPA's draft regulations for Large Municipal Waste Combustors as proposed on 1/23/24.

Mahalo,

Monica Stone 96740

**HB-256**

Submitted on: 2/12/2025 8:02:57 AM

Testimony for EEP on 2/13/2025 10:15:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Erin moncada	Individual	Oppose	Written Testimony Only

Comments:

Please amend the bill to strengthen its standards to support efforts to mitigate climate change adversely impacting Hawaii.