

Status Report on Reducing and/or Continuing the Use of
Waimanalo Gulch Sanitary Landfill (WGSL)
Public Hearing
April 21, 2010
5:00 p.m.
Kapolei Hale Conference Room A

Presentation

1. Opening and Welcome

Notice of this public hearing was published in the Honolulu Star Bulletin on April 7, 2010 and on the City's Refuse Division website, www.opala.org

This public hearing is being held to comply with Conditions 15 and 16 of the State of Hawai'i Land Use Commission's FINDINGS OF FACT, CONCLUSIONS OF LAW, AND DECISION AND ORDER WITH MODIFICATIONS, certified on October 22, 2009, in Docket No. SP09-403 (the LUC Order), which states:

"15. The Honolulu City Council through the City Administration shall report to the public every three months on the efforts of the City Council and the City Administration in regard to the continued use of the WGSL, including any funding arrangements that are being considered by the City Council and the City Administration."

"16. The City Council and the City Administration shall have a public hearing every three months to report on the status of their efforts to either reduce or continue the use of the WGSL."

The complete LUC Order is available at the State Land Use Commission website: http://luc.state.hi.us/co_sphonolulu.htm

The following report covers developments during the last calendar quarter regarding the matters set forth in Conditions 15 and 16 of the LUC Order.

2. Progress Toward Another Landfill Site

A. Condition 4 of the LUC Order states:

"On or before November 1, 2010, the Applicant shall begin to identify and develop one or more new landfill sites that shall either replace or supplement the WGSL."

Funding was appropriated in FY 2010 to initiate this project. Additional funds are being requested in the FY 2011 budget cycle.

The City, through the Department of Environmental Services (ENV), has selected a consultant to assist with the site selection effort. Subsequently, a site selection committee will be convened.

- B. The following tonnage chart includes municipal solid waste (MSW), H-POWER ash, and residue delivered to WGSL during the last three months.

January 2010	16,802 tons
February 2010	20,345 tons
March 2010	19,619 tons

There were no complaints relating to WGSL received from January through March 2010.

C. Ongoing Projects

- The solid waste permit application for the lateral expansion of WGSL was submitted to the State Department of Health (DOH) on December 1, 2008, and is currently under review. DOH has issued a draft permit.
- A Special Use Permit (SUP) application for the expansion of WGSL was approved with conditions by the City Planning Commission on July 31, 2009. The LUC approved the SUP with modifications, and included a condition that allows receipt of only H-POWER ash and residue at WGSL after July 31, 2012. The LUC Order is being appealed to Circuit Court by both ENV and the intervenors in the SUP proceeding.
- Excavation in the expansion area at WGSL is ongoing.
- The upright stones have been relocated to Battery Arizona.

3. Progress Report on Diversion

- A. The contract for the H-POWER expansion was executed on December 17, 2009. Covanta issued a Notice to Proceed (NTP) to their contractor on January 22, 2010. Construction is expected to start immediately and is estimated to be completed by the end of 2011. Funding for the expansion is divided over two fiscal years. Half the funding was appropriated in FY 2010 and the remaining funding is requested in the FY 2011 budget.

B. Interim Off-Island Shipping of MSW

An NTP was issued to contractor Hawaiian Waste Systems (HWS) for September 25, 2009. Both parties agreed that delivery of MSW would start on September 28, 2009.

As of today, there are approximately 20,000 tons of baled and wrapped refuse stockpiled at three locations. At the request of HWS, the City decreased the delivery volume from 300 tons per day to 100 tons per day, starting January 6, 2010. HWS later requested that the City reduce deliveries of waste to 200 tons per week. The City was asked to cease delivering waste on March 22, 2010.

The majority of the bales are in 40-foot shipping containers.

The environmental assessment for HWS' revised plan to ship the baled waste to different ports (Longview, WA; Rainier, OR; and Portland, OR) than originally proposed (Roosevelt, WA) was posted on the Federal Register on January 19, 2010 and the closing date for comments was February 18, 2010. Due to the extent of comments received during this 30-day period, there is no definite date when the Amended Compliance Agreement will be issued.

C. Materials Recycling

Most recent data shows annual recycling rates have increased by approximately 60,000 tons, from 610,000 tons in 2007 to 670,000 tons reported for 2008. (ENV is currently surveying recycling companies for 2009 recycling data). There was a drop in cardboard recycling, which industry representatives attribute to the downturn in the economy--less commerce means a decrease in products and their associated packaging. However, there were increases in recovery for glass, plastic, metals and green waste, indicating a growing effectiveness in City initiatives such as curbside recycling, and in the State's HI-5 redemption program. There were also increases in recovery for electronics, wood waste and construction and demolition materials.

Overall, with these increases in recycling rates the City landfill diversion rate through material and energy recycling programs has increased from 57% to 60% (the national average is 44-46%). The material recycling programs account for a 38% landfill diversion rate (3% increase compared to 2007). Estimates are based on a total waste stream of 1.79 million tons per year.

The City's efforts to increase residential recycling have continued with the expansions of the islandwide curbside recycling program, community recycling bin program, condo recycling assistance programs and increases in budget commitments to support these efforts.

ENV is preparing for the final phase expansion of the 3-cart curbside recycling program into the Leeward communities, scheduled to begin the week of May 3, 2010. There are currently 120,000 homes participating in the program. The final phase expansion will bring an additional 40,000 homes onboard. Once the program is fully implemented, the City estimates it will capture approximately 28,000 tons of mixed recyclables and 46,000 tons of green waste per year, a net gain of 53,000 tons per year over pre-curbside recycling program activity.

The City has maintained approximately 100 Community Recycling Bin sites on Oahu. The community recycling bins provide convenient drop-off to areas not serviced by curbside collection, for residents living in condos, and for the host schools.

The City continues to promote condominium recycling through a program that reimburses condominium properties for costs associated with the start-up of a recycling program.

State law requiring manufacturers to provide take back programs for electronic waste went into effect January 1, 2010. In these early months, the manufacturers' programs are not yet clearly defined, but the State Department of Health (DOH) has indicated that it expects the programs and consumer convenience to evolve as the new program matures. City ENV will continue to work in collaboration with DOH.

Public education regarding recycling is ongoing--distribution of brochures and print materials, opala.org website, WasteLine e-newsletter and annual events including Tour de Trash and Discover Recycling. In October 2009, ENV and Oceanic Time Warner Cable launched "Opalavision" on the Green Channel at Oceanic 332 and online at opala.org. Short stories about the City's recycling initiatives and programs are featured in 3-minute episodes that educate and entertain. New episodes are produced monthly.

D. Solid Waste Integrated Management Plan

Funds were appropriated in the FY 2010 to initiate the next update of the plan.

4. City Council Resolutions and Bills

The following resolutions were heard in the City Council Public Infrastructure Committee.

RESOLUTION NO.	DESCRIPTION	STATUS
09-316	Install special bins for collection and eventual non-landfill disposal of electronic waste	Resolution deferred in committee 11/03/09
09-345	City administration immediately initiate site selection process for new landfill	Resolution deferred in committee 1/12/10
09-346	City administration select new site to be used exclusively for disposal of H-POWER ash and residue	Resolution deferred in committee 1/12/10
09-361	Public come forward with ideas and innovative solutions to the City's problems with disposal of solid waste, including how to deal with landfills	Resolution as amended in CD1 form adopted 1/27/10
09-367	City recycle its concrete debris	Resolution as amended in CD1 form adopted 1/27/10
10-4	City auditor conduct an audit relating to delays in shipping City's municipal solid waste to mainland	Resolution deferred in committee 3/2/10

The following bills were heard in the City Council Public Infrastructure Committee.

BILL NO.	DESCRIPTION	STATUS
74 (2009), CD 1	Disposal charges for City-operated or City-contracted trans-shipment facilities	Bill adopted, signed by Mayor, final reading notice published 2/17/10
76 (2009)	Waimanalo Gulch Landfill close no later than July 31, 2012	Bill deferred in committee 12/01/09

All resolutions and bills, and video of Council meetings, can be found at the City website, www.honolulu.gov

Public Comments:

Public attendee: Polly Grace

- I understand that we must use what we have i.e. Waimanalo Gulch
- Did the City look at other areas?
- Answer from City
 - In 2003 a Landfill Site Selection Committee looked at other sites
 - They looked at over 40 sites – some had been developed since they were originally identified so they were dropped from consideration, some were dropped because they did not meet State or Federal rules
 - Ultimately 8 viable sites were identified, one was on State land and the State would not allow its use, one was on federal land and its use was also denied, one had significant archeological sites so it was taken off the list – this resulted in five sites
 - Of the five sites Waimanalo Gulch was scored as the best site based on criteria developed by the committee that included such things as distance from residences, businesses and schools etc.
 - The full report of the Landfill Site Selection Committee is available on the ENV website, www.opala.org
- Waimanalo Gulch has some bordering areas that have significance to Hawaiian culture and history and these should not touch the dump
- Know we need the dump – I respect the area don't know the sites in that area well so if you are working with people that do and they say the sites are not be impacted then I am OK
- Answer from City
 - Bill Aila hiked up with the City and operators and said we were not touching anything of significance in the expansion area
 - The Environmental Impact Statement did an Archeological Survey and found nothing except the three stones which with cultural guidance have been moved to a new site to protect them
 - This was the third archeological study done in the area
- Who else went with Bill?
- Answer from City
 - Cultural Surveys Hawaii did the study and their report which can be found at www.opala.org would list all of the consulted parties
- Our ancestors did not write things down it is all oral and passed down so I want to make sure this is taken into consideration through the persons talked to
- I am OK as long as you respect what you are told by those that know the history and the area

City Attendees:

Department of Environmental Services

Manuel S. Lanuevo, P.E., Deputy Director

Markus Owens, Public Information Officer

Wilma Namumnart, P.E., Assistant Chief Refuse Division

Wayne Hamada, P.E., Disposal Engineer

Suzanne Jones, Recycling Program Branch Chief

Department of the Corporation Counsel

Gary Takeuchi, Deputy Corporation Counsel

Sharon Blanchard, Deputy Corporation Counsel

Dana Viola, Deputy Corporation Counsel

Other

Dee Dee Letts, Meeting Facilitator

Joe Whelan, General Manager, Waste Management of Hawaii, Inc.