

Status Report on Reducing and/or Continuing the Use of  
Waimanalo Gulch Sanitary Landfill (WGSL)  
Public Hearing  
July 16, 2012  
5:00 p.m.  
Kapolei Hale, 1000 Uluohia Street  
Conference Room A

Presentation

1. Opening and Welcome

Notice of this public hearing was published in the Honolulu Star Advertiser on July 2, 2012, and on the City's Refuse Division website, [www.opala.org](http://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](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 in relevant part:

"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."

The Mayor's Advisory Landfill Site Selection Committee has had ten meetings to date and an Executive Summary of the final report was submitted to the Mayor in May. The final report is being drafted and is expected to be completed by the end of July.

- B. The following tonnage chart includes municipal solid waste (MSW), H-POWER ash and residue delivered to WGSL during the last three months. There was an H-POWER maintenance diversion from April 23<sup>rd</sup> thru May 1st, resulting in an increased amount of MSW delivered to WGSL during this period.

April 2012	30,319 tons
May 2012	27,806 tons
June 2012	21,974 tons

There were no complaints received during this period.

### 3. Progress Report on Landfill Diversion

- A. The H-POWER expansion project (specifically the third boiler) is in start up and testing and is currently receiving waste sufficient to perform acceptance testing.
- B. Interim Off-Island Shipping of MSW

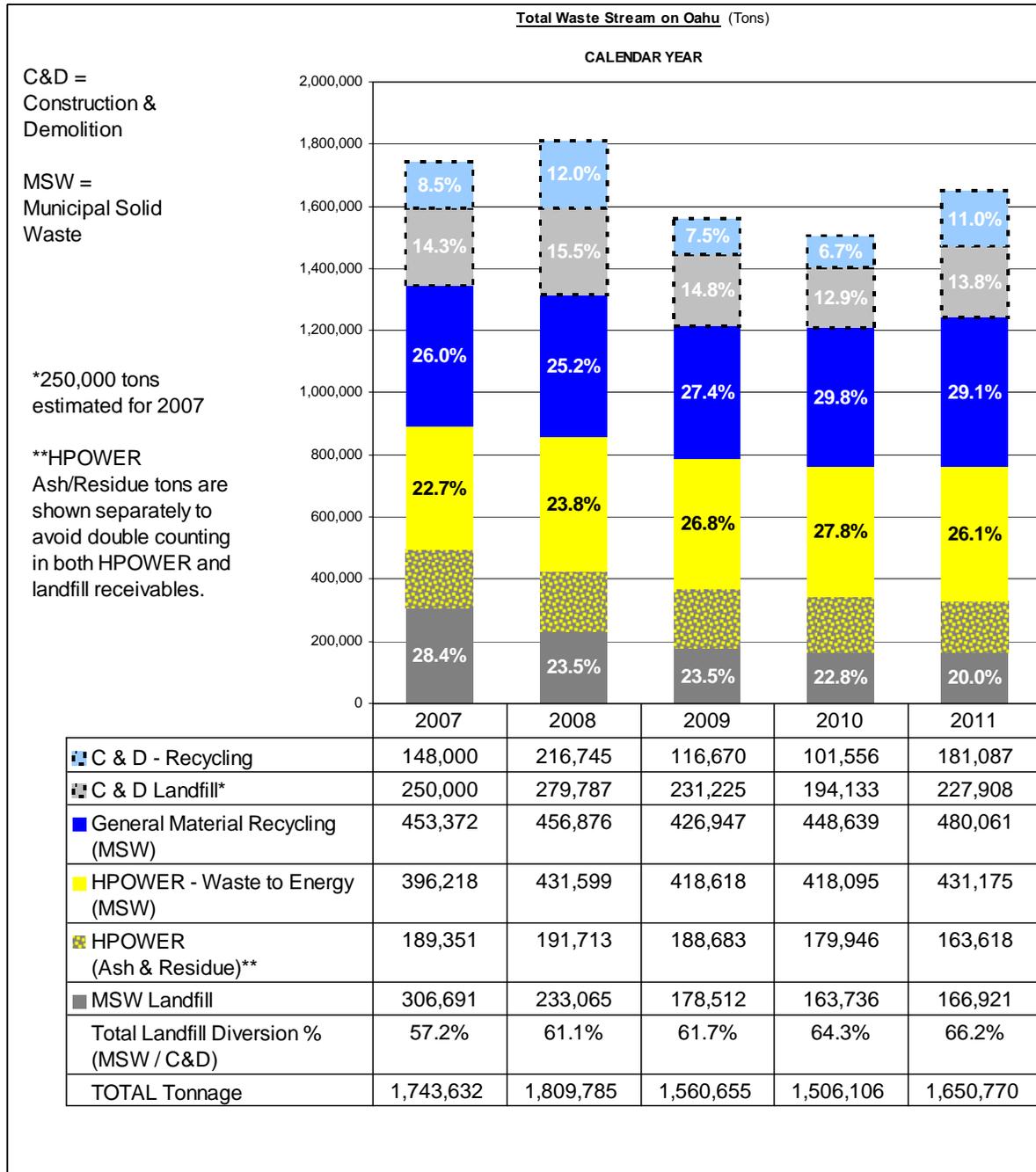
No waste was ever shipped to the mainland due to various problems encountered by Hawaiian Waste Systems (HWS), the bidder awarded the contract to ship waste to the mainland. Nonetheless, HWS had accepted 20,000 tons of MSW, which it intended to ship but because it was not able to, HWS was responsible for disposing of this waste. A fire at the HWS facility on January 6, 2011, temporarily delayed disposal but by May 12, 2011, the entire 20,000 tons of MSW was disposed of. Approximately 14,800 tons were taken to H-POWER, 4,500 tons were taken to WGSL, and 1,500 tons of metal were recycled. In June 2011, the City entered into a 12-month contract with HWS to process, namely shred for disposal at HPOWER or recycle, up to 36,000 tons of MSW that would otherwise have gone to the landfill. The shredded waste that was burnable was taken to H-POWER for energy conversion and the metals and other recyclables were taken to recyclers.

As of June 7, 2012, the contract with HWS expired and over 26,300 tons of waste was diverted from landfill disposal. The closure of this contract coincides with the expansion of the H-POWER 3<sup>rd</sup> boiler, which will be able to accept the waste that was being sent to HWS without the additional processing.

- C. Materials Recycling and Landfill Diversion

To present a complete waste flow picture, the most recent available data is for calendar year 2011. Although waste tracking to landfill and H-POWER is managed every month by ENV, recycling data is

provided by commercial recycling companies which are surveyed annually. Recycling data for 2012 will be gathered and compiled during the first quarter of 2013, and an updated chart and analysis will be posted online at [www.opala.org](http://www.opala.org) mid year.

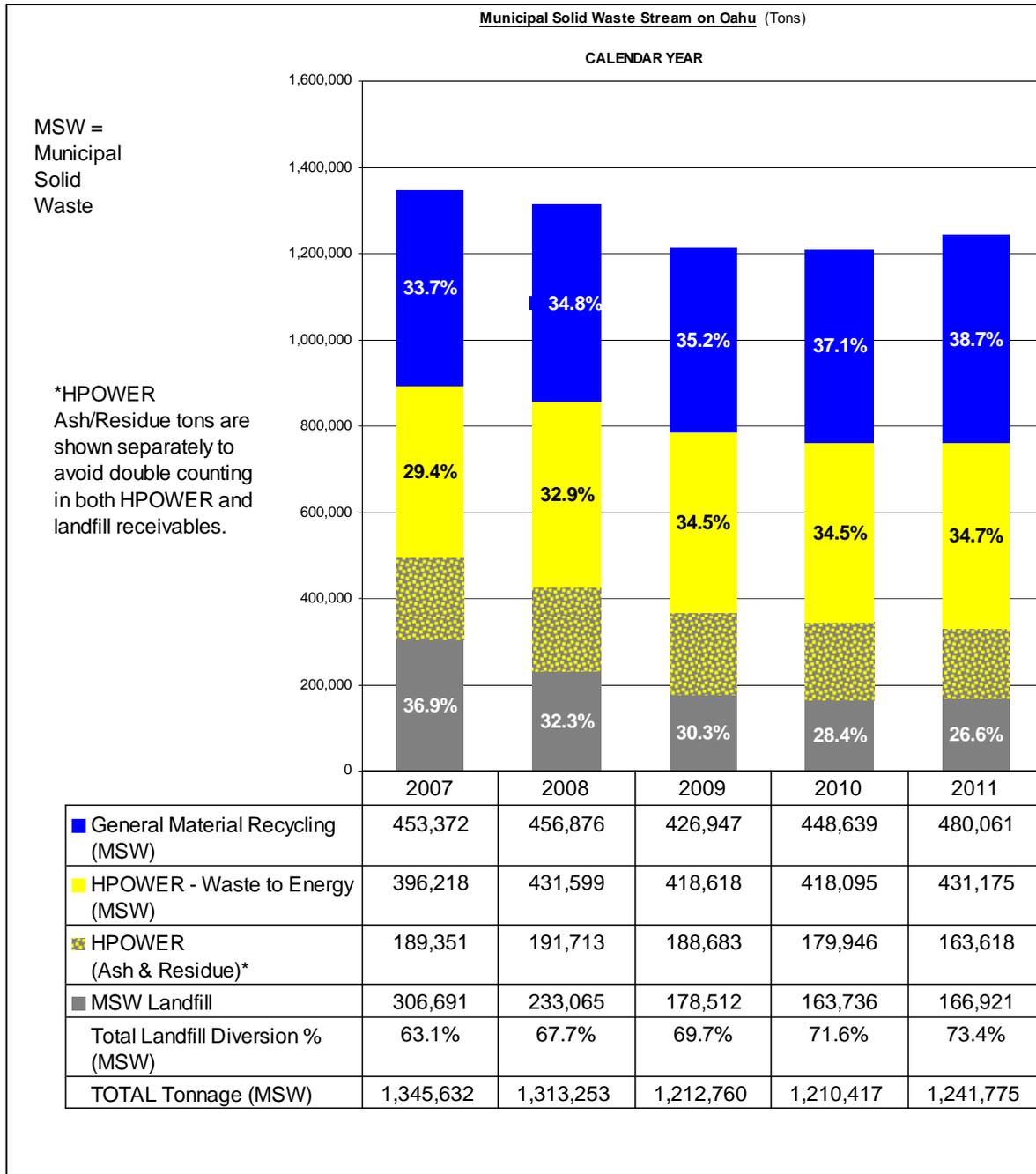


The data in the chart above presents the annual quantity of waste (in tons) that is processed through recycling, waste-to-energy or landfilling for the most recent five (5) calendar years (2007–2011).

*Brief analysis:* The data shows how Oahu's waste has been diverted from landfill through recycling and waste-to-energy. The general trend shows annual increases in recycling and waste-to-energy, and

decreases in landfill disposal. Note that overall waste generation decreased significantly in 2009-11, most likely due to the down-turn in the economy. Total waste generation dropped from 1.8 million tons in 2008 to 1.5 million tons in 2010, with some increase noted in 2011. The general material recycling rate (shown in the darker blue) increased from 25 percent (2008) to 27 percent (2009) and to more than 29 percent (2010 and 2011). The total landfill diversion rate continued to increase from 57 percent (2006/2007) to 62 percent (2009) to 64 percent (2010) and to 66 percent (2011), with continued reductions of waste disposed in landfill.

Total waste includes all waste of all types disposed/recycled on Oahu, including construction and demolition waste. There are two landfills on Oahu: the City's Waimanalo Gulch Sanitary Landfill (WGSL), which is designated for MSW, and the private PVT Landfill, which is permitted for construction and demolition waste only. When analyzing municipal solid waste (MSW) only and landfill diversion specific to the WGSL, the landfill diversion rate achieved through recycling and waste-to-energy is over 73% and the general material recycling rate is 38%. See the chart below for a fuller comparison of diversion rates for WGSL over the most recent five (5) years.



*Recycling data:* The tables below provide detail of what was recycled by material type. The City has gathered annual recycling data since 1988 (except for 1989 and 1990). Note the upward trend of general material recycling from approximately 75,000 tons in 1988 to well over 400,000 tons today. Recycling of construction and demolition materials, such as concrete, rock and asphalt, has added between 100,000 to 200,000 tons to the recycling rates. These C&D recycling rates tend to fluctuate based on the volume and type of construction projects undertaken from year to year.

<b>Year</b>	<b>General Material Recycling</b>	<b>C&amp;D Recycling</b>	<b>Total Recycled</b>
<u>2011</u>	483,707	181,087	664,794
<u>2010</u>	448,639	101,556	550,195
<u>2009</u>	426,947	116,670	543,617
<u>2008</u>	456,876	216,745	673,621
<u>2007</u>	453,282	148,952	602,234
<u>2006</u>	421,072	121,675	542,747
<u>2005</u>	417,669	193,829	611,498
<u>2004</u>	386,338	173,916	560,254
<u>2003</u>	366,639	106,773	473,412
<u>2002</u>	352,699	139,055	491,754
<u>2001</u>	367,300	114,070	481,370
<u>2000</u>	327,710	165,000	492,710
<u>1999</u>	314,075	225,200	539,275
<u>1998</u>	318,690	148,800	467,490
<u>1997</u>	313,394	204,400	517,794
<u>1996</u>	299,574	95,300	394,874
<u>1995</u>	294,340	44,400	338,740
<u>1994</u>	290,412	35,700	326,112
<u>1993</u>	241,600	30,000	271,600
<u>1991</u>	167,152	0	167,152
<u>1988</u>	73,992	0	73,992

**Oahu Recycling 2011**

<b>Material Type</b>	<b>Amount in tons</b>
<b>PAPER</b>	
Corrugated Cardboard	45,984
Newspaper	10,251
Office Paper	12,689
Other Paper	3,755
<b>METALS</b>	
Ferrous (includes autos)	182,393
Non-Ferrous (includes aluminum)	24,372
<b>GLASS</b>	24,140
<b>PLASTIC</b>	6,161
<b>TIRES</b>	13,504
<b>AUTO BATTERIES</b>	7,959
<b>ELECTRONIC SCRAP</b>	2,414
<b>GREEN WASTE (yard trimmings)</b>	103,666
<b>WOOD WASTE/PALLETS</b>	10,058
<b>CONSTRUCTION &amp; DEMOLITION (rock, concrete, asphalt)</b>	181,087
<b>FOOD WASTE</b>	15,228
<b>SEWAGE SLUDGE (Tonnage data being researched)</b>	-
<b>OTHER REUSE (Goodwill, Salvation Army)</b>	17,274
<b>TOTAL</b>	664,794

**Oahu Recycling 2010**

<b>Material Type</b>	<b>Amount in tons</b>
<b>PAPER</b>	
Corrugated Cardboard	41,805
Newspaper	12,596
Office Paper	11,177
Other Paper	6,944
<b>METALS</b>	
Ferrous (includes autos)	163,166
Non-Ferrous (includes aluminum)	18,247
<b>GLASS</b>	22,833
<b>PLASTIC</b>	5,385
<b>TIRES</b>	9,518
<b>AUTO BATTERIES</b>	5,383
<b>ELECTRONIC SCRAP</b>	1,375
<b>GREEN WASTE (yard trimmings)</b>	91,413
<b>WOOD WASTE/PALLETS</b>	15,514
<b>CONSTRUCTION &amp; DEMOLITION (rock, concrete, asphalt)</b>	101,556
<b>FOOD WASTE</b>	26,677
<b>SEWAGE SLUDGE (Tonnage data being researched)</b>	-
<b>OTHER REUSE (Goodwill, Salvation Army)</b>	16,607
<b>TOTAL</b>	550,196

The City's efforts to increase residential recycling have continued with the expansions of island-wide curbside recycling, community recycling bin program, condo recycling assistance programs and budget commitments to support these efforts. Additionally, the City requires commercial sector recycling through mandatory laws established by City ordinance, and provides assistance to businesses to setup and expand their recycling programs.

Curbside Recycling -- ENV completed the final phase expansion of the fully-automated 3-cart curbside recycling program in May, 2010. There are currently 160,000 homes participating in the program, and capturing material at a rate of 20,000 tons of mixed recyclables and 50,000 tons of green waste per year. In November 2011, the City completed an evaluation of the first year of full operation, which indicated that the program had achieved a 77% capture rate for green waste and 53% capture rate for mixed recyclables. Increased public experience with identifying and sorting recyclables should produce higher results for the mixed recyclables as the program continues to mature. The program continues to be evaluated to identify strategies for improving participation and efficiencies. Additionally, the City is moving forward to further expand curbside recycling to the remaining 20,000 homes around Oahu still serviced with a manual collection system, starting with a pilot program on the North Shore tentatively scheduled to start in October of this year.

Community Recycling Bins -- The City has maintained approximately 100 Community Recycling Bin sites on Oahu, but is currently phasing out this drop-off program in favor of more convenient recycling systems. The program started with 20 sites more than two decades ago and was expanded over the years as a mainstay of residential and school recycling. With the implementation of curbside recycling, recovery rates have decreased significantly in the bins. The service contract closed at the end of June 2012, and the City is increasing efforts to further expand curbside recycling, develop recycling programs in condos, and assist schools in establishing campus recycling systems.

Condo Recycling -- 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, and additionally provides technical assistance, educational materials, wheeled carts and guidance in establishing collection services.

Electronic Waste (e-waste) -- State law requiring manufacturers to provide take back programs for electronic waste went into effect January 1, 2010, and is administered by the State Department of Health (DOH). In general, the covered electronics included computers at the start in January 2010 and expand to include televisions in January 2011. City ENV will continue to work in collaboration with DOH

and local e-waste recycling companies. DOH is looking for ways to strengthen the collection programs and proposed a bill to the 2012 State Legislature to establish an advance recycling fee (ARF) on electronic devices, which resulted in the formation of a task force.

**Business Recycling Programs --** The City continues to provide assistance to commercial sector recycling efforts and to ensure compliance with mandatory recycling policy established in the mid 1990's, which requires office buildings to recycle office paper, bars/restaurants to recycle glass and a variety of food operations to recycle food waste. Disposal site bans/restrictions divert materials from landfill and H-POWER, including green waste, cardboard, metals, tires, auto batteries, e-waste. The City provides technical assistance to businesses for designing and implementing recycling programs through how-to guides, workshops and on-site support, and works collaboratively with the State's Green Business Program.

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 with an archive of dozens to keep viewers entertained. The format is interactive, supporting 24/7 viewing of all episodes on demand. In April/May 2011 and 2012, City ENV sponsored recycling educational shows for our youth – Honolulu Theatre for Youth production of "Where Do Things Go?" (2011) and "May Day is Lei Day" (2012) plus a traveling show to local schools entitled "Sort It Out!" (2011 and 2012). The shows included distribution of Opala IQ Books and educational materials to students and teachers. A third season of recycling educational performances for the schools are in the works, with shows scheduled for the upcoming school year.

#### D. Solid Waste Integrated Management Plan

Funds are available to initiate the next update of the plan.

#### 4. Special Use Permit (SUP) Amendment

The current SUP dictates that WGSL stop accepting MSW for disposal as of July 31, 2012. As stated in Condition 14 of the SUP, "Municipal solid waste shall be allowed at the Waimanalo Gulch Sanitary Landfill up to July 31, 2012, provided that only ash and residue from H-POWER shall be allowed at the Waimanalo Gulch Sanitary Landfill after July 31, 2012." While some types of MSW may be disposed of at H-POWER, certain wastes such as sewage sludge, animal carcasses, and treated medical sharps cannot be disposed of

at H-POWER. Moreover, because H-POWER's operating permit requires a permitted landfill as a back-up disposal option, it is conceivable that H-POWER will have to shut down if WGS� is required to stop accepting MSW.

On June 28, 2011, ENV filed a SUP Amendment Application with the City Department of Planning and Permitting, to delete Condition No. 14 of the SUP. This will allow WGS� to continue accepting municipal solid waste until the landfill reaches its capacity as permitted by the State Department of Health.

The City and County of Honolulu Planning Commission (Commission) convened a public hearing on October 5, 2011, to consider ENV's application to delete Condition No. 14 of the SUP. The Commission heard public testimonies and granted petitions to intervene in the SUP proceeding to Ko Olina Community Association, Maile Shimabukuro, and Schnitzer Steel Hawaii Corp. With the granting of the petitions to intervene, the matter proceeded as a contested case. A pre-hearing conference to discuss procedural and others matters in the contested case was held on October 12, 2011. A contested case hearing began on December 7, 2011, with opening statements given by ENV and intervenors. The contested case hearing continued on January 11, 25, February 8, March 7, 14, April 4, 11, 23 and May 25, 2012. On May 25, 2012, the Commission stayed the matter for six (6) months in light of the Hawaii Supreme Court's (Supreme Court's) decision to strike Condition No. 14 of the SUP described below.

The City had filed an appeal to the Supreme Court on February 22, 2012 to delete Condition No. 14. On May 4, 2012, the Supreme Court ruled in favor of the City and struck down Condition No. 14, which was the condition imposed by the State Land Use Commission. The Supreme Court further ordered that the matter be remanded to the Circuit Court and the Land Use Commission for action on the SUP consistent with the Supreme Court decision. The State Land Use Commission convened on July 5, 2012, to discuss procedural options only, in light of the Supreme Court remand and stayed Commission proceeding. The landfill will continue operations under the current SUP while the deadline for receipt of MSW is resolved by the State Land Use Commission.

5. City Council Resolutions and Bills

RESOLUTION NO.	DESCRIPTION	STATUS
09-345	City administration immediately initiate site selection process for new landfill	Resolution deferred in committee 1/12/10 No change
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 No change
10-004	City auditor conduct an audit relating to delays in shipping City's municipal solid waste to mainland	Resolution filed 1/5/11.No change
10-111	City administration promote Freecycle Honolulu City administration conduct public education regarding proper disposal of bulky wastes	Resolution filed 5/7/11. No change.
10-242	City Council's continuing support for the shipment on an interim basis of solid waste.	Resolution adopted 10/13/10.
11-055	City fast track permitting and approvals for new solid waste disposal and recycling facilities.	Resolution filed 2/10/12.
11-100	City create and fund a solid waste technology liaison position.	Resolution filed 3/31/12. Resolution deferred in committee 9/28/11.
11-260		No change.

BILL NO.	DESCRIPTION	STATUS
76 (2009)	Waimanalo Gulch Landfill close no later than July 31, 2012	Bill filed 10/21/11.
43 (2010)	Regulate use of non biodegradable plastic bags	Bill deferred in committee 11/09/10
44 (2010)	Require recycling or reuse of construction and demolition wastes	Bill deferred in committee 11/09/10
47 (2010), CD 1	Terminate recycling residue discount	Bill passed into law effective 5/31/11
36 (2011), CD1, FD1	Reinstates a discounted disposal fee for residue from recycling operations at 50% FY12, 35% FY13, 20% FY14.	Bill passed into law effective 7/1/11
10 (2012),CD 1	Regulate use of nonbiodegradable plastic bags and other bags provided to customers.	Reported out of committee for passage on 3 <sup>rd</sup> reading as amended 4/4/12.

All resolutions and bills, and video of Council meetings, can be found at the City website, [www.honolulu.gov](http://www.honolulu.gov)

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City Attendees:

Department of Environmental Services  
Manuel Lanuevo, Deputy Director  
Wayne Hamada, Disposal Branch Chief  
Suzanne Jones, Recycling Branch Chief

Other:

Joe Whelan, General Manager, Waste Management of Hawaii  
DeeDee Letts, Resolutions Hawai`i

Public:

Cory/Norma Suzuki  
Sam Rakes  
Scott Grace  
Ken Williams  
Ralph Harris  
Joy Leilei Shih  
Joseph Yamaoka  
Sweetie Nelson  
Cal Chipcase  
Kiawe Makanani  
Cynthia Rezentes

Public Questions/Comments:

**Q: Thank you for the list of things that can not be burned at H-POWER. I do not see tires on the list – with the new boiler can they be disposed of at H-POWER? They are a huge problem in community clean ups – we just did one and expected 3 to 4 hundred but got over 1,000.**

A: Tires are banned from the landfill by the DOH and are directed to recycling. In order to burn them at H-POWER a variance from DOH would be needed and we are currently pursuing one. We know that most tires, when shipped offshore by recyclers, are shredded and burned for energy elsewhere so it would be more self-sustaining if they could be burned at H-POWER.

**Q: Can we get an update on the tire issue in October?**

A: Yes.

**Q: Is air pollution a DOH concern?**

A: Yes, it is one of the things that will be assessed in our request for a variance

**Q: What is the substance and reason for obtaining a variance from DOH?**

A: State law prohibits disposal of tires in landfills or municipal solid waste incinerators. It also does not allow for co-collecting tires with municipal solid waste so we cannot pick them up with bulky item pickup. The law, however, gives the DOH the authority to grant variances to these provisions, which is what we are pursuing.

**Q: There was legislation introduced this session on this issue but I'm not sure what happened?**

A: The tire bill was amended to form a task force to further investigate remedies to the problem of illegally dumped tires. DOH should be convening the task force shortly.

**Q: As for the "can and can't be burned list," can medical waste be burned in the third boiler? This was a problem with the last series of floods that flooded our beaches with medical waste.**

A: Bagged medical waste that has been treated and void of sharps can be burned in the third boiler. Sharps are currently not being accepted but is being pursued by the City. We will provide an update at the October meeting.

**Q: Can you also update us on the status of burning sewer sludge and your permit?**

A: Yes. An update will be provided at the October meeting.

**Q: According to the LUC, the new landfill siting committee was supposed to be started in November and as far as I know the first meeting was in January?**

A: The committee was appointed in November 2010. Once the consultant was brought on board and the information was gathered for committee discussion, the first meeting was held in January 2011.

**Q: Your 'no complaints' report is, in my opinion, a result of us being ignored. We have complained but nothing gets done. We feel like we are beating our heads against the wall. I have been at Ko`Olina for over 16 years and did road cleanups and I still see trucks come out of the landfill with their doors open and stuff flying out. You can see bags in the trees along the route. We keep complaining but nothing happens. We are frustrated and wonder why we complain.**

**C: Ken nailed it. We are tired and feel rejected by our government. There should not be a landfill so close to a resort.**

A: City representatives responded that they would bring these concerns to the attention of Waste Management of Hawaii. Waste Management subsequently provided the following response:

Complaints are taken seriously by Waste Management and the City. When a complaint is received by Waste Management, it is entered into a complaint log with all pertinent information including: date, time, how complaint was received, name of complainant, nature of complaint, etc. The City is immediately notified of the complaint. The complaint is also logged into Waste Management's CYCLE System, which tracks complaints and reports them to others within the Waste Management organization.

Every effort is made to investigate the complaint as soon as it is received, to immediately track down the cause of the complaint. If the source is identified, Waste Management takes immediate steps to bring the situation under control. If the complaint was received after the fact and no causes can be identified, Waste

Management will nevertheless review operating conditions during the period when the complaint was generated to identify possible causes and to mitigate further occurrences.

A response letter is sent to the complainant describing what was found and what corrective actions if any were taken. The response may also include mitigating measures to preclude further occurrences. A copy of the response letter is provided to the City.

**Q: Do you know how many tons of recyclable material are disposed of on Oahu? Without this number we do not know how much we are missing even as our percentages go up.**

A: At this time we do not know exactly. It is a very complex issue and the only way to determine how much is disposed is to conduct a comprehensive waste composition study. We do have some data available, but it is limited to our residential curbside recycling program. As part of the program evaluation, we conducted a waste composition study to assess the quantity of recyclable material still being disposed in the gray refuse carts. This data, combined with the recovery data for the blue and green carts, provides a snapshot of current “capture rates” which we reported earlier. The full report (Nov 2011) and data are available online at [www.opala.org](http://www.opala.org) in the Resource Library, Technical Studies.

**Q: How many community recycling bins are still in operation?**

A: With the close of the City’s service contract, Honolulu Disposal Service has taken over the program, retained approximately 50 of the original bin sites and removing those that were underutilized by the public. The sites that have been retained are listed on our website.

Meeting adjourned at 6:20