

**SOLID WASTE ADVISORY COMMITTEE (SWAC)**  
**Meeting #3 – Chapters 6 & 7**  
**Tuesday, May 10, 2022 – 2:00pm**  
**One Main Plaza, 2200 Main Street, Conference Room 225**  
**Wailuku, Maui 96793 / Virtual WebEx**

**SUMMARY OF MEETING MINUTES**

**ATTENDANCE**

**SWAC Members Present:**

Malia Cahill, Alex deRoode, Tamara Farnsworth, Rubens Fonseca, Gabrielle Schuerger, Yuki Lei Sugimura (video only), Peter Sullivan, Roger Yamagata

**Project Team Present:**

Elaine Baker (County of Maui), Robert Schmidt (County of Maui), Jennifer Oana (Corporation Counsel), Mike Kaiser (HDR), Wendy Mifflin (HDR), Ayako Nakasato (HDR)

**I. CALL TO ORDER**

Mike Kaiser (HDR) welcomed the group and called the meeting to order at approximately 2:04pm.

**II. ROLL CALL**

Roll call of the SWAC members was conducted in alphabetical order and it was requested that members indicate who, if anyone, was present at their location. All present members indicated that they were alone in their locations. It was noted that Yuki Lei Sugimura's audio was not working, but quorum was met with seven out of the ten members present.

Mike Kaiser announced that member Keiki-Pua Dancil resigned from the committee due to scheduling conflicts. He indicated that the Mayor's office was notified and that a replacement for Ms. Dancil is being sought.

Elaine Baker and Robert Schmidt from the Solid Waste Division and Jennifer Oana, Deputy Corporation Counsel were acknowledged.

**III. PUBLIC TESTIMONY**

Mike Kaiser explained that public testimony must be related to an item on the agenda. Testifiers will state the agenda items they will be testifying on, for the record, and have a maximum of three (3) minutes per agenda item, with one (1) minute to conclude.

With regard to written testimony, the members did not receive any written testimony for today's meeting.

Instructions were provided to video testifiers to sign-up by sending a direct message in the Chat function to Elaine Baker, providing their name and the agenda item they will be testifying on. It was explained that testimony shall not be submitted within the Chat function and that the Chat function may not be used to contact committee members or other meeting participants for commenting on agenda items. In-person testifiers will be called first, followed by video testifiers, and finally phone testifiers.

Elaine Baker noted that there was no one in the Chat function nor in the conference room that asked to testify. A call to any other testifier was made. No one expressed their desire to testify and with no objections, public testimony was closed.

#### **IV. APPROVAL OF MEETING MINUTES**

Mike Kaiser indicated that the SWAC received the March 29, 2022 meeting minutes for the SWAC Sunshine Law Training Meeting and entertained a motion to approve the meeting minutes. Tamara Farnsworth made a motion to approve the minutes. Roger Yamagata seconded the motion. No objections were made and the meeting minutes were approved as presented.

Mike Kaiser proceeded with the meeting minutes from SWAC Meeting #2 held on April 12, 2022 and entertained a motion to approve the minutes. Peter Sullivan made a motion which was seconded by Roger Yamagata. No objections were made and the meeting minutes were approved as presented.

#### **V. PRESENTATION AND DISCUSSION (Wendy Mifflin, HDR)**

**Chapter 6:** Household Hazardous Waste and Electronics

**Chapter 7:** Special Wastes

Prior to the presentation, Gabrielle Schuerger inquired about the discussion on Chapter 3: Source Reduction that was deferred from Meeting #2 to today's meeting. Wendy Mifflin indicated that there was a delay in scheduling the meeting to discuss the edits and that Chapter 3 would be discussed in the June meeting. A revised Chapter 3 would be distributed to the SWAC prior to the June meeting.

Malia Cahill chatted that she did not have the meeting materials available and requested to have them resent. It was noted to send future correspondences and meeting materials to a different email address.

##### **Chapter 6: Household Hazardous Waste (HHW) and Electronics**

###### **Section 6.1 Background**

In 2011, the State adopted HRS 342J which requires hazardous waste to be managed in a manner that protects the health, safety and welfare of the citizens of the State and protects and conserves the State's natural resources and environment. Section 6.1 defines hazardous waste in two parts.

It was noted that household generated waste is not considered hazardous waste under the State and Federal rules. Federal Resource Conservation and Recovery Act (RCRA) defines HHW as wastes resulting from products by the general public for household use which, because of their quantity, concentration, or physical, chemical, or infectious characteristics, may pose a substantial known or potential hazard to human health or the environment when improperly treated, disposed of, or otherwise managed.

It was also noted that conditionally exempted small quantity generators (CESQG's) are exempt from the federal rule if businesses generate 220 pounds or 25 gallons or less of hazardous waste in a calendar month. CESQG's are also classified under the HHW rules because of their low concentration of generating materials. The State Universal Waste Rules allow for managing certain household waste as Universal Wastes such as batteries, pesticides, mercury containing equipment, lamps and electronic items. This is the reason why electronic waste is included in this chapter.

Section 6.1.2 discusses E-Waste Regulations. In 2008, the State adopted HRS Chapter 339D, the Hawaii Electronic Waste and Television Recycling and Recovery Law, which requires electronic manufacturers to provide recycling programs for television, computers, computer printers, computer monitors and portable computers. It was noted that Table 6.1 provides a list of hazardous household substances based on their grouping and whether they are flammable, toxic, corrosive, or reactive.

Tamara Farnsworth commented that HRS Chapter 339D was amended by a bill that was recently passed awaiting the Governor's signature. Wendy Mifflin indicated that the bill will be included in the chapter once it is signed.

#### Section 6.2 Existing Program Elements

The County has a number of existing program elements as they relate to HHW and electronic waste collection such as hosting annual collection events for residents to safely dispose of HHW. Depending on funding, the events are held once a year, where the County contracts with a private company to receive, verify, segregate, package, transport and dispose of HHW. Figure 6-1 is a flyer of the annual event. Wendy Mifflin requested a current flyer to use in place of the outdated one.

Table 6-2 provides an overview of HHW collection events through 2020 and will be updated with 2021 and 2022 information as it is available. It was noted that the number of residents served and pounds of HHW collected substantially increased each year which in turn increased the costs to the County to hold the collection events. In 2019, the County also initiated a pilot project with Teens on Call/Teenforce to assist with propane tank recycling. It was noted that there are good programs sponsored by the County and through pilot projects in the community.

The County has a website that provides information regarding HHW collection events. Additional public education and outreach will be discussed in Chapter 5.

The County contracts with ECycling Maui for E-Waste collection, consolidation and shipping. Table 6-3 provides information on E-Waste collection and costs for the County through 2020.

Alex deRoode inquired where the consolidated waste is shipped to and what happens if the waste cannot be recycled. Wendy Mifflin responded that the waste is shipped off island to Universal Recycling Technologies who is federally certified and mandated to recycle E-Waste. She indicated that she would research exactly where on the West Coast the waste is shipped. She noted that there is some disposal for electronic devices that cannot be recycled. She noted that there is heavy oversight on the certified recyclers to prevent misuse.

Alex deRoode inquired whether there are ways to incentivize recyclers to increase participation at the collection events. Wendy Mifflin indicated this may be covered in Section 6.4 and that facilities implement programs for people to reuse materials such as latex paints and lower-level hazardous waste designations to keep them out of the landfills.

Roger Yamagata inquired what the requirement is for facilities to accept propane tanks and tires, and if there is a process to require facilities to accept these types of waste. Wendy Mifflin indicated it will likely require rule making at the State level and that there currently is no federal regulation for take back of propane tanks. She added that the propane tanks are typically accepted at fixed HHW facilities.

Gabrielle Schuerger added that there is a problem with illegal dumping sites since facilities do not accept these wastes and would like to expand the plan to include compressed gases in general. She inquired whether there is information on waste being diverted or recycled via the legislation. Wendy Mifflin indicated that the information on what is sold to the public is not available which is needed in order to figure out the amount available for collection. She added that they can revisit

the waste characterization in Chapter 2 to determine what is remaining in the waste stream for electronics.

Tamara Farnsworth commented that there is currently a grant from the Department of Health (DOH) related to the legislation which can be utilized to determine electronic waste amounts. She noted that new legislation will include the requirement for retailers to provide that information as part of the new program. She revisited Alex deRoode's comment on expanding collection events and indicated that it becomes a budgetary issue. She indicated that a permanent collection facility is being explored, but the higher costs will have to be evaluated for its feasibility. She also pointed out the misspelling of "kupuna" in 6.2.1 and noted that there is no mention of the grant received from DOH based on the legislation which produces an annual report and the benefits to the County.

### Section 6.3 Status of Previous Recommendations

Recommendations made by the 2009 plan can be found in Appendix B.

### Section 6.4 Alternatives and Evaluations

This section proposes two alternatives and evaluations: 1) Create a permanent HHW and E-Waste Facility; and 2) Support for legislation and funding for producer responsibility initiatives. The Central Maui Landfill facility will include recycling/diversion in addition to being a permanent HHW facility and will be included in other chapters for discussion. Figure 6-2 shows the proposed HHW and E-Waste collection facility.

Gabrielle Schuerger commented that many residents have the desire to participate in clean-ups, but face challenges such as access and inconvenience to take advantage of these facilities.

Roger Yamagata inquired whether the facility will be run by outside parties or by the County. He also suggested having the landfill open on Sundays. Malia Cahill seconded the suggestion and added making it more convenient for the residents would be essential. She also suggested increasing collection from remote areas.

Gabrielle Schuerger requested clarification on whether this plan would be the strategic plan or if this is a recommendation to the County. Wendy Mifflin clarified that solid waste management plans are high level recommendations that the County could consider and is not the County's operational plan. She added that the recommendations for implementation projected for potential costs at the end of the plan.

The producer responsibility initiatives focus on lithium batteries, paint, fluorescent tubes and other hazardous materials as manufactured in the future.

Alex deRoode inquired whether annual reports containing consumer purchase data can be required. Tamara Farnsworth indicated that the requirement will be addressed in the new State legislation to increase recycling percentages.

### Section 6.5 Recommended Actions

Wendy Mifflin proposed to add support legislation to require propane tanks and gas canisters to be recycled in the producer responsibility section. It was requested to add car batteries, solar batteries, and solar panels. It was also noted that these waste streams are a big issue and the committee should consider what recommended action should be made around these products. Gabrielle Schuerger commented that it is important to identify multiple collection locations prior to the permanent facility being built.

## **Chapter 7: Special Wastes**

Section 7.2 provides a definition of special waste under HRS 342-1. It was noted that the special wastes listed are the minimum categories in a solid waste management plan. The list was expanded to include additional special wastes identified by the County.

Section 7.3 Abandoned Vehicles - Tamara Farnsworth referenced Maui County Code Chapter 290-11 related to this waste and indicated additional State bills have been passed.

Section 7.4 Abandoned Vessels – The State does not have a formal abandoned and derelict vessel program, however, the State Department of Land and Natural Resources addresses this issue through a collection of laws.

Section 7.5 Agricultural Waste – This section addresses disposal of farm waste and discusses the Hawaii Invasive Species Council addressing invasive species. It was noted that little of the agricultural waste is disposed of in the County landfills with the exception of animal carcasses in the current practice. Tamara Farnsworth commented that a new Department of Agriculture Division is being developed in the County and suggested to notate that this department will be addressing this issue as well. Rubens Fonseca asked for examples of this type of waste. Tamara Farnsworth provided PVC irrigation lines containing chemical fertilizers as an example.

Section 7.6 Animal Carcasses – This section addresses the difference between animals that die of natural causes versus infectious disease and vehicle collisions. It was noted that illegally dumped carcasses will be included with the animals killed by motor vehicle collisions.

Section 7.7 Appliance/White Goods – This section addresses items that contain chlorofluorocarbons (CFCs) or Freon that need to be removed prior to disposal. Malia Cahill commented that not all refrigerants have the same gases and inquired where the units ultimately end up as it relates to the Global Warming program. Wendy Mifflin indicated that she would research the different kinds of CFCs and revise the regulations and guidelines section as needed. Alex deRoode commented that ozone depletion or global warming potential should cover the broader CFCs category. Gabrielle Schuerger commented that she does not agree that the planning issues are generally adequate with the lack of infrastructure and the lack of access to the infrastructure. She will provide language and/or a request from the West Maui community for additional services to be considered for inclusion in the plan. Tamara Farnsworth commented that illegal dumping may be prevented if the County considered regional drop-off convenience centers for residential use. She also noted that she has information on a number of white goods drop off programs.

Section 7.8 Asbestos – This section discusses asbestos regulations and guidelines under federal laws as well as state laws that address asbestos through worker training and protection requirements. Note that customers with asbestos-containing materials are referred to the County landfills for disposal.

Section 7.9 Biomedical/Infectious Waste – This section discusses some of the waste types in the guidelines. The current practice is for generators of infectious medical waste to either sterilize or discard the wastes and transport to one of the landfills for disposal. It was noted that one of the planning issues is to determine who will be included in the list of potential generators and the proper disposal. The impact from the Coronavirus Pandemic is briefly discussed. Gabrielle Schuerger commented that sharps are found in beach cleanups. Roger Yamagata commented that he was previously instructed not to touch the waste and to contact the Department of Health for assistance so they can investigate the source. Wendy Mifflin indicated that instructions for public interaction with biomedical waste should be established.

Section 7.10 Carpet and Padding – There currently are no State or County rules and regulations related to this waste. It was noted that a number of other states have passed legislation regarding this waste. Customers are currently being referred to the County landfills for disposal. Rubens Fonseca suggested shredding to reduce the volume.

Section 7.11 Construction and Demolition (C&D) Debris – There is currently one known operational C&D recycling/processing facility in the County. Commercial C&D customers for disposal must apply for a C&D number prior to delivering waste to the landfills and submit a declaration of Non-Hazardous Commercial C&D Waste form. Additional options should be considered to minimize landfill disposal and preserve capacity. Peter Sullivan commented that solid waste management permits require recycling of C&D to reduce tonnage and suggested that incentives, such as refunding recycling costs, be provided to permit holders. He added that there are challenges in receiving facility permits which result in landfill disposal. Roger Yamagata suggested that landfills could charge higher costs so that recycling becomes a better option. Tamara Farnsworth commented that the County could consider diversion as well.

It was noted that a few of the SWAC members could not extend the meeting past 4:00pm which would break quorum, therefore, further discussions on Chapter 7 were deferred to the next meeting.

#### **VI. ANNOUNCEMENTS**

The next SWAC Meeting #4 meeting, scheduled for Tuesday, June 14, 2022, at 2:00pm to continue discussion of Chapter 7 and Chapter 3 Source Reduction.

#### **VII. ADJOURNMENT**

SWAC Meeting #3 was adjourned at 3:59pm.

The recording of the meeting and the PowerPoint presentation can be found at this link under the **Solid Waste Advisory Committee (SWAC)** section:  
<https://www.mauicounty.gov/1017/Solid-Waste-Refuse-Services-and-Infomat>