

MAUI PLANNING COMMISSION

COUNTY OF MAUI

OCTOBER 28, 2008

APPROVED 1/13/09  
Date

REGULAR MEETING

Held at the Planning Department Conference Room, First Floor, Kalana Pakui Building, 250 South High Street, Wailuku, Maui, Hawaii, commencing at 8:30 a.m., on October 28, 2008.

Reported by: Tonya McDade  
Hawaii Certified Shorthand Reporter #447  
Registered Professional Reporter  
Certified Realtime Reporter  
Certified Broadcast Captioner

1 COMMISSION MEMBERS PRESENT:

2 Jonathan Starr, Chairperson

3 William Iaconetti, Commissioner

4 Wayne Hedani, Commissioner

5 Bruce U'u, Commissioner

6 Kent Hiranaga, Commissioner

7 Ward Mardfin, Commissioner

8 Donna Domingo, Commissioner

9 STAFF PRESENT:

10 Jeffrey Hunt, Planning Director

11 James Giroux, Deputy Corporation Counsel

12 Carolyn Takayama-Cordan, Secretary

13 Robyn Loudermilk, Staff Planner

14 Danny Dias, Staff Planner

15 Joe Prutch, Staff Planner

16 PRESS:

17 Akaku: Maui Community Television, Kenny Hultquist,  
18 Videographer

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1                   OCTOBER 28, 2008

2                   TRANSCRIPT OF PROCEEDINGS

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4                   CHAIR STARR: Good morning, one and all.  
5 Welcome. This is the October 28th meeting of the Maui  
6 Planning Commission. I have a full agenda here. And I  
7 want to thank everyone for being here.

8                   To introduce our crew today, we have  
9 Commissioner Kent Hiranaga, Commissioner Bruce U'u,  
10 Commissioner Ward Mardfin. We have Corporation Counsel,  
11 and counsel for, specifically, our Planning Commission,  
12 James Giroux. I am Jonathan Starr. We have Clayton  
13 Yoshida, who is the -- takes care of things for the  
14 current Division and is sitting in place of the  
15 Director. We have Commissioner Donna Domingo. We have  
16 Commissioner Dr. William Iaconetti. Carolyn  
17 Takayama-Cordan, the Secretary for the Commission.  
18 Planners Danny Dias, Robyn Loudermilk. And Kenny  
19 Hultquist, videographer extraordinaire, who is filming  
20 for Akaku. Thank you, everyone, for being here.

21                   We will allow opportunities for public  
22 testimony on all items, you know, particularly the  
23 public hearing items. Which is, to a large extent, why  
24 we're here, to provide that opportunity. Public  
25 testimony will be allowed either before the start of the

1 agenda items, which will be in just a few short minutes,  
2 or before each individual item. We'll ask people to  
3 testify only once. And only in extraordinary  
4 circumstances, if new issues have been raised, will we  
5 allow a second testimony. So you have a choice of  
6 testifying before the entire meeting or before the  
7 individual item. And we ask that testimony be kept as  
8 short as possible, in no case longer than three minutes.

9           With that being said, just a couple of items  
10 on the agenda. We have the -- several items relating to  
11 the Department of Environmental Management which are  
12 split in two areas of the agenda. We have a public  
13 hearing, which would be Item B-1, and then we have C-1,  
14 under Communications. It is the Chair's feeling, along  
15 with the planner, Robyn Loudermilk, that we should take  
16 those serially together. And the same with the Ameron  
17 items, which are D-2 and C-2 and C-3. So we may look to  
18 change those in our agenda.

19           Also, we have an item coming up for the State  
20 Department of Transportation, Airports Division that's  
21 relating to runway safety improvements at the Kahului  
22 Airport. There are people who will be flying in and  
23 flying out from Honolulu for that for the State. They  
24 asked for a specific time. And we've given them 1:00.  
25 So I ask the body to bear with me. And we'll be needing

1 to shuffle things around, if we can, to accommodate  
2 them, so that when we come back from our lunch break, we  
3 go straight through the Department of Transportation,  
4 and then, after we deal with that item, move back to our  
5 serial agenda.

6           Anyway, we'll proceed with testimony for all  
7 the agenda items. And I do have some names on a list.  
8 And, once again, I ask everyone to be as brief as  
9 possible. And I want to thank everyone for coming and  
10 joining us today.

11           Our first testifier will be Michael Tratto,  
12 and the second will be Darrell Goo. I will ask you,  
13 please, to just introduce yourself for the record. And  
14 welcome, sir.

15           MR. MICHAEL TRATTO: Good morning,  
16 Commissioners. My name is Michael Tratto. And I live  
17 at 125 Alehele Place. I am here this morning to talk  
18 about that proposed subdivision that's going to be built  
19 just on and off of our street there in Kihei. This item  
20 has come up before, other developers have come before,  
21 and tried to do this type of project.

22           For me, the bottom line here, and for your --  
23 something to think about is this may be a very good  
24 project. It's going to be a 14-lot subdivision. I  
25 think 14 of our local families will take -- have the

1 opportunity to buy these -- these parcels and then build  
2 their homes. And I think that's a good thing. The  
3 problem is, it's in the wrong place. This is a flood  
4 zone. And the floodplain and the flood channel that  
5 goes through there that's just below this project has  
6 never been maintained.

7           Now, I don't expect this developer to take on  
8 that responsibility. I don't think it's his  
9 responsibility.

10           I think it's been a long time. I've owned my  
11 lot there for -- since 1969. I know how it floods  
12 there.

13           And then we've had other developments go in.  
14 Kalama Hills went in. And they said it wouldn't be a  
15 problem.

16           But one October, three years ago, it was a big  
17 problem. We saw increased water. This wasn't a  
18 100-year storm or 50-year storm event. This was just a  
19 heavy rainstorm. And it impacted not only our  
20 neighborhood, it went all the way to Kihei Road, closed  
21 down the supermarket. So there is a problem there with  
22 this drainage.

23           And, again, I don't expect the developer to  
24 take this on. It just has to be done before. Something  
25 -- it's a major Public Works issue that they need to

1 address. And if they would address this, take care of  
2 this problem, then this developer could go in there  
3 and -- and pour his concrete and put down his asphalt,  
4 build his roads.

5 I know he's going to build part of that  
6 collector road. That's great. You know, that's a  
7 concession that he's willing to give. And it will  
8 benefit, maybe, the residents in that area, but it's  
9 gonna open our substandard streets.

10 We have been in there a long time. And one of  
11 the things that -- the developer, when he came to Kihei  
12 and gave his presentation, my impression was, well, you  
13 folks have been there a long time, that's your tough  
14 luck, your road is substandard, that's how it was when  
15 you built your homes in there, that's just the way it  
16 is, we're gonna to put in new roads, we're gonna put in  
17 a collector road, we're gonna put in curbing, all that  
18 stuff, it will be all modern, up to new standards. But  
19 I got the impression -- and I will apologize to the  
20 developer if that's not what he meant.

21 MS. TAKAYAMA-CORDAN: Three minutes.

22 MR. MICHAEL TRATTO: But that's how he felt at  
23 the public meeting in Kihei. That we were there, too  
24 bad. So what if your street has no curbing, has no  
25 sidewalks, we're just gonna open it up and we're gonna

1 have increased traffic come down your street, you guys  
2 are just gonna have to live with it.

3 I don't think that should be. I think you  
4 should take a step back, look at this project. It is a  
5 good project. It's going to help 14 families who will  
6 be able to build a home there. But it's just in the  
7 wrong place.

8 And I think that's all I have to say about  
9 this -- this project. And I thank you and I really  
10 thank you for the opportunity to speak to this body.

11 CHAIR STARR: Okay. Thank you very much.  
12 Members, any questions for the testifier? Okay. Thank  
13 you very much.

14 Next testifier, Darrell Goo, will be followed  
15 by Fred Wong. And please introduce yourself for the  
16 record.

17 MR. DARRELL GOO: Sure. Good morning,  
18 Mr. Chairman, Members of the Maui Planning Commission.  
19 My name is Darrell Goo. I am the Senior Vice President  
20 of Grace Pacific Corporation. I am testifying here on  
21 behalf of Ameron Hawaii who is seeking extension of the  
22 current site at Camp 10.

23 We are a asphalt producer. We carry  
24 (inaudible) in that area. Our basic road mixes that are  
25 used to resurface the new roads here in Maui as well as



1 reconstruct or repave the existing roads is made up of  
2 95 percent of aggregates which comes from Ameron. We  
3 have been at Ameron Camp 10 site since 1990. And we are  
4 a major producer and a contractor of asphalt pavement  
5 mixes, all in major islands of the State of Hawaii. We  
6 have 30 full-time Maui employees, and we also employ up  
7 to 20 independent trucking companies here on Maui.

8           Since 95 percent of our base product is from  
9 the quarry at Camp 10, they are a key local supplier for  
10 us in our business. Since our occupation of Ameron, at  
11 1990, the benefits to the community have been numerous.  
12 We recently completed the paving of Mokulele Highway and  
13 Haleakala Highway. I'm quite sure all of you traveled  
14 on there. And our relationship with Ameron has been  
15 mutually beneficial. We have been working together  
16 using their localized aggregate products and building  
17 infrastructure, improving infrastructures on the island  
18 of Maui. And we hope to continue to do so.

19           Thank you.

20           CHAIR STARR: Okay. Members, any questions?

21 Okay. Thank you very much, Darrell.

22           Fred Wong, followed by Ken Kekona.

23           MR. WONG: Good morning, Mr. Chairman and  
24 Members of the Maui Planning Commission. My name is  
25 Fred Wong, and I'm the President of Walker Industries

1 here on Maui. We are a producer of precast concrete  
2 products for underground construction, and have been  
3 located on the Ameron site since 1974. We employ 25  
4 full-time Maui employees, and, also, use the services of  
5 three independent trucking companies and various  
6 contract businesses in -- in Kahului town.

7 Our primary business is to produce concrete  
8 product for construction, as I said, which include  
9 drainage structures, sanitary sewer, underground utility  
10 structures. Okay.

11 Notable projects recently have been Mokulele  
12 Highway, Haleakala Highway widening. And we hope to  
13 contribute to the upcoming Lahaina Bypass project, also.

14 Our relationship with Ameron is of both a  
15 sub-licensee within the quarry and, also, as a customer  
16 and purchaser of ready-mix concrete which comprise the  
17 majority of our product.

18 So the benefit of our relationship with Ameron  
19 is that we were able to contribute to the community by  
20 providing construction materials for the infrastructure  
21 for both Federal, State, County and private projects,  
22 both on Maui and statewide.

23 We also are participating in a drainage  
24 project for the Kahului Industrial Park, which the  
25 beginning of that was in 1995, which consisted of a

1 large drainage project underneath Hana Highway to drain  
2 the industrial park behind Home Depot, in that area. So  
3 we -- we expect to participate in the next phase of  
4 that, also.

5 Thank you very much.

6 CHAIR STARR: Okay. Members, any questions?

7 Okay. Thank you very much for coming before  
8 us today.

9 Next will be Ken Kekona, followed by, it looks  
10 like, Kevin Abalan.

11 MR. KEN KEKONA: Good morning, Mr. Chair,  
12 Planning Commission. My name is Ken Kekona. I am an  
13 employee of Ameron. I have been there for the past 20  
14 years. I've also been a ready-mix driver, which is a  
15 concrete driver. And now I am currently doing other  
16 jobs in the quarry, which I am a dozer operator and,  
17 also, a safety sentinel.

18 I ask your consideration in extending our use  
19 permit for Ameron Quarry. And not just the quarry, a  
20 family that we have been there for the past years. This  
21 location here has not only just provided jobs for us for  
22 the past 70 years, for the Maui workers, but we also  
23 extend our aggregates and everything else throughout the  
24 state of Hawaii. We have been helping a lot of people  
25 in our community. We've also -- our aggregates have

1 been gone throughout the state.

2           The most touching one that I have been a part  
3 of is the small little community of Kalaupapa. We sent  
4 aggregates all the way over there. And people there are  
5 very happy of what we have been helping them out along  
6 the way.

7           We do a lot of community -- we've taken care  
8 of Keopuolani Park. Helping all the construction people  
9 in not just creating new jobs, but, also, existing jobs  
10 that are there.

11           So I humbly ask you, as a family person, to  
12 look at all the aspects, and, please, by all means, in  
13 extending our use permit there, to helping us, just not  
14 me and all my fellow workers, but all the families of  
15 the state of Hawaii. We have been there for the longest  
16 time. And I am looking that we still continue to  
17 service the community and everyone else.

18           Thank you.

19           CHAIR STARR: Okay. Commissioner U'u has a  
20 question for you.

21           COMMISSIONER U'U: Good morning, Mr. Kekona.

22           MR. KEN KEKONA: Good morning.

23           COMMISSIONER U'U: How are jobs looking for  
24 you guys? How -- how --

25           MR. KEN KEKONA: Would I be able to address

1 that at a later, with our --

2 COMMISSIONER U'U: Yes. Yes. And follow up  
3 on your community service projects, about the Keopuolani  
4 Playground Park, which 80 percent ADA accessible. You  
5 guys at Hawaiian Cement donated roughly 300 yards of  
6 concrete so far absolutely free. And I thank you for  
7 that. And, hopefully, we will be finishing the park in  
8 January. But thank you. Mahalo.

9 MR. KEN KEKONA: Thank you.

10 CHAIR STARR: Okay. Thank you very much.

11 We have Kevin, followed by Sally Neubauer.

12 MR. KEVIN ABALAN: Good morning, Chair  
13 Jonathan Starr, as well as the other Members of this  
14 Planning Commission. My name is Kevin Abalan. I reside  
15 up in Makawao. I am in the employ of Ameron for -- like  
16 Mr. Kekona mentioned, we started about approximately the  
17 same time, which was 20 years ago. And I previously  
18 started as a ready-mix driver. I was also a batch plant  
19 operator. Now, a few months ago, the company promoted  
20 me to a sales position that -- which I currently hold at  
21 this moment.

22 But, you know, like was previously stated,  
23 Ameron, we were looking for a positive side in voting  
24 yes on this. Where previously you started in 1988,  
25 obviously, I seen the development of Maui County take

1 place. Yes, we have been involved with a lot of hotels,  
2 but, also, we have been involved with like Maui Memorial  
3 Hospital recent renovation, Haleakala Highway, Mokulele  
4 Highway. As well as, for me personally, I had the  
5 opportunity to work with other members of our company to  
6 work on Kahoolawe in clearing out the ordinates, but we  
7 also poured concrete on the island as well.

8 So, really, this position that we're proposing  
9 and trying to ask for a positive vote, it not only  
10 affects ourselves as Ameron, but, also, with Maui  
11 Paving, Walker Industries. For us, personally, we do  
12 have approximately 40-plus employees at Ameron here on  
13 Maui. And so we want to continue in supplying the  
14 community as well as other development.

15 Basically, we are a producer where people  
16 would normally -- we would not discriminate against  
17 anyone who would come to us for probably concrete or  
18 aggregates. What I am trying to get at is that, say, a  
19 person would come up to me and say, "Eh, Kevin, you  
20 know, I need concrete for this particular project," I  
21 would not hold that thing and say, you know, "I can't  
22 deliver it to you because I don't agree with what you  
23 doing." But, basically, what I am trying to say,  
24 though, is that we do want to help all people, whether  
25 it be private or, you know, in the public sector.

1           But like was mentioned before by Mr. Kekona,  
2 we humbly ask for your vote and a positive vote on this  
3 matter in extending our Land Use Permit at this quarry  
4 site. Thanks.

5           CHAIR STARR: Okay. Thank you very much for  
6 coming forward today, sir.

7           We have Sally, I believe it's Sally Neubauer.  
8 And, please, introduce yourself. I'm sorry if I mangled  
9 your name.

10           MS. SALLY NEUBAUER: Good morning, President  
11 and Commissioners. My name is Sally Neubauer. And you  
12 didn't mangle it. It could be Neubauer, too, but it's  
13 anglo-sized. And I'm a new property owner at 28  
14 Hoolalei Way, and received this notice about this  
15 meeting today. Before I got over to the island, I  
16 received it on the mainland.

17           And because I am new to this process, this is  
18 the first time I've been before you and the first time  
19 I've understood anything proposed for this piece of  
20 property. And I understood from the previous gentleman  
21 speaking that the previous proposal was for 14  
22 subdivision -- lots of -- subdivision of 14 lots, and  
23 the developer has now increased that to 48. So that's a  
24 huge increase, in my opinion.

25           And I think part of the charm of the hill

1 where this area is, is that it shouldn't be so densely  
2 developed. And I would urge you to work with the  
3 developer to knock those subdivisions down so it's not  
4 so massive. Because you can -- you can look at the map  
5 that they sent out and you can see the comparable  
6 properties over here. I live over here on Hoolalei,  
7 next door. You can see that if you were to sort of  
8 sketch in that kind of comparable design, it would not  
9 pencil out to 48.

10 So I urge you to try to work with the  
11 developer and make that less.

12 Thank you very much.

13 CHAIR STARR: Commissioner Mardfin has a  
14 question for you. Please, wait.

15 COMMISSIONER MARDFIN: Excuse me. Do you  
16 happen to know the size of your lot? If you don't, I  
17 would understand.

18 MS. SALLY NEUBAUER: I think it's 1,700  
19 something.

20 COMMISSIONER MARDFIN: Square feet? Probably  
21 17,000 square feet?

22 MS. SALLY NEUBAUER: 17,000, right.

23 CHAIR STARR: Commissioner U'u.

24 COMMISSIONER U'U: Question. How much housing  
25 is in your subdivision, how many homes? The subdivision



1 where you --

2 MS. SALLY NEUBAUER: It's Keala Hills.

3 COMMISSIONER U'U: Roughly?

4 MS. SALLY NEUBAUER: I could get back to you  
5 on that. I have all that information. I think I have  
6 it at home. I don't think I brought it with me.

7 COMMISSIONER U'U: Okay. Thank you.

8 MS. SALLY NEUBAUER: Is there -- is there a  
9 way I could contact you after this hearing?

10 COMMISSIONER U'U: I guess so.

11 MS. SALLY NEUBAUER: Yeah?

12 CHAIR STARR: We can figure out from the maps.

13 COMMISSIONER U'U: Yeah, we can look at it.

14 MS. SALLY NEUBAUER: Okay. All right. Thank  
15 you.

16 CHAIR STARR: Okay. Thank you very much.

17 Other members of the public wishing to give  
18 testimony on any agenda item at this time, please make  
19 yourself known. Okay. Not seeing any, the initial  
20 public testimony portion of this meeting is now closed.  
21 There will be opportunity for testimony for those who  
22 haven't testified before each decision-making on each  
23 agenda item.

24 Now I will turn it over to Mr. Clayton Yoshida  
25 to introduce our first item.

1 MR. CLAYTON YOSHIDA: Good morning,  
2 Mr. Chairman, Members of the Commission. Clayton  
3 Yoshida with the current Planning Division of the  
4 Planning Department, subbing for Planning Director Jeff  
5 Hunt, who is attending the Council Planning Committee  
6 meeting, as they continue their review of the bed and  
7 breakfast legislation.

8 The first public hearing item is a request  
9 from Ms. Cheryl Okuma, Director, Department of  
10 Environmental Management, for a County Special Use  
11 Permit to expand the landfill boundaries by 41.2 acres  
12 to encompass Phases V and VI of the Central Maui  
13 Landfill at TMK:3-8-003, parcel 004, portion of parcel  
14 020, and portion of parcel 025, Puunene, Island of Maui.  
15 And as the Chair had stated, a related item, under  
16 Communications, Item 1 is an amendment -- second  
17 amendment request to their State Land Use Commission  
18 Special Use Permit for the Central Maui Landfill  
19 encompassing a 10-year time extension expansion of  
20 boundaries by 41.2 acres, additional composting and  
21 quarrying, related uses, and question of transfer of the  
22 permit holder to the Department of Environmental  
23 Management.

24 The Staff Planner on these items is Robyn  
25 Loudermilk.

1 MS. ROBYN LOUDERMILK: Good morning, Members.  
2 I would like to turn our presentation over to Mike  
3 Munekiyo of Munekiyo & Hiraga, we have approximately a  
4 10-minute PowerPoint presentation, and then I will  
5 follow up with some additional information from the  
6 report.

7 CHAIR STARR: Okay. Before turning it over, I  
8 would just like to ask you to explain what's being asked  
9 of us.

10 MS. ROBYN LOUDERMILK: Okay.

11 CHAIR STARR: And the interrelation between  
12 the -- actually, two items --

13 MS. ROBYN LOUDERMILK: Yes.

14 CHAIR STARR: -- plus, I guess, the Ameron  
15 items, also.

16 MS. ROBYN LOUDERMILK: Okay. This morning,  
17 Ladies and Gentlemen, the two projects that we have  
18 before you, one is the Central Maui Landfill, and the  
19 second project is the Ameron Quarry. The Ameron Quarry  
20 has been located on this property since the -- in some  
21 form since the mid-sixties. However, the current Land  
22 Use Commission Special Permit was granted back in 1977.

23 In the early 1980s, the County of Maui was  
24 required to close their Waikapu landfill. And they  
25 needed to identify other areas on island Maui in order

1 to establish a new landfill. The establishment of the  
2 landfill was done on previously quarried properties in  
3 Puunene that were quarried by Ameron Hawaii.

4           Since 1986, Ameron Hawaii, the County of Maui,  
5 as well as the property owner, Alexander & Baldwin, have  
6 been working together to coordinate expansion of  
7 quarrying activities. Then that will allow the  
8 expansion of the landfill to where we are today in which  
9 the Central Maui Landfill is ready to expand into the  
10 next phases. Ameron has continued quarrying into the  
11 future identified areas for the landfill. And that  
12 there will be a lot of overlapping information when it  
13 comes to the physical and natural resources.

14           So our -- our intent this morning is twofold.  
15 First, to provide background specific to each of the  
16 separate projects before you, and then, secondly, to be  
17 able to identify and further highlight the relationship  
18 between the two projects for you.

19           CHAIR STARR: Why are there two separate items  
20 for the landfill?

21           MS. ROBYN LOUDERMILK: For the landfill, there  
22 are two separate items. The landfill was established in  
23 1986. The current location is covered under a Land Use  
24 Commission Special Use Permit that was issued back in  
25 '96. And at that time the property was zoned Interim.

1 With the adoption of the Agricultural zoning -- and in  
2 the Interim District, the public and government  
3 facilities are allowable use. With the adoption of the  
4 -- at the Council of the Agricultural Zoning District,  
5 in December of 1998, landfilling was identified as a  
6 special use.

7 In 2001, a County Special Use Permit was  
8 issued. However, only for a five-acre portion of the  
9 landfill. And that area was the -- the entranceway, the  
10 administration building, the new driveway and so forth,  
11 that did not cover the quarrying operations. So the  
12 special -- the Commission's Special Permit today will be  
13 a new County Special Use Permit encompassing 70 acres  
14 and incorporating the five acres that was previously  
15 permitted.

16 Any questions on the need for the two separate  
17 permits?

18 CHAIR STARR: When we start with the --  
19 Mr. Munekiyo's presentation.

20 MS. ROBYN LOUDERMILK: Okay.

21 CHAIR STARR: I think you cleared that up  
22 well. Thank you.

23 MS. ROBYN LOUDERMILK: Thank you.

24 MR. MIKE MUNEKIYO: Good morning, Mr. Chair,  
25 Members of the Commission. My name is Mike Munekiyo. I

1 am here this morning on behalf of the County's  
2 Department of Environmental Management. And I think  
3 some of the questions that the Chair had will be  
4 answered by our brief PowerPoint presentation.

5 So if you could start with the first slide,  
6 Erin.

7 This is an overview of the entire area. And  
8 for those of you who were able to attend the workshop a  
9 few weeks ago, I think you might have some reference  
10 point. But just to start from ground zero here, this is  
11 Pulehu Road down here. This is the entrance facility to  
12 the landfill, which is where the public would enter.  
13 There is the public recycling services area, the public  
14 dropoff area for waste disposal, the administration  
15 building, the weigh station, so forth. So this is the  
16 area that Robyn had referred to as having received the  
17 Special Use Permit for five acres only.

18 Separate -- separately, as we -- just for  
19 orientation purposes, this is where Ameron has completed  
20 excavation and quarrying. They're moving into this area  
21 here. Quarrying actually proceeds in this direction.  
22 And that's ongoing.

23 This area here is the -- what is referred to  
24 as Phases I, II and III of the landfill. And I will  
25 talk a little bit more about that in a minute.

1           And, finally, this area here is the Ameron  
2 production facilities. And we'll speak about that in a  
3 minute.

4           So if I can get the next slide.

5           This area that is outlined in blue are the  
6 current landfill boundaries. Again, this is Phases I,  
7 II and III. Phases I and II, this is a closed portion  
8 of the landfill, Phase III in this area here. And some  
9 of you may recall the composting facility, that eco  
10 composting area here. This is Phase IV, the current  
11 operational area for the Central Maui Landfill which  
12 encompasses the public entry area.

13           Now, on this slide, I will speak a little bit  
14 more about this area in a minute, but this is where the  
15 quarrying has already been completed.

16           Next slide.

17           Okay. So the Phase IV of the landfill, that  
18 area which we saw in blue in the previous slide, is  
19 expected to reach its design capacity in the year 2009.  
20 So, as a result, the Department of Environmental  
21 Management is seeking to expand its boundaries to  
22 encompass Phases V and VI. And the total area for the  
23 Phase V and VI area is 41.2 acres.

24           The objective here is to have Phases V and VI  
25 ready for operations by March 2009.

1           Next slide.

2           So, again, just to recap, this is the  
3 expansion area that we are talking about, approximately  
4 41.2 acres.

5           The next slide that I am gonna show -- I am  
6 gonna hold it right now, but just for reference  
7 purposes, this is tax parcel 3-8-025, parcel 25. This  
8 is Parcel 20 and parcel 04, portion of parcel 04. And  
9 the reason I just called this out, again, is for  
10 reference purposes. Again, 25 here, Parcel 20 and  
11 parcel 04, portion.

12           Next slide.

13           Okay. So here is the reference that I just  
14 spoke about. Parcel 25 is that existing Phase IV area.  
15 The reason I kind of called this out to the Commission's  
16 attention is that the land use designations for the  
17 areas are Agricultural for Community Plan zoning and the  
18 State Land Use Boundary. Again, this is the Phase IV  
19 area. Within the expansion area, we have -- I guess  
20 this is within the 41.2-acre expansion area, across the  
21 board Agricultural Land Use zoning designations. And  
22 for Parcel 4 -- really, across Parcel 4 in the 41.2  
23 acre, we have Agricultural zoning across the board as  
24 well. So we are dealing with all Ag lands at the  
25 Community Plan zoning and State Land Use Commission



1 levels.

2 Next slide.

3 Just a recap. Effectively, this is the  
4 Public/Quasi-Public Community Plan area. This area, of  
5 course, encompasses Phase I and II as well as the eco  
6 composting area. Phase IV, Phase V and VI, the proposed  
7 expansion area. Again, across the board land use  
8 designations, Agricultural.

9 Next slide.

10 Just to recap what Robyn had mentioned, there  
11 are a number of requests that are before the Commission  
12 today.

13 First of all, the Department is seeking a time  
14 extension of 10 years for the State Land Use Commission  
15 Special Use Permit. And this is referred to as SP  
16 97-390. The 97 refers to the year that the Special Use  
17 Permit was issued, so the permit was issued in 1997. 10  
18 years has passed in 2007. Prior to its expiration, the  
19 County did file a request for time extension. And that  
20 is one request before you today.

21 Secondly, the Department is seeking to amend  
22 the boundaries of the Special Use Permit by 41.2 acres  
23 to allow the expansion in two phases, V and VI, as was  
24 indicated in previous slides.

25 And, third, to allow the County a Special Use

1 Permit encompassing approximately 70 acres. I will show  
2 this area in a minute.

3           And, finally, to transfer the permit from the  
4 -- what was previously held by the Department of Public  
5 Works and Environmental Management to the Department of  
6 Environmental Management. You might recall, a couple  
7 years ago, there was a charter amendment which split the  
8 Department of Public Works and Environmental Management  
9 into two departments. The Department of Environmental  
10 Management being a standalone department. The permit,  
11 by this request, will now be held by the Department of  
12 Environmental Management.

13           So, briefly, these are the four requests  
14 before the Commission this morning.

15           Next slide.

16           Just to recap, because I know that was kind of  
17 a mouthful, but, again, we are seeking to -- in addition  
18 to the time extension request for the Special Use Permit  
19 97-390, we are seeking to amend that SUP, State SUP  
20 Permit for this area here.

21           Next slide.

22           I spoke about the 70-acres-plus of the County  
23 Special Use Permit. This is where the County Special  
24 Use Permit that we are asking for would cover  
25 approximately 70 acres. It would cover Phases IV, V and

1 VI.

2 So, again, just to keep things separate, the  
3 State Land Use Commission Special Use Permit will  
4 address the 41.2 acres, the County Special Use Permit  
5 will address 70 acres, Phases IV, V and VI.

6 Next slide.

7 And that's it. We would be happy to answer  
8 any questions the Commission may have at this point.

9 We do have with us, of course, the  
10 representatives from the Department. We have their  
11 consultant here as well. So any questions the  
12 Commissioners may have, we would be more than willing to  
13 answer.

14 CHAIR STARR: Before we start with questions,  
15 could you have someone from the Department run us  
16 through how -- how it works? I know some of us got to  
17 see it, but -- but the different -- what the different  
18 areas are used for?

19 MR. MIKE MUNEKIYO: Okay. Sure.

20 CHAIR STARR: And what mechanically is taking  
21 place here?

22 MR. MIKE MUNEKIYO: I think, operationally, it  
23 might be best if I asked Tracy Takamine. He's the Chief  
24 of the Solid Waste Division.

25 And, Erin, can we pull back up slide number

1 three?

2 CHAIR STARR: Robyn, did you have something?

3 MS. ROBYN LOUDERMILK: I -- after your  
4 questions on the operation, there were three areas in  
5 the report that I did want to highlight. So I just  
6 wanted to remind you that I would like the opportunity  
7 to go through those portions.

8 And that's it.

9 CHAIR STARR: Okay. Thank you.

10 MR. TRACY TAKAMINE: Good morning, Commission.  
11 My name is Tracy Takamine. I am the Solid Waste  
12 Division Chief. I guess most of you were on that tour  
13 that we had a few weeks ago, so I will just kind of  
14 highlight the operations of the facility again.

15 Central Maui Landfill services the entire --  
16 basically, the entire Island of Maui except for Hana.  
17 Hana has its own landfill. So we service residential  
18 customers from our own county, pickups and, also,  
19 commercial entities such as condos and businesses.

20 This is Pulehu Road, again, as Mike mentioned.  
21 The entrance facility is the main entrance for all  
22 operations of this landfill. All residents come in,  
23 also, through this entrance facility, to include our  
24 refuse drivers and commercial accounts.

25 So basically -- I don't have a big blowup of

1 this. Basically, the -- whoever wants to dispose of  
2 municipal solid waste into the facility will come  
3 through the entrance facility, turn right and go around.  
4 All commercial accounts have to go across our scale and  
5 get weighed. Also, our own residential refuse pickups  
6 go across the scale and get weighed. So we track all  
7 commercial and our residential refuse pickup across the  
8 scale.

9           We do not weigh individual household residents  
10 coming through the facility. They can come through.  
11 They bypass the scale. They are not charged at this  
12 time. All commercial accounts are charged. And our  
13 residents -- our own residents pickups are not charged,  
14 but they are weighed. So we are tracking very detailed  
15 tracking of all weights coming through, tonnages coming  
16 through into this facility.

17           The residents drop off their refuse at the  
18 dropoff bins. And we have -- I think there were -- what  
19 is that three, Mike, three bins, dropoff? Four? Four.  
20 Four dropoff bins there, each can accommodate two cars.  
21 So we have a total of eight stalls.

22           Also, the residents can, also, at that  
23 facility, drop off -- we have a recycle facility, that  
24 was on the top side of the facility, for cardboard,  
25 glass, plastics and aluminum. We used to have a HI5

1 redemption center at the facility. But due to the lack  
2 of customers using it, it was discontinued recently.

3 We also have the commercial green waste  
4 operators coming through the facility. And they also go  
5 across a scale and get weighed and then they proceed  
6 onto the eco compost facility that you saw, dropoff  
7 facility currently located in the future Phase V.

8 What else happens there?

9 We also receive FOG, fats, oils and grease,  
10 from commercial vendors. This is all their fats, oils  
11 and grease that are pumped out of the grease  
12 interceptors at all restaurants that are currently  
13 operating on the Island of Maui. The FOG is, again,  
14 scaled, and we charge the individual customers coming  
15 across. And it's taken to the Maui Diesel operation at  
16 the eco facility. And I think the charge was \$95 per  
17 ton for that one.

18 And that's it. Any other questions? I think  
19 I covered all the operations.

20 CHAIR STARR: Yeah. We'll have questions in a  
21 few minutes. So --

22 MR. TRACY TAKAMINE: Okay.

23 CHAIR STARR: Yeah. Robyn Loudermilk had some  
24 explanation of --

25 MS. ROBYN LOUDERMILK: Thank you. Yeah.

1 Commissioners, I just want to highlight some areas in  
2 the report. So if we can turn to Page 19, I would like  
3 to start off with the Solid Waste Disposal section. And  
4 that the solid waste disposal for Maui Island, except  
5 for Hana, will continue to be at this location. And in  
6 relation to solid waste, the County of Maui is currently  
7 updating their integrated Solid Waste Management Plan  
8 that was initially adopted in 1994. And this Solid  
9 Waste Management Plan provides -- serves as a blueprint  
10 to provide guidelines for the solid waste management for  
11 the County. The requirements for this Solid Waste  
12 Management Plan are identified under State law. And,  
13 further, the State law provides the process and content  
14 requirement for the update.

15           Beginning in June, 21st, of 2007, there were  
16 12 publicly-noticed meetings during which an advisory  
17 committee, appointed by the Mayor, developed solid waste  
18 management goals through a consensus-driven process. On  
19 May 8, 2008, this committee approved the Draft Solid  
20 Waste Management Plan. After this initial draft, a  
21 number of public meetings were held to obtain additional  
22 comments on the plan. Currently, this draft plan is  
23 with the State Department of Health for review and  
24 approval.

25           And as part of this plan, there are four

1 guiding principles. The first is the goal for a 60  
2 percent diversion of solid waste from the landfill  
3 through recycling. Second, a WasteTEC facility for  
4 handling remaining solids that are not recyclable.  
5 Three, to improve customer service and assistance. And,  
6 four, to improve the Division facilities.

7           So the expansion that is coming before you is  
8 consistent with the draft plan. Again, this particular  
9 area has been identified for continuing to accept  
10 landfill materials.

11           And should the principle features of the plan  
12 be adopted, the life capacity of the landfill could be  
13 extended from 2024 to approximately 2042 as a closure  
14 date.

15           And in relation to the WasteTEC, that is a  
16 term that was developed by this advisory committee to  
17 identify a waste-to-energy facility in general. There  
18 was no specific technologies identified at the time,  
19 rather more of the concept.

20           The next area I would like to go over are the  
21 environmental impacts. That as part of the operation of  
22 the landfill, the applicant continues to meet the  
23 requirements of the State Department of Health for noise  
24 and air quality impacts. To further minimize odors from  
25 the landfill, ground cover is applied on a daily basis.



1 And this ground cover is comprised of soils. And the  
2 soils are crushed material. And is applied in  
3 accordance with the DOH rules on a daily basis. On a  
4 daily basis, approximately 500 tons of ground cover is  
5 used, which is equivalent to approximately 315 cubic  
6 yards.

7 From previous reviews at the Land Use  
8 Commission, wind-blown debris has been a concern. The  
9 applicant has put in place a number of mechanisms to try  
10 to minimize the trash bags blowing around. You know,  
11 right now, a series of 16-foot high portable fences are  
12 -- have been installed downwind to capture wind-blown  
13 debris. And, also, Ka Lima o Maui provides a crew of  
14 five persons to pick up litter along the entryway and  
15 Pulehu Road. For the Phase V expansion, in addition to  
16 that, the applicant will be installing litter fences.

17 A landfill operations and maintenance plan has  
18 been reviewed and approved by the State Department of  
19 Health. And these cover key components of how refuse is  
20 accepted and screened, the compaction and covering,  
21 access control, surface water management, leachate  
22 management, landfill gas control, environmental  
23 monitoring and record keeping.

24 Also, in this section, we have identified a  
25 definition for leachate by the Department of Health. I

1 will not read it, but it's Item Number 6. And,  
2 basically, the most common source of leachate is  
3 rainwater filtering down through the landfill. However,  
4 through the decomposition process, leachate is also  
5 materialized.

6           So the design of the drainage system as well  
7 as the leachate system is very important to ensure that  
8 there is no integration of either. And the leachate is  
9 managed through a collection and removal system onsite.  
10 Basically, there's liners in the pond that are used and  
11 PVC pipes that are utilized to transport the leachate to  
12 the storage area.

13           Leachate is disposed of one of two ways. One  
14 method is to put it on the landfill itself, to help  
15 compaction, on a daily basis. Maybe not on a daily  
16 basis, but as needed. And then secondly, leachate can  
17 be disposed of through the various wastewater  
18 reclamation facilities.

19           And should the leachate be disposed through  
20 the wastewater reclamation facilities, the leachate is  
21 then tested.

22           I had indicated in the report that all  
23 leachate is required to be tested by the Department of  
24 Health, but that is not -- that is not correct. They do  
25 not require testing of the leachate.

1           The leachate testing is only done with the  
2 disposal of the leachate to the wastewater reclamation  
3 facility. And this is to ensure that what is going into  
4 the facility continues to meet additional Department of  
5 Health requirements.

6           And in relation to comments on the site visit  
7 about changing or -- the slope of the quarried areas to  
8 -- or digging deeper to allow for additional capacity,  
9 basically, the applicant has not considered the depth  
10 greater than what is currently proposed, is that it  
11 would actually decrease the capacity a little bit as  
12 well as increase operating cost in engineering that  
13 would be required to collect the leachate and design the  
14 -- the wastewater. And that is based upon the existing  
15 footprint that we have before you today in terms of the  
16 boundaries. So that was the major constraint.

17           And the last area that I would like to cover  
18 is water. There are no potable water wells onsite.  
19 However, there are six monitoring wells. And a  
20 detection and monitoring program has been developed by  
21 the -- in consultation with the Department of Health.  
22 And, basically, the monitoring of the groundwater is  
23 done on a semiannual basis to determine the absence or  
24 presence of landfill leakage or leachate. The last  
25 sampling took place in 2008, in which the results

1 indicated that there were no leakage from the landfill  
2 to the groundwater.

3           Lastly, in -- in relation to the various  
4 environmental concerns, the Department did send the  
5 applications to the State Department of Health which  
6 indicated that they did have no comments to report at  
7 this time. And that was consistent, that the Department  
8 is currently in compliance with all of their rules and  
9 regulations in relation to the solid waste management,  
10 groundwater monitoring, air quality, and noise, noise  
11 sources.

12           So that concludes the Department's portion of  
13 the presentation.

14           CHAIR STARR: Okay. Thank you very much,  
15 Robyn.

16           Members, questions for Robyn, for the  
17 Department -- or for the Department? And, also, Dave  
18 Taylor is here from Wastewater.

19           Commissioner Mardfin.

20           COMMISSIONER MARDFIN: I'm sorry. I was  
21 trying to take notes and I missed something you just  
22 said near the end. You said they have been -- there  
23 were studies done that there is no leakage from the  
24 landfill to the groundwater?

25           MS. ROBYN LOUDERMILK: Yes.

1 COMMISSIONER MARDFIN: When was that done?

2 MS. ROBYN LOUDERMILK: The last one was done  
3 in June of this year.

4 COMMISSIONER MARDFIN: And how do they know?

5 MS. ROBYN LOUDERMILK: There are a number of  
6 organisms that they are required to test for. And --

7 COMMISSIONER MARDFIN: Are they drilling down  
8 to the groundwater?

9 MS. ROBYN LOUDERMILK: Well, you want to know  
10 how the testing is done?

11 COMMISSIONER MARDFIN: Right.

12 MS. ROBYN LOUDERMILK: I cannot answer that.

13 CHAIR STARR: Do we have someone from  
14 Department that can answer that? Cheryl.

15 MS. CHERYL OKUMA: We have our consultant,  
16 Ali.

17 CHAIR STARR: Yeah, please introduce yourself  
18 for the record.

19 MR. ALI McROSELENE: Good morning. My name is  
20 Ali McRoselene. I'm a licensed engineer in the State of  
21 Hawaii. And our consulting business is only landfill,  
22 so I am not a groundwater expert. But we have our  
23 experts. But I can answer your question.

24 COMMISSIONER MARDFIN: Okay.

25 MR. ALI McROSELENE: By regulation, Federal

1 and State regulation, we have to test the leachate and  
2 see what is in the leachate at least annually, or often.  
3 There is actually new regulation, I can't remember it,  
4 how often they have to do it. But we find out what are  
5 the components that is in our leachate. So we know the  
6 signature of the different components that are in there.  
7 Then we go sample the groundwaters and we look for those  
8 components that is detected in the leachate. That's all  
9 by regulation. And if we find any trace of the same  
10 material in our groundwater, then that is how we  
11 conclude whether there's a impact or not. There is a  
12 statistical procedures, there is -- it's really  
13 complicated. Again, I am not a groundwater expert. But  
14 that's how you do it.

15           So it's -- definitely, you can detect if there  
16 is landfill impact to the groundwater. And that's what  
17 they have. They have hot groundwater wells into the  
18 groundwater. They have downgradient and upgradient  
19 wells. They know what is coming through the landfill  
20 and what is leaving the landfill. And that's how you  
21 can detect if there is anything -- any impact to the  
22 groundwater. And if they say there is no impact, that  
23 means they don't see a signature from the landfill in  
24 the groundwater.

25           COMMISSIONER MARDFIN: Okay. I think I

1 understand it. Let me repeat what you said. And if I  
2 get it wrong, correct me.

3 MR. ALI McROSELENE: Okay.

4 COMMISSIONER MARDFIN: First, you test the  
5 leachate to find out what things are in it so you get a  
6 signature for it. So if you find it in the groundwater  
7 leaving the landfill area, you say we got a problem?

8 MR. ALI McROSELENE: Correct.

9 COMMISSIONER MARDFIN: You have groundwater  
10 wells, some of them upstream?

11 MR. ALI McROSELENE: Yes.

12 COMMISSIONER MARDFIN: Stream is not the right  
13 word.

14 MR. ALI McROSELENE: Upgradient.

15 COMMISSIONER MARDFIN: Upgrade from the  
16 landfill?

17 MR. ALI McROSELENE: Yes.

18 COMMISSIONER MARDFIN: That gives you a  
19 baseline test for what is in there to begin with?

20 MR. ALI McROSELENE: Correct.

21 COMMISSIONER MARDFIN: You have a well at --  
22 at --

23 MR. ALI McROSELENE: Downgradient.

24 COMMISSIONER MARDFIN: Down --

25 MR. ALI McROSELENE: Downgradient.

1           COMMISSIONER MARDFIN: Downgradient. Thank  
2 you. I want to say stream. Downgradient. Where, if  
3 leachate were getting in there, you would be able to  
4 test it?

5           MR. ALI McROSELENE: That's correct.

6           COMMISSIONER MARDFIN: Do you happen to know  
7 how many groundwater wells there are?

8           MR. ALI McROSELENE: I believe it's six. But  
9 we don't do the groundwater sampling.

10          COMMISSIONER MARDFIN: But they sort of do it  
11 all around?

12          MR. ALI McROSELENE: That's correct.

13          COMMISSIONER MARDFIN: Okay.

14          MR. ALI McROSELENE: Semiannually, they will  
15 go and sample the wells. Take the samples, that is  
16 specific --

17          COMMISSIONER MARDFIN: Right.

18          MR. ALI McROSELENE: -- procedures, they send  
19 the samples to the lab. There is a timeframe that he  
20 has to get to the lab. They put it in ice, send it to  
21 the lab. Lab tests the material, and they would produce  
22 a report.

23          COMMISSIONER MARDFIN: Right.

24          MR. ALI McROSELENE: And then, from that  
25 report, the groundwater expert will look at it and look



1 at those signatures, do some statistical analysis, and  
2 then report it to DOH. And that's how they can prove  
3 whether there is impact or not.

4 COMMISSIONER MARDFIN: Right. I get the way  
5 they do it. I just want to ensure that -- at least for  
6 this landfill that there are sufficient wells around it  
7 so they are below grade on it and they would definitely  
8 be getting water that had passed under the landfill.

9 MR. ALI McROSELENE: Yes.

10 COMMISSIONER MARDFIN: Groundwater that had  
11 passed under the landfill.

12 MR. ALI McROSELENE: That is highly regulated,  
13 highly regulated, Federal and the State. And that's  
14 what we have to prove --

15 COMMISSIONER MARDFIN: Well, this --

16 MR. ALI McROSELENE: -- to the State, that we  
17 have enough groundwater wells and we have appropriate  
18 procedures.

19 COMMISSIONER MARDFIN: It doesn't happen in  
20 Hana. They don't have it where they could test ground  
21 -- below grade. So that's why I am asking whether they,  
22 at least for this landfill, do it the right way.

23 MR. ALI McROSELENE: Yes.

24 COMMISSIONER MARDFIN: Sounds like they do.

25 MR. ALI McROSELENE: This landfill -- there

1 are some landfills that are exempt. Because  
2 when they're too small, there is some exempt -- Federal  
3 and State exemption. But this landfill is not exempt  
4 and they do monitor the groundwaters.

5 COMMISSIONER MARDFIN: Okay. Thank you very  
6 much.

7 MR. ALI McROSELENE: You're welcome.

8 CHAIR STARR: Commissioner Hedani.

9 COMMISSIONER HEDANI: Question for the same  
10 testifier, for your expert.

11 MS. ROBYN LOUDERMILK: Commissioner Mardfin,  
12 if you look at Exhibit Number 42, it identifies the  
13 location of the monitoring wells --

14 COMMISSIONER MARDFIN: Thank you.

15 MS. ROBYN LOUDERMILK: -- in relation to the  
16 landfill.

17 COMMISSIONER MARDFIN: Thank you.

18 COMMISSIONER HEDANI: I'm sorry. I didn't get  
19 your name.

20 MR. ALI McROSELENE: Ali McRoselene.

21 COMMISSIONER HEDANI: Mr. McRoselene, under  
22 Appendix A of the report that was submitted, on Page A2,  
23 there's an indication that the level of the TDS is 4,910  
24 in your highest sample, and the Hawaii drinking water  
25 standards is 500. Can you tell me what that is?

1 MR. ALI McROSELENE: I am not familiar with  
2 the table, but I can answer your question.

3 COMMISSIONER HEDANI: Okay.

4 MR. ALI McROSELENE: Because we don't do the  
5 groundwater sampling. But TDS is total dissolved  
6 solids. And in groundwater, or in any water that it  
7 comes in contact with dirt, there are some natural  
8 background TDS values. And, of course, if there is  
9 TDS's, there's, again, solids. And if it's in drinking  
10 water, you don't want to drink it. So there's standards  
11 for it. It's not a natural. And if they say it meets  
12 the requirements, it probably does. Again, I'm not --  
13 we are not the company that does the groundwater  
14 sampling or testing.

15 COMMISSIONER HEDANI: Okay. Thank you.

16 CHAIR STARR: Commissioner Mardfin.

17 COMMISSIONER MARDFIN: I don't know whether I  
18 want to speak to you again or Robyn. Let me try with  
19 Robyn. I looked up -- I just found Exhibit 42.

20 MS. ROBYN LOUDERMILK: Uh-huh.

21 COMMISSIONER MARDFIN: I see that the  
22 approximate groundwater flow direction, as of June 11,  
23 2008, is -- I can't tell whether that's east, west,  
24 north or south, but whichever way it's going on this  
25 map, from right to left. And it seems to be, under

1 Phases I, II and -- it looks like it would pick up good  
2 stuff between -- from Phases I, II and III. They have  
3 got monitoring well one, which would be up -- looks to  
4 me like it's upgrade of the landfill. IV and VI are  
5 sort of bracketing it partway down. II, III and V would  
6 probably pick up anything that was leachate -- leachate  
7 that was getting into the groundwater below Phases I, II  
8 and III. I am looking now at Phases IV, V and VI, and I  
9 don't see any monitoring wells downgradient of that,  
10 that would pick up stuff that was going into the  
11 leachate.

12 MS. ROBYN LOUDERMILK: You have monitoring  
13 well six.

14 COMMISSIONER MARDFIN: Monitoring well six is  
15 upflow.

16 MS. CHERYL OKUMA: Maybe I can -- Cheryl  
17 Okuma. You are referring to Phases V and VI which --

18 COMMISSIONER MARDFIN: Yes.

19 MS. CHERYL OKUMA: Phase V and VI of the  
20 landfill, those -- those portions have not been built  
21 yet.

22 COMMISSIONER MARDFIN: Right. Are you  
23 planning to build --

24 MS. CHERYL OKUMA: So I'm sure that we will be  
25 looking at the well situation once we move into those

1 phases.

2 COMMISSIONER MARDFIN: Then the only well that  
3 would pick up Phase IV is monitoring well five, is that  
4 correct? Well, you are basically saying one, two and  
5 three haven't been giving it -- my reading of this map  
6 is I, II and III haven't been giving any problems. VI  
7 would only be picked up by bounding well five.

8 MS. ROBYN LOUDERMILK: All of the wells are  
9 monitored. All of the wells are tested.

10 COMMISSIONER MARDFIN: Yeah.

11 MS. ROBYN LOUDERMILK: Well five is for the  
12 Phase IV. The other phases have not been constructed.

13 COMMISSIONER MARDFIN: Right.

14 MS. ROBYN LOUDERMILK: That does not preclude  
15 that there may be requirements for additional wells to  
16 be --

17 COMMISSIONER MARDFIN: Right.

18 MS. ROBYN LOUDERMILK: -- installed.

19 COMMISSIONER MARDFIN: Okay.

20 MS. ROBYN LOUDERMILK: Yeah. That does not  
21 preclude.

22 COMMISSIONER MARDFIN: For Phase IV, there is  
23 only one well that could pick up leachate?

24 MS. ROBYN LOUDERMILK: Probably, at this point  
25 in time.

1 COMMISSIONER MARDFIN: It's the -- it's the  
2 only well down -- downgradient of Phase IV.

3 MS. ROBYN LOUDERMILK: Okay.

4 COMMISSIONER MARDFIN: All the rest are across  
5 or something else.

6 MS. ROBYN LOUDERMILK: Okay. So well five.

7 COMMISSIONER MARDFIN: I just -- I just wanted  
8 to make sure that I understood what was going on.

9 MS. ROBYN LOUDERMILK: Sure.

10 COMMISSIONER MARDFIN: And that new monitoring  
11 wells would be drilled before you go ahead with V and  
12 VI. Because I want to make sure that the wells are  
13 drilled where they would actually pick it up. It looks  
14 like they did a great job for Phases I, II and III.

15 MS. ROBYN LOUDERMILK: The difference --

16 COMMISSIONER MARDFIN: And IV is maybe pick it  
17 up and maybe wouldn't, depending on -- I see a gulch in  
18 between here kind of.

19 MS. ROBYN LOUDERMILK: Yes, Kalialinui.

20 COMMISSIONER MARDFIN: Kalialinui.

21 MS. ROBYN LOUDERMILK: Yes.

22 COMMISSIONER MARDFIN: And that may change the  
23 groundwater flow on the other side of the -- of the  
24 gulch. I don't know. There is no arrow showing which  
25 way the groundwater flow is, so we don't know. I mean,

1 the ground -- it may be that it's so far underground  
2 that the flow is the same. And I am -- I guess it would  
3 be nice if I knew that. But it looks okay. But IV  
4 looks like it's the only one that would pick up any  
5 leachate.

6 MS. ROBYN LOUDERMILK: Ali will come up and  
7 address that.

8 MR. ALI McROSELENE: The design of the next VI  
9 is our responsibility.

10 COMMISSIONER MARDFIN: Okay.

11 MR. ALI McROSELENE: And we are going to have  
12 to propose the groundwaters that is gonna control those  
13 phases. And the person that is gonna do that is one of  
14 my employees. He is actually the person who has written  
15 the guidance manual for groundwater protection for the  
16 State of Hawaii. He is very proud of what he does and  
17 how he does it. And so when he proposes the wells, it  
18 will be definitely -- I will be very comfortable that we  
19 would detect anything from Phase V and VI.

20 COMMISSIONER MARDFIN: Okay.

21 MR. ALI McROSELENE: It will be done  
22 correctly.

23 COMMISSIONER MARDFIN: They -- they probably  
24 -- that's okay.

25 MR. ALI McROSELENE: It is complicated. It's

1 a science of its own.

2 COMMISSIONER MARDFIN: No. I --

3 MR. ALI McROSELENE: How you do it, where you  
4 do it and how deep you have to go. And, again, that  
5 will be done. It is a requirement.

6 COMMISSIONER MARDFIN: Is it likely that  
7 groundwater flow direction would be different, on  
8 different sides of the gulch, or is that unlikely.

9 MR. ALI McROSELENE: Generally not.

10 COMMISSIONER MARDFIN: Generally the same?

11 MR. ALI McROSELENE: Generally it -- whatever  
12 the groundwater flow is, that's -- as is shown in the --  
13 in the drawing, it's probably the same direction.

14 COMMISSIONER MARDFIN: Because it's so much  
15 below. At what --

16 MS. ROBYN LOUDERMILK: I would like to have  
17 you go to Exhibit Number 45.

18 COMMISSIONER MARDFIN: Okay.

19 MS. ROBYN LOUDERMILK: Because it will show  
20 the flows with the build-out.

21 COMMISSIONER MARDFIN: At what depth is the  
22 groundwater compared to the surface?

23 MS. ROBYN LOUDERMILK: The Department of Water  
24 Supply did not provide that information for us.

25 COMMISSIONER MARDFIN: Okay.



1 CHAIR STARR: Okay. I have a question for the  
2 consultant. Could you please come up? I would like to  
3 know what the leachate is tested for.

4 MR. ALI McROSELENE: Again, we don't do the  
5 testing. But there is, actually, a requirement for  
6 regulation, State regulation. You look at the  
7 leachate -- you look at -- the leachate is the liquid  
8 that comes with the trash. There is normally 20 gallons  
9 of water in some sort, in the banana peels and so on,  
10 that comes -- it's the moisture that comes with the  
11 trash. Then there is rain that comes over the trash and  
12 it comes through the trash. Normally, it's about 20  
13 gallon per cubic yard. And that's what it comes out.  
14 They take the sample of that liquid that comes out, and  
15 they will see what is in there. There are certain  
16 components that Federal regulation and State regulation  
17 requires that you have to test, if you see them in the  
18 leachate.

19 CHAIR STARR: Yeah. And could you tell us  
20 what is tested -- what is being tested for?

21 MR. ALI McROSELENE: It's actually a table.  
22 It's a very significant table.

23 MS. ROBYN LOUDERMILK: I -- I can assist him  
24 because we have the groundwater report.

25 CHAIR STARR: Uh-huh.

1 MS. ROBYN LOUDERMILK: In -- in here that  
2 identifies --

3 COMMISSIONER HEDANI: A2 and A3.

4 MS. ROBYN LOUDERMILK: No. It's part of the  
5 -- should be part of the Department's report. Not the  
6 -- not the exhibit, the main exhibit.

7 I apologize that I did not put that -- that  
8 table inside the -- inside the report.

9 CHAIR STARR: I was specifically looking for  
10 it. I think I would have seen it. I did ask some  
11 questions at our site inspection regarding, you know,  
12 heavy metals and pharmaceuticals and so on. And the  
13 response we got was that those are not being tested for.

14 I would like to ask the expert. Say someone  
15 dumped a whole lot of some really toxic chemical or  
16 pharmaceutical into the trash and it went into --  
17 obviously, it's going to end up in the soup in the  
18 leachate, and then it is not tested for. What -- what  
19 happens then, it gets put into the injection wells?

20 MR. ALI McROSELENE: Well, the leachate that  
21 is collected, it gets -- basically, goes back into the  
22 trash in the landfill.

23 CHAIR STARR: No, it doesn't. That's --  
24 you're -- you're incorrect. For an expert, you really  
25 have very little knowledge, sir.

1 MS. CHERYL OKUMA: Excuse me. No, no. I  
2 believe what you are asking for is what happens to the  
3 leachate when it goes into the wastewater facility. And  
4 we have Dave Taylor here --

5 CHAIR STARR: Yeah.

6 MS. CHERYL OKUMA: -- who can address that.

7 CHAIR STARR: Okay. Dave, say there is some  
8 horrible poison that is put into the trash and it ends  
9 up in the leachate. What happens to it when it gets  
10 taken to your facility? You know, it's not an organic  
11 that would get broken down by your facility, but  
12 something else.

13 MR. DAVE TAYLOR: Good morning. I am Dave  
14 Taylor, I am the Wastewater Division Chief.

15 Basically, what you are asking is -- it's the  
16 same as if anyone dumped anything down their drain that  
17 was nonorganic. So everything that goes to the  
18 wastewater treatment plant is either an organic  
19 material, like the stuff we're made of that gets broken  
20 down, or it's an inorganic material that either ends up  
21 in the water or in the biosolids. That's the only two  
22 places everything ends up. So it either goes down the  
23 injection wells or it's in the biosolids that go to  
24 recycling -- or that go to composting. Everything is  
25 tested, both biosolids and water are tested, due to

1 following EPA and Department of Health standards, which  
2 test for a variety of substances. So we are -- we have  
3 to comply with those tests and -- and that methodology.

4 COMMISSIONER MARDFIN: Do they test for heavy  
5 metals and mercury?

6 MR. DAVE TAYLOR: Yes. Those are two things  
7 that are tested for.

8 CHAIR STARR: How about pharmaceuticals?

9 MR. DAVE TAYLOR: Pharmaceuticals are part of  
10 a wider -- a wider range of subjects called  
11 microconstituents. We have a few molecules of  
12 pharmaceuticals or few molecules of personal care  
13 products. You know, there's literally probably tens of  
14 thousands or millions of things that we use as human  
15 beings. And there's a few molecules of this or that,  
16 that are getting combined. And no one really knows what  
17 happens to the stuff. And no one can really test for it  
18 because they're in far too small quantities for  
19 anything, really, but the -- the highest level  
20 laboratories in the country to test for. So these  
21 things end up in either the water or in the biosolids,  
22 as they do everywhere else in the world, also.

23 CHAIR STARR: You know, I have to say I have a  
24 real concern that this leachate, which is, you know,  
25 really a toxic mix of everything that goes into the

1 landfill is handled very well at the landfill and the  
2 liners keep it out of the groundwater. But then it gets  
3 taken -- and, I believe, 192,500 gallons of this  
4 leachate was added in the last year into the intake of  
5 the Kahului and the Kihei Wastewater Treatment Plants.  
6 And that all of that either was put into the injection  
7 wells, which would mean it would end up on the reef, or  
8 it ended up in the solid which is the compost that  
9 people are putting in their gardens. Do you have any  
10 concern about -- about this? Because it doesn't sound  
11 like they're testing for everything. It sounds like  
12 there are some specific things that are being -- that  
13 this is being tested from. And it just seems like, you  
14 know, you're segregating out the worst poisons that  
15 where -- you know, people are throwing away, there's no  
16 way of knowing it's a dry -- someone puts drums of  
17 dry-cleaning fluid, or whatever, in there and it's  
18 ending up in your system.

19 MR. DAVE TAYLOR: Just to correct one thing I  
20 said. About 22 percent of our water also goes to reuse.  
21 So water either goes down the injection wells to  
22 irrigation or the solids, again, go to composting.

23 You noted that 192,000 gallons of leachate  
24 went to our system. That got mixed with about two  
25 billion gallons of sewage. So just to put that into

1 perspective. I mean, there's an enormous amount of  
2 water that this 92 -- 192,000 gallons got mixed with.

3 I am not an expert in the field of  
4 microconstituents, nor is, really, most people in  
5 wastewater. I just returned -- actually, today is my  
6 first day back at work. I just got back from the  
7 National Wastewater Conference in Chicago where,  
8 anticipating these questions today, I went -- I spent  
9 about two hours in some seminars from the leading world  
10 experts on microconstituents in wastewater, which were  
11 covering exactly these questions and the concern raised.

12 The biggest concern globally is with drinking  
13 water supply. And that's where the research really is.  
14 There is some concern that these few molecules of this  
15 and pharmaceuticals and dry-cleaning products and all  
16 these various chemicals that people use that eventually  
17 find themselves -- find their way to the wastewater  
18 treatment plants, in very, very minute quantities, you  
19 know, may have some effect on fish health or human  
20 health over a very long period of time. It's a very new  
21 field. It's very difficult to do research because the  
22 results will be, you know, possibly decades from now as  
23 the first time people will really know anything. And  
24 there are so many different inorganic molecules that are  
25 used in our daily lives that the number of combinations

1 are infinite. And the studies are very preliminary.  
2 The science is very preliminary.

3 And I don't know that anyone can really answer  
4 your question. Because the tiny minute quantities that  
5 just get distributed within the water and wastewater  
6 systems are so small that no one can really pick them up  
7 in a realistic methodology.

8 CHAIR STARR: Is it -- is it common accepted  
9 practice to put a landfill leachate into the intake of  
10 wastewater treatment plants?

11 MR. DAVE TAYLOR: Yes, it is.

12 CHAIR STARR: Commissioner Mardfin.

13 COMMISSIONER MARDFIN: On your injection  
14 wells, how far underground is that injected?

15 MR. DAVE TAYLOR: The injection wells vary in  
16 depth. They're usually a couple of hundred feet.  
17 Basically, you drill the injection wells down until the  
18 geology is such that the upper geology, the rock, is  
19 nonporous, so it keeps the water from coming up too  
20 early. So, essentially, you drill down until you hit  
21 some porous rock with some harder nonporous rock on top  
22 of it. So the injection wells aren't a set depth. You  
23 drill until you hit the right geology locations.

24 COMMISSIONER MARDFIN: Are you injecting it  
25 below where the groundwater is?

1 MR. DAVE TAYLOR: Oh, far below. I mean,  
2 they're a couple hundred feet deep.

3 COMMISSIONER MARDFIN: So this sounds like an  
4 answer we had to an earlier -- months ago, we asked a  
5 similar kind of question. Basically, again, correct me  
6 if -- I'm going to say it. Correct me if I say it  
7 wrong.

8 Basically, you're injecting this potentially  
9 poisonous stuff, either dilute or concentrate, but you  
10 are putting it so far down and below impermeable rock  
11 that it's unlikely to seep up into the groundwater, and  
12 it's far below the groundwater where we take our  
13 drinking water from?

14 MR. DAVE TAYLOR: Not only -- what you said is  
15 true. And not only is that true, but the State  
16 Department of Health has established what they call the  
17 underground injection control line. Basically, they  
18 take a map of the island and they've drawn a line kind  
19 of following the coastline, but inland, and said you  
20 cannot put an injection well mauka of that line. And  
21 that line is far below drinking water aquifers. So all  
22 of our injection wells are far makai of any drinking  
23 water sources. And because the general flow of  
24 underground water on our island goes downward to the  
25 ocean, and the water is -- fresh water is lighter than



1 saltwater, it comes up and moves makai.

2           So there's really no concern that wastewater  
3 injection wells from our plants affect drinking water  
4 sources. That's -- no one is really raising that  
5 concern because of both the engineering of the injection  
6 wells and the underground injection control line  
7 methodology.

8           COMMISSIONER MARDFIN: Is it also deep enough  
9 that it couldn't come up and affect coral reefs?

10           MR. DAVE TAYLOR: That water is coming up in  
11 the nearshore waters. And so that water is eventually  
12 coming into the ocean where there are coral reefs.

13           COMMISSIONER MARDFIN: I thought you said that  
14 you were putting it below impermeable rock. If it's  
15 below impermeable rock, how would it get into the  
16 nearshore ocean?

17           MR. DAVE TAYLOR: For example, in Kihei, the  
18 plant is probably about a mile inland. So that water is  
19 coming out to the ocean, probably not too far from  
20 shore, according to the studies. So in Kahului, the --  
21 right behind the Kahului plant, there's a reef about  
22 probably half a mile out. So it -- it could be coming  
23 out in those areas. You know, the reef goes pretty far  
24 out.

25           COMMISSIONER MARDFIN: So we're -- we don't

1 have to be worried about groundwater, but we do have to  
2 be worried about reef health?

3 MR. DAVE TAYLOR: Whether or not you have to  
4 be worried is really beyond me. But -- but the -- the  
5 hydrogeological studies that have been done show that,  
6 of course, the water moves makai and it migrates into  
7 the ocean.

8 COMMISSIONER MARDFIN: Okay.

9 CHAIR STARR: Yeah, Clayton.

10 MR. CLAYTON YOSHIDA: Yes. Mr. Chairman, it  
11 was brought to my attention that in the Land Use  
12 Commission Special Use Permit application dated July  
13 '96, that was distributed to you, in Appendix A, there  
14 is groundwater quality data and it does list the analyte  
15 and the lowest and highest amounts found in the sample,  
16 and, if there is a drinking water standard, it lists the  
17 drinking water standard.

18 CHAIR STARR: That's on Page A1.

19 MR. CLAYTON YOSHIDA: That's in Appendix --

20 CHAIR STARR: A2, A3.

21 MR. CLAYTON YOSHIDA: Correct.

22 CHAIR STARR: Okay. Beryllium, cadmium,  
23 calcium, chromium.

24 COMMISSIONER MARDFIN: Mr. Taylor, you were  
25 also saying that -- I mean, I guess I'm convinced that I

1 don't have to worry about the water that I drink. I do  
2 still have to be at least somewhat concerned about the  
3 reefs, but you were also saying that, by the time it  
4 gets there, it's so dilute that I shouldn't be overly  
5 concerned.

6 MR. DAVE TAYLOR: Well, how much you're  
7 concerned is really up to you. I mean, the facts that  
8 are known are -- there have been hydrogeological studies  
9 done, computer models by hydrogeologists who don't have  
10 any particular knowledge about aquatic biology. They  
11 have just tried to say -- look at how does water move  
12 through the ground, how does it spread through the  
13 coral, where does it come up, how much does it get  
14 diluted, how long does it take the water to make that  
15 journey. And what we've seen from those models and  
16 analyses is the water is very diluted by the time it  
17 mixes with everything. And it takes years as it moves  
18 through the coral until it gets to the ocean. Probably  
19 two to five years from the time we put water down an  
20 injection well until the time it actually comes out of  
21 the coral into the ocean. So there is certainly more  
22 biological reactions and a lot of filtering done as it's  
23 moving through this porous rock.

24 So to give an example, you know, if I mix  
25 something up and flush it down a drain today, and if I

1 could track that molecule, if it ever came to the ocean,  
2 it would be two to five years from today. And whether  
3 or not that would even make it to the ocean or get  
4 caught up in the porous rock, nobody knows. So I can't  
5 tell you how worried to be or not to be.

6 COMMISSIONER MARDFIN: Okay.

7 MR. DAVE TAYLOR: Because that is really the  
8 limits of our science. And that limit probably isn't  
9 going to change in our lifetime. You know, you're  
10 talking about trying to track some single molecules that  
11 are very small through a very complex hydrogeologic  
12 system. Certainly there are some people that are  
13 concerned. Whether or not there's science to back that  
14 concern is up for some conjecture. And not everyone  
15 agrees. So there's very little --

16 COMMISSIONER MARDFIN: The two to five years  
17 doesn't console me very much. But the fact it could be  
18 filtered out some other place and left under there does  
19 help.

20 CHAIR STARR: Tracy.

21 MR. TRACY TAKAMINE: I would like to make a  
22 comment to that. The volume that you're looking at, I  
23 want to emphasize, too, that's entire year's worth.  
24 When we -- when we pump leachate, number one, we pump it  
25 out and it might be -- might take only a few thousand

1 gallons to the treatment plant at a time. We are trying  
2 and we have permission from DOH to reuse the leachate on  
3 the landfill on the working face. So our primary  
4 objective is not to take any leachate off of the  
5 landfill, if possible. So what we can do and we're  
6 authorized to do is we have water tankers that we pump  
7 it and then we go back to the working face, spray on the  
8 working face for litter, dust control, and, you know,  
9 evaporation. And try to -- try to maintain it that way.  
10 That's our main -- main disposal method.

11 COMMISSIONER MARDFIN: That leads me to one  
12 other question. I saw that. I was going to ask this,  
13 anyway, but you bring me right to it.

14 If you are kind of recycling this leachate  
15 over and over and over, would the concentration of the  
16 bad things in it increase? Or does it -- I can see  
17 where it might increase because you are using it over  
18 and over and over. On the other hand, you are getting  
19 rainwater and other things that are kind of diluting it  
20 out. Is there any way to know whether the leachate  
21 concentrations are getting more and more?

22 MR. TRACY TAKAMINE: I can't answer that  
23 question for sure. But when -- when it's redeposited  
24 over the -- over the working face, you know, it can get  
25 -- tend to get caught -- again caught up or maintained

1 in the working face by the time it filtrates down. We  
2 are in an area that's very light rainfall. We don't get  
3 much rainfall. So by reutilizing it again, you know, we  
4 can maintain it and keep it -- keep it in the landfill  
5 itself.

6 COMMISSIONER MARDFIN: So -- so the ground --  
7 the ground part of the landfill might be getting greater  
8 concentrations of bad stuff, but it's not getting --  
9 it's --

10 MR. TRACY TAKAMINE: Not all of it will make  
11 it down probably to the --

12 COMMISSIONER MARDFIN: Right. So the leachate  
13 concentration of bad things isn't increasing over time?

14 MR. TRACY TAKAMINE: I wouldn't think so.

15 COMMISSIONER MARDFIN: Thank you.

16 CHAIR STARR: Is it possible for you to keep  
17 it all in the landfill, inside the liner, to put it --  
18 use it all on the face? Because, you know, I kind of  
19 feel like this is the stuff that's a gift that keeps on  
20 giving once we put it on the reef, you know.

21 MR. TRACY TAKAMINE: We only recently started  
22 utilizing the landfill -- the lined landfill since 2005.  
23 So I think -- I think the last time we pumped -- I don't  
24 know. Oh, okay, Mr. -- Ali can answer that.

25 MR. ALI McROSELENE: I was confused when you

1 said injection. I meant the injection that we do to the  
2 landfill. I didn't understand your question before.  
3 And this is our business. You called me that I am not  
4 expert, but I think I am.

5           Anyway, the leachate, the concentration goes  
6 up a little bit because the rainwater comes through.  
7 And -- but later on, because of the bacteria that are in  
8 that trash, there's a lot of bacterias, is more than the  
9 dirt has. Dirt has a lot of bacterias that cleans and  
10 filters material, but trash has many times more. And  
11 there are aerobic bacterias and anaerobic bacterias,  
12 which our landfills, by regulation, is anaerobic  
13 condition. They eat up all this material. And at some  
14 point, at some years, it will be actually clean water.  
15 It will be all consumed by the bacterias.

16           COMMISSIONER MARDFIN: Thank you. I presume  
17 that goes for hydrocarbons, not for things like mercury  
18 and stuff like that?

19           MR. ALI McROSELENE: Almost everything. The  
20 liver of the bacterias will basically digest almost  
21 anything. They need food. And there's a lots of them  
22 with liquids, they will digest. Most of the material  
23 will be digested.

24           COMMISSIONER MARDFIN: But that's -- that will  
25 be hydrocarbons, not heavy metals.

1 MR. ALI McROSELENE: I think they do that,  
2 too. Again, I'm not expert, but I know the leachate  
3 quality gets better over years, many years. And as long  
4 as we keep it in the landfill, we can -- and then  
5 there's a lot of capacity for the landfill to absorb  
6 liquids and --

7 COMMISSIONER MARDFIN: Thank you.

8 MR. ALI McROSELENE: -- keep it in the trash.

9 CHAIR STARR: Members? Okay.

10 I would just like to request that both the  
11 Department and -- Mr. Taylor and his Department really  
12 stay on top of this because it is a concern. And if  
13 there's a way to keep it inside the liner or put it back  
14 inside the liner, I think it's better. You know, I  
15 don't know what else could be in there, radiological or  
16 medical or -- you know, there's all kinds of stuff that  
17 could be in there. And I -- it's -- you know, it's  
18 definitely a concern.

19 Members -- yeah, Commissioner Mardfin.

20 COMMISSIONER MARDFIN: I had some more  
21 questions, but I was waiting to see if my fellow  
22 commissioners wanted to jump in with anything.

23 CHAIR STARR: Yeah, go ahead.

24 COMMISSIONER MARDFIN: I think this is  
25 probably to Cheryl, I guess. My understanding -- I want



1 to understand -- I am finished with asking questions  
2 about the leachate and that sort of thing. I am  
3 concerned about -- not concerned. I would like to know  
4 about the land ownership of this. A&B -- my  
5 understanding is A&B owns -- because we're asking for an  
6 extension of time, which is why these questions get  
7 raised. A&B owns the land, is that correct?

8 MS. CHERYL OKUMA: A&B owns -- A&B owns --  
9 currently owns Phase V and Phase VI which you've heard  
10 about.

11 COMMISSIONER MARDFIN: Right.

12 MS. CHERYL OKUMA: And we are currently  
13 concluding the acquisition for Phase V and, in fact, are  
14 hoping to be able to close escrow on it very shortly  
15 because we did get the County Council's approval to  
16 acquire Phase V.

17 COMMISSIONER MARDFIN: And I, II and III are  
18 owned by the County?

19 MS. CHERYL OKUMA: I, II, III and IV are  
20 already owned by the County.

21 COMMISSIONER MARDFIN: Okay. That -- that  
22 takes care of one set of questions. I was concerned  
23 that if somebody else owned it --

24 MS. CHERYL OKUMA: Right.

25 COMMISSIONER MARDFIN: -- what they could do.

1 But if we're acquiring full ownership, then that's not  
2 an issue anymore. Thank you.

3 MS. CHERYL OKUMA: Right.

4 COMMISSIONER MARDFIN: I want -- Cheryl, it's  
5 you again, I'm afraid. Your integrated Solid Waste  
6 Management Plan, I understand from the testimony that,  
7 basically, that's now being reviewed for -- the draft  
8 plan is under final review.

9 MS. CHERYL OKUMA: The draft plan has been  
10 submitted to the Department of Health. And that's by --  
11 all according to State law. The Department of Health is  
12 in the review process and, hopefully, will approve it.  
13 We have not heard back from them at this point.

14 COMMISSIONER MARDFIN: Okay. In -- I am  
15 concerned -- in -- when you came to Hana and spoke about  
16 the landfill issues in Hana, there was consideration to  
17 the possibility of bringing -- closing -- making the  
18 Hana landfill a standby facility in the future and,  
19 basically, bringing most of the stuff over to this major  
20 landfill that we've been talking about here. And it was  
21 a little unclear to me at the time what the -- I think  
22 at the time you said, "We're looking into it," and you  
23 didn't know what was happening.

24 MS. CHERYL OKUMA: Maybe I can be a little  
25 clearer on that. It has been the subject of discussion

1 as part of this Integrated Solid Waste Plan. And that  
2 is now what is -- that and many other recommendations  
3 are now what's before Department of Health. So it's  
4 certainly something that has been discussed in the Solid  
5 Waste Advisory Committee, which was convened by the  
6 Mayor as part of this process, has been part of that  
7 discussion. It has ended up as part of our draft  
8 recommendations. And that is now what is before the  
9 Department of Health.

10 COMMISSIONER MARDFIN: I'm sorry. The draft  
11 recommendation is that Hana be just a standby and  
12 everything over?

13 MS. CHERYL OKUMA: That's one of the  
14 recommendations, is to put Hana on a standby status, but  
15 still active with the active permit. Right. That has  
16 been the discussion, and is, actually, in one of the  
17 recommendations.

18 COMMISSIONER MARDFIN: Okay. My impression  
19 was that you were equivocal about it, that maybe we  
20 would do that, maybe we wouldn't. And now you're saying  
21 that the recommendation is to have Hana be a --

22 MS. CHERYL OKUMA: The recommendation is to  
23 look -- is to consider that. One thing -- one thing I  
24 should point -- point out is, as Robyn had pointed out  
25 at the beginning, the Solid Waste Draft, which it

1 currently is now, is a blueprint, basically. It's -- a  
2 lot of different things have been considered in it, but  
3 we fully realize that, before we actually move forward  
4 to implement recommendations, we may have to do further  
5 feasibility studies, we may have to do preliminary  
6 engineering studies, we may have to look at the  
7 economics of it. There may be legal issues that go with  
8 that, labor management issues, for example.

9 COMMISSIONER MARDFIN: You may have to look at  
10 --

11 MS. CHERYL OKUMA: So --

12 COMMISSIONER MARDFIN: You may have to look at  
13 whether the bridges on the Hana road --

14 MS. CHERYL OKUMA: Yes.

15 COMMISSIONER MARDFIN: -- can handle that --

16 MS. CHERYL OKUMA: Right.

17 COMMISSIONER MARDFIN: -- volume, and whether  
18 it's the safety issues.

19 MS. CHERYL OKUMA: Right. So just because we  
20 have that plan in place doesn't mean that we're ready to  
21 march right into implementation. We fully recognize  
22 that there may be some things that need to happen, some  
23 steps that need to be taken before any such  
24 implementation. And that goes for anything that is in  
25 that plan.

1           COMMISSIONER MARDFIN: And the idea is that  
2 the amount of garbage generated in Hana is relatively so  
3 small that it wouldn't -- whether it was a yes or a no,  
4 it wouldn't impact this project at all?

5           MS. CHERYL OKUMA: Well, I think that, and in  
6 consideration of the strong desire to increase our  
7 recycling rates. When you increase your recycling  
8 rates, obviously, you're diverting that out of your  
9 landfill.

10          COMMISSIONER MARDFIN: Right.

11          MS. CHERYL OKUMA: So that should be  
12 decreasing, what's going in.

13          COMMISSIONER MARDFIN: People in Hana love  
14 that stuff. Used to have a really good recycling.  
15 People would dump the stuff down there, then somebody  
16 would by -- go through later and pick out what they  
17 liked. But that's been kind of closed down.

18          CHAIR STARR: Recycling, Cheryl, in 1994,  
19 according to the -- the study, the EA in here, 24  
20 percent of the waste stream was being recycled. Since  
21 1994, we have gone from 24 percent to 30 percent. Many  
22 communities in the United States are up in the 60 to 70  
23 percent range. I was at a LEED training last week --  
24 and, in fact, I was really impressed because four of our  
25 current planners took the time to -- to spend all day

1 learning about LEED. A lot of what was talked about  
2 there was diverting construction materials from the --  
3 from the waste stream. And many construction projects  
4 under LEED programs are -- are diverting 60 to 70  
5 percent of -- from -- from the waste stream.

6           It seems like we're moving so glacially. Why  
7 is it that it's taking so long and what are you gonna do  
8 to really increase and double it or more? Because that  
9 is really the answer to this.

10           MS. CHERYL OKUMA: Maybe just to add to what  
11 you said. Yes, I just got back from the national  
12 conferences as well. And our 30 percent recycling rate  
13 is actually pretty good. It's true, there are other  
14 communities that are at 60 percent, but I also think you  
15 have to ask what do they define as recycling. For  
16 example, you've heard Robyn mention technology. We're  
17 looking at WasteTEC. Some of those communities consider  
18 that recycling, others don't. So, of course, that  
19 changes your numbers in terms of how you define it. So  
20 we are actually probably pretty good as far as a  
21 national average.

22           But in terms of moving forward, we are very  
23 interested and motivated to move forward. Which is why  
24 we press so hard when we come before you as well, to --  
25 to try to get the -- the decisions that we need in order

1 to move forward on some of these activities, which  
2 include landfills, which include recycling activities.

3 I think, Mr. Mardfin, you heard that up in  
4 Hana.

5 So we have permit requirements, we have legal  
6 requirements that have to be met. Unfortunately, that  
7 does not occur overnight. Our planning process needs to  
8 be considered in there prior to implementation.

9 And so, yes, you're right, it feels like it is  
10 moving very slowly, but I think a lot of that is because  
11 of the process itself.

12 CHAIR STARR: Okay. Yeah, go ahead, Ward.  
13 Let's wrap it up, though.

14 COMMISSIONER MARDFIN: Yeah, this is my -- I  
15 think my last batch of questions.

16 In here, it says they generate five -- 500 to  
17 550 tons of waste per day, in Item 9. And then, later  
18 on, it says and used 500 tons of ground cover. So  
19 that's sort of a one-to-one ratio, roughly?

20 MS. CHERYL OKUMA: I think -- I think those --  
21 those numbers are correct. You want to --

22 COMMISSIONER MARDFIN: Is that -- I mean, I am  
23 assuming the numbers are correct, which means  
24 one-to-one.

25 MS. CHERYL OKUMA: Those numbers should be

1 correct, yes.

2 COMMISSIONER MARDFIN: Where does the ground  
3 cover come from?

4 MS. CHERYL OKUMA: The ground cover comes from  
5 Ameron.

6 COMMISSIONER MARDFIN: So right in the area?

7 MS. CHERYL OKUMA: Right in the area.

8 COMMISSIONER MARDFIN: So when you did your  
9 environmental impact assessment, you were -- you were  
10 essentially looking at the ground cover source as well  
11 as what you were covering up when you were evaluating  
12 this, is that correct?

13 MS. CHERYL OKUMA: That was done several years  
14 ago. So I am -- I don't know, Robyn, you want to --

15 MS. ROBYN LOUDERMILK: Which environmental  
16 assessment are you talking about?

17 COMMISSIONER MARDFIN: Well, when you look at  
18 the landfill, you did an environmental impact statement,  
19 I think.

20 MS. ROBYN LOUDERMILK: Well, there are two.  
21 That's why I am asking.

22 COMMISSIONER MARDFIN: I don't know --

23 MS. ROBYN LOUDERMILK: There were two that was  
24 -- that were --

25 COMMISSIONER MARDFIN: I am not referring to



1 any particular one.

2 MS. ROBYN LOUDERMILK: Oh.

3 COMMISSIONER MARDFIN: I'm just saying in  
4 general, when they did the environmental impact  
5 statement, they looked at what the impact of the  
6 landfill was, and they looked at the source, in effect.  
7 Because it was -- it came from the same area, they were  
8 looking at the source of the ground cover. And the  
9 reason I am asking this is because, as you probably  
10 know, in the Hana situation, they look at the landfill  
11 and they -- and since the cover comes from a few miles  
12 away, they didn't at all look at what the impact of  
13 taking the ground fill away was. And I just want to  
14 make -- see that -- I just want it sort of on the record  
15 that, for this one, they looked at both the ground cover  
16 and the landfill together.

17 MS. ROBYN LOUDERMILK: I would have to look at  
18 the -- at the document. All I know is that cover in  
19 general was identified as part of the requirements.  
20 Because when this landfill was constructed, the Federal  
21 and State laws had changed compared to Hana, that they  
22 were required to go to the standard that they are today.  
23 There's some -- there is general discussion that ground  
24 cover may come from onsite adjacent or off the property.  
25 That -- that was the extent of the -- the discussion.

1           COMMISSIONER MARDFIN: But the quantity of  
2 ground cover is sufficient to cover -- to -- as long as  
3 landfill is -- the life of the landfill, anticipated  
4 life of the landfill is a certain number of years. I  
5 presume the life of the cover is at least that long.

6           MR. TRACY TAKAMINE: I want to clarify. You  
7 know, I cannot answer what was analyzed in the EIS.  
8 However, when we do cover material, it can come from any  
9 place. We go out for bid. So this cover material could  
10 come from Hawaiian Cement, it could come from a  
11 contractor that's doing work and authorized to cover.  
12 We don't look at where the material comes from. When we  
13 operate the landfill, we go out for a long-term. And in  
14 this case I think it's a five-year bid. Whoever the  
15 lowest bidder is that can provide the -- the soil and  
16 the crushed rock, it -- he gets the contract. So it  
17 just so happens that this working relationship we have  
18 with Ameron is convenient because they don't have to  
19 travel very far, you know, just come across the gulch.  
20 So they always provide, in this case and for the past  
21 few years, the lowest bid. It's not -- it's not tied to  
22 Ameron itself. They have just been coming in at the  
23 lowest bid the last few contracts.

24           COMMISSIONER MARDFIN: Is sand being used in  
25 any of this?

1 MR. TRACY TAKAMINE: Beg your pardon?

2 COMMISSIONER MARDFIN: Is sand being used in  
3 any of this?

4 MR. TRACY TAKAMINE: No. No, we are not --  
5 we're not using sand.

6 COMMISSIONER MARDFIN: Okay.

7 CHAIR STARR: Okay. Members, are we ready for  
8 a recommendation? Or --

9 MS. ROBYN LOUDERMILK: Public testimony.

10 CHAIR STARR: Yeah, that's right. Let's take  
11 a -- let's take a short break, and then we'll come back  
12 and have public testimony, recommendation and possible  
13 action. We will be back in order in 10 minutes.

14 (Recess, 10:12 a.m. to 10:23 a.m.)

15 CHAIR STARR: Maui Planning Commission, on  
16 October 28th, we're back in session. We are still on  
17 Item B-1 with the Central Maui Landfill.

18 We are going to open up for public testimony,  
19 and then we'll have a recommendation from the  
20 Department. Members of the public wishing to testify,  
21 please come forward. I see Maui Tomorrow is here.  
22 Welcome. Please introduce yourself. And thank you for  
23 joining us today.

24 MS. IRENE BOWIE: Good morning, Members of the  
25 Planning Commission. I am Irene Bowie, Executive