

BEFORE THE PLANNING COMMISSION
OF THE CITY AND COUNTY OF HONOLULU

STATE OF HAWAII

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

In the Matter of the) FILE NO. 2008/SUP-2 (RY)
Application of) AND 86/SUP-5
)
DEPARTMENT OF ENVIRONMENTAL)
SERVICES, CITY AND COUNTY)
OF HONOLULU)
)
For a New Special Use)
Permit to supersede)
Existing Special Use Permit)
to allow a 92.5-acre)
Expansion and Time Extension)
For Waimanalo Gulch Sanitary)
Landfill, Waimanalo Gulch,)
Oahu, Hawaii, Tax Map Key)
Nos. (1)9-2-003:072 and 073)
_____)

ORIGINAL

PLANNING COMMISSION
CITY AND COUNTY OF HAWAII
JUN 24 5 11 P 1:47

TRANSCRIPT OF HEARING

held on Wednesday, June 24, 2009, at 2:30 p.m., at the City
Council Committee Meeting Room, Second Floor, 530 South King
Street, Honolulu, Hawaii,

APPEARANCES: KARIN L. HOLMA, ESQ.
Bays Deaver Lung Rose Holma
16th Floor, Alii Place
1099 Alakea Street
Honolulu, Hawaii 96813

COLLEEN HANABUSA, ESQ.
1157 Fort Street Mall
Honolulu, Hawaii 96813

GARY Y. TAKEUCHI, ESQ.
JESSE K. SOUKI, ESQ.
Deputies Corporation Counsel
City and County of Honolulu
Honolulu, Hawaii 96813

2518

EXHIBIT K8

EXHIBIT 52

1 COMMITTEE MEMBERS PRESENT:

2

3

4

James C. Pacopac
Kerry M. Komatsubara
Vicki Gaynor
Rodney Kim
Andrew M. Jamila, Junior
Beadie K. Dawson
Harold J. Dias, Junior
Winston Wong

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

I N D E X

1

2

3

4 DR. HARI SHARMA
 CROSS-EXAMINATION BY MS. HANABUSA..... 5

5 CROSS-EXAMINATION BY MS. HANABUSA..... 41

6 REDIRECT EXAMINATION BY MR. TAKEUCHI..... 57

7 CROSS-EXAMINATION BY MS. DAWSON..... 62

8 RECROSS-EXAMINATION BY MS. HANABUSA..... 64

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

8 JOSEPH R. WHELAN
 DIRECT EXAMINATION BY MR. TAKEUCHI..... 69

1 WEDNESDAY, JUNE 24, 2009

2:30 P.M.

2 -00000-

3 MS. HOLMA: Day number two of the contested case
4 hearing on the special use permit application for the
5 Waimanalo Gulch Sanitary Landfill.

6 Counsel, can you make your appearances, please?

7 MR. TAKEUCHI: Gary Takeuchi, Deputy Corporation
8 Counsel, and Jesse Souki, Deputy Corporation Counsel, on
9 behalf of the applicant, Department of Environmental Services.

10 MS. HANABUSA: Good afternoon.

11 Colleen Hanabusa on behalf of myself and Koolina
12 Community Association representative Maile Shimabukuru.
13 With me is Ken Williams, representative of the Koolina
14 Community Association.

15 MS. HOLMA: Good afternoon, counsel.

16 Dr. Sharma, good afternoon.

17 Can you hear us?

18 THE WITNESS: Good afternoon.

19 Yes, I can.

20 MS. HOLMA: All right.

21 Do you recall that you are still under oath?

22 THE WITNESS: Yes, I do recall.

23 MS. HOLMA: All right.

24 Senator Hanabusa will now cross-examine you.

25 THE WITNESS: Okay.

1 DR. HARI SHARMA,
2 recalled as a witness, having been previously duly sworn to
3 tell the truth, the whole truth, and nothing but the truth,
4 was examined and testified as follows:

5 CROSS-EXAMINATION

6 BY MS. HANABUSA:

7 Q. Good afternoon, Dr. Sharma.

8 A. Good afternoon, Senator.

9 Q. I'm going to ask you some background questions first.
10 Can you tell me how many times you've visited Waimanalo Gulch
11 Sanitary Landfill?

12 A. No, I will not be able to exactly give the numbers, but
13 it probably would be close to -- I would say five to ten
14 times.

15 Q. Five to ten times?

16 A. Yeah.

17 Q. When was the last time you were there?

18 A. Last time was yesterday, Tuesday.

19 Q. And, before Tuesday?

20 A. You know, I don't know, maybe two years before that.
21 There was not too much activity from design point of view.
22 I would normally visit the site when the design issues, or
23 construction issues going on, or some investigation.
24 Otherwise, I would not.

25 Q. Okay.

1 Q. Thank you.

2 Again, I'm not sure exactly what it was, but I think
3 there was some discussion about the liners and the Leachate,
4 and, just to be clear, does the Leachate accumulation affect
5 the stability? Was that in your analysis?

6 A. Yeah, Leachate levels do affect the stability, but our
7 analyses, our design, and also operations, are such that the
8 Leachate has to be maximum 12 inches level. And that we do
9 the soil study based on that.

10 However, we have also checked if the Leachate level
11 goes higher than the landfill, then what happens to the
12 stability? We have done that, also. You know, we just want
13 to look into all the areas, so that's what we have done, too.

14 Q. Well, just to make it clear, can you describe, basically,
15 what your analysis shows in regard to that?

16 A. If we have a Leachate level -- and now I am going to rely
17 on my memory... 50 feet to 70 feet, about close to half of the
18 landfill at that area, if the Leachate levels are that high,
19 which should never happen, and in my experience has not
20 happened, but as a part of normal procedure wanted to make
21 sure, so we did that analysis by putting the Leachate levels
22 to 50-60 feet high, and maybe, if I remember, maybe 70 feet
23 high, and the landfill was stable.

24 Q. Okay. I understand. Thank you.

25 I don't have any more questions, but don't hang up

C E R T I F I C A T E

STATE OF HAWAII)

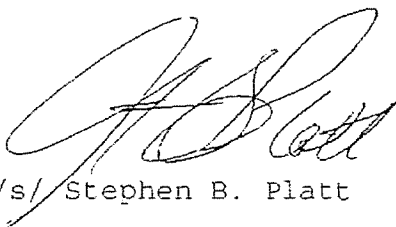
CITY AND COUNTY OF HONOLULU)

I, Stephen B. Platt, Certified Shorthand Reporter
State of Hawaii, do hereby certify:

That on Wednesday, June 24, 2009, at 2:30 p.m., the
foregoing Hearing was taken down by me in machine shorthand
and was thereafter reduced to typewriting by me; that the
foregoing represents, to the best of my ability, a true and
correct transcript of the proceedings had in the foregoing
matter.

I further certify that I am not an attorney for any of the
parties hereto, nor in any way concerned with the cause.

Dated this 29th day of June, 2009, in Honolulu, Hawaii.



/s/ Stephen B. Platt

STEPHEN B. PLATT CSR NO. 248