

Fax message to (808) 768-6041

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Attention:

Mr. David K. Tanoue, Director
Department of Planning and Permitting
City and County of Honolulu
650 South King Street, 7th floor
Honolulu, HI 96813

8/7/2011
2011/EL09-189

REFERENCE NO.: 2011/GEN-8

Mr. Tanoue,

My wife and I respectfully oppose the proposal to delete the July 31, 2011 deadline which will allow disposal of municipal solid waste and thereby allow disposal until the site reaches capacity.

Last week I was contacted by a criminal investigator for the EPA. They said they were conducting an examination surrounding the spillage of medical wastes and other ground water drainage through the Ko Olina resort property and onto the beaches near Ko Olina. I sent to her various email communications with county and city officials and pictures related to the December 2010 and January 2011 rain events and subsequent closure of beaches at Ko Olina.

We have a home directly behind the major drainage area on the 12th fairway of Ko Olina Golf Course and have been visiting since our purchase date of 2003. We have seen a notable increase in the amount of water during rain periods and at the end of last year the flood waters came within 2 feet of breaching the embankment protecting the Coconut Plantation development we live in. I have absolutely no doubt that the scarification of the Dump's hillsides have resulted in this increased water flow. The water flows last winter had a distinct "dump" odor. Mr. Joe Whalen of Waste Management informed me that it was perhaps the sludge that was being dumped that day which we smelled! I don't think so.

Your Department needs to await the results of this investigation from the EPA, it needs to investigate drainage issues with independent companies and or the Army Corps of Engineers to ascertain why this flooding is increasing, and needs to investigate the management and relationship between Waste Management and the City and County of Honolulu to ensure it is and independent and fair relationship. The conflict of interest is so dramatically obvious that I believe any liability for flood damage and health related issues will rest squarely on the shoulders of the city and county of Honolulu.

You must reverse the path that your government officials have taken in the path relating to promises made to close the dump, continuous infractions involving Waste Management and a general to "kick the can down the road" and then at the last minute conclude that you have no options but to continue to expand the dump.

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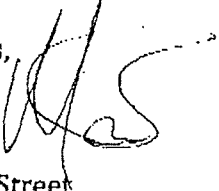
EXHIBIT K37

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We think an independent commission should be established to study what happened in the past, what is happening now and what the county should do in the future with its solid waste.

Again we hope you will consider this and if you have any questions related to the above you may call me.

Sincerely yours,



Mario Beekes
92-1092 Olani Street
Kapolei, HI 96707

Phone contact (303) 588-0611

EXHIBIT K37