

DEPARTMENT OF ENVIRONMENTAL SERVICES

CITY AND COUNTY OF HONOLULU

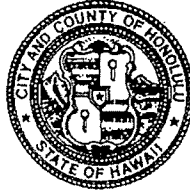
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MUFI HANNEMANN
MAYOR

DEPT OF PLANNING
and PERMITTING
CITY & COUNTY OF HONOLULU



ERIC S. TAKAMURA, Ph.D., P.E.
DIRECTOR

KENNETH A. SHIMIZU
DEPUTY DIRECTOR

IN REPLY REFER TO:
RE 05-056

May 25, 2005

Mr. Anthony J.H. Ching
Executive Director
State Land Use Commission
Post Office Box 2359
Honolulu, Hawaii 96804-2359

Dear Mr. Ching:

Subject: LUC Docket No. SP87-362, Department of Environmental Services

We are submitting our annual report for the subject project.

The State Department of Health Solid Waste Management Permit for the project was issued on May 15, 2003. Four cells were planned for the expansion area. The first cell is almost completely filled and waste is being accepted in the second cell. About 600,000 tons of waste has been landfilled. The inflow is within expected intake rates. Five acres of the 14.9 acres of landfill footprint have been lined with bottom liner. The remaining area will be lined as part of future cell preparation. Litter fences and gas extraction system are in place.

We have listed all conditions and our June 2005 status on the attached worksheets.

If further information is needed, please call Wilma Namumnart at 692-5378.

Sincerely,

A handwritten signature in black ink, appearing to be "Eric S. Takamura".

For Dr. Eric S. Takamura, P.E.
Director

cc: City Council (w/attach.)
Brian Takeda, RM Towill (w/attach.)
Department of Planning and Permitting (w/attach.)

EXHIBIT K76

No.	Condition	June 2005 Status
1	The Blue Ribbon Site Selection Committee shall make its recommendation for a new landfill site to the City Council by December 1, 2003. The City Council shall select a new site by June 1, 2004. If a new site is not selected by June 1, 2004, this Special Use Permit shall immediately expire. (Amended May 10, 2004) Extension of deadline to select a landfill site from June 1, 2004 to December 1, 2004.	Council Resolution 04-348, CD1, FD1 adopted December 1, 2004.
2	In the event that Condition No. 1 is satisfied, Condition No. 14 shall become effective.	Condition 14 now effective.
3	That an earth berm shall be installed prior to the commencement of any waste disposal operations.	Completed.
4	The landscaping plans which would include plant names, sizes, quantities and location shall be submitted to the Department of Planning and Permitting for approval and shall be implemented within 90 days of completion of the berm work.	Completed.
5	The facility shall be operational between the hours of 7:00 a.m. and 4:30 p.m. daily.	On-going.
6	The Applicant shall obtain all necessary approvals from the State Department of Health, Department of Transportation, Commission on Water Resource Management, and Board of Water Supply for all on-site and off-site improvements involving access, storm drainage, leachate control, water, well construction, and wastewater disposal.	Completed.
7	The Planning Commission or Director of the Department of Planning and Permitting may at any time impose additional conditions when it becomes apparent that a modification is necessary and appropriate.	No change.
8	The Applicant shall notify the Planning Commission of termination of use for appropriate Planning Commission action or disposition of the permit.	No change.
9	In accordance with Chapter 11-60, "Air Pollution Control," Hawai'i Administrative Rules, the Applicant shall be responsible for ensuring that effective dust control measures during all phases of development, construction, and operation of the landfill expansion are provided to minimize or prevent any visible dust emission from	

	impacting surrounding areas. The Applicant shall develop a dust to generate fugitive dust.	Plan completed.
10	That the City and County of Honolulu shall indemnify and hold harmless the State of Hawai'i and all of its agencies and/or employees for any lawsuit or legal action relating to any groundwater contamination and noise and odor pollution relative to the operation of the landfill.	No change.
11	The Applicant shall coordinate construction and operation of the landfill with the Hawaiian Electric Company.	On-going.
12	Within 5 years from the date of this Special Use Permit Amendment approval or date of the Solid Waste Management Permit approval for this expansion, whichever occurs later but not beyond May 1, 2008, the 200-acre property shall be restricted from accepting any additional waste material and be closed in accordance with an approved closure plan.	No change.
13	Prior to commencing land filling in the 21-acre expansion area, the Applicant shall submit to the Director of the Department of Planning and Permitting for review and approval, a metes and bounds description and map of the approved landfill area as permitted by this Special Use Permit and amendments thereto. Any minor modifications to allow reasonable adjustments of the approved area due to engineering and/or health and safety requirements may be approved by the Director or the Department of Planning and Permitting; provided that there is no net increase to the improved area of 107.5 acres. A copy of the metes and bounds description and map shall be provided to the Land Use Commission.	Completed.
14	The Applicant shall promptly provide, without any prior notice, annual reports to the Department of Planning and Permitting and the Land Use Commission in connection with the status of the landfill expansion and the Applicant's progress in complying with the conditions imposed herein. The annual report shall be submitted in a form prescribed by the Executive Officer of the Commission.	On-going.
15	The City and County of Honolulu shall select a new landfill site. The recommendation for a new site shall be forwarded to the Planning Commission and City Council no	Recommendation to City Council on December 1, 2003 completed.

	later than December 1, 2003.	Recommendation to Planning Commission in May 2005 due to oversight.
16	The City and County of Honolulu shall ensure that funding for design and planning is included in the FY05 budget to demonstrate the City's commitment to the new site and to ensure that no further extensions are necessary.	FY05 Capital Budget provides \$301,000 for new MSW landfill.
17	The City and County of Honolulu shall initiate the public comment and environmental review process for the new site no later than December 31, 2004.	On-going.
18	The City and County of Honolulu shall, to the extent feasible, use alternative technologies to provide a comprehensive waste stream management program that includes H-POWER, plasma arc, plasma gasification, and recycling technologies.	On-going.
19	The City and County of Honolulu shall appropriately implement by executive order or ordinance the seven bullet points identified in the Applicant's Exhibit 3, Appendix H, page 1-3, regarding the third boiler at H-POWER, wood recovery, metal recovery, gypsum recovery, enhanced enforcement of landfill bans, implementation of the bottle bill, and establishment of user fees.	On-going.