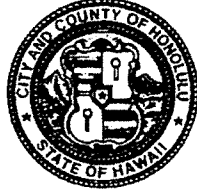


DEPARTMENT OF ENVIRONMENTAL SERVICES
CITY AND COUNTY OF HONOLULU

1000 ULUOHIA STREET, SUITE 308, KAPOLEI, HAWAII 96707
Phone: (808) 692-5159 Fax: (808) 692-5113

JEREMY HARRIS
MAYOR



FRANK J. DOYLE, P.E.
DIRECTOR

TIMOTHY A. HOUGHTON
DEPUTY DIRECTOR

IN REPLY REFER TO:
RE 04-056 ✓
G. 30-004

June 22, 2004

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

Dear Mr. Ching:

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

In response to your letter dated May 13, 2004, we submit the following status report for June 2004.

- Review and accept or reject all or portions of the Mayor's Advisory Committee Report (MACR);

For City Council action.

- Solicit and review for accuracy and acceptability financial cost estimates for securing, outfitting and operationalizing alternative MSW landfill sites based upon the receipt of letters from landowners and/or occupants of the alternative landfill sites and other research;

The City Council has asked for financial information of the current landowners of the four proposed sites. The Department has not received any information or any request to confirm any cost estimates from the City Council.

- Receive public input and comment according to the work plan specified by the City Council and/or its Public Works Committee;

For City Council action.

- Identify and include any additional MSW landfill sites (per City Council action) into the site review and selection process;

For City Council action.

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- Assemble any final report documenting the criteria and factors utilized by the City Council in making its selection of an alternative MSW landfill site and specifying a project development schedule (outlining the necessary steps to be taken to acquire, develop and operate the proposed landfill site on or about June 2008 as per the LUC special permit);

Awaiting City Council action. The Department is willing to assist in preparation of any final report.

- Specify appropriate and necessary City and County of Honolulu FY 2005 (and beyond) budget items to fund the selection and/or establishment of a new MSW landfill site;

The FY05 Capital Budget provides \$301,000 for Planning (\$1,000) and Design (\$300,000) for a new MSW landfill site.

- Finalize the closure plan for the existing MSW landfill at Waimanalo Gulch (as per the LUC Special Permit;

The landfill operator has written a final closure plan for Waimanalo Gulch Sanitary Landfill, which meets the requirements of EPA Subtitle D. The specifics of the final closure plan will be submitted to the State Department of Health (DOH) one year before ceasing to accept refuse because the anticipated final grades will be better known and the year allows sufficient time for DOH review and approval.

- Understand and/or operationalize alternative technologies and methodologies for processing municipal solid waste;

The City has issued an amendment to its operating contract with the H-POWER facility operator to begin preliminary design of the third boiler.

The City has issued a Request for Proposals for a Municipal Solid Waste Recycling Facility to divert materials presently being landfilled. The date for submittal of proposals is July 29, 2004. Representatives of eight companies attended the mandatory pre-submittal conference, held on April 26, 2004.

In the fall of 2004 the City plans to issue a Request for Proposals for a Municipal Solid Waste Mass Burn or Plasma Arc Waste Recovery System to address remaining combustible waste and future waste growth due to increase in population.

- Establish waste reduction and recycling programs designed to reduce (if not eliminate) the volume of municipal solid waste which is landfilled; and

In addition to the H-POWER third boiler and the MSW Recycling Facility, the City will process wastewater sludge into organic fertilizer pellets in its contract with Synagro, Inc., and initiate an island-wide residential curbside recycling collection and processing program.

Mr. Anthony J.H. Ching
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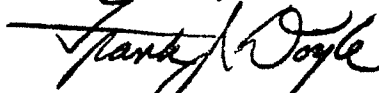
- Secure if appropriate, any necessary amendment to the LUC Special Permit in effect for LUC Docket No. SP87-362 Department of Environmental Services, City and County of Honolulu (Fka Department of Public Works, City and County of Honolulu).

The Land Use Commission set a deadline for Waimanalo Gulch Sanitary Landfill to close on May 1, 2008. It also allowed the City Council to postpone its decision to select a landfill site by six months to December 1, 2004. The original schedule to have a new landfill site permitted and operational within five years was ambitious. Postponing the site selection by six months requires extending the deadline by six months since site selection was one of the first milestones in the original schedule. The requested and permitted landfill expansion area was based on a five-year capacity requirement. By postponing site selection, additional landfill capacity is needed to accommodate the waste generated during that additional period of time. The City has determined that in order to expand the landfill footprint, an environmental impact statement is necessary. Funds will be available on July 1, 2004, the start of the fiscal year, to begin selection of a consulting firm to provide the environmental impact statement and obtain the necessary permits for the expanded landfill footprint at Waimanalo Gulch.

We have instructed our consultant, contracted to provide support of the Mayor's Landfill Selection Advisory Committee and to provide the environmental documents for the new landfill site, to initiate site investigations for the four candidate landfill sites and to investigate filing a generic environmental impact statement to hasten the process.

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

Sincerely,



FRANK J. DOYLE, P.E.
Director



Refuse 42135
via Dir

ANTHONY J.H. CHING
EXECUTIVE OFFICER

STATE OF HAWAII
DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT & TOURISM
LAND USE COMMISSION
P.O. Box 2359
Honolulu, Hawaii 96804-2359
Telephone: 808-587-3822
Fax: 808-587-3827

May 13, 2004

Mr. Frank Doyle, Director
Department of Environmental Services
1000 Uluohia Street, Suite 308
Kapolei, Hawaii 96707

Dear Mr. Doyle:

Subject: LUC Docket No. SP87-362 Department of Environmental Services, City and County of Honolulu (fka Department of Public Works, City and County of Honolulu)

Per the representations made to the State Land Use Commission (Commission) at its April 1, 2004 hearing on the subject proceeding, the City Council and the Department of Environmental Services are hereby requested to file joint monthly status reports with the Commission until such time that a new municipal solid waste (MSW) landfill site is identified by the City Council of Honolulu. Each report shall be submitted to the Commission no later than the close-of-business of the last business day of each month. The status reports should include an assessment of the progress to date of the City Council and/or the Department of Environmental Services to:

- Review and accept or reject all or portions of the Mayor's Advisory Committee Report (MACR);
- Solicit and review for accuracy and acceptability financial cost estimates for securing, outfitting and operationalizing alternative MSW landfill sites based upon the receipt of letters from landowners and/or occupants of the alternative landfill sites and other research;

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- Receive public input and comment according to the work plan specified by the City Council and/or its Public Works Committee;
- Identify and include any additional MSW landfill sites (per City Council action) into the site review and selection process;
- Assemble any final report documenting the criteria and factors utilized by the City Council in making its selection of an alternative MSW landfill site and specifying a project development schedule (outlining the necessary steps to be taken to acquire, develop and operate the proposed landfill site on or about June 2008 as per the LUC special permit);
- Specify appropriate and necessary City and County of Honolulu FY 2005 (and beyond) budget items to fund the selection and/or establishment of a new MSW landfill site;
- Finalize the closure plan for the existing MSW landfill at Waimanalo Gulch (as per the LUC Special Permit);
- Understand and/or operationalize alternative technologies and methodologies for processing municipal solid waste;
- Establish waste reduction and recycling programs designed to reduce (if not eliminate) the volume of municipal solid waste which is landfilled; and
- Secure if appropriate, any necessary amendment to the LUC Special Permit in effect for LUC Docket No. SP87-362 Department of Environmental Services, City and County of Honolulu (Fka Department of Public Works, City and County of Honolulu).

Hearings on the substance of these status reports may be held according to the calendar of the State Land Use Commission. A copy of any agenda and hearing notice will be sent to you as soon as it is filed. In the interim, both the City Council and Department of Environmental Services are urged to continue with their joint efforts to discuss and resolve the issues and concerns attendant with the siting and operation of a critical public facility such as a MSW landfill.

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Representatives of the parties or the clients are requested to attend any LUC hearing scheduled in this matter and orally present their status report and respond to any questions that the Commission may have regarding this matter. Please feel free to contact me at 587-3822, should you require clarification or any further assistance.

Sincerely,

A handwritten signature in blue ink that reads "Anthony J. H. Ching". The signature is written in a cursive style with a large, looping initial 'A'.

ANTHONY J. H. CHING
Executive Officer

Same letter sent to:

Mr. Eric G. Crispin, Director
Department of Planning and Permitting
City & County of Honolulu
650 South King Street
Honolulu, Hawaii 96813

Mr. Frank Doyle, Director
Department of Environmental Services
1000 Uluohia Street, Suite 308
Kapolei, Hawaii 96707

David Arakawa, Esq.
Corporation Counsel
City & County of Honolulu
530 South King Street
Honolulu, Hawaii 96813

The Honorable Rod Tam
Chairman, Public Works & Economic Development
Honolulu City Council
530 South King Street
Honolulu, Hawaii 96813