

K O O L I N A
HAWAII

August 8, 2011

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

Re: Waimanalo Gulch Landfill
Project File No: 2011/GEN-8

Dear Mr. Tanoue,

My name is Ken Williams and I am the Executive Vice President for the Ko Olina Community Association (KOCA). On behalf of KOCA, I hereby submit comments in opposition to Department of Environmental Services' application to delete the July 31, 2012 deadline to cease disposal of municipal solid waste at Waimanalo Gulch Landfill.

Through the years, Ko Olina Resort has consistently opposed the Waimanalo Gulch Landfill. The following are, in large part, many of Ko Olina Resort's concerns over the past 10 years. Once again, KOCA submits its comments and vehemently opposes the deletion of July 31, 2012 deadline.

GENERAL INFORMATION:

- WGSL is technically referred to as a "canyon fill" – Waimanalo Gulch is a natural drainage-way where a stream would ephemerally run, draining an entire watershed above it.
 - Canyon fills rely on multiple berms to hold the man-made mountain of opala in place.
 - This type of "fill" is inherently much more dangerous than a typical landfill where the opala is placed in a hole in the ground.
 - Failure of these berms or of the drainage systems can be catastrophic – as in what occurred in Dec – Jan, 2010-2011 (see-enclosed pictures).

HISTORY OF VIOLATIONS:

- Long history of violations by Waste Management of Hawaii (WMH) and resulting fines – there have been approximately 20 violations cited by EPA and DOH and over \$3 million in fines assessed since 2005.

- These violations have included extremely dangerous failures to construct and properly operate the cells, liners, leachate system, and gas collection system.
- This long history of negligent behavior exponentially increases the risks and dangers associated with a “canyon fill”.
- In 2010, after the DOH issued more violations for improper construction of landfill berms, WMH constructs a new cell (Cell E6) and enters it into operation.
 - Operation and filling of E6 occurs BEFORE the necessary drainage infrastructure is complete.
 - DOH Clean Water Branch documents the unauthorized pumping of leachate into state waters in its Investigation Report dated 12/23/2010.
 - City is ordered to issue a press release regarding the possible release of contaminated stormwater and leachate into state waters, but considers the posting of local beaches unnecessary. (12/23/2010)
 - January 12, 2010 – 11-inch rain storm dislodges unknown quantities of municipal solid waste (MSW), sewage sludge, leachate and medical pendent analysis conducted by waste from the landfill into the coastal waters.
 - Medical solid waste includes sharps, chemotherapy wastes and pathological wastes.
 - By the morning of January 13, 2011 significant quantities of medical waste and other landfill debris was washing up in the Ko Olina Lagoons. Quickly this waste spread to beaches up the Leeward Coast and east as far as Nimitz Beach.

FISCAL & ECONOMIC BENEFIT ANALYSIS:

- Fiscal & Economic Benefits Analysis, Ko Olina Resort & Marina, Honolulu, HI - an independent analysis conducted by CB Richard Ellis (CBRE) in January, 2011 notes (copy of analysis is enclosed):
 - Current operations of Ko Olina Resort generate \$520 million in direct spending annually and provide 2,800 jobs locally. Additionally, this generates indirect and induced benefits of \$280 million and 1,500 additional jobs locally and statewide.
 - Future developments at Ko Olina will almost double the benefits generated by existing Ko Olina Resort, generating \$1.4 billion in total annual economic activity (\$925 million directly and \$501 million indirect and induced) and supporting 8,000 jobs (5,200 directly and 2,800 indirect and induced).
 - Construction period impacts for future proposed developments at Ko Olina will include over \$3.7 billion in direct spending, creating 26,700 jobs. Indirect and induced economic impacts of this same spending will include an additional \$2 billion and 16,900 jobs.

- At a total of \$5.7 billion and 43,000 jobs, this will be approximately equal to Honolulu's rail project.
- Existing development at Ko Olina generates \$20 million in tax revenue to the City & County of Honolulu, and \$40 million to the State of Hawaii, annually.
- At full build-out, Ko Olina will generate \$55 million in annual tax revenues to the City & County, and \$71 million to the State.
 - This does NOT include the construction period tax revenues which will generate an additional \$193 million in one-time revenues to the City and State combined.
- Waimanalo Gulch Landfill threatens all of these ongoing and future economic benefits.

SUMMARY:

- Enough is enough. The City and Waste Management have gone too far.
- Proven track record of incompetence and negligence.
- The fill is just too risky and unstable to continue, especially given the operators' record of failures.
- We know waste disposal is a fundamental need of every society, but this operation -- given the operator's terrible track record for ineffectively managing this inherently dangerous site -- is not a viable long-term solution.
- It seems that for political and revenue-generating reasons, the City will not voluntarily opt for any alternatives to WGSL -- no matter how safe it has proven itself to be.
- WGSL represents a real and ever-present threat to the continued viability of Ko Olina Resort & Marina -- including all hotels, timeshares, residences and commercial operations therein.
 - Economic and fiscal benefits listed above.
- Enough is enough.

KOCA offers the following suggestions as alternatives to disposal of waste:

- Viable Alternatives:
 - Third burner at HPOWER
 - Expanded recycling
 - Transshipment of waste as a temporary measure.
 - Other technologies -- plasma arc, plasma gasification, etc.
 - Community transfer stations and community landfills (only if absolutely necessary.)


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If Waimanalo Gulch Landfill is granted an extension and continues to operate as it has in the past, the negative economic and environmental impact on the Leeward Coast and Ko Olina Resort will continue. Therefore, for the reasons stated above, Ko Olina Resort vehemently opposes Department of Environmental Services' application to delete the July 31, 2012 deadline allowing disposal of municipal solid until the site reaches capacity as allowed by the State Department of Health.

Thank you for your careful consideration,

Sincerely,

Ko Olina Community Association, Inc.

A handwritten signature in black ink, appearing to read "Ken Williams", written over a horizontal line.

Ken Williams
Executive Vice President

Enclosures



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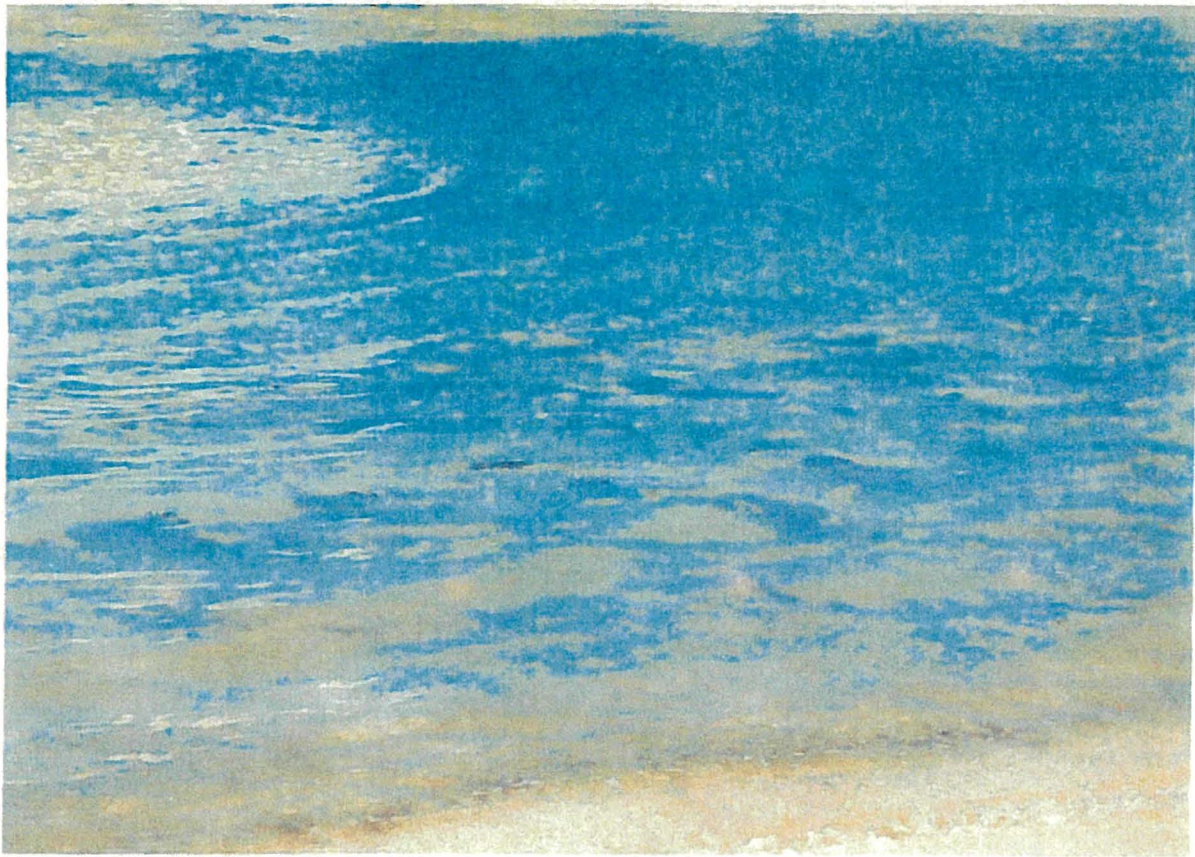


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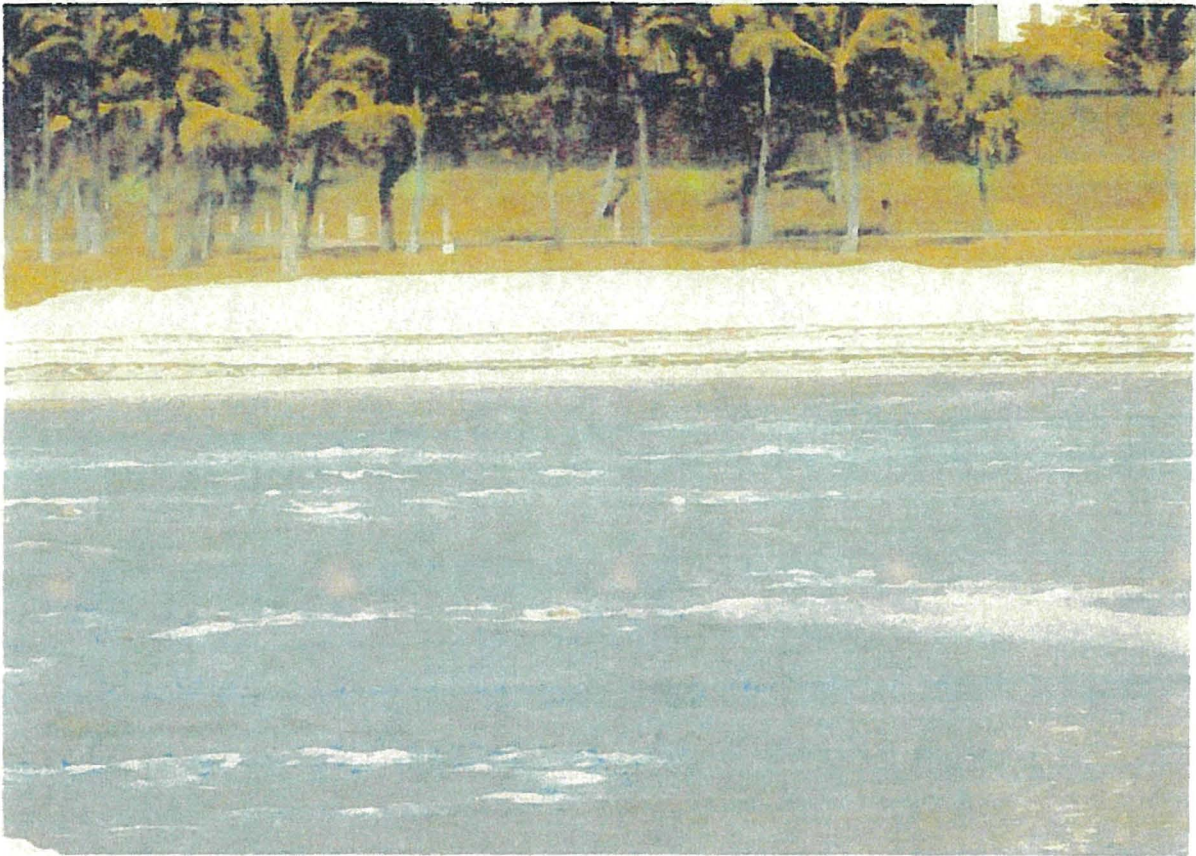


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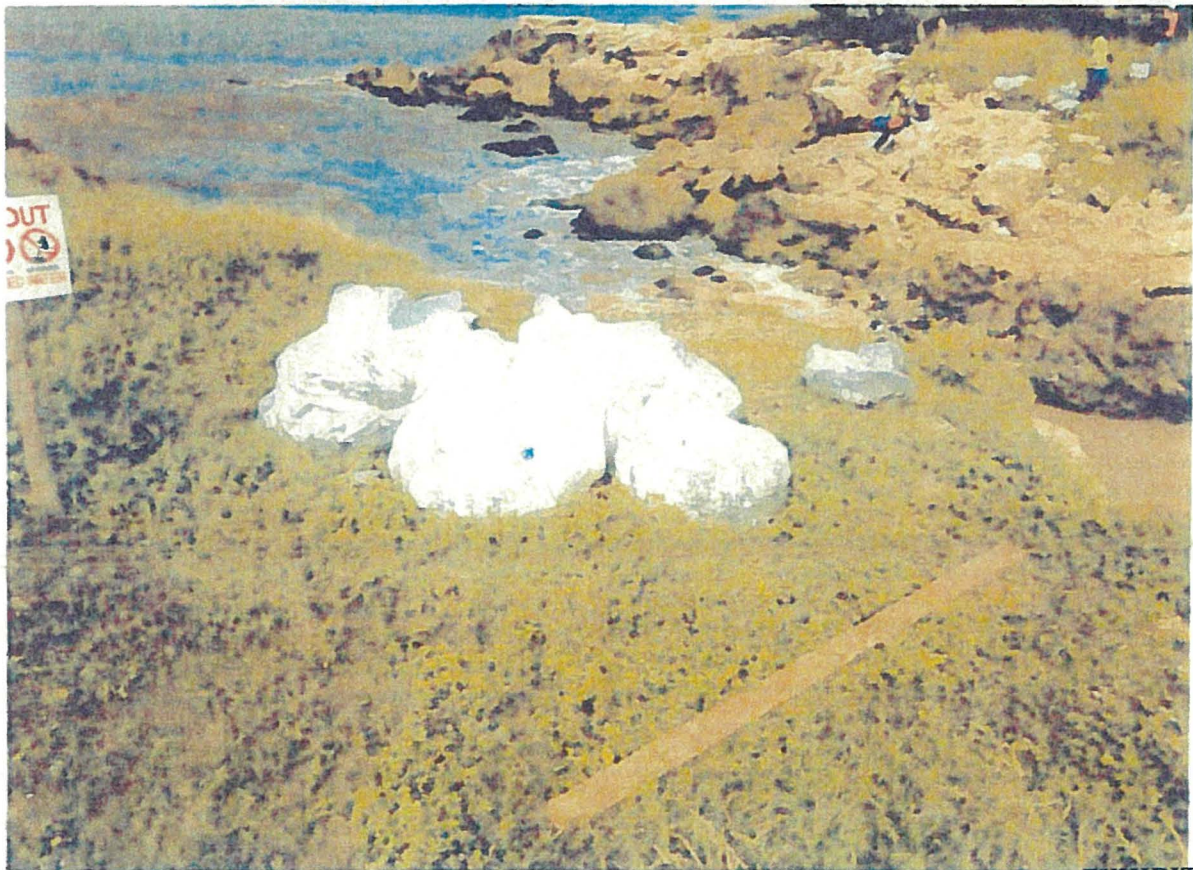


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