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No Paperwork to Back Up Safety of Medical Waste

By *Adrienne LaFrance* 01/27/2011

Throughout Honolulu's landfill crisis, officials have assured the public that they are safe.

Landfill operators promised swift clean-up of debris, and round-the-clock work to repair structural damages. Health officials promised the medical waste that washed ashore two weeks ago posed no threat to public health. City officials continue to express confidence in both Waste Management's handling of the landfill, and the Health Department's oversight of the landfill's handling of medical waste.

But an investigation by Civil Beat found that the documentation to back up those claims is absent. Landfill operator Waste Management, led by general manager Joe Whelan, cites the state Health Department's ongoing investigation into the landfill spill in refusing to speak with reporters.

But a top Health Department officials said Waste Management isn't cooperating with them either.

"I can just tell you that they have been challenging," said the Health Department's Steve Yamada, who leads the Safe Drinking Water Branch. "That's why this investigation is not going smoothly."

A call to Whelan of Waste Management for his response was not returned.

Yamada, who is not directly involved in the investigation, said colleagues are still working to get the facts straight in the aftermath of the spill.

"Just trying to ascertain whatever facts we can collate together," Yamada said. "There's a pretty firm idea what kinds of violations did occur, but obviously to make a case, you have to have all the information. The landfill was required to perform (water quality) tests, and a lot of those test results have yet to be submitted."

Officials still can't say exactly what was in the trash-filled stormwater that flooded from the landfill into the Pacific Ocean.

"At this point, that's the main crux of the tests we're waiting for," Yamada said.

Residents know well that some of the garbage was medical waste because they helped remove it from their neighborhood beaches and saw it on TV news. Officials were quick to explain that the waste was non-infectious because only treated medical waste is allowed in the landfill. Department of Health officials said they had documents from the landfill proving the waste had been sanitized.

Civil Beat asked for the paperwork proving that the needles and vials of blood had been sanitized. But Waste Management deferred repeated requests for those documents back to the Health Department. Multiple city officials referred the same requests back to the state. Now, the state Department of Health says they don't have them anymore.

"We looked at it but we didn't hang onto it," said Health Department spokeswoman Janice Okubo of the documents allegedly proving the medical waste was sanitized.

Phone calls to two companies that treat medical waste and three major hospitals where medical waste is generated weren't returned. The State Office of Health Care Assurance, which oversees hospitals, did not respond to requests for comment.

Civil Beat earlier found that generators of medical waste in Honolulu are largely self-regulated. Those who want to dispose of medical waste are charged with characterizing the kind of waste they're throwing away without outside verification.

At a City Council committee hearing Monday, the city's director of Environmental Services said Waste Management conducts inspections of the trucks transporting that waste, but the landfill operator wouldn't field questions about that process, or provide related documentation.

The State Department of Health grants the permit Waste Management needs to accept medical waste, and requires an annual report from the companies that sanitize the waste.

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About the Author

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Repeated requests to the city and landfill operator for the 2010 version of that report were denied or ignored. When the State Department of Health agreed to send the two-page report to Civil Beat, it was practically blank.

"The volume of waste is considered proprietary because it would be an indication of their business volume and market share which a competitor could use," the Health Department's Okubo explained in an e-mail. "I am told that the report was released once years ago and a company objected based on that reason. The report lists the types of waste, and I have attached the most recent reports DOH received (redacted)."

Medical waste annual report 2010

View more [documents](#) from [Civil Beat](#).

The report is two pages total, including one page each filed by medical-waste treatment facilities Hawaii Bio-Waste and NCNS Environmental, Inc.

Hawaii Bio-Waste broke medical waste into categories like "solid waste," "sharps," "chemotherapy waste," and "pathological waste." But all of the amounts are redacted. NCNS Environmental simply scrawled the words "infectious waste" in the "other" section of its form.

Civil Beat has told the Health Department the redacted report is inadequate to understand what's being placed in the landfill and has appealed its decision to redact the report. We have not received a response.

Officials are clearly reluctant to share information with the public during the Health Department investigation.

"During an investigation, the DOH is unable to release related information because it can compromise the proceedings," Okubo wrote. "If a potential violator knows what we are looking for, or looking at, they have an advantage and the opportunity to alter evidence. ... In some instances, those being investigated are not always forthcoming in providing information and records requested by the department."

Okubo said there's no timeline for when the investigation must be complete. There is, however, a specific and federally-mandated timeline for repairs at the landfill site.

The federal government Tuesday [announced](#) it's ordering Waste Management to comply with a rigorous schedule of clean-up and accountability. Starting Thursday, the landfill operator is required to send daily progress reports to both the Environmental Protection Agency and the State Department of Health.

Civil Beat has requested copies of those reports, but has not been told whether they will be public. Officials have repeatedly delayed reopening the landfill. A plan to open the landfill to the public as planned on Thursday was delayed another week, Environmental Services Department spokesman Markus Owen confirmed.

The Health Department's Yamada said the situation is uncharted territory for everyone involved. Even from an enforcement standpoint, the department wasn't sure at first how to deal with the garbage-filled stormwater discharged into the Pacific Ocean.

"This got really unorthodox because the permit is for discharge of stormwater," Yamada said. "It's never

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intended to discharge waste. There was no precedent on this whole thing. There's no such thing as landfill waste discharge standards. As much as the city and Waste Management may be unhappy about it, you're not supposed to do it."

DISCUSSION: *Share your thoughts about the lack of accountability for landfill safety and read what others have to say about the topic.*

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JUL 21 2010



HAWAII BIO-WASTE SYSTEMS, INC.

Lower

July 21, 2010

Mr. Steven Y.K. Chang, PE., CHIEF
Hawaii State Department of Health
Office of Solid Waste Management
919 Ala Moana Blvd., Room 210
Honolulu, HI 96814

Re: Annual waste processing report for July 1, 2009 to June 30, 2010

Following are the volumes of infectious waste processed:
(Best approximation)

Processed Waste in Pounds

Solid Waste	--
Sharps	--
Chemotherapy Waste	--
Pathological Waste	--

Total Pounds for the year ==

Disposal Sites:

Solid Waste - Waimanalo Gulch Landfill- 100%

Sharps Waste - Waimanalo Gulch Landfill- 100%

Pyrolytic Ash- Waimanalo Gulch Landfill- 100%
(Chemo & Path)

Please call me at 841-1240 if you have any questions.

Sincerely,

Edwin Arellano

Edwin Arellano
Manager

JUL 14 2010

Department of Health / Solid Waste Section
 Diversion Survey for the period July 1, 2009 through June 30, 2010

Facility NEN'S ENVIRONMENTAL, INC. Permit # MW-0082-08
 Address 1644 KAPAI ST.
HONOLULU, HI.
 Contact Person ALICE HONG Title OWNER-PEP.
 Phone (808) 841-1871 Fax 841-5438 Expires - 10/28/13

- ▶ Reporting period: July 1, 2009 through June 30, 2010
- ▶ Submittal deadline: July 31, 2010
- ▶ Check your permit conditions for any additional reporting requirements
- ▶ Mail or fax completed form to Office of Solid Waste Management
 919 Ala Moana Blvd
 Honolulu, HI 96814
 Fax: (808) 586-7509
- ▶ Questions? Contact Lane Otsu at (808) 586-4226.

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Category	Material	Tonnage		Destination of Material
		Jul - Dec 2009	Jan - Jun 2010	
Ferrous Metal	General Scrap			
Non-Ferrous Metal	Auto Scrap			
	Aluminum			
	Other:			
Glass				
Electronic Components (Computer components, TVs, etc.)				
Organics	Greenwaste/Woodwaste			
	Food / Wet Waste			
Paper	Cardboard			
	Newspaper			
	High-Grade			
	Mixed Paper			
	Magazines			
Plastic	Rigid Containers			
	Film/Bags/Etc.			
Remediated Soil				
Other Materials	Tires			
	Auto Batteries			
	Other			
<i>Infectious Waste</i>				
Total Material Recycled:				
Total Material Disposed (sent to the landfill):				

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LARROPEL WAIANANUI SHIELD

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