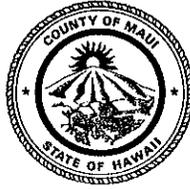


CHARMAINE TAVARES  
Mayor  
MILTON M. ARAKAWA, A.I.C.P.  
Director  
MICHAEL M. MIYAMOTO  
Deputy Director



**COUNTY OF MAUI**  
**DEPARTMENT OF PUBLIC WORKS**  
**AND ENVIRONMENTAL MANAGEMENT**  
200 SOUTH HIGH STREET  
WAILUKU, MAUI, HAWAII 96793

RALPH NAGAMINE, L.S., P.E.  
Development Services Administration  
DAVID TAYLOR, P.E.  
Wastewater Reclamation Division  
CARY YAMASHITA, P.E.  
Engineering Division  
TRACY N. TAKAMINE, P.E.  
Solid Waste Division  
BRIAN HASHIRO, P.E.  
Highways Division

September 20, 2010

Mr. Orlando Davidson  
Executive Officer  
State of Hawaii  
Land Use Commission  
P.O. Box 2359  
Honolulu, Hawaii 96804-2359

2010 SEP 29 P 1:44  
LAND USE COMMISSION  
STATE OF HAWAII

Dear Mr. Davidson:

**SUBJECT: FILING OF ANNUAL REPORT 2010**  
**LUC DOCKET NO. SP97-390**  
**CENTRAL MAUI LANDFILL EXPANSION**

Transmitted for your review are one original and one copy of the 2010 annual report for the Central Maui Landfill Expansion. An email .pdf version will also be sent to [luc@dbedt.hi.gov](mailto:luc@dbedt.hi.gov).

If you have any questions, please contact Elaine Baker at 270-7872.

SINCERELY,

  
CHERYL OKUMA, ESQ.  
Director of Environmental Management

CO:eb  
Encl:

**CENTRAL MAUI LANDFILL EXPANSION  
STATE LAND USE COMMISSION  
FY2010 ANNUAL REPORT  
SP97-390**

**Part 1: Project Summary**

The leachate pump system at Phase IV-B which collects leachate from both A and B portions of Phase V is near completion with the piping to the aboveground tanks installed as well as a dedicated pump with a pulley in the riser so that it may be pulled. The reinforced concrete footing and wall for Bay 5 was poured in April 2010 in the self-haul waste receiving area adding capacity to handle customer demand. Post holes, requiring specialized equipment for the rock, were drilled for the 30 ft. high litter fence along Pulehu Rd. Fence posts were placed and concrete poured in May 2010; cable and netting were placed in June. Construction of Phase V-B began on May 24, 2010.

**Part 2: Project Compliance**

Condition 1: That the Land Use Commission Special Permit shall be valid until October 31, 2018, subject to further time extensions by the Land Use Commission upon a timely request for extension filed at least one-hundred twenty (120) days prior to its expiration. The appropriate Commission shall make a recommendation to the Land Use Commission and may require a public hearing on the time extension.

Report: This condition was approved by Land Use Commission at the February 19, 2009 meeting when the request for the Third Amendment was under discussion. Accordingly, the permit remains valid for eight more years.

Condition 2: That the conditions of this State Land Use Commission Special use Permit shall be enforced pursuant to Sections 205-12 and 205-13, Hawaii Revised Statutes. Failure to comply with one or more of the conditions herein shall result in a notice of violation issued by the appropriate enforcement agency, notifying the permit holder of the violation and providing the permit holder no more than sixty (60) days to cure the violation. If the permit holder fails to cure the violation within sixty (60) days of said notice, the appropriate enforcement agency shall issue an order which may require one or more of the following: that the violative activity cease, that the violative development be removed; that a civil fine by paid not to exceed ONE THOUSAND AND NO/100 DOLLARS (\$1,000) per violation; that a civil fine not to exceed FIVE THOUSAND AND NO/100 DOLLARS (\$5,000.00) shall be issued if violation not cured within six months of the issuance of the order. The order shall become final thirty (30) days after the date of its mailing or hand-delivery unless written request for a hearing is mailed or delivered to the Planning Department within said thirty (30) days. Upon receipt of a request for a hearing, the Planning Department shall specify a time and place for the permit holder to appear and be heard. The hearing shall be conducted by the Planning Director or the Director's designee in accordance with the provisions of Chapter 91, HRS, as amended.

## Central Maui Landfill Expansion FY10 LUC Annual Report for SP97-390 - Page 2

Report: The County is complying with all conditions.

Condition 3: That the subject Land Use Commission Special Use Permit shall not be transferred without the prior written approval of the Land Use Commission. The appropriate Planning Commission shall make a recommendation to the Land Use Commission. However, in the event that a contested case hearing preceded issuance of said State Land Use Commission Special Use Permit, a public hearing shall be held by the appropriate Planning Commission upon due published notice, including actual written notice to the last known addresses of parties to said contested case and their counsel.

Report: No request for transfer has been made.

Condition 4: That full compliance with all applicable governmental requirements shall be rendered.

Report: The landfill is compliant with federal laws and state regulations which govern landfill operations and environmental monitoring with both groundwater sampling and analysis and landfill gas collection and flaring. NPDES permit rules are followed.

Condition 5: That the Applicant shall develop the Property in substantial compliance with the representations made to the Land Use Commission in obtaining the State Land Use Commission Special Use Permit. Failure to so develop the Property may result in the revocation of the permit.

Report: The Property has been developed as proposed to the Land Use Commission.

Condition 6: That the Applicant shall begin construction of the landfill expansion within 12 months from issuance of the Land Use Commission's decision and order dated May 13, 2002. Construction shall include any improvements necessary to the operation of the landfill pursuant to all applicable laws and regulations.

Report: The construction of the entrance facility began on March 3, 2003.

Condition 7: That the Applicant shall take appropriate mitigative measures to minimize erosion, and prevent cement products, oil, fuel, and other toxic substances associated with the use of heavy machinery from spilling or leaching into the ground.

Report: Toxic substances from the use of heavy machinery have not spilled or leaked into the ground. Landfill equipment is maintained regularly or sent out for repair when needed; contractor equipment is in good operating condition with no leaking parts. A Spill Prevention and Containment Plan was written for the landfill by Ch2MHill in 2009.

### **Central Maui Landfill Expansion FY10 LUC Annual Report for SP97-390 - Page 3**

Condition 8: That the Applicant shall comply with the Department of Health Ambient Air Quality Standards, Hawaii Administrative Rules, Title 11, Chapter 59 and Air Pollution Control, HAR 11-60.

Report: Landfill operations comply with air quality regulations. Dust is controlled by paved roadways around the landfill facility; dust from cover soil is controlled by the application of water from the water truck when the waste is covered at the day's end.

Condition 9: That the Applicant shall comply with the EPA's New Source Performance Standards.

Report: The County continues to monitor the gas wells and surface at the closed Phases I and II. Measurements are compiled in reports submitted to the Hawaii Dept. of Health, Clean Air Branch for review. A landfill gas collection system installed in the Phases I and II pipes to the flare in Phase IV to ignite landfill gas emissions. Design and construction of a gas collection system for Phase IV was funded in FY10 for \$2M. Cornerstone was selected in FY10 for its design; construction will bid in October 2010.

Condition 10: That the Applicant shall immediately stop work and contact the State Historic Preservation Division, Department of Land and Natural Resources should any previously unidentified archaeological resources such as artifacts, shell, bone, charcoal deposits, human burial, rock or coral alignments, pavings or wall be encountered during development of the Special Use Permit area.

Report: No archaeological resources such as artifacts, shell, bone, charcoal deposits, human burial, rock or coral alignments have been discovered during any construction.

Condition 11: That provisions shall be enacted to ensure emergency access to the sanitary landfill in case of fire or any other disaster.

Report: Fire Dept. and Police Dept. have keys to the gate to enter the landfill anytime.

Condition 12: That the Applicant shall timely provide without any prior notice, annual reports to the Land Use Commission and the County of Maui Planning Department in connection with the status of the subject project and Applicant's progress in complying with the conditions imposed herein. The annual report shall also include the capacity remaining in the landfill at the time of submission of the annual report. The annual report shall be submitted in a form prescribed the Executive Officer of the Land Use Commission.

Report: This thirteenth annual report is being submitted to meet this condition. The construction of Phase V in 2009-10 assures landfill capacity until 2017, another 8 years.

Condition 13: That the Applicant shall utilize non-drinking water, to the extent possible, for grading, dust control, and irrigation of the landfill.

## **Central Maui Landfill Expansion FY10 LUC Annual Report for SP97-390 - Page 4**

Report: The landfill recycles all leachate generated for use in dust control. In addition, non-drinking water is obtained from Haiku Ditch at H.C.& S when it is available.

Condition 14: That the Applicant shall reasonably ensure that windblown debris around the perimeter of the landfill, particularly within areas visible from the public right of way, are removed on a daily basis.

Report: Portable litter fences are installed near the working face to catch any litter from the trucks as they dump. The landfill uses a vacuum to collect litter from around the entrance facility while crews from Kalima O Maui manually pick up litter along Pulehu Rd. and the grounds not reached by the vacuum. A permanent, 30 ft. tall litter fence has been installed between the newly constructed Phase V-A and Phase V-B, currently under construction, and Pulehu Rd.

Condition 15: That full compliance with the requirements of the State's Department of Health for sanitary landfill operation shall be rendered.

Report: Landfill operations are in compliance with the terms and conditions of Permit No. LF-0091-04 issued by the Department of Health and effective January 25, 2006.

Condition 16: That the Applicant shall clarify the entire acreage that is the subject of LUC Docket No. SP97-390 with the Maui Planning Commission and the LUC by filing an aerial photographic map with overlay and a site map clearly depicting the proper acreage of SP97-390.

Report: The maps were sent to the MPC and LUC.

Condition 17: That to the extent practicable, leachate generated at the landfill shall be returned to the landfill.

Report: In FY10 all leachate generated in Phase IV, the only active lined landfill area, was applied to the working face for increased compaction and litter control.

**CENTRAL MAUI LANDFILL EXPANSION  
STATE LAND USE COMMISSION  
FY2010 ANNUAL REPORT  
SP97-390**

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The leachate pump system at Phase IV-B which collects leachate from both A and B portions of Phase V is near completion with the piping to the aboveground tanks installed as well as a dedicated pump with a pulley in the riser so that it may be pulled. The reinforced concrete footing and wall for Bay 5 was poured in April 2010 in the self-haul waste receiving area adding capacity to handle customer demand. Post holes, requiring specialized equipment for the rock, were drilled for the 30 ft. high litter fence along Pulehu Rd. Fence posts were placed and concrete poured in May 2010; cable and netting were placed in June. Construction of Phase V-B began on May 24, 2010.

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