

**Testimony of
John Vuich
Malama Environmental LLC
SLUC Docket No. A10-787 Maui R&T Partners, LLC.**

In the Matter of the Petition of Maui R&T Partners, LLC. to Amend the State Land Use District Boundary of Lands Situated at Kihei, Island of Maui, State of Hawaii, Consisting of 253.05 Acres from the Agricultural District to the Urban District,
Tax Map Key Nos. (2) 2-2-024: 016 and 017, and (2) 2-2-002: 054 (por.)

My name is John Vuich and I am President of Malama Environmental, a Hawaii based environmental consulting firm. I was the site investigator for the *Environmental Site Assessment: Phase I Investigation* (May 2007) (Included as Appendix B in the Final Environmental Impact Statement). I have over 30 years of experience in the environmental consulting and geologic field. A copy of my resume is attached.

The purpose of the Phase 1 Environmental Site Assessment (Phase 1 ESA) was to characterize the environmental setting of the Maui Research and Technology Park (MRTP) property, to identify any obvious activity of environmental concern that may have occurred at or near the site, and to evaluate potential migration pathways for any identified contaminants. I will briefly summarize the findings of the investigations.

The Phase 1 ESA found no evidence of recognized environmental conditions at the property. Recognized environmental conditions are the presence or likely presence of any hazardous substance or petroleum products on a property under conditions that indicate an existing release, a past release, or a material threat of a release of any hazardous substances or petroleum products into structures on the property, or into the ground, ground water, or surface water of the property. In addition, the Phase 1 ESA found no evidence of historic or current significant misuse of hazardous or regulated substances on the subject property.

The potential concerns identified by the Phase ESA were limited in scope and will be mitigated prior to or during project development. We recommend that waste oil and related surface oil staining should be properly managed and underlying soils should be tested to confirm all contamination has been effectively removed. We note that the two construction base yards and solid waste items dumped on site (i.e. derelict vehicle, batteries, tires, waste oil,) have been removed.

JOHN S. VUICH
Owner-Geologist

STATEMENT OF QUALIFICATIONS:

M. S. Geological Engineering, University of Arizona
B. S. Geological Engineering, University of Arizona
Registered Geologist (California)
Registered Environmental Assessor (California)
Certified Environmental Manager (Nevada)

AREAS OF EXPERTISE

- ENVIRONMENTAL**
- ▼ **Site Assessments** for Real Estate Transactions & Shoreline Permits. EA/EIS process.
 - ▼ **Mold/Fungi** Sampling, Cleaning, Disinfecting, Sealing & Remediation/Abatement
 - ▼ **Asbestos** Inspection and Monitoring, Management Planning, and Abatement Design and Removal
 - ▼ **Lead-Containing Paint** Surveys and Inspections, and Abatement Design and Remediation
 - ▼ **Expert Witness/Litigation** Support
 - ▼ **Wetland** Delineation and US Army Corps of Engineers Permit
 - ▼ **Indoor Air Quality** Consulting/Investigations
 - ▼ **Hazardous Waste** Management, Compliance and Closure Projects
 - ▼ **Facility-Operation Compliance Audits** ISO-14000 Audits
 - ▼ **Site Characterization** for RCRA Closure & NPDES Permits
 - ▼ **Underground Storage Tank** Closure
 - ▼ **Industrial Hygiene** Qualified/Competent Person
- GEOLOGICAL**
- ▼ **Hydrogeology** Wetland Permit process and (Hydric) soils-Hawaii. Aquifer Protection Permit for northern Arizona mining operation. Water well drilling and Injection-well permit process, Hawaii.
 - ▼ **Field Mapping** Mineral Investigations, Underground Mining
 - ▼ **Drilling** Investigations and Sample Logging for Groundwater, Soils & Economic Mineral evaluations.
- MANAGEMENT**
- ▼ **Project Management** Abatement Contractor & Environmental Compliance Cleanups, Section Supervisor with engineering company, General and Operations Manager for small businesses.
 - ▼ **Regulatory Liaison Agency** with Client/Legal.

RELEVANT EXPERIENCE

Owner-Director • MEV, LLC.; dba Malama Environmental Maui, HI • (June 2006 - Present)

Environmental consulting services and project management of remediation projects, property transfers assessments, soil and water sampling, hazardous waste management, underground storage tank closures, wetland delineations and permit applications, regulatory compliance and litigation support, injection-well and NPDES permits. Veteran owned small business & HUB-Zone business classification. 10/15/2007

Owner-President • Vuich Environmental Consultants, Inc. Maui, and Honolulu, Oahu • (March, 1994 - 2008)

Abatement and Demolition contractor conducting asbestos, mold, lead-paint remediation for schools, hotels, government facilities, commercial and residential units. Performing selective demolition and landfill site remediation and closure.

Owner-President • HAZTECH Enviro-Systems Tucson, AZ • July 1988 - February 1994)

Founder and Director of professional environmental engineering and geological consulting firm.

Project Engineer • Hazchem Environmental Services Tucson, AZ • March 1987 - June 1988

Performed and supervised RCRA remedial projects and waste management projects.

Independent Consultant Geologist Laguna Hills, CA and Tucson, AZ • 1982 - 1987

Conducted geological investigations in western United States and Mexico.

Environmental/Geotechnical Section Supervisor • TRW: Systems Engineering Redondo Beach, CA • 1978 - 1981

Managed environmental projects for Department of Defense and Department of Energy

Arizona Geological Survey • University of Arizona Tucson, AZ • 1972-1978

Assistant Geologist

United States Marine Corps, Corporal 1960-1963

LICENSES and REGISTRATIONS

- ▼ **Asbestos & Demolition Contractor (C-19, C-24) Hawaii License #21212**
- ▼ **Licensed Private Pilot - 1500 Hours, Single Engine, Land. Flight Operations in Western U.S., Mexico and Hawaii.**
- ▼ **Professional Geologist-CA; Environmental Assessor-CA; Environmental Manager-NV**