

CITY AND COUNTY OF HONOLULU
PLANNING COMMISSION

CONTESTED CASE HEARING

NOTICE IS HEREBY GIVEN of a contested case hearing to be held by the Planning Commission of the City and County of Honolulu:

PLACE: **Mission Memorial Hearings Room**, Mission Memorial Building,
550 South King Street, Honolulu, Hawaii
DATE: Wednesday, December 7, 2011
TIME: 1:00 p.m.

regarding the following request to delete Condition No. 14 of Special Use Permit No. 2008/SUP-2.

EWA-STATE SPECIAL USE PERMIT AMENDMENT APPLICATION – 2008/SUP-2 (RY)
WAIMANALO GULCH SANITARY LANDFILL (WGSL)

Applicant: Department of Environmental Services, City and County of Honolulu
Landowner: City and County of Honolulu
Location: 92-460 Farrington Highway, Honouliuli, Ewa, Oahu
Tax Map Key: 9-2-3: 72 & 73
Existing Use: Landfill and open space
State Land Use: Agricultural District
Existing Zoning: AG-2 General Agricultural District
Land Area: 200.622 Acres
REQUEST: To delete Condition No. 14 of Special Use Permit No. 2008/SUP-2 (also referred to as Land Use Commission Docket No. SP09-403) which states as follows:

“14. Municipal solid waste shall be allowed at the WGSL up to July 31, 2012, provided that only ash and residue from H-POWER shall be allowed at the WGSL after July 31, 2012.”

1. This contested case hearing is to be held under the provisions of Chapters 46, 91, 92 and 205, Hawaii Revised Statutes (HRS); Articles VI and XIII, Revised Charter of the City and County of Honolulu, 1973, as amended; and Chapter 2 of the Rules of the Planning Commission, City and County of Honolulu (Rules of the Planning Commission).

2. The particular sections of statutes and rules involved include Section 205-6, HRS, and Subchapter 4 of Chapter 2 and Section 2-45 of the Rules of the Planning Commission.

3. The issues involved are whether the Planning Commission should recommend approval of the request by the Department of Environmental Services, City and County of Honolulu, to delete Condition No. 14 of Special Use Permit No. 2008/SUP-2 (also referred to as Land Use Commission Docket No. SP09-403), and allow WGSL to continue accepting municipal solid waste until the landfill reaches its capacity as permitted by the State Department of Health.

4. Any party may retain counsel if the party so desires, and an individual may appear on the individual's own behalf, or a member of a partnership may represent the partnership, or an officer or authorized employee of a corporation or trust or association may represent the corporation, trust or association.

PLANNING COMMISSION
GAYLE PINGREE, Chair

By 
GAYLE PINGREE
Chair

CITY AND COUNTY OF HONOLULU
PLANNING COMMISSION

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy hereof was served upon the following by certified mail, return receipt requested, postage prepaid, on November 15, 2011:

TIMOTHY E. STEINBERGER, Director
Department of Environmental Services
1000 Uluohia Street
Kapolei, Hawaii 96707

DANA VIOLA
ROBERT BRIAN BLACK
Deputies Corporation Counsel
City and County of Honolulu
530 South King Street, Room 110
Honolulu, Hawaii 96813

Attorneys for Applicant
DEPARTMENT OF ENVIRONMENTAL SERVICES,
CITY AND COUNTY OF HONOLULU

SCHNITZER STEEL HAWAII CORP.
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Kapolei, Hawaii 96707

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American Savings Bank Tower
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Honolulu, Hawaii 96813

Attorneys for Intervenor
SCHNITZER STEEL HAWAII CORP.

KO OLINA COMMUNITY ASSOCIATION
c/o KENNETH WILLIAMS
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Kapolei, Hawaii 96707

MAILE SHIMABUKURO
86-024 Glenmonger Street
Waianae, Hawaii 96792

CALVERT G. CHIPCHASE, ESQ.
Cades Schutte LLP
1000 Bishop Street, Suite 1200
Honolulu, Hawaii 96813-4212

Attorney for Intervenors
KO OLINA COMMUNITY ASSOCIATION and MAILE SHIMABUKURO

Pursuant to Section 2-53 of the Rules of the Planning Commission:

DAVID TANOUE, Director
Department of Planning and Permitting
650 South King Street, 7th Floor
Honolulu, Hawaii 96813

DATED: Honolulu, Hawaii, November 15, 2011.



Jeanne Sumida, Secretary-Reporter
Planning Commission

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 Street, Apt. or PO B Department of Environmental Services
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 Street, Apt. or PO B Cades Schutte LLP
 City, State, Zip+4 1000 Bishop Street, Suite 1200
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Sent To Maile Shimabukuro
 Street, Apt. or PO B 86-024 Glenmonger Street
 City, State, Zip+4 Waianae, Hawaii 96792
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Sent To Ko Olina Community Association
 Street, Apt. or PO B c/o Ken Williams
 City, State, Zip+4 92-1480 Aliinui Drive
 PS Form 3 Kapolei, Hawaii 96707 2008/sup-2 Instructions

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Maile Shimabukuro
86-024 Glenmonger Street
Waianae, Hawaii 96792

2. Article Number

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A. Signature

Karen Young Agent
 Addressee

B. Received by (Printed Name)

Karen Young

C. Date of Delivery

11/17/11

D. Is delivery address different from item 1? Yes
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3. Service Type

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1. Article Addressed to:

Ian Sandison, Esq.
Arsima Muller, Esq.
Carlsmith Ball LLP
American Savings Bank Tower
1001 Bishop Street, Suite 2200
Honolulu, Hawaii 96813

2. Article Number

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A. Signature

Brian Oberholtzer Agent
 Addressee

B. Received by (Printed Name)

Brian Oberholtzer

C. Date of Delivery

11/16/11

D. Is delivery address different from item 1? Yes
 If YES, enter delivery address below: No

3. Service Type

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4. Restricted Delivery? (Extra Fee)

Yes

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1. Article Addressed to:

Schnitzer Steel Hawaii Corp.
91-056 Hanua Street
Kapolei, Hawaii 96707

2.

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A. Signature

Rene Mansho Agent
 Addressee

B. Received by (Printed Name)

Rene Mansho

C. Date of Delivery

11-17-11

D. Is delivery address different from item 1? Yes
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3. Service Type

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4. Restricted Delivery? (Extra Fee)

Yes

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Calvert G. Chipchase, Esq.
 Cades Schutte LLP
 1000 Bishop Street, Suite 1200
 Honolulu, Hawaii 96813-421

2. Article Number

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X  Agent
 Addressee

B. Received by (Printed Name)

Dean Horwood 16 Nov 2011

C. Date of Delivery

D. Is delivery address different from item 1? Yes
 If YES, enter delivery address below: No

3. Service Type

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4. Restricted Delivery? (Extra Fee)

Yes

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1. Article Addressed to:

Timothy E. Steinberger, Director
 Department of Environmental Services
 1000 Uluohia Street
 Kapolei, Hawaii 96707

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A. Signature

X  Agent
 Addressee

B. Received by (Printed Name)

D. Fukumoto

C. Date of Delivery

D. Is delivery address different from item 1? Yes
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3. Service Type

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4. Restricted Delivery? (Extra Fee)

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1. Article Addressed to:

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 c/o Ken Williams
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2. Article Number

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X  Agent
 Addressee

B. Received by (Printed Name)

Sylvia Exzabe 11/16/11

C. Date of Delivery

D. Is delivery address different from item 1? Yes
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3. Service Type

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4. Restricted Delivery? (Extra Fee)

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