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

Wednesday, December 7, 2011 DATE:

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 Kev: 9-2-3: 72 & 73

Existing Use: Landfill and open space State Land Use: Agricultural District

AG-2 General Agricultural District Existing Zoning:

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."

- 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).
- 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.
- The issues involved are whether the Planning Commission should recommend 3. 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. 91-056 Hanua Street Kapolei, Hawaii 96707

IAN SANDISON, ESQ.
ARSIMA MULLER, ESQ.
Carlsmith Ball LLP
American Savings Bank Tower
1001 Bishop Street, Suite 2200
Honolulu, Hawaii 96813

Attorneys for Intervenor SCHNITZER STEEL HAWAII CORP.

KO OLINA COMMUNITY ASSOCIATION c/o KENNETH WILLIAMS 92-1480 Aliinui Drive 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

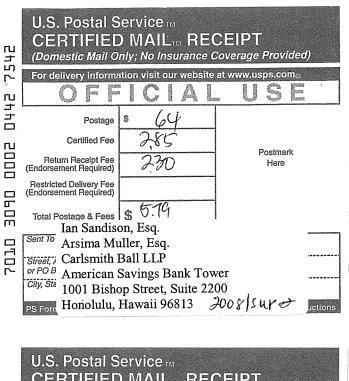
Pursuant to Section 2-53 of the Rules of the Planning Commission:

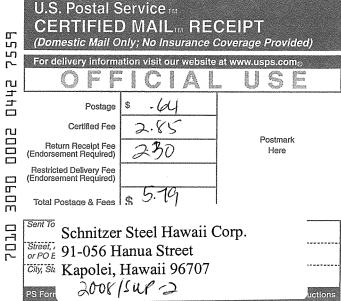
DAVID TANOUE, Director Department of Planning and Permitting 650 South King Street, 7th Floor Honolulu, Hawaii 96813

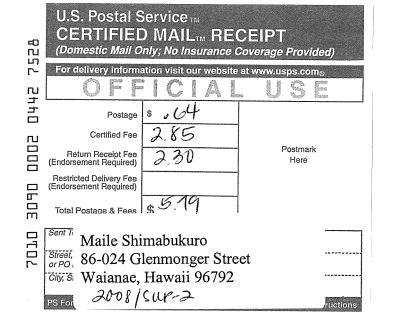
DATED: Honolulu, Hawaii, November 15, 2011.

Jeanne Sumida, Secretary-Reporter

Planning Commission

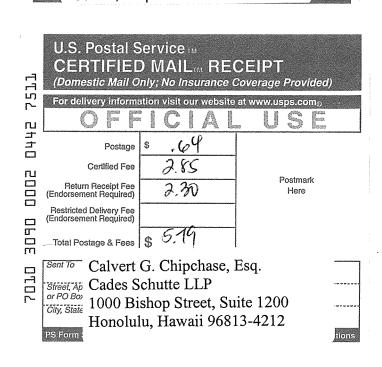


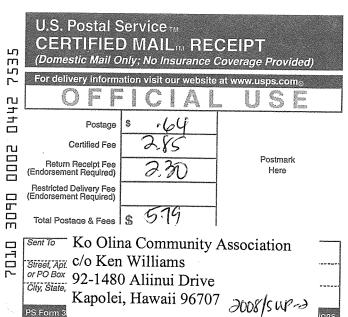




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Waianae, Hawaii 96792	3. Service Type Certified Mail □ Express Mail □ Registered □ Return Receipt for Merchandise □ Insured Mail □ C.O.D.
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American Savings Bank Tower	3. Service Type
1001 Bishop Street, Suite 2200 Honolulu, Hawaii 96813	Certified Mail Registered Return Receipt for Merchandise
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Schnitzer Steel Hawaii Corp.	*
91-056 Hanua Street	
Kapolei, Hawaii 96707	3. Service Type X Certified Mail ☐ Express Mail ☐ Registered ☐ Return Receipt for Merchandise
	☐ Insured Mail ☐ C.O.D.
	4. Restricted Delivery? (Extra Fee)
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Calvert G. Chipchase, Esq. Cades Schutte LLP 1000 Bishop Street, Suite 1200 Honolulu, Hawaii 96813-421	3. Service Type Certified Mail
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 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. Article Addressed to: Timothy E. Steinberger, Director Department of Environmental Services 	A. Signature Agent Addressee Addressee B. Reseived by (Printed Name) C. Date of Delivery D. Is delivery address different from item 1? Yes If YES, enter delivery address below: No
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Article Addressed to: Ko Olina Community Association c/o Ken Williams	If YES, enter delivery address below:
92-1480 Aliinui Drive Kapolei, Hawaii 96707	3. Service Type Certified Mail
	4. Restricted Delivery? (Extra Fee)

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