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DEPT OF PLANNING
AND PERMITTING
CITY & COUNTY OF HONOLULU

Attorneys for Petitioner
SCHNITZER STEEL HAWAII CORP.

BEFORE THE PLANNING COMMISSION
OF THE CITY AND COUNTY OF HONOLULU

STATE OF HAWAII

In the Matter of the Application of

DEPARTMENT OF ENVIRONMENTAL
SERVICES, CITY AND COUNTY OF
HONOLULU

FILE NO. 2008/SUP-2
LUC DOCKET NO. SP09-403

To Modify SUP No. 2008/SUP-2 by
Modifying the State Land Use Commission's
Order Adopting the City and County of
Honolulu Planning Commission's Findings of
Fact, Conclusions of Law, and Decision and
Order with Modifications, Dated October 22,
2009

INTERVENOR SCHNITZER STEEL
HAWAII CORP.'S WRITTEN DIRECT
TESTIMONY OF LARRY SNODGRASS;
EXHIBITS S-2 TO S-4; CERTIFICATE OF
SERVICE

**INTERVENOR SCHNITZER STEEL HAWAII CORP.'S WRITTEN DIRECT
TESTIMONY OF LARRY SNODGRASS**

Exhibit S-1

WRITTEN STATEMENT OF LARRY SNODGRASS

My name is Larry Snodgrass. I am the general manager of Schnitzer Steel Hawaii Corp. ("Schnitzer"). I have served in that capacity since December, 2010. Prior to that, I worked for Schnitzer Steel Industries, Inc., in Portland, Oregon, for about 28 years. I was Plant Manager of the Portland facility from 2008 to 2010, and Maintenance Supervisor from 1995 to 2008.

Having worked for Schnitzer Steel Industries, Inc. for almost 30 years, I am familiar with the scrap metal industry. In my current position as general manager of Schnitzer, I am familiar with the Waimanalo Gulch Sanitary Landfill ("WGSL") and Schnitzer's use of WGSL.

SCHNITZER'S OAHU OPERATION

Formerly known as Flynn Lerner and Hawaii Metal Recycling, Schnitzer and its predecessors have been operating scrap metal recycling facilities on Oahu since 1949. Schnitzer is now the largest scrap metal recycler in the State of Hawaii. As one of the State's largest recyclers for over five decades, Schnitzer is deeply committed to the State's environment and ensuring the viability of recycling services in the State. Schnitzer takes scrap metal and items that would otherwise be disposed of – abandoned vehicles, metals from demolished buildings, large appliances – and recycles them for reuse. Its state-of-the-art metal shredder can reduce a full-sized automobile into fist-sized pieces of shredded steel scrap in approximately 30 seconds.

Schnitzer recycles an average of 800 tons of cars, appliances and other scrap metal every single day, or approximately 120,000 tons of scrap metal every year. Since its operations have commenced on Oahu, Schnitzer has recycled over 1 million tons of metallic debris into raw feedstock for new metal products.

For each ton of scrap metal recycled by Schnitzer, the volume of the original waste is reduced by approximately 80%. This has resulted in saving significant landfill space for the State over the course of five decades. In addition, Schnitzer has recently invested approximately \$5 million in new technology to increase the efficiency of its recycling operations on Oahu. Construction of the new technology was completed in September, 2011. Schnitzer remains committed to providing quality recycling services to the State.

RECYCLING WASTE FROM SCHNITZER'S OPERATION

To my knowledge, there is no technology currently available that can recycle metal scrap without producing any residual waste. Schnitzer's operation generates approximately 20,000 tons of recycling waste on an annual basis. This residual waste consists primarily of plastics, glass, carpet and other nonmetallic automobile and appliance components that cannot be further recycled.

The State Department of Health ("DOH") regulates how Schnitzer can dispose of this residual waste. On September 20, 2005, DOH issued Solid Waste Management Permit ("SWMP") No. RY-0023-05 to THS Recycling, LLC, dba Hawaii Metal Recycling. Exhibit S-2. On November 15, 2005, that SWMP was transferred to Schnitzer. Exhibit S-3. Although the SWMP was supposed to expire on September 19, 2010, DOH permitted the continued use of the SWMP by letter dated June 7, 2010. Exhibit S-4.

In the SWMP, the DOH imposed the following condition:

27. Non-hazardous, non-recyclable materials (waste materials and residuals) shall be properly disposed of at a DOH-permitted solid waste disposal facility, unless the permittee obtains written department approval to recycle or reuse the waste.

Exhibit S-2, p. 10. To my knowledge, WGS� is the only DOH-permitted solid waste disposal facility that can accept Schnitzer's recycling waste.

On November 21, 2011, subsequent to the commencement of this contested case, DOH issued a new SWMP for Schnitzer, SWMP No. RY-0030-10. Exhibit S-5. In the new SWMP, DOH imposed the following condition:

31. Non-hazardous, non-recyclable materials (waste materials and residuals) shall be properly disposed of at a DOH-permitted solid waste disposal facility or out-of-state disposal facilities, unless the permittee obtains written department approval to recycle or reuse the waste.

Exhibit S-5, p. 12.

SCHNITZER'S EFFORTS TO FIND AN ALTERNATIVE TO WGS�

In anticipation of the July 31, 2012 deadline after which only ash and residue from H-POWER will be allowed at WGS�, and because of the period of time in January and February, 2011, when WGS� was not accepting waste due to storm water issues, Schnitzer has been actively seeking an alternative means of disposing of its recycling waste.

Schnitzer has contacted the Covanta Energy-from-Waste Facility in Kapolei, Oahu, also known as H-POWER. Schnitzer was informed that H-POWER (even with the anticipated third boiler) would not be able to accept the recycling waste because of various concerns, including that Schnitzer's recycling waste might clog the in-feed equipment; Schnitzer's recycling waste burns at an overly high temperature compared to other wastes accepted at H-POWER ; left-over glass from automobiles in Schnitzer's recycling waste melts and may damage the refractory in H-POWER's boilers; and the emissions associated with burning plastics that make up the bulk of Schnitzer's recycling waste might cause exceedances of H-POWER's air emissions limitations.

The concerns expressed by H-POWER are consistent with Schnitzer's experiences on the United States mainland where Schnitzer understands that no waste-to-energy facility accepts shredder recycling waste. It has also been pointed out to Schnitzer that even if H-POWER were to accept Schnitzer's recycling waste, the cost to handle the waste would be several hundred dollars per ton, which would make this option economically impossible for Schnitzer.

Schnitzer has contacted PVT Landfill, a construction and demolition material solid waste landfill in Nankuli, Oahu. Schnitzer was informed that PVT Landfill would not be able to accept Schnitzer's recycling waste because it was prohibited from doing so by its SWMP.

Schnitzer has contacted Honua Power, a proposed waste-to-energy gasification facility in Kapolei, Oahu, that would use commercial waste as the feedstock to create a synthetic bio-fuel source. Schnitzer was informed that Honua Power would not be able to accept Schnitzer's recycling waste.

Schnitzer has also looked into shipping the recycling waste off-island. Because of the costs associated with this option, it would not be feasible for Schnitzer to ship its recycling waste off-island and still be economically viable.

IMPACTS FROM LACK OF RECYCLING FACILITY

If WGSF is limited to ash and residue from H-POWER after July 31, 2012, Schnitzer will have no other place to dispose of its recycling waste. Such a result will jeopardize Schnitzer's recycling operation on Oahu. In January and February, 2011, when WGSF was temporarily closed, Schnitzer was faced with this same problem. At that time, Schnitzer had no place to dispose of its recycling waste. The recycling waste had to remain and accumulate on Schnitzer's property. Schnitzer was forced to reduce the time that it ran the shredder. This

meant that less recycling could be done. It also meant that fewer cars and appliances could be accepted at the Schnitzer facility.

If WGS� is unable to accept Schnitzer's recycling waste after July 31, 2012, Schnitzer will be faced with the same issues it did in January and February, 2011, although to a much greater extent because no alternative to WGS� has even been identified yet. Faced with the current deadline, the burden of disposing of 120,000 tons of scrap metal a year may fall on the citizens of Oahu.

PERMITTEE:
THS Recycling, LLC
dba Hawaii Metal Recycling
91-056 Hanua Street
Kapolei, Hawaii 96707

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SOLID WASTE MANAGEMENT PERMIT

This permit is issued under the provisions of Hawaii Revised Statutes (HRS), Chapter 342H, *Solid Waste Pollution*, and Hawaii Administrative Rules (HAR), Title 11, Chapter 58.1, *Solid Waste Management Control*. The above-named permittee is hereby authorized to operate the facility shown on the approved application, additional submittals, and other approved documents on file with the Department of Health.

**To Construct
and Operate:**

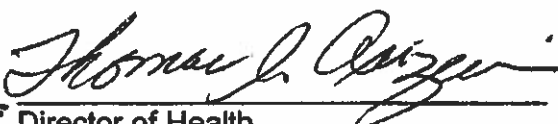
A recycling and materials recovery facility for processing and shredding scrap metals, including junk vehicles (i.e. automobile hulks), white goods, heavy melting steel and other ferrous and non-ferrous metals. The operation shall be consistent with the application and operations manual received May 23, 2005, additional information received June 14, 2005, and any approved subsequent submissions. Should there be any discrepancies between the submitted materials and permit conditions, the permit conditions shall take precedence.

Location: The facility is located at 91-056 Hanua Street, Kapolei, Oahu (T.M.K.: 1-9-1-026:025).

Subject to: HRS Chapter 342H, HAR 11-58.1, Part I - Standard Conditions and Part II - Special Conditions.

Acceptance of this permit constitutes an acknowledgment and agreement that the holder will comply with all rules, regulations, and orders of the department and the conditions precedent to the granting of this permit.

This permit supersedes Solid Waste Management Permit No. RY-0024-01 in its entirety.


FOR Director of Health
State of Hawaii

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The Solid Waste Management Facility is subject to HRS Chapter 342H, *Solid Waste Pollution* and HAR Chapter 11-58.1, *Solid Waste Management Control*, and the following conditions:

PART I - STANDARD CONDITIONS

1. The terms, conditions, requirements, limitations, and restrictions set forth herein are "Permit Conditions" and as such are binding upon the permittee and enforceable, pursuant to the authority of HRS Chapter 342H. The department will review this permit periodically and may initiate enforcement action for any violation of the "Permit Conditions" by the permittee, its agents, employees, servants, or representatives.
2. This permit shall be kept at or near the operation site for which the permit is issued and shall be available upon request [HAR 11-58.1-04(f)]. A request for a duplicate permit shall be made in writing to the director within ten (10) days after the destruction, loss, or defacement of this permit. A fee of \$50 shall be submitted with the request [HAR 11-58.1-04(h)(3)].
3. This permit is non-transferable whether by operation of law or otherwise, either from one location to another, from one solid waste disposal operation to another, or from one person to another without the written approval of the director [HAR 11-58.1-04(e)(2)].
4. This permit (a) shall not in any manner affect the title of the premises upon which the facility is or will be located; (b) does not release the permittee from any liability for any loss due to personal injury or property damage caused by, resulting from, or arising out of the design, installation, construction, operation, maintenance, or closure of the facility; (c) does not release the permittee from compliance with other applicable statutes and regulations of the State of Hawaii or with applicable federal or local laws, regulations, or ordinances; (d) in no way implies or suggests that the State of Hawaii, or its officers, agents, or employees assumes any liability, directly or indirectly, for any losses due to personal injury or property damage caused by, resulting from, or arising out of the design, construction, operation or maintenance of the facility; and (e) shall not constitute nor be construed to be an approval of the design, construction, operation, maintenance, closure and post-closure of the facility beyond the regulatory requirements mandated by HRS 342H and HAR 11-58.1.

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5. The permittee shall submit complete and detailed plans and reports on existing solid waste management systems and of any proposed addition to, modification of, or alteration of any such systems that affects the facility's operations or procedures, or which could threaten human health and the environment and contain the information requested by the department in the form prescribed by the department. The plans and reports shall be prepared by a competent person acceptable to the department, and at the expense of the permittee.
6. This permit is valid only for the specific processes and operations applied for and indicated in the submitted application and additional submissions on file with the department. Any unauthorized deviation that affects the facility's operations or procedures, or which could threaten human health and the environment, from the submitted application, approved drawings, operations manual, and additional submissions or conditions of this permit may constitute grounds for revocation of this permit, and/or enforcement action by the department. Should there be any discrepancies between the submitted documents and the permit conditions, the permit conditions shall take precedence. A copy of the submitted application and additional submissions shall be maintained at the facility.
7. The permittee shall at all times properly operate and maintain the facility and systems of process and control (and related appurtenances) that are installed or used by the permittee to achieve compliance with the conditions of this permit, as required by department rules. The facility shall be designed, constructed, and equipped so as to operate without causing a violation of applicable rules and regulations.
8. Issuance of this permit does not preclude the permittee's responsibility to obtain any and all necessary approvals and permits from the appropriate federal, state, and local agencies, including zoning clearances, prior to the start of operations.
9. The Department of Health (DOH) may, on its own motion, modify, suspend, or revoke a permit if, after affording the applicant a hearing in accordance with HRS Chapter 91, the department determines that any permit condition, rule, or provision of HRS Chapter 342H has been violated or that such is in the public interest [HAR 11-58.1-04(d)].
10. Notification requirements. The permittee is required to notify the DOH, in writing or facsimile, whenever there are incidents such as fire, explosion, or release of regulated material/waste, which could threaten human health or the environment

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(i.e., air, soil, or surface and subsurface waters). Initial notification may be by phone or fax and reported within eight (8) hours, whenever possible, and no more than twenty-four (24) hours. The notification report shall be submitted within fifteen (15) days and shall include:

- a. name, address, and telephone number of the owner and operator;
- b. name, address, and telephone number of the facility at which the incident occurred;
- c. date, time, and type of incident (i.e., fire, explosion, release, etc.);
- d. name and quantity of material(s) involved;
- e. the extent of injuries, if any;
- f. an assessment of actual or potential hazards to human health or the environment, where this is applicable; and
- g. estimated quantity and disposition of recovered and unrecovered material that resulted from the incident.

Notification requirements for releases only apply to releases of a quantity equal or exceeding the reportable quantity (RQ) listed in HAR Section 11-451.

11. If, for any reason, the permittee does not comply with, or will be unable to comply with, any condition or limitation specified in the permit, the permittee shall notify the department verbally within twenty-four (24) hours followed by a written report within fifteen (15) days of the verbal notification. The written report shall contain the following information:

- a. description and cause of noncompliance;
- b. period of noncompliance, including exact dates and times; and, if not corrected, the anticipated duration that the noncompliance is expected to continue; and
- c. steps being taken to prevent recurrence of the noncompliance.

The permittee may be subject to enforcement action by the department, penalties, or revocation of this permit.

The use of an electronic facsimile device (FAX) for notifications is acceptable. Any data transmission or detailed explanations transmitted shall be accompanied by regular mail submittals. Failure to notify in accordance with this requirement may initiate enforcement action.

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12. The department may require the permittee to conduct sampling and testing to determine the degree of pollution, if any, from the solid waste facility.
13. Unless the submitted documents and other information secured by the department from the permittee contain confidential information, such as secret processes or methods of manufacture, they shall be made available for inspection by the public (HRS 342H-14). The permittee shall be responsible for identifying, in writing, the specific information asserted to be confidential. The department shall review the permittee's assertion and determine if confidentiality is indeed warranted.
14. The director may, in accordance with HRS Section 342H-6, enter and inspect the facility for the purpose of (a) investigating an actual or suspected source of solid waste or other pollution; (b) ascertaining compliance or noncompliance with any rule, regulation, permit condition, or standard promulgated by the department; and (c) conducting tests in connection therewith (including collecting soil, water, air, ash, and any other material or samples).
15. The permittee shall comply with the following monitoring and recordkeeping requirements:
 - a. Upon request, the permittee shall furnish all records (e.g., transaction reports, disposal receipts, sampling, and testing results) and plans required by the department. The retention period for all records shall be a minimum of five (5) years; however, there shall be an indefinite retention period for all records associated with any unresolved enforcement action as determined by the department.
 - b. The permittee shall retain at the facility or other location designated by this permit, records of all monitoring information (including all calibration and maintenance records and all original recordings of monitoring instrumentation), copies of all reports required by this permit, and records of all data used to complete the application for this permit. The retention period shall be a minimum of five (5) years from the date of the sample, measurement, report, or application unless otherwise specified by department rule.
 - c. Records of monitoring information, if applicable, shall include:
 - the date, exact location, and time of sampling or measurements;
 - the person responsible for performing the sampling or measurements;
 - the date(s) analyses were performed;
 - the person responsible for performing the analyses;

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- analytical techniques or methods used; and
 - results of such analyses.
16. If the department determines that the permittee has violated or is violating any provision of HRS Chapter 342H, HAR Chapter 11-58.1, or these permit conditions, the department may pursue enforcement action in accordance with HRS 342H-7, *Enforcement*, 342H-9, *Penalties*, 342H-10, *Administrative Penalties*, 342H-11, *Injunctive and other relief*, or any other pertinent rules.
 17. If the governor or the director determines that an imminent peril to the public health and safety is, or will be, caused by the disposal of solid waste or any combination of discharges of other waste that requires immediate action, the governor or the director, without a public hearing, may order the permittee to immediately reduce or stop the disposal, discharge, or process, and may take any and all other actions as may be necessary (HRS 342H-8).
 18. Should the permittee decide to continue operation of the solid waste facility beyond the expiration date of the permit, the permittee shall submit a permit renewal application at least one hundred eighty (180) days prior to the date of permit expiration.
 19. Should the permittee decide to terminate the facility operation (or be facing lease termination or eviction), the permittee shall perform necessary closure activities including, but not limited to, the removal of all remaining solid waste and performing appropriate site assessments and remedial activities. Prior to the termination of the operation, the permittee shall also notify the department in writing at least within ninety (90) calendar days of the facility's closure [HAR 11-58.1-04(e)(3)]. The written notification shall include an updated closure plan, which should accomplish the following objectives:
 - a. Provide an assessment of the site's present and future threat to public health and the environment due to contaminants possibly left on-site from the facility's operation.
 - b. Provide a plan of action to minimize or mitigate any threats to public health and the environment due to contaminants possibly left on-site by the facility's operation.
 - c. Provide a schedule to implement the plan of action.

Upon department approval of the closure plan, the permittee shall implement the plan in accordance with the approved implementation schedule.

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20. Compliance with this permit does not in any way relieve the owner or operator of the solid waste management facility from compliance with other federal, state, or local laws or regulations including, but not limited to, worker health and safety.

PART II - SPECIAL CONDITIONS

Section A. Operational, Storage, and Facility Controls:

1. The permittee may process scrap metals for recycling, in accordance with the approved permit application and operations manual received on May 23, 2005, additional information received June 14, 2005, and approved subsequent submittals.
2. The permittee may receive, store, and process the following:
 - a. junk vehicles (i.e., accident, unwanted, derelict and/or abandoned vehicles),
 - b. white goods,
 - c. light gauge sheet metal,
 - d. heavy melting steel, and
 - e. other recyclable scrap metal.
3. Junk vehicles, white goods, and other recyclable scrap metals transported to the facility shall be in accordance with the permittee's Scrap Metal Acceptance Policy submitted as Appendix H of the Operations Manual. Scrap metals shall be free of all but residual amounts of liquids, including, but not limited to, fluids (for example, brake fluid, transmission fluid, antifreeze), oils, petroleum products, and petroleum by-products. Scrap metals that contain prohibited items or that are not certified in accordance with the Policy, shall not be accepted for storage and processing.
4. The permittee may accept scrap metal covered with contaminated ash (such as H-Power ash). The permittee shall notify the transporter that scrap metal transported to the facility shall be fully containerized or covered to prevent the scattering of ash. The permittee may accept scrap metal with contaminated soil provided that the amount of soil present does not cause a dusting problem. The contaminated scrap shall not be unloaded, processed, or reloaded during windy and/or rainy conditions. Appropriate dust control measures shall be imposed. Stockpiles of contaminated scrap shall only be located on paved surfaces. Scrap metal with contaminated ash shall be processed on the same day that it is

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received, unless the facility is not processing scrap metal on the day of its receipt. Scrap metal with contaminated ash shall be covered until the facility resumes processing and shall be considered priority when processing resumes.

5. No regulated hazardous waste, in accordance with HAR Chapter 11-261, shall be accepted at this facility.
6. No radioactive wastes shall be accepted at this facility.
7. No infectious waste, in accordance with HAR Chapter 11-104, shall be accepted at this facility.
8. No waste that contains or contained PCBs with concentrations at or above 50 parts per million shall be accepted at the facility.
9. All incoming material shall be screened to maintain compliance with Special Conditions, Nos. 1 through 8.
10. Should unacceptable material enter the facility (including by-products or contaminants removed during sorting and processing), this material shall be properly stored, managed, and disposed of at appropriate DOH-permitted disposal facilities prior to causing or creating a nuisance condition, health, safety, or environmental hazard. If any of this waste or waste generated at the facility is determined to be hazardous, the waste should be properly managed and disposed of in accordance with HAR Chapter 11-260 through 268.
11. The accepted material shall be processed in accordance with the Operations Manual, unless otherwise specified in the permit conditions. Accepted material shall be processed as soon as practicable to prevent a litter, fire, vector, or nuisance situation.
12. Except when there are shipping interruptions due to port closures, the maximum on-site storage shall be limited to areas shown in the Plot Plan of the Operations Manual and the following capacity limits:
 - a. 3,000 tons of raw shreddable material,
 - b. 30,000 tons of shredded ferrous metals,
 - c. 600 tons of shredded non-ferrous metals, and
 - d. 30,000 tons of heavy melting steel.

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In the event of a shipping interruption due to a port closure, the permittee shall notify the department of such event following the procedures specified in Standard Condition No. 11.

13. Storage of unprocessed and processed material shall be done in a safe and nuisance free manner, and in accordance with the operations manual and these permit conditions. Stockpiles shall be stable and shall not be allowed to spill or overflow onto adjacent properties, or cause any damage to existing containment/retaining structures.
14. ASR shall be removed from the facility at least once per week to minimize the duration and quantity of onsite storage. The maximum onsite storage of ASR shall be limited to 200 tons. The permittee shall install, maintain, and operate a water suppression system on the ASR stockpile. The water suppression system shall be operated on an hourly basis. The Department may require more frequent use of the water suppression system for dust control. The permittee shall require that trucking firms hired to remove the ASR shall cause it to be fully containerized or covered to prevent the scattering of the ASR as they leave the facility. Appropriate controls shall be instituted and implemented to prevent the scattering of dust during loading of ASR.
15. Adequate measures shall be taken to prevent fluids and spills from being discharged or allowed to enter into sewers, drainage systems, surface or groundwater, water courses, marine waters, or onto the ground. Measures include the use of structural catchment systems, or absorbent materials.
16. Adequate drainage, measures, or operational controls shall be provided to prevent standing water from accumulating inside the facility. Any discharges from the site shall be in accordance with applicable federal, state, and local laws and regulations.
17. Suitable means shall be provided to prevent and control fires, and shall comply with the Emergency Action Plan received October 13, 2003. Access lanes shall be provided to allow for fire response or vector control, as needed.
18. The facility shall be supervised, secured by gates, fences, or other measures to control unauthorized access to the facility.
19. The facility shall have a permanent sign identifying the facility, hours of operation, and a contact in case of emergencies. The sign shall be readable,

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weather proof, and placed in conspicuous areas accessed by outside contractors and haulers.

20. Appropriate engineering controls shall be instituted and implemented to prevent the scattering of dust, litter and other solid wastes, and to provide adequate drainage of rainwater for the site and surrounding areas.
21. Suitable means shall be employed to control nuisances and minimize dust, odors and vectors (such as rodents and insects). The facility shall maintain a neat and orderly appearance and must be screened and buffered to minimize nuisances to neighboring properties.
22. Any illegal dumping, especially of putrescible or combustible material, shall be removed immediately to DOH-permitted waste management facilities.
23. Removal of materials from the facility shall not be allowed without the prior approval of the permittee.
24. If contamination of the environment resulting from the processing or storage of scrap metals is detected, the permittee shall take appropriate measures to assess and mitigate the contamination.

Section B. Management of Processed Waste Materials and Residuals:

25. Processed materials shall be transported to DOH-permitted recycling facilities, out-of-state recycling facilities, or end markets. If processed materials will no longer be accepted by these recycling facilities or end-markets, then no associated incoming waste stream shall be accepted.
26. Non-recyclable materials shall be characterized, stored, and managed in accordance with HAR 11-260 through 280, Hazardous Waste Management, as applicable.
27. Non-hazardous, non-recyclable materials (waste materials and residuals) shall be properly disposed of at a DOH-permitted solid waste disposal facility, unless the permittee obtains written department approval to recycle or reuse the waste.
28. The permittee shall obtain department approval, in writing, prior to recycling or reusing ASR. At a minimum, the permittee's request shall include a description of the proposal and an assessment of human health and ecological impacts.

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The department may request additional information to evaluate the proposal.

Section C. Recordkeeping and Reporting Requirements:

29. In addition to requirements in Standard Condition No. 15, records of screening and all transactions shall be kept a minimum of five years. Copies shall be made available to the department for its use upon request. Information shall include, but is not limited to:
- a. Description of materials received, date of receipt, quantity received, and acceptance screening determination.
 - b. Type and quantity of material processed on a monthly basis.
 - c. Quantity of ASR generated on a monthly basis.
 - d. Date, quantity, and description of final disposition of waste streams.
 - e. Disposal and/or transaction receipt.
30. An annual report shall be prepared and submitted to the department reviewing the past fiscal year's (July 1 to June 30) operations, detailing:
- a. Total tonnage of each type of material received, processed, rejected, recycled, and disposed.
 - b. Total tonnage of ASR generated.
 - c. Destination of each type of material/waste leaving the site.
 - d. A summary of incidents outside of normal operations.

Reports shall be submitted to the following address by July 31 of each year.

Department of Health
Environmental Management Division
Solid and Hazardous Waste Branch
P.O. Box 3378
Honolulu, Hawaii 96801

31. The permittee shall notify the department, in writing, of any operational changes (i.e., use of different processing equipment, environmental controls, storage capacity, etc.). A revised operations manual reflecting these changes shall be submitted for the department's review and approval prior to implementation. Depending on the extent of the proposed changes, a modification to this permit may be required.

F. 11/17
NOV 17 2005LINDA LINGUE
GOVERNOR OF HAWAIISTATE OF HAWAII
DEPARTMENT OF HEALTH
P. O. BOX 3378
HONOLULU, HAWAII 96801-3378

November 15, 2005

CHRYSTLE L. FUKINO, M.D.
DIRECTOR OF HEALTHIn reply, please refer to:
EMD050406

S1118JF

CERTIFIED MAIL NO. 7005 1160 0003 8275 7723
RETURN RECEIPT REQUESTEDMr. Jim Banigan, General Manager
Schnitzer Steel Hawaii Corp.
91-056 Hanua Street
Kapolei, Hawaii 96707

Dear Mr. Banigan:

SUBJECT: Solid Waste Management Permit No. RY-0023-05
Ownership Transfer of Recycling Facility
Located at: 91-056 Hanua Street, Kapolei, Oahu, Hawaii
T.M.K.: 1-9-1-026:025

The Department of Health, Solid and Hazardous Waste Branch received (1) a letter from Mr. Ian Sandison, representing THS Recycling, LLC (THS), on October 11, 2005 regarding the ownership of the subject facility; and (2) the ownership transfer application, signed by Schnitzer Steel Hawaii Corp. (Schnitzer) on November 14, 2005. The letter and application propose to transfer ownership of the subject facility and associated solid waste management permit from THS, dba Hawaii Metal Recycling Company to Schnitzer. The Department has reviewed your request and hereby grants the ownership change of Solid Waste Management Permit No. RY-0023-05 from THS Recycling, LLC to Schnitzer Steel Hawaii Corp. All conditions and requirements of Solid Waste Management Permit No. RY-0023-05 shall remain valid. The permit expiration date of September 19, 2010 has not been changed.

Hawaii Administrative Rules Chapter 11-58.1, Subchapter 6 states that any person that owns, operates or manages the property where solid waste is accumulated is also responsible for the proper management and disposal of accumulated waste. We understand that the current property owner of the subject facility is THS, and that THS intends to transfer the ownership of the property to Schnitzer in the future. Please note that until property ownership is also transferred, THS is also responsible for complying with applicable solid waste regulations as it applies to this facility.

If you have any questions regarding this letter, please contact Ms. Janice Fujimoto of the Solid and Hazardous Waste Branch at (808) 586-4226.

Sincerely,

THOMAS E. ARIZUMI, P.E., CHIEF
Environmental Management Division

c: Ian Sandison, Carlsmith Ball LLP

LINDA LINGLE
GOVERNOR OF HAWAII



STATE OF HAWAII
DEPARTMENT OF HEALTH
ENVIRONMENTAL MANAGEMENT DIVISION
SOLID AND HAZARDOUS WASTE BRANCH
919 ALA MOANA BLVD., #212
HONOLULU, HAWAII 96814

JUN - 7 2010 ✓

CHIYOME L. FUKINO, M.D.
DIRECTOR OF HEALTH

In reply, please refer to:
EMD/SHWB

June 7, 2010

S0613JKF

**CERTIFIED MAIL NO. 7009 2250 0004 4923 2694
RETURN RECEIPT REQUESTED**

Mr. James C. Banigan III
General Manager
Schnitzer Steel Hawaii Corp.
91-056 Hanua Street
Kapolei, Hawaii 96707

Dear Mr. Banigan:

SUBJECT: Solid Waste Management Permit Renewal Application No. RY-0030-10
Schnitzer Steel Hawaii Corp.
Located at: 91-056 Hanua Street, Kapolei, Hawaii 96707

The Department of Health, Solid and Hazardous Waste Branch, Solid Waste Section received your solid waste management permit renewal application on May 12, 2010. You may continue to operate the subject facility during the pendency of the renewal application in accordance with Hawaii Revised Statutes, Chapter 342H, Subsection 4(e):

No applicant for a modification or renewal of a permit shall be held in violation of this chapter during the pendency of the applicant's application provided that the applicant acts consistently with the permit previously granted, the application and all plans, specifications, and other information submitted as a part thereof.

Further correspondence regarding your renewal application will be provided separately. If you have any questions regarding this letter, please contact Ms. Janice Fujimoto of our Solid Waste Section at (808) 586-4226.

Sincerely,


STEVEN Y.K. CHANG, P.E., CHIEF
Solid and Hazardous Waste Branch



STATE OF HAWAII
DEPARTMENT OF HEALTH
P.O. BOX 3378
HONOLULU, HI 96801-3378

In reply, please refer to:
EMD/SHWB

November 21, 2011

S1119JF

CERTIFIED MAIL NO. 7010 2780 0000 4780 2277
RETURN RECEIPT REQUESTED

Mr. Larry Snodgrass
General Manager
Schnitzer Steel Hawaii Corp.
91-056 Hanua Street
Kapolei, Hawaii 96707

Dear Mr. Snodgrass:

SUBJECT: Solid Waste Management Permit No. RY-0030-10
Recycling Facility
Schnitzer Steel Hawaii Corp.
Located at: 91-056 Hanua Street, Kapolei, Oahu, Hawaii
T.M.K. 1-9-1-026:025

This letter is in response to your renewal application received on May 12, 2010, for a solid waste management permit to operate a recycling facility at the subject site. The application has been reviewed and approved. This permit issuance is based on your initial application and operations manual received May 12, 2010 and additional information received July 20, 2010, March 17, 2011, and May 24, 2011. The enclosed permit is issued under the provisions of Hawaii Revised Statutes (HRS), Chapter 342H, "Solid Waste Pollution," and Hawaii Administrative Rules, Title 11, Chapter 58.1, "Solid Waste Management Control."

The permittee may appeal to the Director of Health any of the conditions to the subject permit. The appeal must be in writing and submitted to the Director of Health within twenty (20) days after the receipt of this notice.

HRS 342H-14 states that unless the submitted documents and other information secured by the Department of Health from the permittee contain confidential information, such as secret processes or methods of manufacture, they shall be made available for inspection by the public. Please notify the Solid and Hazardous Waste Branch within twenty (20) days of the receipt of this letter if you would like to make a claim of confidentiality on any other documents.

Mr. Larry Snodgrass
November 21, 2011
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Please also be aware that the Special Use Permit for the Waimanalo Gulch Sanitary Landfill (WGSL) states that, "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." While it is acceptable to identify WGSL as your intended disposal location at this time, the solid waste management permit requires that you update your disposal location in January 2012.

A receipt for your application filing fee is enclosed.

If you have any questions regarding this letter, please contact Ms. Janice Fujimoto of the Solid and Hazardous Waste Branch at (808) 586-4226.

Sincerely,



STUART YAMADA, P.E., CHIEF
Environmental Management Division

Enclosures: Solid Waste Management Permit No. RY-0030-10
Application filing fee receipt

c: Dave Takehara, Battalion Fire Chief, Honolulu Fire Department

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

Permit Number: RY-0030-10
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SOLID WASTE MANAGEMENT PERMIT

This permit is issued under the provisions of Hawaii Revised Statutes (HRS), Chapter 342H, *Solid Waste Pollution*, and Hawaii Administrative Rules (HAR), Title 11, Chapter 58.1, *Solid Waste Management Control*. The above-named permittee is hereby authorized to operate the facility shown on the approved application, additional submittals, and other approved documents on file with the Department of Health (DOH).

**To Construct
and Operate:**

A recycling and materials recovery facility for processing and shredding scrap metals, including junk vehicles (i.e. automobile hulks), white goods, heavy melting steel, other ferrous and non-ferrous metals, and fish nets; and for the collection of lead-acid batteries and propane tanks. The operation shall be consistent with the application and operations manual received May 12, 2010, additional information received July 20, 2010, March 17, 2011, May 24, 2011, and any approved subsequent submissions. Should there be any discrepancies between the submitted materials and permit conditions, the permit conditions shall take precedence.

Location: The facility is located at 91-056 Hanua Street, Kapolei, Oahu
T.M.K. 1-9-1-026:025.

Subject to: HRS Chapter 342H, HAR 11-58.1, Part I - Standard Conditions and
Part II - Special Conditions.

Acceptance of this permit constitutes an acknowledgment and agreement that the holder will comply with all rules, regulations, and orders of the DOH and the conditions precedent to the granting of this permit.

This permit supersedes Solid Waste Management Permit No. RY-0023-05 in its entirety.



(For) Director of Health
State of Hawaii

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

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The solid waste management facility is subject to HRS Chapter 342H, *Solid Waste Pollution* and HAR Chapter 11-58.1, *Solid Waste Management Control*, and the following conditions:

PART I - STANDARD CONDITIONS

1. The terms, conditions, requirements, limitations, and restrictions set forth herein are "Permit Conditions" and as such are binding upon the permittee and enforceable, pursuant to the authority of HRS Chapter 342H. The DOH will review this permit periodically and may initiate enforcement action for any violation of the "Permit Conditions" by the permittee, its agents, employees, servants, or representatives.
2. This permit shall be kept at or near the operation site for which the permit is issued and shall be available upon request [HAR 11-58.1-04(f)]. A request for a duplicate permit shall be made in writing to the director within ten (10) days after the destruction, loss, or defacement of this permit. A fee of \$50 shall be submitted with the request [HAR 11-58.1-04(h)(3)].
3. This permit is non-transferable whether by operation of law or otherwise, either from one location to another, from one solid waste disposal operation to another, or from one person to another without the written approval of the director [HAR 11-58.1-04(e)(2)].
4. This permit (a) shall not in any manner affect the title of the premises upon which the facility is or will be located; (b) does not release the permittee from any liability for any loss due to personal injury or property damage caused by, resulting from, or arising out of the design, installation, construction, operation, maintenance, or closure of the facility; (c) does not release the permittee from compliance with other applicable statutes and regulations of the state of Hawaii or with applicable federal or local laws, regulations, or ordinances; (d) in no way implies or suggests that the state of Hawaii, or its officers, agents, or employees assumes any liability, directly or indirectly, for any losses due to personal injury or property damage caused by, resulting from, or arising out of the design, construction, operation or maintenance of the facility; and (e) shall not constitute nor be construed to be an approval of the design, construction, operation, maintenance, closure and post-closure of the facility beyond the regulatory requirements mandated by HRS 342H and HAR 11-58.1.
5. The permittee shall submit complete and detailed plans and reports on existing solid waste management systems and of any proposed addition to, modification of, or alteration of any such systems that affects the facility's operations or procedures, or which could threaten human health and the environment and contain the information requested by the DOH in the form prescribed by the DOH. The plans and reports shall be prepared by a competent person acceptable to the DOH, and at the expense of the permittee.

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6. This permit is valid only for the specific processes and operations applied for and indicated in the submitted application and additional submissions on file with the DOH. Any unauthorized deviation that affects the facility's operations or procedures, or which could threaten human health and the environment, from the submitted application, approved drawings, operations manual, and additional submissions or conditions of this permit may constitute grounds for revocation of this permit, and/or enforcement action by the DOH. Should there be any discrepancies between the submitted documents and the permit conditions, the permit conditions shall take precedence. A copy of the submitted application and additional submissions shall be maintained at the facility.
7. The permittee shall at all times properly operate and maintain the facility and systems of process and control (and related appurtenances) that are installed or used by the permittee to achieve compliance with the conditions of this permit, as required by DOH rules. The facility shall be designed, constructed, and equipped so as to operate without causing a violation of applicable rules and regulations.
8. Issuance of this permit does not preclude the permittee's responsibility to obtain any and all necessary approvals and permits from the appropriate federal, state, and local agencies, including zoning clearances, prior to the start of operations.
9. The DOH may, on its own motion, modify, suspend, or revoke a permit if, after affording the applicant a hearing in accordance with HRS Chapter 91, the DOH determines that any permit condition, rule, or provision of HRS Chapter 342H has been violated or that such is in the public interest [HAR 11-58.1-04(d)].
10. Notification requirements. The permittee is required to notify the DOH, in writing or facsimile (FAX), whenever there are incidents such as fire, explosion, or release of regulated material/waste, which could threaten human health or the environment (i.e., air, soil, or surface and subsurface waters). Initial notification may be by phone or fax and reported within eight (8) hours, whenever possible, and no more than twenty-four (24) hours. The notification report shall be submitted within fifteen (15) days and shall include:
 - a. name, address, and telephone number of the owner and operator;
 - b. name, address, and telephone number of the facility at which the incident occurred;
 - c. date, time, and type of incident (i.e., fire, explosion, release, etc.);
 - d. name and quantity of material(s) involved;
 - e. the extent of injuries, if any;
 - f. an assessment of actual or potential hazards to human health or the environment, where this is applicable; and
 - g. estimated quantity and disposition of recovered and unrecovered material that resulted from the incident.

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Notification requirements for releases only apply to releases of a quantity equal or exceeding the reportable quantity listed in HAR Section 11-451.

11. If, for any reason, the permittee does not comply with, or will be unable to comply with, any condition or limitation specified in the permit, the permittee shall notify the DOH verbally within twenty-four (24) hours followed by a written report within fifteen (15) days of the verbal notification. The written report shall contain the following information:
 - a. description and cause of noncompliance;
 - b. period of noncompliance, including exact dates and times; and, if not corrected, the anticipated duration that the noncompliance is expected to continue; and
 - c. steps being taken to prevent recurrence of the noncompliance.

The permittee may be subject to enforcement action by the DOH, penalties, or revocation of this permit.

The use of an electronic fax device for notifications is acceptable. Any data transmission or detailed explanations transmitted shall be accompanied by regular mail submittals. Failure to notify in accordance with this requirement may initiate enforcement action.

12. The DOH may require the permittee to conduct sampling and testing to determine the degree of pollution, if any, from the solid waste facility.
13. Unless the submitted documents and other information secured by the DOH from the permittee contain confidential information, such as secret processes or methods of manufacture, they shall be made available for inspection by the public (HRS 342H-14). The permittee shall be responsible for identifying, in writing, the specific information asserted to be confidential. The DOH shall review the permittee's assertion and determine if confidentiality is indeed warranted.
14. The director may, in accordance with HRS Section 342H-6, enter and inspect the facility for the purpose of (a) investigating an actual or suspected source of solid waste or other pollution; (b) ascertaining compliance or noncompliance with any rule, regulation, permit condition, or standard promulgated by the DOH; and (c) conducting tests in connection therewith (including collecting soil, water, air, ash, and any other material or samples).
15. The permittee shall comply with the following monitoring and record keeping requirements:

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Schnitzer Steel Hawaii Corp.
91-056 Hanua Street
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- a. Upon request, the permittee shall furnish all records (e.g., transaction reports, disposal receipts, sampling, and testing results) and plans required by the DOH. The retention period for all records shall be a minimum of five (5) years; however, there shall be an indefinite retention period for all records associated with any unresolved enforcement action as determined by the DOH.
 - b. The permittee shall retain at the facility or other location designated by this permit, records of all monitoring information (including all calibration and maintenance records and all original recordings of monitoring instrumentation), copies of all reports required by this permit, and records of all data used to complete the application for this permit. The retention period shall be a minimum of five (5) years from the date of the sample, measurement, report, or application unless otherwise specified by DOH rule.
 - c. Records of monitoring information, if applicable, shall include:
 - the date, exact location, and time of sampling or measurements;
 - the person responsible for performing the sampling or measurements;
 - the date(s) analyses were performed;
 - the person responsible for performing the analyses;
 - analytical techniques or methods used; and
 - results of such analyses.
16. If the DOH determines that the permittee has violated or is violating any provision of HRS Chapter 342H, HAR Chapter 11-58.1, or these permit conditions, the DOH may pursue enforcement action in accordance with HRS 342H-7, *Enforcement*; 342H-9, *Penalties*; 342H-10, *Administrative Penalties*; 342H-11, *Injunctive and other relief*, or any other pertinent rules.
 17. If the governor or the director determines that an imminent peril to the public health and safety is, or will be, caused by the disposal of solid waste or any combination of discharges of other waste that requires immediate action, the governor or the director, without a public hearing, may order the permittee to immediately reduce or stop the disposal, discharge, or process, and may take any and all other actions as may be necessary (HRS 342H-8).
 18. Should the permittee decide to continue operation of the solid waste facility beyond the expiration date of the permit, the permittee shall submit a permit renewal application at least one hundred eighty (180) days prior to the date of permit expiration.
 19. Should the permittee decide to terminate the facility operation (or be facing lease termination or eviction), the permittee shall perform necessary closure activities including, but not limited to, the removal of all remaining solid waste and performing appropriate site assessments and remedial activities. Prior to the termination of the operation, the permittee shall also notify the DOH in writing at least within ninety (90) calendar days of the facility's closure [HAR 11-58.1-04(e)(3)]. The written notification

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shall include an updated closure plan, which should accomplish the following objectives:

- a. Provide an assessment of the site's present and future threat to public health and the environment due to contaminants possibly left on-site from the facility's operation.
- b. Provide a plan of action to minimize or mitigate any threats to public health and the environment due to contaminants possibly left on-site by the facility's operation.
- c. Provide a schedule to implement the plan of action.

Upon DOH approval of the closure plan, the permittee shall implement the plan in accordance with the approved implementation schedule.

20. Compliance with this permit does not in any way relieve the owner or operator of the solid waste management facility from compliance with other federal, state, or local laws or regulations including, but not limited to, worker health and safety.

PART II - SPECIAL CONDITIONS**Section A. Operational, Storage, and Facility Controls:**

1. The permittee may process scrap metals for recycling, in accordance with the approved permit application and operations manual received on May 12, 2010, additional information received July 20, 2010, August 10, 2010, May 24, 2011, and approved subsequent submittals.
2. The permittee may:
 - a. Receive, store, and process the following:
 - i. junk vehicles (i.e., accident, unwanted, derelict and/or abandoned vehicles),
 - ii. white goods,
 - iii. light gauge sheet metal,
 - iv. heavy melting steel,
 - v. other recyclable scrap metal, and
 - vi. fish nets.
 - b. Receive and store the following, in accordance with Special Conditions, Item 3:
 - i. batteries, and
 - ii. propane bottles.

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3. Junk vehicles, white goods, and other recyclable scrap metals transported to the facility shall be in accordance with the permittee's Scrap Metal Acceptance Policy submitted as Appendix H of the Operations Manual. Scrap metals shall be free of all but residual amounts of liquids, including, but not limited to, fluids (for example, brake fluid, transmission fluid, antifreeze), oils, petroleum products, and petroleum by-products. Scrap metals that contain prohibited items, or that are not certified in accordance with the Policy, shall not be accepted for storage and processing, except:
 - a. The permittee may accept lead acid batteries that are declared upon acceptance and accepted separately from junk vehicles.
 - b. The permittee may accept propane cylinders that are not considered a hazardous waste, declared upon acceptance, and accepted separately from junk vehicles or other incoming waste.
4. The permittee shall conduct random inspection of loads in accordance with the May 24, 2011 submission. The permittee shall document and maintain findings on the inspection report sheet.
5. The permittee may accept scrap metal covered with contaminated ash (such as H-Power ash). The permittee shall notify the transporter that scrap metal transported to the facility shall be fully containerized or covered to prevent the scattering of ash. The permittee may accept scrap metal with contaminated soil provided that the amount of soil present does not cause a dusting problem. The contaminated scrap shall not be unloaded, processed, or reloaded during windy and/or rainy conditions. Appropriate dust control measures shall be imposed. Stockpiles of contaminated scrap shall only be located on paved surfaces. Scrap metal with contaminated ash shall be processed on the same day that it is received, unless the facility is not processing scrap metal on the day of its receipt. Scrap metal with contaminated ash shall be covered until the facility resumes processing and shall be considered priority when processing resumes.
6. No regulated hazardous waste, in accordance with hazardous waste rules, shall be accepted at this facility.
7. No radioactive wastes shall be accepted at this facility. The facility shall maintain and operate radiation monitors at the scale entrance.
8. No infectious waste, in accordance with HAR Chapter 11-104.1, shall be accepted at this facility.
9. No waste that contains or contained PCBs with concentrations at or above fifty (50) parts per million shall be accepted at the facility.

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10. All incoming material shall be screened to maintain compliance with Special Conditions, Nos. 1 through 9.
11. Should unacceptable material enter the facility (including by-products or contaminants removed during sorting and processing), this material shall be properly stored, managed, and disposed of at appropriate DOH-permitted disposal facilities prior to causing or creating a nuisance condition, health, safety, or environmental hazard. If any of this waste or waste generated at the facility is determined to be hazardous, the waste should be properly managed and disposed of in accordance with hazardous waste rules.
12. The accepted material shall be processed and managed in accordance with the Operations Manual and additional information received May 24, 2011, unless otherwise specified in the permit conditions. Accepted material shall be processed as soon as practicable to prevent a litter, fire, vector, or nuisance situation.
13. Except when there are shipping interruptions due to port closures, the maximum on-site storage shall be limited to areas shown in the Plot Plan of the Operations Manual and the following capacity limits:
 - a. 3,000 tons of raw shreddable material,
 - b. 30,000 tons of shredded ferrous metals,
 - c. 600 tons of shredded non-ferrous metals, and
 - d. 15,000 tons of heavy melting steel.

In the event of a shipping interruption due to a port closure, the permittee shall notify the DOH of such event following the procedures specified in Standard Condition No. 11.

14. The maximum on-site storage capacity for fishing nets is thirty (30) tons, or approximately two (2) 40-foot containers. The permittee may process fish nets and shall transport fish nets to a permitted solid waste management facility allowed and willing to accept the fish nets within sixty (60) days.
15. The maximum on-site storage capacity of batteries is one hundred fifty (150) units. The permittee shall comply with the disposal, collection, and recycling requirements specified under HRS 342I *Lead Acid Battery Recycling*, and HAR 11-273, Universal Waste. Batteries shall be stored in a covered storage area on an impervious surface with berms/catch pans, and placed in an enclosed container at the end of each day. Releases that occur shall be removed immediately and disposed of accordingly. Cracked or leaking batteries must be managed as hazardous waste, in accordance with applicable hazardous waste rules. Batteries that are intact shall be transported to authorized facilities identified in HRS 342I and HAR 11-273.

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16. The maximum on-site storage capacity of propane cylinders is seventy-five (75) units. No decommissioning or processing of propane-containing cylinders shall occur. The permittee shall transport the cylinders to a permitted solid waste management facility allowed and willing to accept the cylinders within sixty (60) days. After the cylinders have been decommissioned, they may be reaccepted at the site for processing.
17. Storage of unprocessed and processed material shall be done in a safe and nuisance free manner and in accordance with the operations manual and these permit conditions. Stockpiles shall be stable and shall not be allowed to spill or overflow onto adjacent properties, or cause any damage to existing containment/retaining structures.
18. ASR shall be removed from the facility at least once per week to minimize the duration and quantity of on-site storage. The maximum on-site storage of ASR shall be limited to two hundred (200) tons. The permittee shall install, maintain, and operate a water suppression system on the ASR stockpile. The water suppression system shall be operated on an hourly basis. The DOH may require more frequent use of the water suppression system for dust control. The permittee shall require that trucking firms hired to remove the ASR shall cause it to be fully containerized or covered to prevent the scattering of the ASR as they leave the facility. Appropriate controls shall be instituted and implemented to prevent the scattering of dust during loading of ASR.
19. Adequate measures shall be taken to prevent fluids and spills from being discharged or allowed to enter into sewers, drainage systems, surface or groundwater, water courses, marine waters, or onto the ground. Measures include the use of structural catchment systems, or absorbent materials.
20. Adequate drainage, measures, or operational controls shall be provided to prevent standing water from accumulating inside the facility. Any discharges from the site shall be in accordance with applicable federal, state, and local laws and regulations.
21. Suitable means shall be provided to prevent and control fires, and shall comply with the Emergency Action Plan received May 12, 2010. Access lanes shall be provided to allow for fire response or vector control, as needed.
22. The facility shall be supervised, secured by gates, fences, or other measures to control unauthorized access to the facility.
23. The facility shall have a permanent sign identifying the facility, hours of operation, and a contact in case of emergencies. The sign shall be readable, weather proof, and placed in conspicuous areas accessed by outside contractors and haulers.

PERMITTEE:

Schnitzer Steel Hawaii Corp.
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24. Appropriate engineering controls shall be instituted and implemented to prevent the scattering of dust, litter and other solid wastes, and to provide adequate drainage of rainwater for the site and surrounding areas.
25. Suitable means shall be employed to control nuisances and minimize dust, odors and vectors (such as rodents and insects). The facility shall maintain a neat and orderly appearance and must be screened and buffered to minimize nuisances to neighboring properties.
26. Any illegal dumping, especially of putrescible or combustible material, shall be removed immediately to DOH-permitted waste management facilities.
27. Removal of materials from the facility shall not be allowed without the prior approval of the permittee.
28. If contamination of the environment resulting from the processing or storage of scrap metals is detected, the permittee shall take appropriate measures to assess and mitigate the contamination.

Section B. Management of Processed Waste Materials and Residuals:

29. Processed materials shall be transported to DOH-permitted recycling facilities, out-of-state recycling facilities, or end markets. If processed materials will no longer be accepted by these recycling facilities or end-markets, then no associated incoming waste stream shall be accepted.
30. Non-recyclable materials shall be characterized, stored, and managed in accordance with hazardous waste rules, as applicable.
31. Non-hazardous, non-recyclable materials (waste materials and residuals) shall be properly disposed of at a DOH-permitted solid waste disposal facility or out-of-state disposal facilities, unless the permittee obtains written DOH approval to recycle or reuse the waste.
32. The permittee shall obtain DOH approval, in writing, prior to recycling or reusing ASR. At a minimum, the permittee's request shall include a description of the proposal and an assessment of human health and ecological impacts. The DOH may request additional information to evaluate the proposal.
33. Prior to January 31, 2012, the permittee shall submit a written update to the operations plan, identifying the intended location/method for disposing and/or beneficially using non-hazardous, non-recyclable materials (waste materials and residuals). The update shall also include written authorization from the receiving facilities. If the permittee intends to recycle or beneficially use the materials, the

PERMITTEE:
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permittee shall obtain the DOH's approval, in accordance with Special Conditions, Item 32, prior to the January 31, 2012 deadline.

Section C. Record Keeping and Reporting Requirements:

34. In addition to requirements in Standard Condition No. 15, records of screening and all transactions shall be kept a minimum of five years. Copies shall be made available to the DOH for its use upon request. Information shall include, but is not limited to:
- a. Description of materials received, date of receipt, quantity received, and acceptance screening determination.
 - b. Type and quantity of material processed on a monthly basis.
 - c. Quantity of ASR generated on a monthly basis.
 - d. Date, quantity, and description of final disposition of waste streams.
 - e. Disposal and/or transaction receipt.
35. An annual report shall be prepared and submitted to the DOH reviewing the past fiscal year's (July 1 to June 30) operations, detailing:
- a. Total tonnage of each type of material received, processed, rejected, recycled, and disposed.
 - b. Total tonnage of ASR generated.
 - c. Destination of each type of material/waste leaving the site.
 - d. A summary of incidents outside of normal operations.

Reports shall be submitted to the following address by July 31 of each year.

Department of Health
Environmental Management Division
Solid and Hazardous Waste Branch
P.O. Box 3378
Honolulu, Hawaii 96801

36. The permittee shall notify the DOH, in writing, of any operational changes (i.e., use of different processing equipment, environmental controls, storage capacity, etc.). A revised operations manual reflecting these changes shall be submitted for the DOH's review and approval prior to implementation. Depending on the extent of the proposed changes, a modification to this permit may be required.

BEFORE THE PLANNING COMMISSION
OF THE CITY AND COUNTY OF HONOLULU

STATE OF HAWAII

In the Matter of the Application of

DEPARTMENT OF ENVIRONMENTAL
SERVICES, CITY AND COUNTY OF
HONOLULU

FILE NO. 2008/SUP-2
LUC DOCKET NO. SP09-403

CERTIFICATE OF SERVICE

To Modify SUP No. 2008/SUP-2 by
Modifying the State Land Use Commission's
Order Adopting the City and County of
Honolulu Planning Commission's Findings of
Fact, Conclusions of Law, and Decision and
Order with Modifications, Dated October 22,
2009

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document was duly served upon the parties identified below by hand delivery on the date set forth below:

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MAILE SHIMABUKURO

DATED: Honolulu, Hawaii, December 13, 2011.



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