RECEIVED

CARLSMITH BALL LLP

5597 IAN L. SANDISON DEAN H. ROBB 4594

ARSIMA A. MULLER

8631 American Savings Bank Tower 1001 Bishop Street, Suite 2200 Honolulu, Hawaii 96813

12 MAY 23 P2:58

DEPT OF PLANNING AND PERMITTING CITY & COUNTY OF HONGLU

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

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

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

INTERVENOR SCHNITZER STEEL HAWAII CORP.'S STATEMENT OF POSITION ON INTERVENORS KO OLINA COMMUNITY ASSOCIATION AND MAILE SHIMABUKURO'S MOTION TO REOPEN THE CONTESTED CASE HEARING TO ADMIT LIMITED DOCUMENTARY EVIDENCE TO CORRECT AN ERROR THAT WAS DISCOVERED AFTER THE HEARING CLOSED

INTERVENOR SCHNITZER STEEL HAWAII CORP.'S STATEMENT OF POSITION ON KO OLINA COMMUNITY ASSOCIATION AND MAILE SHIMABUKURO'S MOTION TO REOPEN THE CONTESTED CASE HEARING TO ADMIT LIMITED ADDITIONAL DOCUMENTARY EVIDENCE TO CORRECT AN ERROR THAT WAS DISCOVERED AFTER THE HEARING CLOSED

COMES NOW, Intervenor Schnitzer Steel Hawaii Corp. ("Schnitzer"), by and through its attorneys, Carlsmith Ball LLP, and hereby states that it takes no position on Intervenors Ko Olina Community Association and Mail Shimabukuro's Motion to Reopen the Contested Case

Hearing to Admit Limited Additional Documentary Evidence to Correct an Error that was Discovered After the Hearing Closed, filed herein on April 27, 2012. Schnitzer requests the opportunity to review, prior to submittal to the Planning Commission, any order entered with respect to said Motion.

DATED:

Honolulu, Hawaii, May 23, 2012.

IAN L. SANDISON

DEAN H. ROBB

ARSIMA A. MULLER

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

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

CERTIFICATE OF SERVICE

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:

DEPARTMENT OF PLANNING AND PERMITTING City and County of Honolulu 650 South King Steet, 7th Floor Honolulu, Hawaii 96813

ROBERT C. GODBEY
Corporation Counsel
DANA VIOLA
R. 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

CALVERT G. CHIPCHASE CHRISTOPER T. GOODIN Cades Schutte LLP Cades Schutte Building 1000 Bishop Street, Suite 1200 Honolulu, Hawaii 96813

Attorney for Intervenors KO OLINA COMMUNITY ASSOCIATION and MAILE SHIMABUKURO

DATED:

Honolulu, Hawaii, May 23, 2012.

ÍAN L. SANDISON DEAN H. ROBB

ARSIMA A. MULLER

Attorneys for Petitioner SCHNITZER STEEL HAWAII CORP.