

DEPARTMENT OF ENVIRONMENTAL SERVICES
CITY AND COUNTY OF HONOLULU

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DIRECTOR

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DEPUTY DIRECTOR

IN REPLY REFER TO:
RH 22-021

January 12, 2023

RETURN RECEIPT REQUESTED

7018 0680 0001 2352 1664

Mr. Dan Giovanni, Chair
Land Use Commission
Department of Business, Economic Development & Tourism
State of Hawaii
235 South Beretania Street, Room 406
Honolulu, Hawaii 96813

RETURN RECEIPT REQUESTED

7018 0680 0001 2352 1671

Mr. Brian Lee, Chair
Planning Commission
c/o Department of Planning and Permitting
City and County of Honolulu
650 South King Street, 7th Floor
Honolulu, Hawaii 96813

Dear Messrs. Giovanni and Lee:

SUBJECT: Docket No. SP09-403, New Special Use Permit
Waimanalo Gulch Sanitary Landfill

In accordance with the November 1, 2019, State Land Use Commission Order Approving with Modifications the City and County of Honolulu Planning Commission's Recommendation to Approve Special Use Permit, the attached Sixth Semi-Annual Report is submitted for your information. This report covers the period from May 1, 2022 through October 31, 2022, unless otherwise stated in the report.

The report is being concurrently submitted to the Planning Commission and Land Use Commission.

Sincerely,

A handwritten signature in black ink that reads "Roger Babcock Jr.".

Roger Babcock, Jr., Ph.D., P.E.
Director

Attachment

cc: Jeffrey Hu - COR

23 JAN 19 P4:51

LAND USE COMMISSION
STATE OF HAWAII

23 JAN 19 P4:51

SIXTH SEMI-ANNUAL REPORT

**STATUS OF ACTIONS TAKEN TO COMPLY WITH THE STATE LAND USE
COMMISSION'S ORDER DATED NOVEMBER 1, 2019
AND
STATUS OF OPERATIONS
WAIMANALO GULCH SANITARY LANDFILL**

Prepared For:

**Land Use Commission
State of Hawaii**

**Planning Commission
City and County of Honolulu**

Prepared By:

**Department of Environmental Services
City and County of Honolulu**

January 2023

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PREFACE

This report was prepared in accordance with the State of Hawaii Land Use Commission's ("LUC") Order Approving With Modifications the City and County of Honolulu Planning Commission's Recommendations to Approve a Special Use Permit, dated November 1, 2019 ("LUC Order"). A copy of the LUC Order is available on the LUC's website at <https://luc.hawaii.gov/wp-content/uploads/2019/11/SP09-403-final-FOFCOLDO-2019.pdf>.

Under Condition No. 7 of the LUC Order, the Applicant (Department of Environmental Services, City and County of Honolulu, hereinafter "ENV") shall provide semi-annual reports to the Planning Commission of the City and County of Honolulu ("Planning Commission") and the LUC regarding the following:

- a) The status of the efforts to identify and develop a new landfill site on Oahu,
- b) The Waimanalo Gulch Sanitary Landfill's ("WGSL") operations, including gas monitoring,
- c) ENV's compliance with the conditions imposed herein,
- d) The WGSL's compliance with its Solid Waste Management Permit issued by the Department of Health and all applicable federal and state statutes, rules and regulations, including any notice of violation and enforcement actions regarding the WGSL,
- e) The City's efforts to use alternative technologies,
- f) The extent to which waste is being diverted from the WGSL and
- g) Any funding arrangements that are being considered by the Honolulu City Council or the City Administration for activities that would further divert waste from the WGSL.

This is the sixth semi-annual report submitted in accordance with Condition No. 7 and covers the period from May 1, 2022 through October 31, 2022, or as otherwise stated.

STATUS OF IDENTIFYING AND DEVELOPING NEW LANDFILL SITES ON OAHU

1. General

Condition No. 5 of the LUC Order requires that, by no later than December 31, 2022, ENV shall identify an alternative landfill site that may be used upon closure of WGS�. Upon identification of the alternative landfill site, ENV shall provide written notice to the Planning Commission and the LUC.

2. Current Status

The City has been engaged in an ongoing effort to identify a landfill site. Condition 4 of the prior LUC Order in Docket No. SP09-403, which was certified on October 22, 2009 (“2009 LUC Order”), stated:

“On or before November 1, 2010, the Applicant shall begin to identify and develop one or more new landfill sites that shall either replace or supplement the WGS�.”

In accordance with Condition 4 of the 2009 LUC Order, Mayor’s Advisory Committee on Landfill Site Selection (“MACLSS”) met in 2011 and 2012, and completed its final report on September 25, 2012. All committee meetings were open to the public and to public comment. In the final report, 11 potential sites were identified and ranked based on community criteria. Handouts provided to the MACLSS, the Group Memory of each meeting, and the final report are posted online at www.honolulu.gov/opala.

The City retained a consultant to further review and analyze the sites based on technical and engineering considerations. The report, “Assessment of Municipal Solid Waste Handling Requirements for the Island of Oahu”, was completed in November 2017 and is available online at www.honolulu.gov/opala.

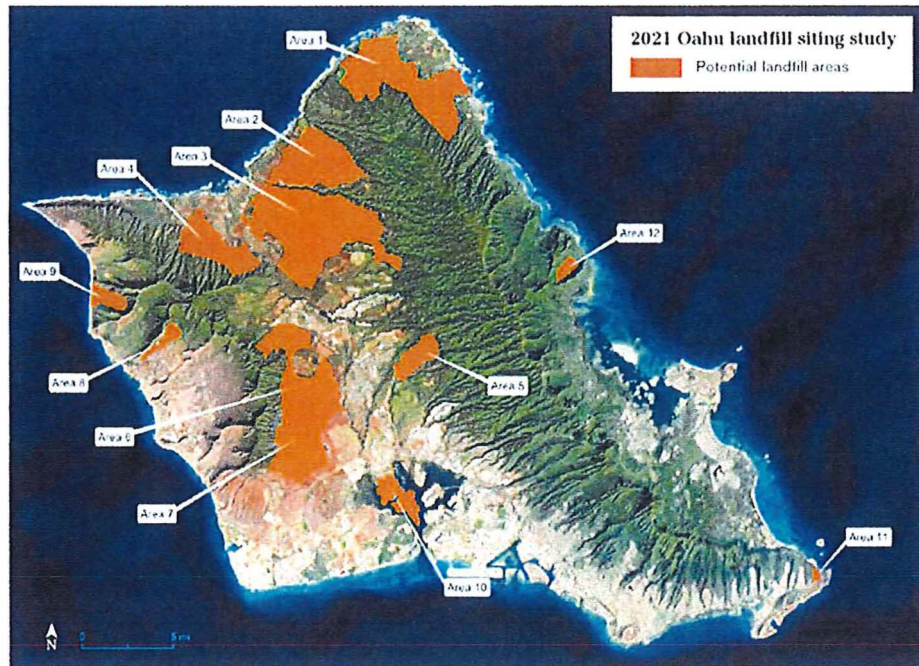
The passage of Act 73 (2020) prohibits the construction, modification, or expansion of waste disposal facilities without first establishing a buffer zone of no less than one-half mile around the waste or disposal facility. Although not required, the active area of WGS� is in compliance with this requirement.

An initial review of the available sites in Fall 2020 reduced the number of potential future landfill sites to four (Keaau, Upland Kahuku 1 and Upland Pupukeya 1 and 2) based on sites short-listed in the 2017 landfill siting report. However, additional review in January 2021 determined that a more thorough review and evaluation of new locations island-wide with respect to Act 73 is warranted.

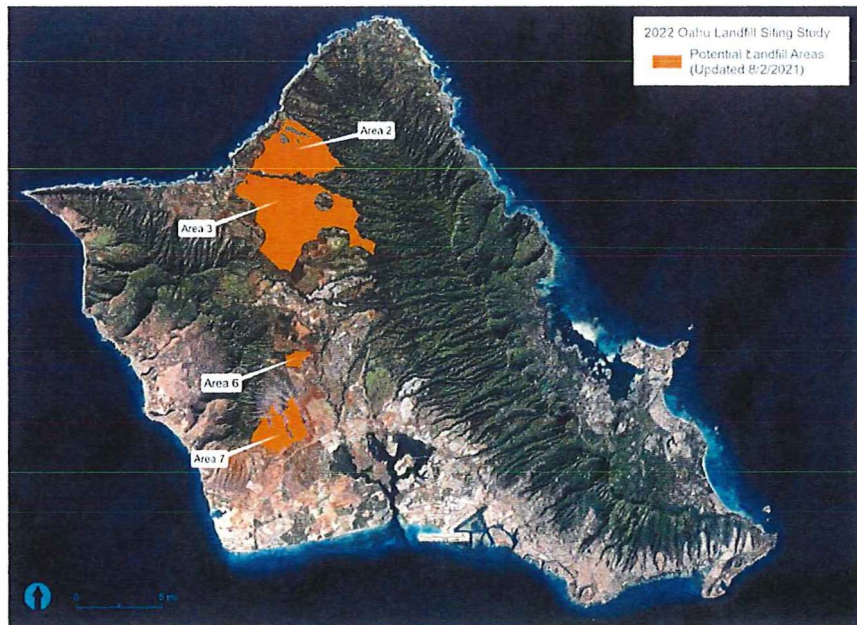
On April 27, 2021, ENV presented an update on integrated solid waste management and progress towards a future landfill site at a joint City Council committee

meeting. ENV shared a preliminary map showing areas compliant with Act 73 where a landfill could potentially be located. The consultant further refined the areas with respect to Act 73 and other constraints.

PROGRESS TOWARD FUTURE LANDFILL SITE



On August 26, 2021, ENV presented a landfill siting update to joint City Council committee. ENV shared a further refined map of areas where a landfill could potentially be located.



On August 27, 2021, ENV launched a new landfill siting website containing an interactive map tool, resident survey and questions and answers.

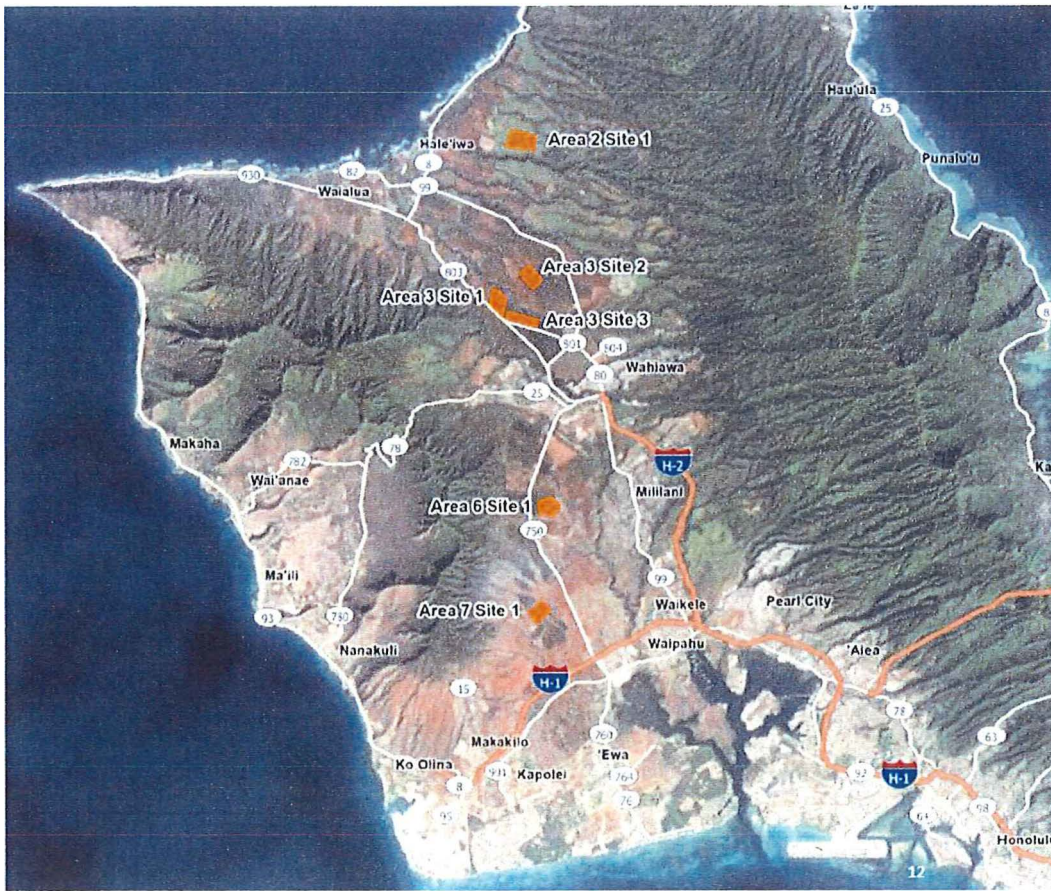


On September 24, 2021, Mayor Rick Blangiardi appointed nine members to the Landfill Advisory Committee (“LAC”), which was established in accordance with Section 4-103 of the Revised Charter of the City and County of Honolulu 1973 (2017 edition), as revised.

The LAC’s inaugural meeting was held on October 4, 2021. A total of eight meetings were conducted with the last meeting held on June 6, 2022. The LAC evaluated and scored six proposed landfill sites shown below. The scores were used to produce the site ranking, but the committee recommended that none of the sites are suitable due to their proximity to the drinking water aquifer (i.e., in the Board of Water Supply’s “No Pass Zone”). The LAC report has been finalized.

On October 24, 2022, ENV briefed the board members of the Honolulu Board of Water Supply (“BWS”) about the status of the landfill site selection, the urgency of the City’s need to identify an alternative landfill site by December 31, 2022, and the LAC’s reservations relating to the six proposed sites because of their location in the BWS No Pass Zone. ENV sought clarity on BWS’ legal authority over landfill siting in the No Pass Zone; asked whether that authority was exercised; and if not exercised, when the City should seek such a determination from the BWS. The BWS Board did not provide a response to ENV’s inquiry at the informational briefing.

As of the close of the reporting period of this report, the City continued to communicate with the BWS about the six proposed landfill sites.



To learn more about the LAC or view the report, the public should visit www.honolulu.gov/opala/newlandfill. ENV is continuing to periodically update the City Council and Neighborhood Boards.

3. District Boundary Amendment

In 2020, ENV began preparing an application for a District Boundary Amendment (DBA) to change the zoning of the WGS site from Agricultural to Urban. ENV also began the environmental review process for the DBA. The EIS and DBA application are not being pursued at this time pending further development of landfill siting activities.

STATUS OF LANDFILL OPERATIONS

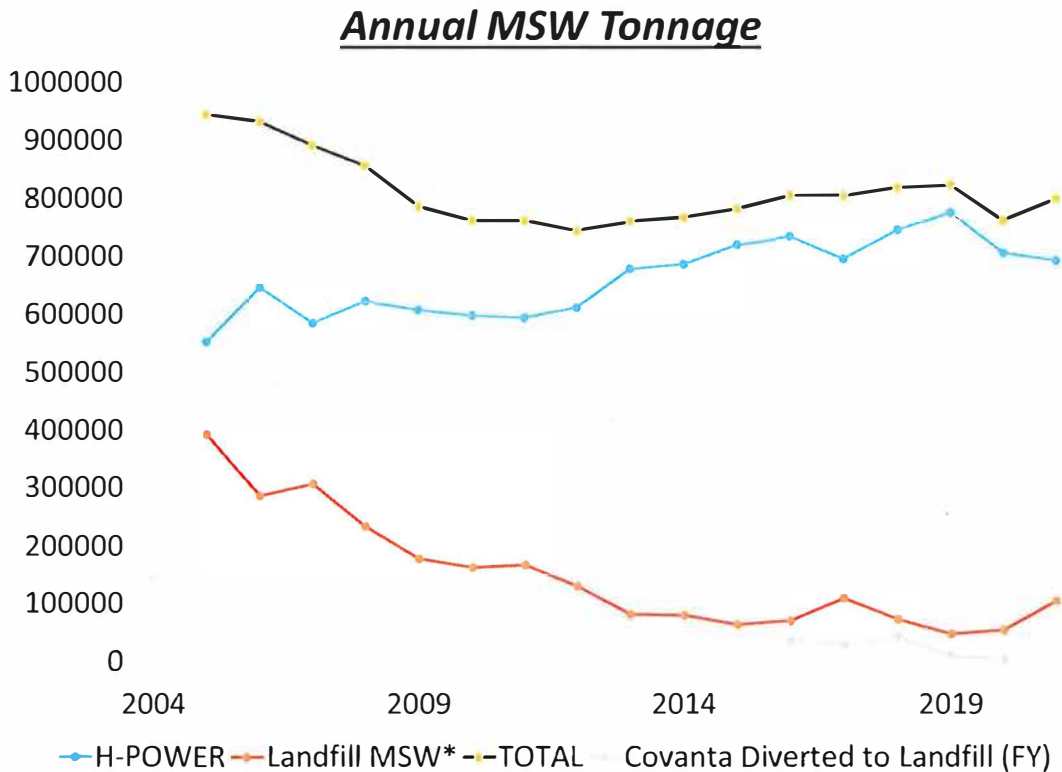
1. Tonnage

Over the period beginning May 1, 2022 through October 31, 2022, the WGSL received the following amounts of material:

H-POWER Ash.....	74,147 tons
H-POWER Residue.....	27 tons
Municipal Solid Waste (MSW).....	38,821 tons

During the reporting period, H-POWER combusted its process residue as part of a trial project. This project is discussed in the Source Reduction, Alternative Technologies and Landfill Diversion section of this report.

The following graph illustrates the reduction of MSW delivered to WGSL (red line) generally as a result of source reduction and diverting more waste from the landfill to H-POWER (blue line). The total MSW (black line) reflects the MSW reduction during the Great Recession that began in 2008, a slow but steady economic recovery and another MSW reduction during the COVID-19 pandemic that began in 2019. Slightly higher landfill tonnages in 2017 and 2021 were due to facility refurbishment projects and major turbine-generator maintenance. For 2022, about 60,000 tons MSW to landfill is expected.



Future planned improvement projects including a second dump condenser are intended to further reduce the amount of MSW diverted to WGSL during H-POWER maintenance outages.

2. Remaining Capacity

As of March 30, 2022 (the date of the last aerial survey), WGSL has 4,331,945 cubic yards of airspace remaining. Using the average fill rates and airspace utilization between March 27, 2021 and March 30, 2022 (time between surveys), WGSL has approximately 15 years of combined MSW and ash life remaining or could reach capacity in late 2036. This estimate does not consider the impact from PVT Landfill's potential closure within the next eight years. In addition, this estimate does not consider advances in technology and additional landfill diversion, discussed further in this report, which could reduce the City's use of WGSL, thereby slowing the rate of landfilling and delaying the date upon which it will reach capacity. The March 2022 survey data was reported to DOH in the annual operating report dated July 28, 2022. The next aerial survey will be conducted in Spring 2023. The data will be compiled and the results will be reported to DOH in the next annual operating report due July 31, 2023.

3. Current Status of WGSL

Activities conducted during the reporting period include MSW landfilling in Cells E-5, E-6, E-7 and E-8 and ash landfilling in Cells E-8 and E-9.

4. Impact of Potential PVT Landfill Closure

PVT Landfill informed haulers that due to the passage of Act 73, PVT would no longer be an option for disposal of asbestos containing material ("ACM") after January 1, 2021. To provide an on-island option for ACM, WGSL began accepting ACM on January 6, 2021.

With PVT unable to proceed with their planned expansion, they are expecting to close within the next eight years according to a recent interview with Spectrum News. The City is gathering information to draft legislation for C&D waste recycling. The City is also working with Covanta to apply for permit modifications for H-POWER to be able to accept the wood or combustible fraction. In addition, Chapter 9 of the Revised Ordinances of Honolulu should be amended to include fees that reflect the actual cost of disposal and special handling required for asbestos and other special wastes.

5. Gas Monitoring

The gas collection and recovery system at WGS� continues to expand to accommodate landfilling operations while maintaining compliance. New air compliance regulations went into effect September 2021, which require additional monitoring around gas wells and surface emissions monitoring. The landfill is maintaining compliance with the new regulations.

COMPLIANCE WITH CONDITIONS OF ORDER

The LUC approved with modifications the Planning Commission’s recommendations to approve a special use permit for WGSL and approved with modifications ENV’s applications, subject to 17 conditions. The general description and status of each condition is as follows:

Condition No.	Description
1	<p>The WGSL shall close by no later than March 2, 2028. The WGSL shall not accept any form of waste after March 2, 2028.</p> <p><u>Status:</u> So noted</p>
2	<p>The Applicant shall obtain all necessary approvals from the State Department of Health, Department of Transportation, Commission on Water Resources Management, and Board of Water Supply for all onsite and offsite improvements involving access, storm drainage, leachate control, water, well construction, and wastewater disposal.</p> <p><u>Status:</u> All applicable permits/approvals have been obtained.</p>
3	<p>In accordance with Chapter 11-60.1 “Air Pollution Control,” Hawaii Administrative Rules, the Applicant shall be responsible for ensuring that effective dust control measures during all phases of development, construction, and operation of the landfill expansion are provided to minimize or prevent any visible dust emission from impacting surrounding areas. The Applicant shall develop a dust control management plan that identifies and addresses all activities that have a potential to generate fugitive dust.</p> <p><u>Status:</u> Dust control measures and management plan have been provided for as part of the Solid Waste Management Permit issued by the DOH.</p>
4	<p>The City and County of Honolulu shall indemnify and hold harmless the State of Hawaii and all of its agencies and/or employees for any lawsuit or legal action relating to any groundwater contamination and noise and odor pollution relative to the operation of the landfill.</p> <p><u>Status:</u> So noted.</p>
5	<p>By no later than December 31, 2022, the Applicant shall identify an alternative landfill site that may be used upon closure of WGSL. Upon identification of the alternative landfill site, the Applicant shall provide written notice to the Planning Commission and the LUC.</p> <p><u>Status:</u> See section on Status of Identifying and Developing New Landfill Sites on Oahu in this report.</p>

Condition No.	Description
6	<p>The Applicant shall continue its efforts to use alternative technologies to provide a comprehensive waste stream management program that includes H-POWER, plasma arc, plasma gasification and recycling technologies, as appropriate. The Applicant shall also continue its efforts to seek beneficial reuse of stabilized, dewatered sewage sludge.</p> <p><u>Status:</u> See section on Alternative Technologies in this report.</p>
7	<p>The Applicant shall provide semi-annual reports to the Planning Commission and the LUC regarding the following: a) The status of the efforts to identify and develop a new landfill site on Oahu, b) The WGSL’s operations, including gas monitoring, c) The Applicant’s compliance with the conditions imposed herein, d) The Landfill’s compliance with its Solid Waste Management Permit issued by the Department of Health and all applicable federal and state statutes, rules and regulations, including any notice of violation and enforcement actions regarding the landfill, e) The City’s efforts to use alternative technologies, f) The extent to which waste is being diverted from the landfill and g) Any funding arrangements that are being considered by the Honolulu City Council or the City Administration for activities that would further divert waste from the landfill.</p> <p><u>Status:</u> Each year reports will be submitted to cover the six-month periods of November through April, and May through October.</p>
8	<p>Closure Sequence “A” for the existing landfill cells at WGSL as shown on Exhibit “A12” must be completed, and final cover applied, by December 31, 2012.</p> <p><u>Status:</u> Closure Sequence “A” was commenced in June 2012 and the final cover was applied and substantially completed in December 2012.</p>
9	<p>WGSL shall be operational only between the hours of 7:00 a.m. and 4:30 p.m. daily, except that ash and residue may be accepted at the Property 24 hours a day.</p> <p><u>Status:</u> The Solid Waste Management Permit issued by DOH requires that landfill operations be confined to between the hours of 7:00 a.m. and 4:30 p.m. with the exception of H-POWER ash, which can be received 24 hours a day. Permission to extend hours to accommodate refuse loads during H-POWER outages shall be obtained from DOH on an as-needed basis.</p>

Condition No.	Description
10	<p>The Applicant shall coordinate construction of the landfill cells in the expansion area and operation of WGS� with Hawaiian Electric Company (HECO), with respect to required separation of landfill grade at all times and any accessory uses from overhead electrical power lines.</p> <p><u>Status:</u> Coordination with HECO will be done to ensure that landfill construction and operations are adequately separated from overhead electrical power lines.</p>
11	<p>The operations of the WGS� under 2008/SUP-2 (SP09-403) shall be in compliance with the requirements of Section 21-5.680 of the Revised Ordinances of the City and County of Honolulu 1990, to the extent applicable, and any and all applicable rules and regulation of the State Department of Health.</p> <p><u>Status:</u> Revised Ordinances of Honolulu § 21-5.680 is inapplicable to the WGS� as that Property is a public use and said ordinance therefore does not impact operations at WGS�. The operations of the WGS� are in compliance with any and all applicable rules and regulations of the DOH.</p>
12	<p>The Planning Commission may at any time impose additional conditions when it becomes apparent that a modification is necessary and appropriate.</p> <p><u>Status:</u> So noted.</p>
13	<p>Enforcement of the conditions to the Planning Commission’s approval of 2008/SUP-2 (SP09-403) shall be pursuant to the Rules of the Planning Commission, including the issuance of an order to show cause why 2008/SUP-2 (SP09-403) should not be revoked if the Planning Commission has reason to believe that there has been a failure to perform the conditions imposed herein by this Decision and Order.</p> <p><u>Status:</u> So noted.</p>
14	<p>The Applicant shall notify the Planning Commission and Land Use Commission of termination of the use of the Property as a landfill for appropriate action or disposition of 2008/SUP-2 (SP09-403).</p> <p><u>Status:</u> Respective notifications will be made prior to termination of the use of the property as a landfill.</p>

Condition No.	Description
15	<p>The Applicant shall report to the public every three months on the efforts of the City Council and the City Administration in regard to the continued use of the WGSL, including any funding arrangements being considered by the City Council and the City Administration.</p> <p><u>Status:</u> See Condition No. 16 Status.</p>
16	<p>The Applicant shall have a public hearing every three months in either Waianae, Maili, or Nanakuli to report on the status of their efforts to either reduce or continue the use of the WGSL.</p> <p><u>Status:</u> In accordance with the LUC Order dated November 1, 2019 , ENV identified a site in Nanakuli for the public hearings it holds every 3 months to report on the status of efforts to either reduce or continue the use of the WGSL and the efforts of the City Council and City Administration in regard to the continued use of the WGSL, including any funding arrangements being considered by the City Council and the City Administration.</p> <p>ENV publishes public notice of the public hearings in the newspaper and posts notice on www.honolulu.gov/opala. Summaries of the hearings are posted online at www.honolulu.gov/opala.</p> <p>During the reporting period, two public hearings were held at the Kalaniana'ole Beach Park in Nanakuli on August 2, 2022 and October 18, 2022. A total of four members of the public attended the hearings.</p>
17	<p>If the landfill releases waste or leachate, the Applicant must immediately a) notify the surrounding community, including the Makakilo/Kapolei/Honokai Hale, Waianae Coast and Nanakuli-Maili Neighborhood Boards, Intervenors Schnitzer Steel Hawaii Corp., Ko Olina Community Association, Maile Shimabukuro and Colleen Hanabusa and b) take remedial actions to clean up the waste and to keep the waste from spreading. Such remedial actions shall include, but shall not be limited to, placing debris barriers and booms at the landfill's shoreline outfall to prevent waste from spreading into the ocean.</p> <p><u>Status:</u> So noted.</p>

REGULATORY COMPLIANCE

1. Solid Waste Permit

The final solid waste permit for the proposed lateral expansion was approved by the DOH on June 4, 2010. A permit renewal application was submitted on a timely basis to DOH in May 2014. In accordance with Hawaii Revised Statutes § 343H-4(e) and Hawaii Administrative Rules §11-58.1-04(3), WGSL is legally continuing operations under the conditions of the previous permit and the current operations plan submitted to DOH. A permit renewal public notice was posted on November 14, 2022. New cell construction and drainage improvements are complete.

2. Consent Decree

In 2019, the City and Waste Management of Hawaii (“WMH”), the WGSL operator, reached a settlement with the U.S. Environmental Protection Agency (“EPA”) and DOH over alleged violations of the Clean Water Act and State law. The alleged violations arose primarily from storm events that occurred in the winter of 2010-2011, during construction of the WGSL’s western diversion drainage system. The EPA and DOH alleged that following the large rain storms the City and WMH violated the Clean Water Act by discharging pollutants without National Pollutant Discharge Elimination System Permit authorization and by discharging pollutants in storm water in violation of the terms of the Notice of General Permit Coverage for Industrial Stormwater issued to the City.

On July 3, 2019, the U.S. District Court for the District of Hawaii entered the consent decree in United States of America and State of Hawaii Department of Health v. Waste Management of Hawaii, Inc. and City and County of Honolulu, Case No. 1:19-cv-00224.

In accordance with the consent decree, the City paid a civil penalty of \$62,500 to the United States and \$62,500 in lieu of a civil penalty to the state Department of Land and Natural Resources Division of Aquatic Resources. Similarly, WMH paid \$150,000 to each entity.

Also in accordance with the consent decree, the City and WMH implemented enhancements to WGSL’s western diversion drainage system, revised the facility’s stormwater pollution control plan, and applied for an individual stormwater permit for WGSL. A public notice for the permit is planned to be posted on December 15, 2022. The City and WMH continue to comply with the detention basin operating and monitoring parameters set forth in the consent decree.

SOURCE REDUCTION, ALTERNATIVE TECHNOLOGIES AND LANDFILL DIVERSION

1. Source Reduction

Source reduction is the highest priority among the solid waste management practices and processing methods for the State. The City's source reduction efforts currently focus on providing public education to increase awareness of existing source reduction resources and encourage residents and businesses to prevent waste at the source.

- a. Plastic Bag Ordinances – Since July 1, 2015, businesses are prohibited from providing plastic checkout bags and non-recyclable paper bags to their customers at the point of sale. Per Ordinance 12-8, amended by Ordinance 14-29, ENV is responsible for implementing and enforcing the ban. All information pertaining to the ban is posted online on www.honolulu.gov/opala. Businesses are required to submit annual compliance information to verify their compliance with the ban. The ban was amended by Ordinance 17-37 to require businesses to charge a minimum of 15 cents for each reusable, recyclable paper or compostable bag provided to customers at the point of sale, effective July 1, 2018. Beginning January 1, 2020, compostable bags were banned, and plastic film bags were no longer considered to be reusable bags. The ban was further amended by Ordinance 19-30 by changing the definition of “plastic” and amending the definitions for “plastic checkout bag” and “plastic film bag” as well as revising the exemptions list, effective April 1, 2020.
- b. Disposable Food Ware Ordinance – The intent of Ordinance 19-30, commonly referred to as the Disposable Food Ware Ordinance (“DFWO”), is to protect human safety and welfare, and to improve environmental quality on the island, in the neighboring marine environment, and globally. The DFWO affects all food vendors and businesses operating within the City by amending the Oahu Plastic Bag Ban and restricting the use and sale of polystyrene foam food ware, disposable plastic food ware and disposable plastic service ware. The DFWO also prescribes when disposable service ware may be provided. Inspections for compliance with Ordinance 19-30 began in June 2021. On June 25, 2021, the City suspended the restrictions on disposable plastic service ware and polystyrene foam food ware contained in Section 41-27.2(b) and (d), Revised Ordinances of Honolulu, in an effort to promote and protect the public health, safety, and welfare of the residents of the City, and to provide relief from the economic impact directly and indirectly caused by COVID-19. Subsequently on December 10, 2021, Sections 41-27.2(a) and (c) and Section 41-27.4 were suspended to alleviate the economic hardship and inequity caused by the COVID-19 emergency and emergency actions that were taken to implement public health best practices, and the supply chain challenges caused by global shipping delays. The suspension of

Sections 41-27.2 and 41-27.4 continued through March 5, 2022. On March 3, 2022, ENV granted an exemption request by Chamber of Commerce Hawaii, Hawaii Restaurant Association, Retail Merchants of Hawaii, and Hawaii Food Industry Association, for the use of disposable plastic food ware. The exemption will run through September 5, 2022.

- c. Source Reduction Working Group (SRWG) - In accordance with the Integrated Solid Waste Management Plan, ENV will convene a Source Reduction Working Group (SRWG) to determine the topics of interest related to source reduction and the initiatives that can be pursued by the City and other groups to encourage source reduction. ENV has a contractor on board for facilitation of the group and is formulating the plan for the group. A start in Spring of 2023 is anticipated. ENV will be reaching out to nonprofit groups and other potentially interested parties to determine interest in participation. Extended producer responsibility (EPR) and packaging will be major focus points. ENV will provide updates on the SRWG in future public hearings and reports.

2. H-POWER

The H-POWER waste-to-energy facility, operated by Covanta, continues to process over 750,000 tons of municipal solid waste each year. The facility has operated reliably for over 30 years and has disposed of about 20,000,000 tons of municipal solid waste, generating in excess of \$20,000,000 annual net revenues from the sale of electricity, recovered metals and tipping fees, and avoided the importation of about 20,000,000 barrels of oil. The original refuse-derived fuel ("RDF") facility was upgraded with state of the art air pollution control equipment (fabric filter bag houses) in 2009 and refurbishment of major equipment such as boiler water walls, shredders, and magnets has been ongoing since 2010.

The facility's capacity to process municipal solid waste was increased by 50% in 2012 with the addition of a third boiler, which utilizes mass-burn technology. The third boiler opened to commercial operations on April 2, 2013. It enables the facility to process and burn bulky waste that previously had to be disposed at WGS. With the addition of the third boiler, and other efforts to divert waste from WGS, H-POWER now plays an even larger role in reducing waste disposal at WGS.

- a. Sludge- the sludge receiving station at H-POWER commenced commercial operations in May 2015. The sludge processing system has the capacity to process 90 tons of sludge per day and is accepting dewatered sludge from the wastewater treatment plants. The 20,000 tons per year of sludge currently produced by these plants is now being diverted from WGS to H-POWER. In addition, a corresponding amount of bulky waste, which was required to bulk the sludge at WGS, is now being disposed of at H-POWER.

- b. Medical Waste- the disposal of treated medical waste at H-POWER commenced on December 30, 2015. Due to safety concerns, however, medical sharps is not accepted at H-POWER and will continue to be disposed of at WGSL.
- c. Tires - H-POWER's solid waste management permit issued by DOH allows acceptance of used auto tires collected by the City, including refuse collection, convenience centers and illegal dumping up to 400 tires per day or 65,000 tires per year.
- d. In-Feed Waste Processing Improvements and Baling- ENV and Covanta are planning in-feed waste processing facility (WPF) improvements to the RDF Waste Processing Facility that will include a mobile baling system. The project will allow processing of bulky waste into RDF. The mobile baler will provide flexibility to store waste during extended maintenance outages. The baled waste would be stored and processed later, further reducing diversion of waste to WGSL. The equipment was tested in March 2021 and DOH approval is pending for operation and storing of bales. The balance of the WPF improvements are currently in the conceptual design phase.
- e. Bulk Loads of Food Waste- Since March 1, 2017, bulk loads of commercially-generated spoiled food have been diverted from WGSL. ENV is evaluating technologies for the digestion of food waste.

3. Process Residue, Ash and Auto Shredder Residue

In July 2021, H-POWER began combusting its process residue on a trial basis. Operating data is being collected to determine whether to make the change permanent. This change has reduced the amount of process residue being disposed at the landfill from about 4000 tons per month to zero.

A contract for the processing and beneficial reuse of ash has been executed with Covanta Projects LLC. On June 1, 2022, ENV issued the Notice to Proceed for Phase I of the project. Phase I includes planning, permitting and 30% design. This project, when permitted and built, has the potential to divert at least 60% of the H-POWER ash that is currently disposed at WGSL.

Approximately 30,000 tons per year of ASR is disposed at WGSL. Although ASR was envisioned to be diverted to H-POWER, evaluation of ASR test data has concluded that the high Fluorine and Chlorine content of the material can be extremely harmful to the boiler. The matter is pending further evaluation and possible testing. The ash project may consider ASR processing as a potential future option.

4. Emerging Waste Conversion Technologies (EWCTs)

EWCTs such as plasma arc, gasification, thermal depolymerization and pyrolysis are mostly used overseas (i.e. Japan) for hazardous waste (very high tip fee), auto shredder fluff, ash, or other homogenous wastes. They have not worked well on mixed waste (trash) and has only been applied as research, demo, military or ship-bound or pilot scale projects in the last 15-20 years.

Based on publications and information received from professional associations that ENV partners with such as the Solid Waste Association of North America (SWANA) and from consultants such as HDR Engineering Inc., there are currently no operating commercial-scale EWCT facilities in North America. Any such facilities in North America that were operating in the past are no longer operating. For example, the Ottawa, Canada and St. Lucie County, Florida plasma arc gasification projects both failed to proceed past the planning, financing and permitting stage and are not active. The councilors and other political leaders in those cities suffered much embarrassment and blowback for pursuing such a risky and unproven technology for managing their trash.

EWCTs continues to face major obstacles including:

- inability to scale up to commercial-scale
- inability to obtain financing and regulatory permits
- excessively high cost
- excessively high amount of power purchased and imported from the utility
- high maintenance demands, lot of downtime and limited life

Until these challenges are resolved, EWCTs are not being considered by ENV.

5. Sludge Re-use

Further processing and reuse of sludge avoids the need to landfill this waste stream. Laie Wastewater Treatment Plant ("WWTP") converts green waste mixed with sewage sludge into compost by using the windrow process. Sand Island WWTP processes sewage sludge into fertilizer pellets using the Synagro process. Since 2014, the average Synagro pellet reuse has been 93% (7% landfilled). Note that there are times, especially during 2016, when the farms experience heavy rains and are not able to accept the pellets.

6. Materials Recycling

To present a complete waste flow picture for Oahu, the most current data available is for calendar year 2020. Although waste to WGSL and H-POWER is tracked monthly by ENV, recycling data is provided by commercial recycling companies that are surveyed annually. Recycling data for 2020 was gathered and compiled during the first half of 2021; updated charts and analysis are posted below. Recycling data for 2020 is posted on www.honolulu.gov/opala.

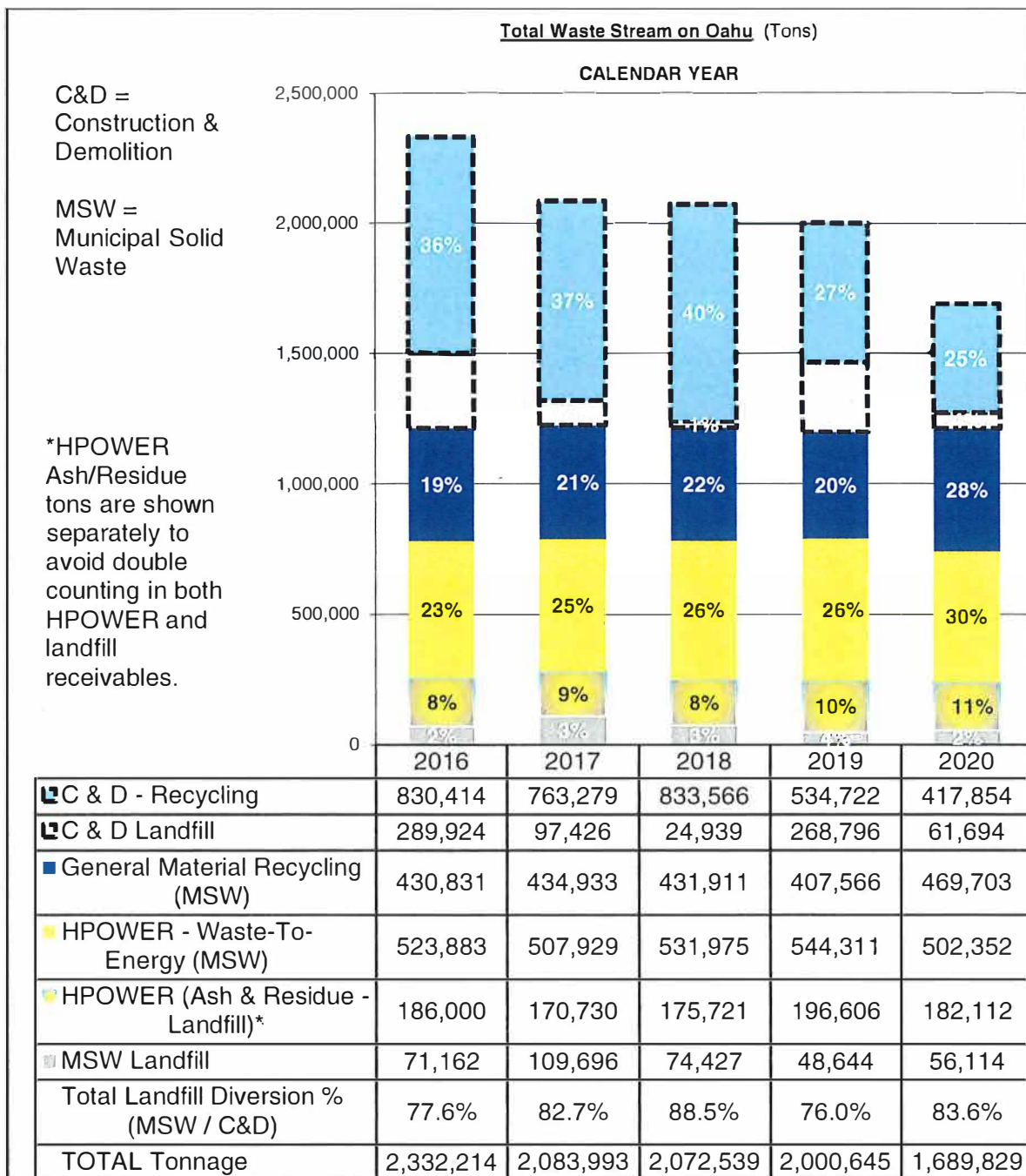
The island's waste data is presented in two charts:

1. **TOTAL WASTE** which includes Municipal Solid Waste ("MSW") and Construction and Demolition ("C&D") material, processed through recycling, waste-to-energy or landfilling; and
2. MSW only, processed through recycling, waste-to-energy or landfilling.

Both charts present data for the most recent five (5) calendar years (2016-2020). Moreover, this data shows how Oahu's waste was diverted from WGSL through recycling and waste-to-energy.

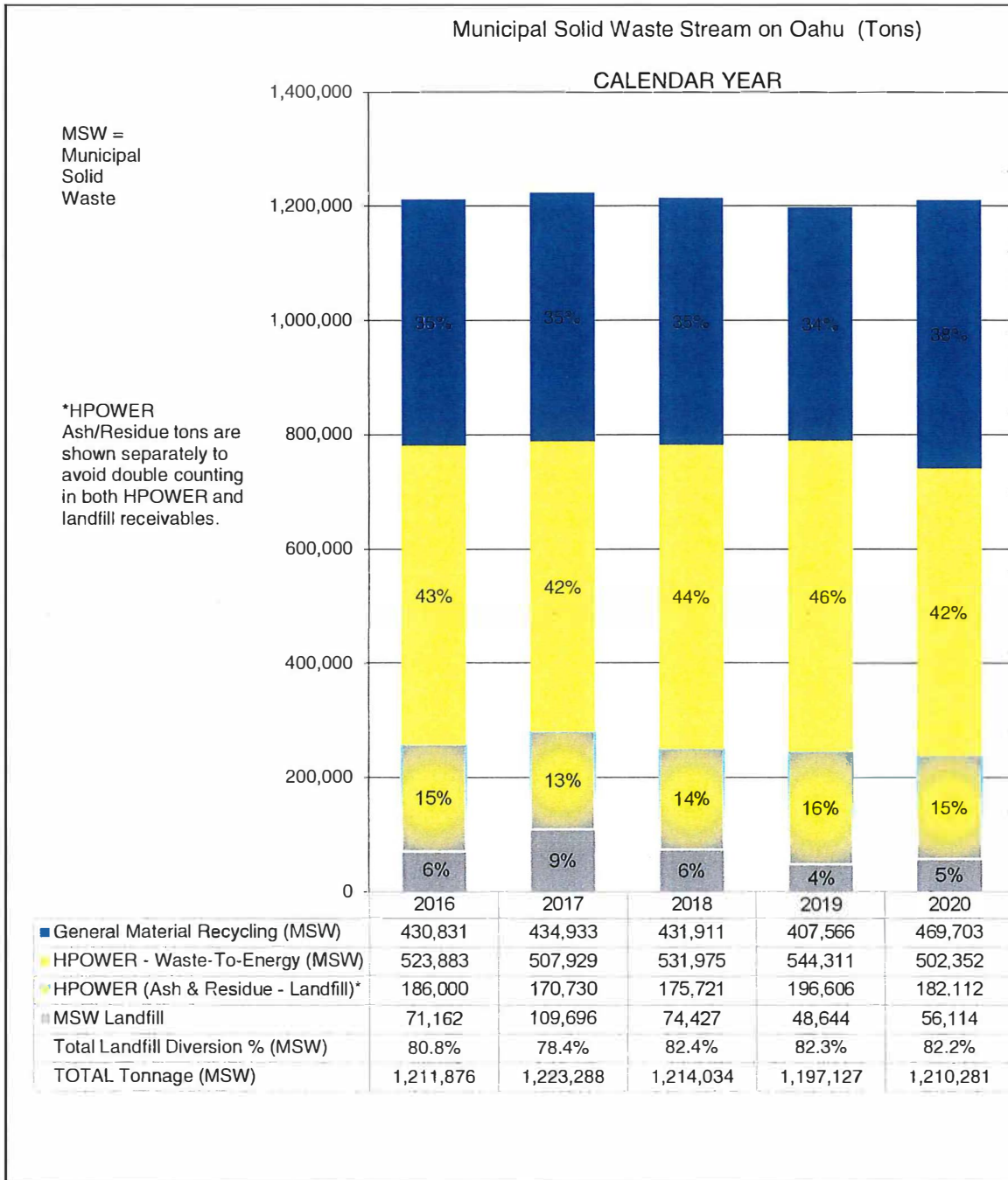
TOTAL WASTE data is presented in the chart below. For 2020, rates for C&D material recycling and disposal decreased overall from the 2019, while recycling and waste-to-energy combined to divert nearly 76% of waste from landfills.

There are two landfills on Oahu: the City's WGSL, which is designated for MSW, and the privately-owned PVT Landfill, which is permitted for C&D waste only.



MSW ONLY data is presented in the chart below. Robust recycling and waste-to-energy rates continue to contribute to the steady decline of MSW tonnage going to the WGS. Considering MSW only and landfill diversion specific to the WGS, the landfill diversion rate achieved through recycling and waste-to-energy is at 82.2%, and the general material recycling rate increased to 38%, an increase of 4% from 2019. Landfill diversion rates for the most recent five (5) years at WGS are charted below, allowing for a better visual assessment of the data. Important to note that 5% of the approximate 20% of material landfilled at WGS

in 2020, was MSW, with the rest consisting of ash and noncombustible residue from H-POWER.



Recycling data: The tables below provide detail of tons recycled by material type. The City has gathered annual recycling data since 1988 (except for 1989 and 1990). Note the upward trend of general material recycling from approximately 75,000 tons in 1988 to nearly 470,000 tons in 2020. Recycling of C&D materials, such as concrete, rock and asphalt, contributed an additional 417,854 tons to the recycling rates, for a total of

almost 900,000 tons recycled for 2020. C&D recycling rates tend to fluctuate based on the volume and type of construction projects undertaken from year to year but have risen significantly since 2015 due to ongoing major projects. In 2020, there was a significant drop in C&D Recycling due to a decrease in construction and the stored recyclable material at the private C&D landfill.

Yearly Recycling Rates (tons)

Year	General Material Recycling	C&D Recycling	Total Recycled
2020	469,703	417,854	887,557
2019	407,566	534,722	942,288
2018	431,911	868,617	1,300,528
2017	434,933	763,279	1,198,212
2016	430,831	830,414	1,261,245
2015	449,153	731,865	1,181,018
2014	475,953	401,335	877,286
2013	477,011	257,287	734,298
2012	487,159	179,906	667,065
2011	490,061	181,087	671,148
2010	448,639	101,556	550,195
2009	426,947	116,670	543,617
2008	456,876	216,745	673,621
2007	453,282	148,952	602,234
2006	421,072	121,675	542,747
2005	417,669	193,829	611,498
2004	386,338	173,916	560,254
2003	366,639	106,773	473,412
2002	352,699	139,055	491,754
2001	367,300	114,070	481,370
2000	327,710	165,000	492,710
1999	314,075	225,200	539,275
1998	318,690	148,800	467,490
1997	313,394	204,400	517,794
1996	299,574	95,300	394,874
1995	294,340	44,400	338,740
1994	290,412	35,700	326,112
1993	241,600	30,000	271,600
1991	167,152	0	167,152
1988	73,992	0	73,992

Oahu Recycling 2020	
Material Type	Amount in tons
PAPER	
Corrugated Cardboard	41,812
Newspaper	8,574
Office Paper	5,213
Other Paper	1,060
METALS	
Ferrous (includes autos)	139,366
Non-Ferrous (includes aluminum)	10,855
GLASS	10,947
PLASTIC	4,799
TIRES	7,783
AUTO BATTERIES	9,193
ELECTRONIC SCRAP	1,000
GREEN WASTE (yard trimmings)	169,933
WOOD WASTE/PALLETS	8,715
CONSTRUCTION & DEMOLITION (rock, concrete, asphalt)	417,854
FOOD WASTE	38,361
OTHER REUSE (Goodwill, Salvation Army)	11,821
TOTAL	887,557

The City's efforts to increase residential recycling rates have continued with its ongoing efforts to educate residents about the value and benefits of its three-cart curbside program, and the continued promotion and rejuvenation of its condominium recycling assistance program. Additionally, the City requires commercial sector recycling through mandatory laws established by City ordinance, and provides assistance to businesses to setup and expand their recycling programs.

- a. Curbside Recycling – Curbside recycling participation remains strong and material recovery rates are increasing every year. ENV completed the final phase expansion of the fully-automated 3-cart curbside recycling program May 2010. There are currently 170,000 homes participating in the program, capturing material at a rate of 23,000 tons of mixed recyclables and 75,000 tons of green waste per year. Increased public experience with identifying and sorting recyclables is producing higher results for the City's curbside recycling program. The program continues to be evaluated to identify strategies for improving participation, efficiencies and to decrease contamination.

Ordinance 22-10 adds food waste to the City's island-wide curbside collection. ENV is in the planning phase to pilot different food waste collection methods and plans to implement a curbside collection of food waste by January 1, 2024.

- b. Multi-Material Recycling Centers – Recycling is available to those without curbside collection service. There are two City recycling drop-off locations in Haleiwa, one fronting its Waialua Base Yard (Emerson Rd.) and the other at its Kawaihoa Transfer Station. Both locations feature several 96-gallon blue carts, complete with instructional signage and stickers for the community to use. All blue cart recyclables are acceptable, including plastics (1 & 2), glass bottles and

jars, metal cans, newspaper, paper bags, corrugated cardboard and white and colored office paper.

- c. Condominium Recycling – The City continues to promote condominium recycling through a program reimbursing condominium properties for costs associated with the start-up of a recycling program, and additionally provides technical assistance, educational materials, wheeled carts and guidance in establishing collection services.
- d. Electronic Waste (e-waste) – A State law requiring manufacturers to provide take-back programs for electronic waste went into effect January 1, 2010, and is administered by DOH. In general, the covered electronics include computers and televisions. Collection and recycling of e-waste has increased, but the law is weak in its requirements for the manufacturers to achieve recovery goals or to provide consumer convenience in take back programs. In 2015, the law was amended to require electronic device manufacturers to establish drop-off locations for e-waste and prohibited mail-back only recycling options for some devices. ENV continues to work in collaboration with DOH and local e-waste recycling companies to support local programs and legislative proposals.
- e. Business Recycling Programs – The City continues to provide assistance to commercial sector recycling efforts and to ensure compliance with mandatory recycling policy established in the mid 1990's, which requires office buildings to recycle office paper, bars/restaurants to recycle glass and a variety of food operations to recycle food waste. It is no longer mandatory for Advance Disposal Fee ("ADF") glass to be sorted by the liquor establishments but the recyclers still receive ADF glass through their commercial accounts. The City suspended the ADF portion of the glass relating to the glass ordinance but the City still receives the State Subsidy for ADF glass the recyclers are collecting. State legislation is needed to increase the fee to lift the suspension on the ADF glass. Disposal site bans/restrictions divert materials from WGSL and H-POWER, including green waste, cardboard, metals, tires, auto batteries, and e-waste. The City is encouraging businesses to generate less food waste and to support food security programs. The City provides technical assistance to businesses for designing and implementing recycling programs through how-to guides, workshops and on-site support, and works collaboratively with the State's Green Business Program.
- f. Public education – Public education regarding recycling is ongoing and includes the distribution of brochures and print materials, dissemination of information via City's new refuse website, www.honolulu.gov/opala, WasteLine e-newsletter and virtual presentations. There has been an increase in social media participation to assist with the public education program. Source reduction will be another component to add to our public education program. Opala.org will have a redirect to the new website for the next two (2) years. The transition period to phase out the old website will be approximately 2 years.

Composting workshops – Composting workshops presented by City staff were reinstated as part of the City’s public education program. The workshop teaches residents to manage green waste at home by utilizing the green cart for large items such as branches and to aerobically compost the grass trimmings, leaves and small diameter branches. The City is also gathering information to provide food waste composting through the use of worms called vermiculture and beneficial microbes with the Bokashi method. Due to the pandemic, composting workshops are through a virtual format.

Recycling education in the schools – Recycling education shows presented by the Honolulu Theatre for Youth (“HTY”) combined with classroom activity books educate our youth to become expert recyclers and encourage them to support their family to properly sort their waste at home. Every year, the program reaches approximately 20,000 students and teachers. The 12th season included a feature on HTY’s HI-Way program aired through the television media with a focus on food waste reduction and the introduction of Fats, Oil and Grease. This program features environmental issues including solid waste management and concluded in late February 2022

FUNDING ARRANGEMENTS

Funding arrangements for the landfill and alternate technologies have been requested and approved for the Fiscal Year 2022 (Ordinance 21-21) and 2023 (Ordinance 22-14) Capital Improvements (CIP) Budgets. Copies of the CIP budget bills and ordinances are available on the Honolulu City Council website www.honolulu.gov/council, follow the link to Council Bills, Resolutions, and Communications.

CONCLUSION

The foregoing report is submitted in accordance with reporting requirements set forth in the LUC Order dated November 1, 2019. This report focuses on the status of ENV’s efforts to identify and develop one or more landfill sites that shall either replace or supplement the WGSL and the 17 Conditions contained in the LUC Order. Also discussed are the further progress of WGSL operations and the City’s active efforts to reduce waste volume that is directed to WGSL.

The City intends to continue its efforts to ensure proper solid waste management for the people of Oahu, in close coordination with applicable regulatory agencies and decision-makers.