

MAR 08 2024

SENATE RESOLUTION

URGING THE DEPARTMENT OF HEALTH AND ENCOURAGING THE COUNTY OF MAUI, UNITED STATES ARMY CORPS OF ENGINEERS, AND FEDERAL EMERGENCY MANAGEMENT AGENCY TO TAKE CERTAIN MEASURES TO ENSURE THE SAFEST POSSIBLE MANAGEMENT OF ASH AND DEBRIS FROM THE AUGUST 2023 MAUI WILDFIRES.

1 WHEREAS, ash from the burning of vegetation, homes,
2 vehicles and other property contains dioxins, furans, cancer-
3 causing polycyclic aromatic hydrocarbons, per- and
4 polyfluoroalkyl Substances (PFAS) including perfluorooctanoic
5 acid, and toxic metals; and
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7 WHEREAS, this ash, can expose those who come in contact
8 with it to these toxic substances, and if not properly
9 contained, can be blown by the wind or carried by rainwater,
10 further exposing people, other animals, and our land and ocean
11 environments to risk; and
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13 WHEREAS, in October 2023, the Board of Land and Natural
14 Resources approved the use of state land adjacent to an old
15 landfill in Olowalu, located five miles south of Lahaina, Maui,
16 for the disposal of ash and debris from the August 2023 Maui
17 wildfire; and
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19 WHEREAS, dumping ash and debris from the August 2023 Maui
20 wildfires into a temporary landfill in Olowalu risks further
21 contamination as plastic-wrapped waste "burritos" break open
22 when dumped, spreading dust into the air; and
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24 WHEREAS, continuing to use the Olowalu landfill to
25 temporarily dump this waste and later reloading it for
26 transportation to a permanent site increases costs of waste
27 handling; and
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29 WHEREAS, the county of Maui recently designated land next
30 to the Central Maui Landfill to be the permanent disposal site
31 for this waste; and
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1 WHEREAS, according to the United States Environmental
2 Protection Agency, Central Maui Landfill has enough space to
3 last until 2039 and the full amount of waste from the August
4 2023 Maui wildfires (about six hundred thousand tons) represents
5 about two years of waste disposal at the Central Maui Landfill;
6 and

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8 WHEREAS, properly executed Zero Waste programs could cut
9 Maui's waste by more than half in just a handful of years,
10 stretching out the life of the county's landfill; and

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12 WHEREAS, life cycle analysis studies, including one
13 conducted for the county of Hawaii in 2023, show that the health
14 and environmental costs of incineration (and dumping ash into
15 landfills) are far greater than sending unburned trash to
16 landfills, and that recycling is a much better option compared
17 to landfilling or incineration, even when barging materials
18 across the ocean to recyclers; and

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20 WHEREAS, ash can blow off of the top of a landfill if not
21 properly contained, especially if that ash is permitted to be
22 used as alternative daily cover material in place of soil or
23 tarps to safely cover landfilled waste at night; and

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25 WHEREAS, on January 2, 2024, at a public hearing held by
26 the Disaster, Resilience, International Affairs, and Planning
27 Committee of the Maui county council, Alan Booker, an engineer
28 brought in by the county as one of their expert resources,
29 testified that no matter how carefully waste is transported,
30 moving this material means some will spill and there will be a
31 need for a plan to remediate the roads; and

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33 WHEREAS, many thousands of truck trips will be necessary to
34 transport waste, risking traffic problems; and

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36 WHEREAS, barging large volumes of waste to the mainland to
37 bury in other landfills or burn in incinerators raises greater
38 environmental justice concerns; and

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40 WHEREAS, high-temperature processes such as pyrolysis or
41 incineration create new toxic chemicals including dioxins,
42 furans, polycyclic aromatic hydrocarbons, other chemical



1 pollutants like nitrogen oxides, sulfur oxides, and acid gasses,
2 and enable more existing toxic chemicals such as PFAS and heavy
3 metals to be inhaled or ingested; and
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5 WHEREAS, using these technologies to manage material that
6 has already been burned is impractical and compounds the
7 problems caused by the burning of these materials in the first
8 place; and
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10 WHEREAS, section 342H-30, Hawaii Revised Statutes,
11 prohibits any person, including any public body, from:
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- 13 (1) Engaging in the operation of an open dump;
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- 15 (2) Operating a solid waste management system without
16 first securing approval in writing from the Director
17 of Health; or
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- 19 (3) Discarding, disposing of, depositing, discharging, or
20 dumping solid waste, or by contract or otherwise
21 arranging directly or indirectly for the disposal of
22 solid waste in an amount equal to or greater than one
23 cubic yard in volume anywhere other than a permitted
24 solid waste management system without the prior
25 written approval of the Director of Health;
26

27 now, therefore,
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29 BE IT RESOLVED by the Senate of the Thirty-second
30 Legislature of the State of Hawaii, Regular Session of 2024,
31 that the Department of Health is requested to enforce section
32 342H-30, Hawaii Revised Statutes to ensure that:
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- 34 (1) Ash and other waste from the August 2023 Maui wildfire
35 are not managed in any manner other than proper
36 containment in a landfill;
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- 38 (2) Trucking of the ash and other waste are conducted in
39 secured containers that cannot leak or spill;
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- 41 (3) The ash and other waste are not used as alternative
42 daily cover material once landfilled; and



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(4) Secure tarps are used to prevent ash from blowing off of the landfill; and

BE IT FURTHER RESOLVED that this body supports the County of Maui's choice to use the Central Maui Landfill as the final disposal site for waste from the August 2023 Maui wildfire; and

BE IT FURTHER RESOLVED that the County of Maui, United States Army Corps of Engineers, and Federal Emergency Management Agency are encouraged to:

- (1) Contain the remaining waste as soon as possible in trucking-ready containers at- or near-site until ready to be transported for final disposal;
- (2) Discontinue the use of Olowalu as a temporary disposal site;
- (3) Ensure that waste is transported in sealed containers to avoid spills and leaks;
- (4) Decontaminate trucks before departing Lahaina or the Central Maui Landfill to ensure that toxic chemicals are not tracking off-site;
- (5) Transport waste to the landfill at night to minimize traffic concerns; and
- (6) Abandon consideration of pyrolysis, gasification, incineration, or any other high-temperature processes as waste management methods; and

BE IT FURTHER RESOLVED that certified copies of this Resolution be transmitted to the Commander of the Honolulu District of the United States Army Corps of Engineers, and Regional Administrator for Region 9 of the Federal Emergency

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1 Management Agency, Governor, Director of Health, Mayor of the
2 County of Maui, and Chairperson of the Maui County Council.

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OFFERED BY: 

By Request

