



UNIVERSITY
of HAWAII
MĀNOA

Water Resources Research Center
Environmental Center

February 13, 2012
RL: 2283

HB 2249
RELATING TO LANDFILLS

House Committee on Energy and Environmental Protection
Public Hearing – Tuesday, February 14, 2012
9:00 a.m., State Capitol, Conference Room 325

By
David Penn, Environmental Center
COMMENTS ONLY

Dear Chair Coffman, Vice Chair Kawakami, and committee members,

The Environmental Center agrees with this bill's proposition that it is important to encourage recycling and facilitate the disposal of residual wastes produced in the recycling process. However, we are concerned that the proposed measure, as written, would unjustifiably preempt the authority and expertise of the department of health in (1) implementing federal solid waste disposal law and (2) evaluating the potential threat to human health and environment that could be associated with using the proposed types of material as alternative daily landfill cover.

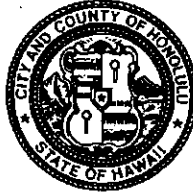
Current state regulations provide that alternative cover materials of an alternative thickness may be approved by the director of health if the landfill owner or operator demonstrates the overall efficacy and safety of the alternative. Hawaii Administrative Rules § 11-58.1-15(b)(2). In a case when such approval is granted, it may be useful to add the reporting requirements proposed in Section 1, parts c and d of HB2249. However, without rigorous scientific analysis of the potential environmental effects of the eleven alternative covers listed in Section 1, part b of the proposed measure, it seems premature to legislatively conclude that each alternative cover would pass muster with the department of health under all conditions.

Thank you for considering our testimony on this proposed legislation. Please note that our testimony is advisory only and should not be construed to represent an official institutional position of the University of Hawai'i.

DEPARTMENT OF ENVIRONMENTAL SERVICES
CITY AND COUNTY OF HONOLULU

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IN REPLY REFER TO:
WAS 12-32

February 13, 2012

The Honorable Denny Coffman, Chair
and Members of the Committee on Energy
and Environmental Protection
State House
State Capitol
Honolulu, Hawaii 96813

Dear Chair Coffman and Members:

Subject: House Bill 2249, Relating to Landfills

The City and County of Honolulu's Department of Environmental Services (ENV) opposes House Bill (HB) 2249, Relating to Landfills as written.

HB 2249 attempts to encourage the use of residual recycling materials as alternative daily cover and would require the state and county agencies to accept such disposals. We believe it is inappropriate to include this requirement in legislation since what can go in landfills is subject to significant state and federal regulation. A specific list of materials and a mandate to accept such materials may not only be in conflict with regulations regarding landfills, but may also conflict with what the agencies regulating landfill operations consider safe for human health and the environment. ENV supports the use of appropriate recycling residuals for daily cover, provided it is consistent with permits and regulations.

We urge the committee not to pass HB 2249 and to leave the determination of appropriate materials for daily cover to the regulatory process.

Sincerely,

A handwritten signature in black ink, appearing to read "T. Steinberger", is written over the printed name and title of the Director.

Timothy E. Steinberger, P.E.
Director



February 13, 2012

Via Facsimile: 586-8437

Representative Denny Coffman
Chair, Committee on Energy & Environmental Protection
Hawaii State Capitol, Room 317
415 S. Beretania Street
Honolulu, Hawaii 96813

Re: H.B. No. 2249 – Relating to Landfills
Hearing Date: Tuesday, February 14, 2012 at 9:00 a.m.
Conference Room 325

Dear Chair Coffman and Members of the Committee on Energy & Environmental Protection:

My name is Steve Joseph. I am the Vice-President and General Manager of PVT Land Company. PVT operates an Integrated Solid Waste Management Facility for construction and demolition materials. PVT supports H.B. 2249 and supports its goal of increasing reuse and recycling of materials.

Currently, landfills use soil as daily cover at the end of the day. H.B. 2249 allows the use of other materials as daily cover. H.B. 2249 recognizes that other materials, including reused and recycled materials, can be just as effective as soil in preventing fires and in controlling litter, pests and odors.

H.B. 2249 supports reuse and recycling by allowing the beneficial use of other materials for daily cover. H.B. 2249 is based on California recycling initiatives. California's Department of Resources Recycling and Recovery has 11 approved alternate daily cover types, including those listed in H.B. 2249.

PVT requests one amendment to this bill. We ask that the Bill apply to all permitted solid waste landfills, not only municipal solid waste landfills. Section 2 defines "alternate daily cover" as material placed on the active face of a municipal solid waste landfill. The beneficial purposes of this bill can be achieved if it applies to all permitted landfills, including construction and demolition landfills. We ask that the word "municipal" be deleted from the definition of alternate daily cover and replaced with "permitted" solid waste landfills.

Thank you for this opportunity to testify.

**TESTIMONY OF IAN L. SANDISON
ON BEHALF OF SCHNITZER STEEL HAWAII CORP.
ON HB 2249
(RELATING TO LANDFILLS)
BEFORE THE
COMMITTEE ON ENERGY AND ENVIRONMENTAL PROTECTION
HOUSE
HAWAII STATE LEGISLATURE**

February 14, 2012

Dear Chair Coffman, Vice Chair Kawakami, and Members of the Committee:

My name is Ian Sandison and on behalf of Schnitzer Steel Hawaii Corp. ("Schnitzer"), I am pleased to have this opportunity to testify in strong support of HB 2249. This bill allows and encourages the use of recycled materials as alternative daily cover at landfills in Hawaii. It is patterned after very similar legislation in California. The public benefits of this legislation are (1) minimization of waste, (2) prolonging of the useful life of Hawaii's existing landfills and (3) encouragement of recycling.

Schnitzer is Hawaii's largest recycler. Schnitzer's operations in Hawaii employ approximately 50 people, and include equipment and processes to recycle ferrous and non-ferrous scrap metal. Its state-of-the-art metal shredder can reduce a full-size automobile into fist-sized pieces of shredded steel scrap in approximately 30 seconds. For each ton of scrap metal received by Schnitzer, its recycling operation reduces the volume by 80%. Much of this material would otherwise take up significant space in the Waimanalo Gulch Sanitary Landfill, or be simply abandoned on Hawaii's streets and vacant lots.

Recycling operations produce some residual waste. Schnitzer shreds approximately 120,000 tons of scrap metal every year. In so doing, it generates approximately 20,000 tons of recycling residue. That residue consists primarily of plastics, glass, carpet and other nonmetallic automobile and appliance components. Currently, this residual waste goes to Waimanalo Gulch where it takes up valuable landfill space.

If HB 2249 is becomes law, Schnitzer could process this waste into alternative daily cover for use at landfills in Hawaii. On the mainland, waste from nearly all of Schnitzer's scrap metal recycling operations is further processed into alternative daily cover for use in

landfills. This saves landfill space and changes what would otherwise be waste and turns it into a useful product. Alternative daily cover efficiently and economically helps to prevent landfill fires and to control litter, pests and odors.

Schnitzer strongly supports PVT's proposed amendment to allow for the use of recycled materials as alternative daily cover at construction and demolition landfills. This will further encourage recycling and greatly help to reduce Oahu's dependence on Waimanalo Gulch Sanitary Landfill.

Thank you very much for the opportunity to submit this testimony to your Committee.