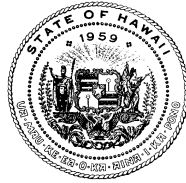


SCR 155



STATE OF HAWAII
DEPARTMENT OF HEALTH
P. O. Box 3378
Honolulu, HI 96801-3378
doh.testimony@doh.hawaii.gov

Testimony COMMENTING on S.C.R. 155
REQUESTING THE DEPARTMENT OF HEALTH TO PROMPTLY EXAMINE ALL
ALLEGED VIOLATIONS IN THE SOLID WASTE RECYCLING INDUSTRY
AND TO EQUITABLY ENFORCE PERTINENT LAWS AND RULES

SENATOR MIKE GABBARD, CHAIR
SENATE COMMITTEE ON ENERGY AND ENVIRONMENT
SENATOR JOSH GREEN, CHAIR
SENATE COMMITTEE ON HEALTH

Hearing Date: March 31, 2015
Time: 3:00 p.m.

Room Number: 225

1 **Fiscal Implications:** None.

2 **Department Testimony:** SCR 155 requests the Department of Health to promptly investigate
3 all alleged violations of laws or rules pertaining to human health and the environment within its
4 purview by companies operating within the solid waste recycling industry, including Island
5 Recycling, Inc.; timely issue any appropriate penalty, or order and ensure compliance with any
6 necessary corrective action; and timely provide a complaining or interested party with
7 information regarding the status and results of any such investigation and any resulting penalty
8 or order for corrective action.

9 The Department's Solid Waste Section not only performs these activities on recycling facilities,
10 but also conducts routine inspections, responds to complaints, and conducts enforcement actions
11 related to all other types of solid waste management facilities, including landfills, waste-to-
12 energy, transfer stations, convenience centers, composting, salvaging, remediation, and waste
13 treatment facilities.

14 The Department's Solid Waste Section responds to Oahu complaints on a timely basis; however,
15 depending on the type of complaint, response to neighbor island complaints could take months
16 since the Department's Solid Waste Section does not have staff on the neighbor islands.
17 Response time to neighbor island complaints are based on type of complaint and initial
18 assessment by the Department's neighbor island staff from other programs. Our response time is
19 prioritized by potential impact to human health and the environment. With regard to Island
20 Recycling, Inc., the last complaint we received was on February 19, 2015 alleging disposal of
21 waste at an unpermitted facility. Our first inspection related to the complaint occurred on

1 February 20, 2015. Corrective action regarding the complaint was generally completed on
2 March 9, 2015.

3 On the release of investigation reports and enforcement cases, the documents are considered
4 confidential until the report or enforcement action is finalized. If we know that enforcement may
5 take a while, we typically work on corrective action first and issue the Notice of Violation for
6 penalties later.

7 Please note that the Department has only three solid waste inspector positions for the entire state,
8 after losing one position to the 2009 Reduction-In-Force. These positions are primarily funded
9 by the Solid Waste Disposal Surcharge. This fund is facing decreasing revenues and increasing
10 programmatic costs. With an annual deficit of about \$200,000 to \$400,000 per year, we expect
11 to be insolvent by FY 2017. Our testimony for S.B. 703 provides additional information.

12 Thank you for the opportunity to testify on this resolution.

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From: mailinglist@capitol.hawaii.gov
To: [ENETestimony](#)
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Subject: Submitted testimony for SCR155 on Mar 31, 2015 15:00PM
Date: Monday, March 30, 2015 12:21:34 PM

SCR155

Submitted on: 3/30/2015

Testimony for ENE/HTH on Mar 31, 2015 15:00PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Island Recycling	Island Recycling	Comments Only	No

Comments: On behalf of Island Recycling, Inc., we are writing in opposition to SCR 155. Island Recycling is regulated by the Department of Health under a Solid Waste Management Permit, and we believe the resolution is not necessary or helpful for the sound administration of Hawaii's environmental laws. The recycling industry is fiercely competitive and Island Recycling has been the subject of complaints to the Department by our competitors. In fact, the number of complaints to the Department increased dramatically after we broke ground to install a new steel shredder, and our recycling facility is now subject to aerial helicopter surveillance on a regular basis. This would be the second steel shredder in the State of Hawaii and our competitor does not want the competition. In addition, the resolution incorrectly implies that the Department does not respond to our competitors' allegations about Island Recycling. To the best of our knowledge, the Department has immediately and timely responded to all complaints that have been made about Island Recycling by our competitors. Thank you for the opportunity to provide these comments.

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

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SCR155

Submitted on: 3/31/2015

Testimony for ENE/HTH on Mar 31, 2015 15:00PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Schnitzer Steel	Schnitzer Steel	Support	No

Comments: On behalf of Schnitzer Steel Hawaii, we are writing in support of SCR155, requesting the Department of Health to examine alleged violations in the solid waste recycling industry. Schnitzer Steel Hawaii Corp was formerly known as Hawaii Metal Recycling and is now part of Schnitzer Steel Industries, Inc., a global leader in the metals recycling industry. As one of the nation's largest recyclers of scrap metal, Schnitzer's Metals Recycling Business collects, trades, brokers, processes and recycles metal, both ferrous (containing iron) and nonferrous (not containing iron). We are committed to the highest standards of environmental stewardship and support industry compliance with all applicable laws. Mahalo for the opportunity to testify.

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SCR155

Submitted on: 3/31/2015

Testimony for ENE/HTH on Mar 31, 2015 15:00PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Stuart Coleman	Individual	Support	No

Comments:

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