

**ENVIRONMENTAL MANAGEMENT COMMISSION**

**COUNTY OF HAWAII**

**MEETING MINUTES**

**Wednesday, September 27, 2023**

**9:05 a.m. to 12 p.m.**

**Mayor's Conference Room B-2 of the West Hawai'i Civic Center, and Zoom**

Commissioners present:

Georjean Adams, Chair

Jon Olson, Vice Chair

Laura Acasio

Lee McIntosh

Dot Norris

Dell Otsuka

County staff present:

Ramzi Mansour, Director

Craig Kawaguchi, Recycling Coordinator

Kelly Hartman, Environmental Planner

Shelise Lamb, SWD Projects Coordinator

Peter Sur, Secretary

Sherilyn Tavares, Deputy Corporation Counsel

Others present:

Nicholas Riznyk, Bill Brooks, Jennifer Navarra, Melinda Hughes, Mary Zarba, Harvey Stone, Charles Roberts, Kris Gondrez

**I. CALL TO ORDER**

Chair Adams called the meeting to order at 9:05 a.m. and introduced members.

**II. APPROVAL OF MINUTES FOR AUGUST 22, 2023<sup>1</sup>**

Motion, second, and vote: Commissioner Acasio made a motion to approve the minutes as presented, to which Commissioner Norris seconded. Ayes 6 (Acasio, McIntosh, Olson, Otsuka, Norris, Adams); absent 2 (Burns, Cardwell).

**III. STATEMENT FROM THE CHAIR**

I'm going crazy, Chair Adams said. I'm out of town for almost two months and trying to keep everything on track. I thank our visitor speaker today and I think we'll hear some interesting things as well from DEM and look forward to the coming comments that we have.

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<sup>1</sup> II: Minutes: <https://records.hawaiicounty.gov/weblink/DocView.aspx?dbid=1&id=125623>

#### **IV. PUBLIC STATEMENTS ON ITEMS ON THE AGENDA**

Richard Ha - Roughly half of the plastics disposed of in the landfill are single use plastic. So I just have several questions. How will they be disposed of? How much will it cost taxpayers and who will benefit? And I guess the last one is, what is the lifecycle analysis with that? That's all.

Melinda Hughes - So I think that the majority of us want to see a healthy planet in the future and to get there we need to reduce the current waste. Also embrace new technology as they come to market. So I thank you for working towards this effort and I think that the community as a whole needs to come together. Whether you have a recycling background, whether you have community engagement, because it's going to take everybody. That said, I've been working in the environmental policy field for over three decades, globally and domestically since 2005, specific to climate change, '99 directly on solid waste. I actually worked for a county solid waste department in 1999. I also hold a master's in environmental law and policy with focuses on energy law and climate law. So while I see the draft ordinance as a good attempt, I also see some fatal flaws with it that before it goes forward, probably should be fixed if you want it to get somewhere. First, it discriminates on who it targets, also lacks any plans for ultimate enforcement of any laws that do pass. I'd assume that by requiring reports from corporations, the goal is to have some transparency while also reducing waste at the source. But in taking out the county landfill piece of this, most likely you're going to lose that transparency that you hope to gain. Companies will have to make their own private deals instead of this piece being controlled at the County level. So end result, you lose the transparency and any of that County control over where your waste goes. And then I think the other big piece that gets lost sometimes is that we are on an island in the middle of the Pacific Ocean. So a lot of things have to be imported. When you think about things that have to be imported, there's some things that aren't going to be able to be recycled into the products that are actually needed. So it's not quite feasible to really just reduce that at that source sometimes for those corporations. But with any new drafts, I hope to see some of these things addressed and if anybody wants any help with that, feel free to contact me. But I don't think at this point the ordinance is smart to move forward until those are addressed. I want to thank you for your time.

#### **V. UNFINISHED BUSINESS**

##### **1. Pretreatment rule draft**

Director Mansour said the Chair needs to jump in and help drafting that since we are lacking in staff. He asked about any coordination with acting Division Chief Christopher Laude.

I have not received anything from Chris, so I haven't started *de novo* on my own on that, Chair Adams said.

I'd love to get your experience and expertise, if you don't mind, as you had offered in the past, but I'll check with the Chief if he's not signed in, the Director said.

If he shows up later, we can ask him, Chair Adams said. And given my crazy traveling schedule coming up, I'm not going to make big guarantees, but still happy to look out and offer comments as I can.

2. Continued discussion EMC recommending to Council a county landfill diversion ordinance for recyclables.
  1. Review draft letter<sup>2</sup> to Council recommending it begin work on an ordinance to ban landfilling of recyclables. *(There is a pending motion by Vice Chair Olson, seconded by Commissioner Otsuka, to send a draft letter, as amended 8/22/23, to Council Chair Heather Kimball to request beginning the process of writing a new ordinance. Postponed August 22, 2023)*
  2. Review discussion draft of an EMC-initiated bill<sup>3</sup> for an ordinance, whether to include it with the letter to Council, and any revisions to be made.

Chair Adams thanked the public for their testimony. What we have is a previous motion by the Commission to draft some kind of letter to the Council asking them to consider an ordinance that begins to ban the landfill of recyclable-things that we've got other ways to manage them, either through reuse or recycling and recovering the materials on island or off island, to keep them out of our landfill that is quickly filling up. And so what we have been working on for a couple of meetings now is the content of this letter to the Council, which is basically the Council has got to write an ordinance. EMC *per se* does not write and issue ordinances. We are an advisory body only. So what we'd be doing is to ask the Council, would they be interested in picking it up? So I had offered last time a draft of that letter to go to Council. We decided we would not refer to Resolution No. 73-23 from before. So I blanked that one out. And then the question that I think we were left with at the end of last meeting was whether we wanted to go into the detail that's on the second page of that letter, which were the things that I was using as guideposts for myself as I was drafting the possible ordinance language. The section that's grayed out there, Lee McIntosh made the comment-suggestion last time, "Well, don't go into all that stuff." Just make it simple and send a letter that says, "hey, we think you guys should look at how we can keep recyclables out of the landfill. Many jurisdictions in the U.S. basically ban the landfilling of different materials, such as greenwaste or the HI-5 equivalent. The bottle bills that exist out there that you don't send them to landfill, period. And so that was one concept that I thought we could move. And there seemed to be some backing for that from the Commission. And all the details are what gets bogged down on everything. So what I was trying to do with the grayed out section is just to lay out some of the guidelines that I had in coming up with what is in that draft ordinance. So the idea was not to load on a lot more responsibility, whether by enforcement or by providing a lot of additional services by the County itself. That was the first bullet. The second one was to do a split. So the Council is setting up the basic target. We've got to slow down, eliminate the amount of volume going into our landfill, pick a number, 20 percent, 30 percent, 10 percent a year, and that would be set by the Council, and then some general criteria that they would set, saying these are the kinds of materials that we would consider restricted from the landfill. And basically the criteria to begin talking about would be, we've got someplace for it to go to actually be recycled. It isn't just going to stack up

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<sup>2</sup> V.2.1: Draft letter: <https://records.hawaiicounty.gov/weblink/DocView.aspx?dbid=1&id=125624>

<sup>3</sup> V.2.2: Draft bill: <https://records.hawaiicounty.gov/weblink/DocView.aspx?dbid=1&id=125621>

in a warehouse for decades. So looking at, can it be recycled, do we have a way to even collect it and get it to where it will be recycled, and then that it contributes to real significant reduction in the landfill volume.

And then let DEM write the administrative rules that would be specific on who cannot send things to landfill and what they cannot send, and deal with that detail on a rule basis from the DEM that would be subject to public notice and comment and would be a little bit easier to adjust as markets and technologies change over time. So I don't really want to go through each and every one of these bullets again. But Option 1, as I said there is, we could just take out that grayed out section entirely. And Option 2 was not to attach a draft at all. This draft was basically my brainstorm. Commissioner Acasio had a little bit of input, but I kept pushing back on her, so she's not going to lay claim to co authorship of it. But I was basically looking for something. It's hard to talk about something without some words to talk against. Not that in any way, shape or form I would expect this to survive as is, that it's just a start for talking and what goes in and what goes out, what definitions are we talking about, who are we talking about? But the basic process of big targets set by the Council, specifics set by DEM, phase it in over time. Start with things we know we can recycle because we are recycling them. HI-5, for example, or green waste. We know we have outlets for it. We do have collection going on, but maybe not to the degree that we possibly could start on commercial entities first and then work down to residential bands only where it really is feasible for residents to get things reused or recycled. So I think we're basically at that point of do we even offer up this draft? Do we offer up the principles? And we can wordsmith the individual gray section principles or tenants, as you wish. But that's where I felt we left the last discussion and I would like some more comment from people. So anybody want to jump in?

Commissioner McIntosh said he liked the idea of, do not attach the draft. And then what you can do is you can contact your Council person, tell them that you're interested in helping them and you have this draft you've already made and you can offer them because I know they do accept help in drafting bills that they write. So that's another alternative that you could consider and then all your work isn't lost or wasted.

I'm retired, it's okay, Chair Adams said. Time spent is free. I did raise it with Cindy Evans, my District 9 Council Member, and her comment, and she didn't spend a lot of time going over all of the details of it was, this is a pretty big chomp that I've done, the big scheme and how you'd go about it. And she recommended maybe looking at a narrower application and being from District 9, we're thinking, let's try it out with the resorts and the shopping centers that are associated with resorts here on the West Side and get them to basically pilot this program and get them to see can they divert from landfilling, some of the kinds of recyclables that we are able to recycle now as larger commercial entities. So that'd be another approach, or at least one that she offered as a little bit more doable; prove the case with a smaller subset of materials and entities and still get a fair amount of return diversion occurring from the landfill. And I can guarantee you as a resident of one of those resorts, recycling is not ongoing to the extent that it ought to.

Vice Chair Olson said we can't take this thing apart. We got to get a holistic approach so it all comes together. We have different issues in different districts, which are going to have to be dealt with. Puna is having a population boom. The existing infrastructure is, I don't know anything kind I can say about it. It borders on being, at this point, useless. The transfer stations are located in such places as to make them either hard to get to or hazardous to get to or inadequate for the population that is exploding on it. And you can't separate any one of those elements. They all go together. And on top of all of that, you pour the issue of where the money is going to come from, if we do not have a broader capability to charge at some point to collect what it's actually costing us to do the job. So all of these pieces have to come together at least as far as Puna is concerned or we're going to continue to have blatant illegal dumping wherever it can and will happen.

Chair Adams asked that with what we have here drafted, is that a good start or does it need to be even broader? I did have a section in there dealing somewhat with funding. Are you saying we need to do even more as just a baseline before we go to Council or is this good enough as is to go to Council, or is it too much?

No, the Council's business basically is show me the money, Vice Chair Olson said. They are there to control the purse. The last question is going to be, where is the money going to come from to do this, and we have to have at least a start of an answer to that. Are you simply going to pile it onto the property tax? Are you going to try to get a fee at the register? How are we going to approach the money issue? Then we can talk about infrastructure because we know where the money is going to come from to do it.

Chair Adams said in drafting the bill, at least for the initial run, she was going to commercial entities. The hope would be we could encourage other commercial entities, private entities, to begin increased recycling, pickup, sorting and actual processing to recycle materials because it would make them money. It would save the Council or the County money by reducing the amount of waste going to the landfill and having to be hauled by County services to that landfill.

Commissioner McIntosh said the whole idea is, all we're doing is expanding the list we currently have. So technically it shouldn't cost the county any money is essentially what it comes down to. So it shouldn't make any difference.

It should be a savings if we aren't relying on the County to provide additional services for pickup of recycling, Chair Adams said. The biggest headache right now is there's no curbside recycling for residents. And we're going to have a speaker later, Nick Risnyck from Hana Hou Recycling, and he might be able to give us some additional background there. But yeah, the goal would be not to burden the County with a lot of new things to do and pay for.

Commissioner Otsuka said, when we talk about keeping the recyclables out of the landfill, I asked a few months ago about having recyclable containers at the parks. And now that the baseball season is starting, you'll have football, you got soccer, there's no recyclable receptacles

there. So all the recyclable bottles that could have gone and be separated are now thrown in the regular trash, which ends up in the landfill. So I was just wondering, has there been any move toward having those recyclable containers at the different parks or places where you have large events like this?

Chair Adams said part of the answer is the Department of Parks and Recreation would be responsible for placing those containers and getting them hauled to the appropriate collection sites, whether it's Mr. K's or Atlas or Business Services Hawai'i. And that is one community that, as one of our earlier comments had said, we need to have lots of communities involved in the discussion of how do we make this work, how do we close the loop, how do we get everybody participating in the process of collection and sorting and getting things into a recycle diversion? So I don't know if any of the infrastructure money is coming to Hawai'i County to buy additional recycling bins. That's really a place to go to get the money.

Commissioner Otsuka said there is a County department that her son-in-law works at. At their base yard, they have these recyclable bins. So it's not just a Parks and Recreation issue, but maybe every County agency can, because we're all in it together. They can participate in putting up those recyclable things for the employees or I'm just saying we can keep that recyclables out of the landfill by having those receptacles where they should be.

Chair Adams said that wherever she put large commercial entities as a starting point, large governmental entities would also need to participate and have programs like that to have receptacles and education and signs and start doing it.

Commissioner Norris said she spoke with Council Member Inaba the previous day and we had a discussion on the draft ordinance. And as far as the letter, we're getting back to brass tacks here, the letter should be just an introduction to the Council saying, we are drafting this. We would like you to know that it's coming, that it's just a draft and it needs work yet, but we will work on that. But the Councilman was very interested in receiving this draft and saying, give us something to start with. We need to get started on this issue. And if we get hung up on a letter, which we should just be an introduction to this ordinance that we're going to work on. We're never going to get there essentially.

It feels that way, Chair Adams said. So are you saying that you would support the No. 1 option? Take out the detail in the grayed out area but also give them the first draft or hold the draft back yet?

I would be in favor of getting the letter to them. Say this is what we're working on and we will get this to you as soon as we can, Commissioner Norris said.

Okay, so you're talking about Option 2. No draft, just sweet and short. We're working on this concept, Chair Adams said.

Commissioner McIntosh said that if the Council wants a draft, then I say just go ahead and give it to them. If they understand that it's just something to get them started and they know they're going to have to hack and slash because we are not prepared or ready to try and draft this on our own. We could spend the next two years working on this.

Vice Chair Olson said that if we are going that route, we need to start with a commitment from the County Council as to how much they are willing to put into it because this all comes down to infrastructure, infrastructure, and infrastructure. We do not have the infrastructure to deal with what we have, much less what's coming. So give me a dollar figure and we'll do the best we can with what we have, or you're going to kick in some real money. We are going to relocate, at least in Puna, almost every one of the transfer stations are all but useless due to their location.

We all understand your opinion of the transfer stations there in Puna, Chair Adams said. The question or the whole issue around this ordinance was to phase it in, do not start with residents who would be the ones using the transfer stations. I did have the bullet which was recommendation from the Integrated Solid Waste Management Plan to allow small businesses, which are the only kind you really have in Puna if I recall, to be able to use transfer stations for recyclable collection, not for trash. So again, it would be phasing it in as it is feasible. And if we are to wait until everything is built out perfectly, I'll be off the Commission for sure. I'm not sure I know what dollar figure to give at this point. I don't think there is some magic County infrastructure that we know how to cost out that will answer all questions. Which is why I was looking at an incremental effort and hoping to leverage more on the public-private services that would build up if we were to provide them with a fairly steady stream of recyclable material.

Commissioner Norris agreed with the Vice Chair that first we have to work on transfer stations. They need to be safe to go to and accessible. But that's part of the ordinance. And though you mentioned residents would be phased in, you have them designated as one of the responsible parties in your statement here: Small businesses and residents who have access to county facilities," lines 49, 50 and 51. So if you're looking at a phased-in approach, maybe that sort of thing can be discussed and maybe changed in the real ordinance.

Chair Adams said she had also done a draft of the DEM rules too, but she figured this was more than you could swallow as it is. That it would be the DEM on an annual basis would identify who and what would be banned from landfill. And so when they say the who is going to be residents and what materials is going to be down the road, not right away. And it may be residents not in Puna because Kea'au is a mess, I don't know.

That was my problem with the statement of being residents close to a transfer station, Commissioner Norris said. How close is close? And that's kind of a nebulous term. And if you're saying that DEM would have the say on who's included in the plan and who's not, then we should take it out of this proposal. Maybe we should state it as, the Department would have the designation of who is a recyclable waste generator.

What I meant when I put those in there is illustrative, Chair Adams said. Here are examples of different categories and not, these are the categories right at the get go. So I could work on some adjusting of the language, or we wait until it gets to Council and help them if we can do that kind of level of detail of changes. I said this was not meant to be the codified ordinance. You start with it and you get around a table and you line by line, beat the heck out of it.

Well, we've got three options, Chair Adams said. Ditch the whole thing, Option 0. Option 1 was give them the first draft and talk about how drafty it is. It needs a lot of work. It's just a starting point for you to start working through. And Option 2 is, do not attach the draft at all. Just say we think the Council should look at the opportunity of prohibiting recyclables from going into landfill, and you figured out how we're going to do it and where the money is coming from.

I just say go with the, include the whole thing, Commissioner McIntosh said. If that's what the Council wants, that would be my motion, he said.

**Motion:** Commissioner McIntosh made a motion to send the letter, minus the grayed-out portion of the draft letter, but with the draft ordinance, to the Council. Chair Adams asked for a second.

Vice Chair Olson said that basically, we've got to find a way to get the Council on board immediately.

Well, if you don't send them a letter, you're never going to start, DCC Tavares said. You've got to make a starting point.

Yes, the Vice Chair said. Break this down into bullet points the challenges that we have just seen. We have just discussed the challenges. These are the challenges that we see. And money is really only one of them. So we do need to get them on board, and I think the sooner the better.

I guess the question is, on board, how do we do that? Chair Adams asked. Do we do it with a one-line letter that says, please think about this, Council? Or do we do it with a little bit more? Which is Option 1? Here's a draft. You can do whatever you want to do with the draft or-

Start with that, face to face with the Council, Vice Chair Olson said.

Face to face with what in hand? Chair Adams asked, as she raised her right hand holding an imaginary piece of paper. Anything? What do I have in my hand?

What we just did, the Vice Chair said.

I'm confused, the Chair said.



I have a question, Commissioner Norris said. Are we going with this ordinance as it is? Because there were definitely things that we would like to change about it. So I don't understand if we give the letter and the ordinance to them at the same time that this needs to be changed in some way.

DCC Tavares offered to summarize the matter in a legal way for everybody that hopefully makes this mud a little bit clearer. So what the recommendation is, and what Chair Adams is asking the Commission to consider is *starting* by sending a letter from EMC to the Council to let them know that this is something of great concern to the EMC. And give an example, because you folks do not have the authority to issue ordinances to give an example of the draft where we're at right now with the understanding that there is a lot of work that needs to be done. But by doing so and going forward, you're sharing with your Council Members where the EMC is at right now as a complete draft that needs to be worked on, immensely, but giving them something so that they can have a starting point to have this dialogue with you folks. And if you don't do that, then every month we're going to sit here and just keep talking in circles about this. But we need to start somewhere. And I think it's important because you folks have been on this for at least four, if not five months, to send something to Council to let them know that this is what you're working on and serious about. You're never going to get to a perfect ordinance because they're going to tear it up regardless. But having all the information that you folks have been talking about and put in there and like what Commissioner Norris said when she met with Council Member Inaba, that he needs something to start with. And if you wait another month to do that, then that's another month that they're not starting with anything. So you folks, I think it's appropriate at this point to decide, yes or no, you want to do it? Option 0, are we doing this or not? If you're not, then we're done with this and we're moving on. But it seems like you folks all want to do something. So Option 1 is draft a letter like you indicated your Council Member wants, right? This is what EMC is considering and finds to be of great value to the County and we want to move forward. And this is a very rough draft of where we're yeah, this is just a starting point. Or Option 2 is, don't give them an example of what you folks have been discussing for the last five months and just give them the cover letter, so to speak, and say, hey, we want you to think about this. I will advise you folks that it's probably better to provide them a little bit more substance to show them what you are working on, because at the end of the day, they could all say, we don't care that this is what you guys are doing and we're not going to take it up anyway, which is what we hope will not happen. But that is very likely what could happen, right? They have the power to make that decision. But at this point, I think it's very incumbent on you guys to make a decision. Are you going to push to get the Council really looking at this and then make that commitment to work with them to draft a better ordinance, or are we not going to do that anymore? And I think that's where a vote needs to happen, and we need to move forward with this. Are we going to start? Because if not, every month you're going to keep tweaking one line or two lines and the Council could scratch 80 percent of it. And I don't want you guys to just keep talking about this, but nothing's actually moving forward in a direction to make the change that you folks also desperately want. So that's my spiel on this and I think it's time.

Chair Adams thanked the Deputy Corporation Counsel. She said it well, at least where the Chair is coming from. Chair Adams would also offer, although she is no expert in the least, on how the County Council works, but what we need in drafting an ordinance is a multi-stakeholder group who's going to sit down with a whiteboard and a computer typing edit after edit after edit to generate an acceptable first draft of an ordinance from the Council. And we, as EMC, are not going to draft that ordinance as a committee. So disabuse yourself of that. We've got too many people who are going to be affected and who care and who should be part of an ordinance drafting group. For example, I don't really know how Heather Kimball went about her OSCER bill, but she had a group of people who were working on writing the actual language, and still the Council was going back and forth, back and forth, wordsmithing it. I don't see this Commission, even if we were to form a Permitted Interaction Group, actually coming up with the first reading of an ordinance. We aren't broad enough in terms of the expertise that needs to go into drafting the bill. And in fact, we need DEM to bite on as well. And they have not given input on this bill because they've got a few other things they're working on. So back to DCC Tavares or back to her options. We can drop it. I won't feel real bad about the language that I came up with, or we can send it in with the draft. I had language in there already that says this is just a preliminary- it isn't approved verbatim by the EMC. It's just something to start the conversation on, or just a letter without any detail at all. Commissioner McIntosh made the motion for Option 1, the drafty draft, and this letter. And we still need a second on Lee's motion or we need a new motion.

**Second:** Vice Chair Olson seconded the motion.

**Discussion:** Chair Adams restated the motion to be “we send the letter without the grayed-out part, but still send the draft with all the qualifiers against that draft, that it's Georjean's crazy shot at an ordinance, and it needs to be worked on by a multi-stakeholder group that is sponsored by the Council and not by EMC.”

**Vote:** Ayes 6 (Acasio, McIntosh, Olson, Otsuka, Norris, Adams); Absent 2 (Burns, Cardwell)

Chair Adams said she would do a minor amount of editing just to make sure it's clear, but what she hears the intent is, we'd like you to start working on, we think it's a worthwhile effort to divert recyclables from the landfill. Here is an exceedingly drafty draft for you to begin work on it. And it's not like some of the crazy interviews that misquoted me and put up the headlines. Hawai'i has not banned recyclables from the landfill, done deal. No, we're at least a year out from even the first ban would be my guess, just at the pace things go. So I will write it up and DCC Tavares can decide whether or not we can send it out or do we need yet another meeting which I'm not going to be at, to get the final blessing on the words, but essentially it's minus the strikeouts and the grayed out areas of the letter that is in the record.

Commissioner Norris said that in her conversations with Council Member Inaba, he mentioned that food waste is also something that we can do on this island and probably pretty immediately. So you might consider including food waste with the greenwaste bullet.

Chair Adams said the approach she had in mind is that it would be DEM's call on which items to prohibit and based on whether or not the things are qualified. Right now, the pig farmers are taking the restaurant foods. We are not ready to take residential food waste across this island. There are a couple of little spots where it can be done and is being done, but it's far from feasible at this point. But anyway, that's the kind of detail I think it needs to be worked through with the multistakeholder group.

Just thought you might want to include it or not, Commissioner Norris said.

It's possible, Chair Adams said, and it may be a portion of the community that it would work for, that we've got pickup facilities to get it. We've got a place to take it that can handle the volume that's going to be generated. There are lots of different factors that need to go into it. Food's on the list at some point. It sure is recyclable. Can it be recycled on this island now at the volumes across the island.

Commissioner Norris said Kaua'i already has a food waste program that's working.

They have somewhat of a program, Chair Adams said. They do not have curbside pickup. They wanted to, but they don't, I believe. So how far people are in that process is something that will be a burden on DEM to put together. I was calling it a finding. I come from the federal EPA world, so a finding that says, yeah, this is feasible. We can do this. And they would have to make the case, talking with the affected stakeholders, can we make that happen and by when? Theoretically it should have happened 30 years ago on this island. But I digress. All right, we're done with this item. I will put together a package. I'll let DCC Tavares declare whether or not it's different enough that it has to go through the Commission again for approval. But if it's just minor tweaks, maybe you'll let us get by.

## **VI. NEW BUSINESS**

1. Presentation and discussion with Nicolas Riznyk of Hana Hou Recycling<sup>4</sup>:  
“Supporting a Resource Recovery Economy & Local Circular Economies: A case for infrastructure investment on Hawai‘i Island”

Chair Adams introduced Mr. Riznyk, the guest speaker. Nick is the co-CEO of Hana Hou Recycling in Kona. And he's been doing a lot of work. They do pick up recycling and he's been doing a lot of investigations of how we can get some circular economy going on this island for resource recovery. The Chair has bounced some ideas on this ordinance off him, but has not “wordsmithed,” as the Chair would consider him one of the stakeholders that ought to be involved with Council in how do you make this real and happen.

“I'm Nick Riznyk,” co-founder of Hana Hou Recycling, he said. “I wear a bunch of different hats, including being treasurer and board member of Recycle Hawai'i. But my background is actually in high tech. I'm not an engineer, I'm a business development guy, one of the many unwashed MBAs. And I also have a background in real estate development here on the island. And Hana

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<sup>4</sup> VI.1: Hana Hou Recycling: <https://www.hanahourecycling.com>

Hou Recycling has been up and operating for 15 years. I think we're going on 16 years, 15 years on island. We serve mostly the west side. We started as a very small boutique service to an HOA and then just basically expanded from there. We currently do residential curbside pickup. It's always growing, but we have roughly 2,500 private homes and residential units that we serve. We do a lot of more commercial recycling now. We do zero waste planning and development with our commercial clients. We work with resorts, we work with hotels. And that's a big push right now. And the third leg is we're also returning our profits. We're a triple bottom line company, by the way. So slightly different in that we aren't a nonprofit, but we are trying to focus on environment, social, and also have a sustainable profit at the end of the day.

“So that's just kind of a little bit about Hana Hou. But we're also focused on investing in new equipment and infrastructure and doing R&D projects and partnering with nonprofits and private sector groups. So that's who we are. I should preface really quick this is kind of an overview of a culmination of 15 years of work and then 18 months of due diligence that not only myself, but a whole group of folks, kind of a loose conglomerate of nonprofits and whatnot, local businesses, community organizers. So there's going to be a lot of material here. I'm happy to come back and talk further because I think each one of these slides, I have only about ten of them, but I think each one of these slides could go on for several hours. So I'm happy to answer questions after and I'm happy to take written questions as well. And then as a quick preface to this talk story, I kind of envision this as a talk story because I hate presentations. But as a preface to the talk story here, my particular perspective is going to be the private sector. I know that there's a whole other side of it from the county municipal waste and solid waste side, but I'm really focusing on maybe more the private sector and things that private sector can do.

“Additionally, I want to recognize that this whole conversation of resource recovery and recycling, while important, is under the shadow of our wastewater issues. And I understand that's a massive, massive problem, including cesspools, some of that is somewhat related to some of the circular markets that we can talk about. But I do want to recognize that. And I also want to thank you all for the good work that you guys have been doing. And also big thank you to Ramzi and the Roth administration. In my humble opinion, for the past two or three administrations has given the most serious thought and resources to this issue. Okay, so let's get the feature started. Just as kind of a genesis of this due diligence group. So COVID came and everyone's operating as usual, as standard, and then big changes came in many ways. But from the resource recovery world, recycling world, we saw massive, massive increases in certain kinds of solid waste, cardboard, OCC, and other recyclable materials. A lot of the reason is that our company in particular focuses in the resort HOA, second, third, fourth homes, as well as first homes. So when COVID hit all these resort areas that were on a resort schedule and ups and downs with the seasonality of the world, all of a sudden everyone moved in and made house and started ordering everything online.

“So I think we had something like 3,000 percent increase in our cardboard volume and I imagine that the transfer stations also saw similar increases in glass and cardboard and other items. This comes from a particular personal pain, from an operation standpoint and then just kind of a

culmination of a lot of other frustrations of other people within the due diligence group. So just quickly, some of the findings were very obvious and everyone knows about those and then some came out as being not so obvious and I'm going to share those with you. And one of the main findings was we really do need to support a resource recovery economy and that's really the only good answer. It's not a silver bullet, it's not going to solve everything, but it's really our best chance at managing solid waste on the island. Real quick, also, I want to make a note when I talk to people about recycling resource recovery, the first thing people think of is plastics and plastics, plastics, plastics. We have a plastics problem. Yes, we do. We have a plastics problem. But I just want to say that a lot of this due diligence work was based on all the other materials that are much more in both volume and weight going to our landfill and a much bigger problem.

“We can talk about that a little bit, but I also want to acknowledge that people are very sensitive to plastics. Plastic recycling can contribute to microplastics, and I do agree to that. None of these kind of options that I'm going to talk through focus on plastics entirely. Plastics can be added. Just real quick, there's about three numbers of plastics that actually have a market value. The rest of it is toxic waste and cannot be recycled in a scalable way, in an economic fashion, and really can be recycled in a lab by the petrochemical company, not by industry. So a lot of people think that the best thing we can do for plastic is put it in the landfill right now and then solve the problem upstream. And I don't disagree entirely with that. There are some other options out there, but I just wanted to put that out there that resource recovery should be focused on a lot of the other issues that we have. Plastics makes up- and by the way, all my data is coming from the Hawai'i County Zero Waste Plan and our consultants that did the last audit. There may be some slightly different data out there based on some of the other audits.

“But my understanding, and where we're at, about 11 percent of what goes in landfill is plastic. Most of that is single use plastic. A lot of it is contaminated with food waste, you can't recycle it anyway, and/or other contaminants heavy metals and whatnot. So a lot of what we're going to be talking about is the other 84 percent of what can be recycled, recovered and reused. So let's see. With that said, again, we had a loose group of friends, colleagues, nonprofits, businesses, to go out and kind of do a lot of this due diligence work. And in that process we talked to many industry leaders, experts, stakeholders, both locally and internationally. And additionally, we talked with private equity and public funding sources. So there was a lot of energy and a lot of blood, sweat and tears went into this. In addition, there were a number of pilot projects that came from the due diligence work.

“Okay, so Findings. So some of the findings, they're not all covered here. Can we definitely talk through all these different details, but some of the ones that we found is that there's a really hidden burden on solid waste for Hawai'i Island through our tourism, part time residents and real estate development industry. As working with this particular group, that's been our focus for the better part of 15 years. Everybody wants to recycle, everyone wants to do their part. There are very well-intentioned people out there, but there are top down issues and bottom up challenges with logistics and operations. And then there's just also basic misinformation and

knowledge that's not out there. We should really consider that in talking with some of these private equity folks that want to fund particular resource recovery infrastructure. They're constantly wanting to understand the population. What's the population? What's the population? Well, the issue for us is that we have a population of roughly 200,000, but a million visitors just come to Volcano National Park. So at any one time we're outnumbered five to one. And from experience, from doing this logistics and operations, I can tell you firsthand that the amount of consumption and waste created by people on holiday or in their vacation home or whatnot is much more your average standard residential. So that coupled with COVID and online sales transition, it's creating a very heavy burden on Hawai'i Island. And that's something that is missed by a lot of people.

“From also the findings, we had all these opportunities, circular markets. Okay, so I think I'm going to just be, everyone knows this already, but when solid waste goes to our landfill, that money goes to Wall Street and investors in New York City. A little bit stays home for our truck drivers, for some of the local people that work at the landfill. But the vast amount of profit and revenue go to Wall Street. So what we want to try to do is switch that up. For every ton that we can recover through local business or local nonprofits or whatnot is a dollar or however many dollars that stays on the island. So we really have this kind of concept of resource recovery. You really have a choice. It boils down to two choices. One, you can send money to Wall Street, or we can keep money on island and create circular markets and create jobs and create more opportunities for young people instead of leaving the island, be able to stay. So those are all things that we should consider. Fifty-two percent of the landfill volume is organics, and that's green waste and food waste and paper waste, paper, fiber. Fifty-two percent.

“Those things can be easily with some logistics and some infrastructure, can be easily diverted and recovered and can be recovered on island. Sure, there's some international markets and national markets that would buy OCC cardboard, but there's also a lot of things that we can do on island to recover that. Eliminating this is A) some low hanging fruit; and B) for every ton of organic green waste or paper fiber that goes into the landfill, those materials create a ton and a half of methane and greenhouse gases. So a lot of people consider, hey, it's not too bad to throw paper into a landfill because it's just going to break down, it's not toxic. Same thing with green waste and food waste, it's just going to break down. So it's all good. In actuality, there's some very heavy prices to pay for that. Secondly, that came kind of out of this concept of the 52 percent of what going into the landfill and something that people in solid waste don't normally think about, I certainly wasn't until we started doing some of this due diligence, is that our farmers are in desperate need of soil. Maybe not so much in Puna and Hilo because you guys have great soil, but nutrient microbial populations in the soil.

“The sugar cane industry that came in took nutrients and added petrochemicals. So there are all these issues and our farmers are in desperate need of soil. The other thing is we all champion local food production and buy local and buy local, and we certainly all should. But you have to also ask yourself, well, where are the farmers who are growing locally, getting their amendments and they are shipping those in. And so if we are able to make soil amendments, mulch and a variety of other products from some of these things that we're currently putting

into the landfill, it lessens the demand for having to ship those materials in, lessens the demand for pesticides, lessens the demand for water because of water retention capabilities and the like. The other landfill materials, C&D waste is 22 percent metals and a few other extras make up and glass make up another 10 percent. So in the entirety, you're looking at about 84 percent of what goes into the landfill currently. That doesn't even include plastic. Eighty-four percent, really, we have a fairly good grasp of being able to do things with either on island or through international markets. Some of the other things that we found is that no surprise industry as far as recycling goes, buying recycled material, the Wall Street investors, analysts, everybody essentially is pointing to a massive growth in recyclable material buying and value.

“And this goes all the way from your extended producer responsibility legislation that's going on. You've got corporate mandates by some of the Fortune 100 companies that are saying we're going to use a certain percentage of recyclable material in our products. There's this concept called paperfication, which is a transition from using single waste plastics to single waste paper products which can be composted at the end of its life or recycled through international markets. There's lots of argument about the life cycle assessments on that. A lot of the petrochemical plastics producers like to throw the life cycle assessments around showing that plastics by far have a much better life cycle assessment than things like recycled paper, fiber. Our understanding that you should all take that with a grain of salt because they are definitely loading it in a particular perspective. The other finding, big one, is there's this tension between recovery, recycling, and our contract for the landfill. And I don't know all the details here and there seems to be some confusion and some back-and-forth and perhaps you folks have a much better idea as to what tonnage the landfill has to hit before penalties are then issued.

“I've heard different numbers and so that's something that maybe you guys can share with me and I have a better understanding coming out of this talk story. But this is back and forth of like, well, if we recycle and recover a lot of material, then we're going to be in breach of contract and we're going to get penalized and so we can't do that. So we're in this back-and-forth. Well, how much can we recycle before we hit this issue? And one example is BioEnergy Hawai'i Venture. I don't know if everyone's familiar with those guys. This is back to 2007. I have a little bit more on them later. But basically well funded, well researched, well great team experience, track record, resumes, everything and essentially was unsuccessful based on my understanding in dealing with the contract. They were talking about eliminating 70 percent of what went to the landfill. So maybe that was considered a threat.

“And I think that was, I'm pretty sure that was two or three administrations ago. Anyway, if you folks have some information in that I would love to hear it. The other thing that came up was waste to energy and this is a lot of learning on my part. I thought waste to energy was a lot further down the road as far as technology and viability than my understanding of it is. And I have a few slides. Also our consultant that did the audit for the landfill and waste going to the landfill, they also did an analysis of current technologies for waste energy in 2021 and I can review some of that as well. Any questions so far? Anything that looks interesting?”

Commissioner Norris said she had gone to various stores in Kona and had noticed a lot of them are using the compostable plastics instead of regular plastic. And she understands from looking at the Internet, which may not be really accurate, that a lot of those need to be industrially composted. Are you looking into doing that sort of processing as well?

You're absolutely correct that the compostable plastics- they need to be in an industrial composting facility, Mr. Riznyk said. We do not have any of those in the state. Even our contract with Hawaiian Earth Recycling, they use thermophilic rows, they're not using an anaerobic digester or anything like that. We have a very strong, very good compost partner who makes some of the best soil mixes and compost on the island. They are unable to take that as a feedstock for their compost at this point in time.

So we have no way of composting that or reusing that material at all, Commissioner Norris said. It's just academic that they're used. Well, other than plastics break down into microplastics, you don't want that in your system. But otherwise we just have to take them to the landfill, right?

Yeah, they all end up in the landfill at this point in time, Mr. Riznyk said, all the ones that we have seen. And my understanding, and don't quote me on this, but my understanding is they do break down faster in the landfill and also may not contribute to microplastics in the way that another petrochemical-based plastic would.

Commissioner McIntosh said he couldn't see the correlation between the trash that goes into the landfill, and bringing money to Wall Street investors. I didn't understand how you came to that conclusion, he said.

Our contract vendor, Waste Management of Hawai'i, is a publicly traded company on Wall Street, Mr. Riznyk said. Its profits and revenues are, well, its No. 1 moral drive is to maximize shareholder wealth. And that's, I would assume. I don't know anyone here who has shares in Waste Management. There might be some people that do, and in a variety of retirement funds. But long and short of it is money could stay on island by reusing materials here, using local vendors to divert, recover, recycle, reuse, encourage eco, entrepreneurship and small business here to manage the materials versus the publicly traded Waste Management of Hawai'i company.

Mr. Riznyk then continued his presentation: "So, Waste to Energy. So, again, this is our consultants from the Institute for Local Self Reliance. Them and a few other consultant groups that did our Hawai'i County zero waste plan 2019 update, those are the same folks, and I found them to be very professional, very thorough. And I've listed a link here where it goes into much more detail. So if you have any questions in regards to their findings, I would recommend going up there. But based on their research and their conversations, they do not believe that any waste to energy technology would be feasible for Hawai'i Island. They also found some sufficient information about gasification and pyrolysis because there is some back and forth as to whether that is combustion or incineration. Both the EU and the EPA consider both those technologies a second phase combustion technology.



Commissioner Otsuka asked about Yummet. From what I understand, it's also zero waste technology, she said. They take care of everything. There's no waste after they do-

"I'm going to talk a little bit more about pyrolysis and biochar," Mr. Riznyk said. "There's just a couple of points that this consultant group made about that. And so maybe that'll shed a little bit more light as to questions about that on the next slide. A couple of local examples of non-successful, I think we could put it that way, non-successful waste to energy ventures. So, biomass using a pyrolysis technology. Everyone has heard of Hu Honua, they've been going for about 15 (years), maybe longer, actually. They're \$400 million in and as far as I know the doors are still not open and nobody within what, 100 miles wants it there, is what I hear, so very politically toxic. And by the way, I might mention that this is a very homogeneous feedstock, which is what pyrolysis really excels at, is my understanding. Again, I'm not an expert, this is just my reading of it and from some of the findings and due diligence we did. But biomass might be some of the best feedstock to use in pyrolysis because there isn't any fluctuation in material and heat and whatnot. And then the second example again is the Bioenergy Hawai'i project.

"It was actually going to be a resource recovery plant for recycling. It was going to be an anaerobic digester for green waste, food waste and the like. And it was also going to have a pyrolysis waste to energy component for those materials that didn't fit in the first two categories. They were expecting to have a 70 percent diversion rate, although 30 percent of what they were going to collect would end up into the landfill. So those are just two local examples of some unsuccessful waste energy projects locally. There's also our consultant's website where they go over the analysis of waste to energy. They also have a long list of other failed U.S. projects, a very long list of US projects that didn't work out. This is going to be kind of an eye chart. These are just some of the comments that came through there.

"You're not really going to be able to see, but I'll read through just a few of them here. So these are all from people from the waste energy industry that are proponents of it, the proponents of gasification and pyrolysis. These are findings that they are admitting some of the limitations to the technology and basically here's some quotes:

- Major project failures and the need for significant subsidization prevents these technologies from reaching commercial scale out of pilot.
- Advanced technologies like pyrolysis and gasification work best with homogeneous feedstocks that isn't municipal waste. Handling the inflow of heterogeneous material is critical and problematic.
- Pyrolysis infrastructure investment, say, both gasification and pyrolysis are classified as high risk investments due to previous failures at scale and no operating experience with large scale operations in the U.S. Plants that continue to operate do so by abandoning mixed municipal waste and switching to a homogeneous feedstock.
- Another group that is focused on implementing this infrastructure, Geosyntec, is not aware of any commercial scale municipal waste gasification project currently in operation in U.S.

- The other findings were these new LLCs that are popping up bring most of the pyrolysis proposals forward with no track record of technical or financial success.
- Pyrolysis is also used to produce biochar from carbon rich materials like wood, wood waste and agriculture waste. While promoted as a carbon sequestration strategy, biochar production results in toxic byproducts that are often ignored.
- Existing emissions data on pyrolysis plants shows that air emissions from them can be comparable to or even more polluting than trash incinerators, which are dirtier than coal power plants, by most measures, proven to be the most expensive and polluting way to manage waste.
- A standard claim in favor of pyrolysis is that the process cannot form dioxins and furans because these substances are formed well when organic matter and materials containing chloride are burned in the presence of oxygen at very high temperatures. In fact, dioxins and furans are formed at high temperatures within the range at which pyrolysis takes place.
- There are currently no pyrolysis plants operating continuously at commercial scale using municipal solid waste as a feedstock.
- And in 2014, our vendor, Waste Management, Inc. sold off all its investments in gasification, Pyrolysis and other waste fuels companies.

“Those are just kind of a few short findings from our consultant, and I encourage all of you, if you're interested in waste energy, to go up and take a look at the rest of their findings. I do have one in particular waste to energy company that I know of that I have engaged and we talked back and forth. They actually do have a plant up and running. They're called Resynergi, and they are a plastics to fuel company. They are a real company. They actually have a plant in Santa Rosa, Calif. They take municipal waste from Recology, I think, is the vendor there. They're right next door to the resource recovery plant. They take their plastics and convert that into jet fuel and diesel fuel, I believe. And they're actually doing it, albeit on a pilot scale using pyrolysis.”

Commissioner Otsuka asked if she had any findings in support of that rather than just opposing.

No findings in support, Mr. Riznyk said. It appears that with their kind of wide view of the industry is there's a consensus that there is no commercial scale pyrolysis plant up and running. There's been a number of failures. They list probably 20 so places, including Savannah, Ga., and a few other places that attempted to. There's Baltimore that tried to get into waste to energy, and chose not to, once they were looking at all the investment in and the bottom line is it's not a free market viable venture. It requires heavy federal subsidies, state subsidies, and taxpayer input to make it fly.

What if there was some company that didn't need all those federal subsidies or anything like that, Commissioner Otsuka asked.

Yeah, I don't know. This is the findings that they came up with while doing a national review of the technology, Mr. Riznyk said.

Commissioner McIntosh said there was one other local energy to waste project that you didn't mention. It was in Pāhala around 2008, somewhere around that time frame. They were going to burn, maybe not burn. I don't remember what process they were going to use, but they were going to take stuff like Christmas berry and plants and stuff and burn it for energy and it didn't get past PUC.

“Very difficult to find funding because of the massive capital requirements and the high risk nature of the technology and the fact that there's been so many,” Mr. Riznyk said. “Again, take a look at the review of the failures in different localities in the U.S. The other couple things that I didn't have here, but are in the analysis ... Japan and Scandinavia are two of the largest waste to energy areas of the world that were in early and spent lots of money on it. Both are highly subsidized countries, highly taxed. And so those were not private sector ventures. Secondly, Japan is de-investing and cutting all from, I think that they said from 2004 to current, they're closing plants and they're not reopening them or reinvesting in new plants. Same thing with the EU and Scandinavian countries. There's a disincentive to invest in those and they're all going to resource recovery. That's what they're moving to. So those are the industry trends. And finally, so supporting this concept of resource recovery economy. Okay, so I have this concept. Poi and pa'i are carrots and sticks, right?”

“So how do you support a resource recovery economy? And this again is coming from private sector, private industry stepping up to make investments on their own to fill the need, solve problems. So in our conversations with many people, many organizations, including all those folks involved in recycling on this island and in the state, a big one that kept coming up is recovery credits. And there has been recovery credits in the past here in Hawai'i Island. It's fallen away. I'm not sure why that happened, but everyone agrees that if you want to support resource recovery at least, and you want to support the private sector to do the heavy lifting, you need to do some recovery credits. I'll give you a couple of examples. So every time that goes to the landfill, whether my understanding, whether private hauler or by the county truck, there is a fee that the county pays for each ton. If that ton does not go into the landfill and the payment isn't made, that bucket of solid waste money could go to diversion and recovery. So if it doesn't go to landfill, that dollar number could be a recovery credit.

“Another example, from a personal standpoint, we do residential recycling. Okay, well, we do some rubbish hauling as well. Well, when we do rubbish hauling for residences, we can get a credit at the landfill and not pay a tipping fee. So I can set up a business. I could just go pick up rubbish. I could take it to the landfill, dump it. I don't pay anything. I do the same thing with recyclables. I have to pay \$100 a ton for metals. I pay \$90 a ton for glass. I pay \$100 a ton to recycle cardboard. Those are my costs that I incur. And it's a much greater cost burden obviously to recycle. Then I could just take it to the landfill and dump it. That would be the smartest thing to do as a business, not the smartest thing to do as a triple bottom line business. Also not the smartest business to get involved if I wanted just to make money. That's not why

we got into Hana Hou Recycling. So something's got to change here where if I'm diverting these materials and all the good people who work in all these different groups to divert materials from the landfill, there seems to be there should be a credit of some sort given for that fact. And in doing so, you're going to support a whole chain and cascade of events.

“The other thing that we would support that came out of some of this due diligence was commercial resort tourism industry recycling ordinances. Kind of what you guys are talking about right now. So we would be in support of that. All the folks in the recycling world and the recovery world, reuse world would also support that. At some point there's a malaise or a misunderstanding or just people don't care enough to want to recycle. And if there are ordinances in place, if you have a hotel that charges \$2,500 a night, it seems like at the very least you could do is recycle your cardboard and glass that comes from drinking all the wine and liquor.

The problem is of course, we still don't have the volume, Vice Chair Olson said.

“Well, we could talk about that a little bit,” Mr. Riznyk said. “Volume does matter and volume matters about a lot of different things. But there are things that we can also do with the volume that we've been doing. We're not a big company, we're a very small company.”

Well, it isn't the technology to do it, it's the end use, Vice Chair Olson said. In other words, we don't have short days. We're too close to the Equator. Solar works a disproportionate length of time than if you're somewhere on the mainland, for instance, or you're in a higher latitude delivered free every morning. I mean, you're not going to beat that way.

“We have a number of challenges including living 2,500 miles away from the next speck of land and the logistics and costs of shipping and all that also go into the challenges that we have, Mr. Riznyk said. “Which is why we are big proponents of keeping as much material on island as possible, reusing as much as possible, recovering and using that as feedstock for local circular markets here and avoiding that shipping charge and that international marketplace. A couple of other just quick examples is I was at the landfill the other day. Two very large moving company box trucks were there. Very large company. You guys would all recognize those. Both trucks were just full of cardboard and they were just dumping it into the landfill because it may be easier to do, I don't know. The other point is that this is another change in COVID and I forgot I didn't go over it. There were a number of private haulers and rubbish that were doing some minimum amounts of recycling as far as cardboard and glass. As soon as COVID came, I don't know if it was a difficulty of keeping up, didn't have enough drivers, logistics issues or whatnot, but the choice was just made to like, you know what, let's go to landfill.

“And a lot of people who do separate rubbish bins or cardboard thinking those are being recycled are actually not being recycled. And not to pick on any one company or anything, but that's just happening across the board here on island.

“A lot of the material and tonnage that we see is being driven by the real estate development industry, the tourism industry and whatnot that is something we really do need to work on. So both these particular points, the poi and pa’i, that’s going to support private sector investment of pilot projects, R&D testing, things that we’re doing, things that I know other recycling companies want to do, things that people are looking into but don’t have that background, don’t have that support. They’re out there on a limb by themselves with no safety net. So when we start talking about credits, we’re talking about some ordinances that at least back the industry and support the industry. And it also allows talking with private equity and debt equity finance groups. They find risk when you don’t have volume and tonnage and access to that.

So if there is volume, if there is a guarantee of tonnages based on both those or additional carrots and sticks, they’re going to be more apt to make investment for local companies or give loans to do new projects and to be able to take on more recovery and recycling services. We did a whole ton of work on this concept of mini-MRFs and small scale resource recovery facilities. That can be an entire week of talking with the information that we found, but essentially boiled down is at one point, to have a resource recovery facility, you needed something like \$40 million, \$50 million to build it. And you would have to have a guarantee from the municipality that you’re going to have a certain tonnage to have any sort of funding potential. But there’s been some revolution and some evolution in technology and in shrinking down the particular optics and robotics and things that go into this. And so what we did is we found two off-the-shelf mini and micro recovery facility builders in the U.S. That is Gorilla Recycle and Revolution Systems. And these are tonnages of 5 to 10 tons per hour, I believe, and lower, and starting somewhere in the \$12 million down to the \$250,000 capital investment for these types of facilities. In addition, we’ve spoken with very many system integrators that build these big resource recovery plants.

“There’s probably five to 10 big major folks that do this nationally. And they’ve all agreed that they could build smaller and smaller models now based on technology that’s available at a much lower cost. With Gorilla Recycle, I don’t know about the others, but Gorilla Recycle has an opportunity in West Virginia. They have the engineering plans to build these small plants and that can be completely off the grid, be completely solar powered. And we are in a really great place for that to happen. Using regular power would be extremely expensive. In our analysis, while not at full due diligence, but a lot of these systems could be paid back in five years, is what they’re promoting. Obviously, there’s a lot of dependency on value of the commodities, whether we can keep things, more things on island than shipping off island, all those things enhance the viability of these systems. But those are very real. They’re proven over nearly 100 years now. And I guess what I would do is in the conversation of waste to energy versus resource recovery, they don’t necessarily have to be opposed. But I’ll do a really quick story about during the space race in NASA, it was determined that astronauts really need to be able to write notes in space.

“So they’re trying to figure out how do we write notes in space with a pen. Because a pen uses gravity, and in zero gravity, our astronauts cannot write. So NASA hired consultants. They got their engineers, they spent millions of dollars to try to figure out how to get a pen to write in

space. You know what the Russians did? They used a pencil. So the point here is that, yes, we could go for the big heavy investment, high tech, new emerging technologies to help with solid waste and recovery. And I guess I would argue that there are a lot of low tech, high productivity options out there that we should also look at. Then this just to finalize here, some of our pilot projects were based on paper, fiber recovery and diverging. And in particular, we use cardboard because cardboard is a very valuable feedstock to compost to mulching products. We have livestock bedding being tested in a variety of different chicken farmers and some of our horse and dairy.”

Chair Adams thanked the presenter and said that if Commissioners have specific questions, they can contact Mr. Riznyk after the meeting.

2. Begin discussing EMC initiatives that would focus on source reduction toward zero waste and next steps.<sup>5</sup>

Chair Adams said the purpose of this item was to begin the discussion on what EMC initiatives we might want to take focused on source reduction toward zero waste and next steps. The ordinance stuff that we approved doing was around keeping recyclables out of the landfill after they've been used and already being tossed. Hopefully they'll be tossed into a recycle bin instead of tossed into the trash can. But the best place, the top of the pyramid, is to avoid generating the waste in the first place, don't buy it, use only as much as you absolutely have to use, et cetera to cut down on the generation of waste in the first place. So there are innumerable things that EMC could also do and I know it's near and dear to Commissioner Acasio's heart. If you want to just start people thinking, I don't know that we are going to have time to get into it in any depth, but maybe give a flavor and get the brain cells cooking on what makes sense for EMC and if the Vice Chair would be willing to agendaize it for next meeting.

Commissioner Acasio said she was happy to, for the most part table, the discussion as we are running late. But a lot of things were raised up actually already in the discussion, in the presentation from Mr. Riznyk. And also there was some comments in the chat that may have been referring more to EPR legislation, or ordinances for that matter, more on the state level. So mandates around packaging and especially EPR that would be focused on reuse and refill, such as the good work that the SWFR grant is going to be implementing. So I just wanted to start the discussion, kind of see what the litmus is for others on our Commission, whether they're interested in exploring more ideas around reuse and refill, infrastructure, repair cafes, tool libraries, expanding County reuse, and a needs assessment. And she does not know if that's going to be part of the operational study and how much of that will kind of direct more of the needs or give us information for a needs assessment of sorts, because she is not quite sure exactly what's in that study, but at any rate, we'll kind of have to look at that a little bit more.

There was also artisan scale or small scale food waste, whether it's pig slop or composting, distributed or decentralized in multiple areas as to not create one large scale industry in a central location. Also, the same thing with looking at programs to further expand more small

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<sup>5</sup> VI.2: 2019 ISWMP, Section 3: <https://records.hawaiicounty.gov/weblink/DocView.aspx?dbid=1&id=125618>

scale distributed greenwaste as well and what that looks like. But one of the big things that was mentioned was the EPR legislation and seeing how we can perhaps work with the Council or the Department and our State Legislature, especially our Hawai'i Island delegation, in supporting bills that are currently actually still on the desk because it's a biennium and technically are still alive until the end of next session.

Chair Adams said one of the options, for example, could be if there is a particular focus area that you have, we could authorize, a Permitted Interaction Group of three or more commissioners, to go offline, talk to each other, even without having to be in a public meeting and publish minutes of your meetings, if you'd be interested in that. Don't know if you're ready to commit at the moment. What you described is a pretty broad scope, and not everybody may be interested in every aspect. But I would recommend that you think about what you might be willing to put some time in on for the next meeting. And if something grabs you later, you can always join a PIG or ask to form a new one.

Perhaps think about it in the future, Commissioner Acasio said. As far as interest in more upstream solutions, and Director Mansour had also mentioned last meeting that potentially there are a few Council Members working on an ordinance to ban single use plastics in our County. And so that is also an upstream solution possibly. But I know that that's not in the process for our meeting at the moment, but just looking at possible upstream solutions that if anyone has upstream solutions that you would like to work on, I am very much interested.

Commissioner McIntosh asked if the Legislature had passed some kind of EPR bill.

They heard it, but it didn't pass, Commissioner Acasio said. There were a few that have gone through different committees, and I believe it was 2021, maybe there was one that went to conference committee and then did not pass through conference committee. So there are two current submitted pieces of legislation on EPR that are different in some ways, some fundamental ways. And both of them are in the Legislature currently from last year.

Chair Adams asked if it were allowed for people, if they have ideas for whether it's an interest group or something, for EMC to send ideas to Commissioner Acasio, and then she could run through them as examples at the next meeting, as long they aren't having a multiple commissioner conversation. It's just one Commissioner compiling a list.

DCC Tavares said that is OK.

Commissioner Acasio agreed to it. That's great, she said, so long as it's permitted, I'm happy about that. Just to start the discussion of other options besides banning it at the end of use, but more upstream.

And I think, like everything that we deal with, we are talking about the entire ecosystem of the planet, Chair Adams said, there are multiple solutions at multiple points that we need to be

looking at. And a lot of it depends on what kind of energy are you, the commissioners, willing to bring to the effort. So think about it, read up. There's plenty out there to focus on.

Commissioner Otsuka said that in July the Director had asked for Commissioners to give some input for proposed legislation within 90 days, and I think we're running out of time, she said.

But the Director will take suggestions on anything and everything that's under his wing, Chair Adams said. So if you got a great idea, throw it at him.

And if it's operations and policy related, certainly when we do the solid waste operational study interviews, we would like that feedback as well, Ms. Hartman said.

Yeah, I'm sure there are going to be lots and lots of interesting questions. The scope of that study is amazing. So if you've got ideas, share them, Chair Adams said.

## **VII. REPORTS/CORRESPONDENCE**

### Correspondence

#### **A. Letter from COHDEM announcing availability of Programmatic Final Environmental Impact Statement – Addition of Wastewater Services for the Puna District<sup>6</sup>**

Chair Adams said the correspondence item was in our reference folder for this meeting. I'm not sure if there's anything DEM wants to say about it, other than we've got an opportunity again to provide input, she said. I would recommend, if you haven't also, look at the presentation that was made to Council. Any comment on item VII-A, the programmatic final environmental impact statement? Is there still comment being accepted?

Environmental Planner Kelly Hartman said the final PEIS was published on September 23, and it is under Mayoral review, and we're expecting acceptance very soon. So all that to say, the PES is final; no further comments. We are continuing to take comments on the facility plan, and so keeping in mind that the PEIS is just the environmental impacts, and so comments on the facility plan are continuing to be taken. You can check that out on the website. We're also going to do one last public engagement event at the upcoming Revitalize Puna meeting October 21, and all those comments will be incorporated into the final draft, and we're looking to get that out in November.

Chair Adams said that on behalf of the guides that we gave to DEM on what we think ought to be in an integrated wastewater management plan, they pretty much have hit all the items that we had identified as being critical, not in any bloody detail, but they're asking the right questions, they're looking at the right factors. And as a scoping document, I think it was very well done. I was impressed.

### Director's Informational Report

#### **1. Legislative update**

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<sup>6</sup> VII.A: Letter from COHDEM: <https://records.hawaiicounty.gov/weblink/DocView.aspx?dbid=1&id=125637>



Director Mansour thanked Mr. Riznyk and Ms. Hughes for their comments and participation. As you see the in presentation from Mr. Riznyk, things are complicated, but we are hoping to get that golden egg from the last slide because I think it is a complicated issue. And he outlined how complex this process can be and what type of technologies. It was the late 1990s, early 2000s, when people start saying, what should we do with waste? Since 2007, 2004, there was also an interest. Technology has changed, but still the concept is the same. So eventually our current consultant is doing operational study of our current system. And as far as legislation is concerned, that's where I think somebody like Mr. Riznyk and Ms. Hughes and EMC commissioners, this is the time to propose any possible legislation that you want us to take the lead on. I know the Administration office has put an email to us Directors to submit any possible old or new bills that we feel that we need the Mayor's support to get it through the (House and) Senate. So I encourage each one of you and even Nick and Melinda to give us a proposal on things that could potentially improve our recycling program.

I understand the challenge with plastic, the Director said. There's certain plastic that we could recycle. So why are we allowing non-recyclable plastic to continue being utilized for packaging and what have you? Maybe that's a bill we need to take on is ban any non-recyclable plastic. So that would force the manufacturer to start using the recyclable plastic that already exists. You know, why not, right? So these are the type of things that, from an environmental point of view, we need to start.

Are you looking at county or state or both, Chair Adams asked.

Both, the Director said. You need to hit the State first because that would be a stronger message. But if there's something at a County level that other counties has done, we willing to mimic that as well. So we are, as always, going to entertain both and we're going to do what makes sense to protect our environment from the microplastics and the nonrecyclables and what have you, just for the sake of expanding the lifespan of the landfill. The landfill is very expensive to operate. Each cell that we construct, airspace is very expensive. So we need to be able to manage it in a manner that, No. 1, Reduce, Reuse, Recycle is implemented, and diversion, so we can minimize the amount of waste going to the landfill. So what I heard today is that's what's going to continue allowing us to lead into that direction? It's a challenge, but we need all to work together to refine and define how that's going to pan out. So, as like said, item No. 1. Legislative update. You all have the latest from the Secretary, but we are getting into the new legislative session coming up. Once again, if you have ideas on any proposed bills, please shoot them to the Secretary so we could find a way or define the vehicle, who's going to take it to either the House or the Senate.

Is there optimism about the bills from last time, about speeding up or helping the cesspool conversion program, Chair Adams asked.

My understanding that's going to probably some of them is going to go back, Director Mansour said. I had a brief discussion with Senator Mike Gabbard in O'ahu last week and definitely there was some disappointment on the cesspool conversion bills that were presented and it failed.

Some of it is going to go back and we'll see where it goes, but they may introduce new bills as well. So that's continuing.

Vice Chair Olson said that from the Pāhoā perspective, we have so many TMKs down there and they're all going to have to get some kind of hookup. The cesspool thing isn't going to work in the density that we're talking about.

You hit it right on, Director Mansour said, and you saw our presentation to County Council and you've seen their report. It is unfortunate we outpriced ourselves because it's always more expensive to remedy it after the fact rather than do it prior, but it's just the cost of digging out roadways and kind of reconstruct people's front yards to be able to connect to their current homes and it adds expense. And the issue is not going to die away even though the report is going to be finalized. But at least it's the start of discussion. Now we have a roadmap, we have our options, and how could we transition from where we at now to be able to remedy existing conditions, but yet avoid falling into the same predicament as we move forward?

Commissioner Acasio asked about a timeline on when that operational study is going to be completed.

Ms. Hartman replied it would be in October 2024.

## 2. Solid Waste Division Projects and Updates

### 1. Recycling and Landfill Diversion updates

#### 1. Solid Waste Infrastructure Recycling Grants

Recycling Coordinator Craig Kawaguchi said we were recently awarded the \$1.5 million EPA SWIFR grant, the solid waste infrastructure grant. And so it'll be used for the reusable and refillable bottle system.

The week of October 23 is when they'll have something planned that whole week for the community to come out and give input, Mr. Kawaguchi said.

The other thing that we're going to start doing is go back out and reach out to the hotels again and see what they're doing as far as recycling and assistance. So we met with one hotel earlier this week or last week, Mr. Kawaguchi said.

Vice Chair Olson reiterated his wish for assistance on the transfer stations in Puna. Three of the five are death traps. You're pulling out onto a 55 mph highway from the transfer station and with our population exploding the way it is right now, it's only going to get more and more ugly. We have to come up with another solution for those facilities, whether it's additional road work where you get some kind of transition lane or something because you are just pulling out into the road and of course our population is just exploding. There's more traffic. I was just astounded by the number of people that were on the highway at 5:30 this morning when I left, he said.

Chair Adams said we will come back to this discussion, either during the General Plan agenda item or in the next month.

Regarding the solid waste study, Director Mansour said we're just going to be patient enough to see what the study is going to come back with because it potentially is going to lead to policies and procedure implementation. Vice Chair Olson brings up a good point but maybe the Commission could send a letter to Department of Transportation. The previous day when he drove to the town hall meeting it seems like they are already doing traffic counts because he was driving over these cables crossing the highway. So they are taking an average daily traffic count, perhaps for the purpose of planning. That's what I used to use them for back in the old days. So it seemed like DOT is already moving toward maybe some study to that highway because they have the cables crossing the highway to get that daily average traffic counts. But I don't know, maybe that's something for you to send a letter to DOT and address your concern as well.

Chair Adams recommended the Vice Chair do some follow up and see what he might want to recommend for the October meeting.

## 2. Solid Waste Operational Study update

Commissioner Otsuka noted that the Director said the consultants will be contacting us for our input. I haven't been contacted yet, she said. And is there a timeline that we should get this in for them since all this planning is going in?

Director Mansour introduced project coordinator Shelise Lamb.

Nice to meet everyone, Ms. Lamb said, and shared her screen. So for the sake of time, she said, we just kind of already have an idea of what the purpose of the solid waste operational analysis is and to answer the questions about the timeline. We have started the project. We've completed Phase 1 of the data gathering, which included some of the interviews within our solid waste team. On Phase 2, another round of interviews will be held. So you will be contacted between September and October. So our second round of interviews will be between October 12 and October 20. So that will be coming. It's under next steps under Phase 2, and then we'll also be presenting an update to County Council on October 17 (presentation has since been withdrawn). So hopefully that answers your question, she said.

## 3. Wastewater Division Projects and Updates.

### 1. Pāhala and Nā'ālehu Large Capacity Cesspool Closure AOC

1. Meeting at Pāhala Community Center scheduled for 6 p.m. Thursday, September 28 to gather input for Environmental Information Document and to review the Preliminary Engineering Report
2. Nā'ālehu Preliminary Engineering Report has been submitted to EPA

Ms. Hartman said the last time we spoke, the Pāhala Preliminary Engineering Report was approved by EPA. We did discover a bit of an error in the Administrative Order on Consent requiring two kind of opposing deadlines happening at the same time. So there might be a

revised AOC coming out. This is an error on the EPA's behalf, but we're also trying to recommend not revising it because we may have to adjust it in the future. So we only want to touch it once. So more on that later. We have a public meeting coming up tomorrow for Pāhala. We're going to be trying to solicit feedback on the environmental information document that is required. We are developing the project contract for the Nā'ālehu environmental information document and a meeting will proceed. We are now separating the community meeting. So when we meet with Pāhala, we're just talking about Pāhala issues, and when we're meeting with Nā'ālehu, we're just talking about the Nā'ālehu project. But everything's on schedule, everything's going well there. We'll get some good feedback tomorrow night.

## 2. West Hawai'i wastewater projects

As far as the wastewater projects on the west side, Director Mansour said, part of it is also to look at the facility planning and figure out the current infrastructure and how we could manage it and break down Operations and Maintenance for the future. And that should cover the hydraulics and possible expansions of the infrastructure itself as well. The R-1 project, the 60 percent design, was submitted to the Department of Health, so we're waiting on their comments. We're going to continue pushing the design completion for the reuse on the west side pretty soon.

## 3. Hilo WWTP upgrades

The Hilo Wastewater Treatment Plant is on schedule, the Director said. The project is anticipated to go out on the street sometime in Spring 2024 with the intention to issue a notice to proceed sometime in June. This project is going to be a combination of the prior phase and the current phase that is going to be covering the secondary treatment options of the facility itself. So that's moving forward.

Later in the meeting, after the Director had left, Commissioner Otsuka said she was made aware that consultants were working on the environmental assessment early consultation for Hilo WWTP improvements. It just said that they're looking for comments to be given before October 20.

Ms. Hartman said you can go to the state environmental review program website where it is posted to make comments directly there. And you're also more than welcome to send them directly to her and she will make sure they get to the consultant and the project manager.

She was wondering, no mention was made of this to us as far as the environmental assessment early consultation. It was given to the Department of Hawaiian Home Lands. So that's why I'm asking why we weren't made aware.

DCC Tavares said that when we have projects that are required to go through the environmental assessment process, that's not something that EMC specifically is going to be consulted on. You can provide public comment. But basically it's the state program, and they're conducting the EA. And so when they put out the environmental notice, this is what is being

done and you can provide public comment on it. That's what's happening. They're required to get put out for public comment.

I guess they're saying they're acting on behalf of the County of Hawai'i Department of Environmental Management, Commissioner Otsuka said. So I guess I misunderstood that to mean that DEM is aware of it, she said, and so maybe it was something you should be aware of.

Ms. Hartman said it would help if we add the EMC email to our distribution list and so you're being notified along with other State and County agencies of what's going on regarding the environment.

Thank you. I think so. That'd be good, Commissioner Otsuka said.

#### 4. Wastewater plans

Ms. Hartman discussed the integrated wastewater management plan and our cesspool conversion plan that's just kicking off. We are trying to find countywide solutions to these issues. We'll be stitching together our regional plans in addition to updating our wastewater treatment plant facility plan. So we'll be walking away with, what needs to be fixed at all the plants, where can we upsize, how can we bring in more customers and more cesspools? So that effort is just getting kicked off. We're going to do four community outreach meetings on the draft and the pre-final on both the east and west sides with Zoom options for everybody in between. So stay tuned for more on that.

Director Mansour thanked staff for doing so much with the people we have. He wants to thank Ms. Hartman and the Wastewater Division and the Solid Waste Division. Lacking the staff level that we have, we talked about putting together these wastewater management integrated plan I believe the first day we started under this administration, if you all remember. But now it's coming to reality. Two and a half years later, we were able to secure the funding and, being able to kick the process forward. This is going to be a great tool for this administration in the future to be able to refer back to this roadmap, either solid waste or wastewater. So we definitely accomplished a lot by just securing the fund and getting this moving forward.

##### 1. Addition of wastewater services for the Puna District<sup>7</sup>

##### 1. AECOM presentation to Council committee on September 5, 2023, on the Pāhoa Wastewater Feasibility Study and Puna Wastewater Facility Plan<sup>8</sup>

Ms. Hartman said we submitted the final PEIS to the state environmental review program this month, and we're expecting acceptance by the mayor soon. We did a presentation to the mayor and County Council to solicit their feedback for the final draft. So we're working still on the pre-final. We're going to do one more public education outreach initiative with the Revitalized Puna meeting happening on October 21. The facility plan is up on the website. So if you haven't seen the facility plan, go there for the details. For Pāhoa. We are now treating Pāhoa and Puna together. We presented Pāhoa at the public council meeting as well. We're

<sup>7</sup> VII.3.4.1: Puna wastewater website: <https://storymaps.arcgis.com/stories/50e624065fa641598326febe6316327b>

<sup>8</sup> VII.4.1.1: Council presentation: <https://records.hawaiicounty.gov/weblink/DocView.aspx?dbid=0&id=1061867>

going to be soliciting feedback again, Revitalize Puna, and then we're looking to finalize that feasibility study coming up in November. So we are wrapping up those two projects.

Chair Adams said the website is great and it has bite size pieces, but it also shows that we've got very site-specific solutions that make sense. And others everybody wants, just build a big plant and suck it all in and treat it and we're done. No, that's not going to work. We're talking about really complex site-specific decisions that are going to have to be made to find the right solutions. Same kind of thing applies, although to a lesser degree, to the solid waste and recycling and picking up recyclables and whatnot for the different transfer stations. There isn't a single silver bullet, period. We're talking about a whole range of alternatives that we need to work through. You poor guys need to work through where it makes sense, what's the right solution. And I think that facility plan and the presentation that you guys put together for council illustrates that really well that, I'm sorry. It's complicated. Life is complicated. Congratulations on the work that's been done.

Ms. Hartman said for Puna we evaluated 20 different project alternatives from all Individual Wastewater Systems, to decentralized plants, to centralized systems, to high pressure or gravity sewers, to low pressure, to just sewerage urban areas, sewerage all the residents, bringing all the sewer to Hilo. So they were all evaluated and based on capital costs, operation costs, and environmental and technical factors.

## 2. Puakō and South Kohala Regional Wastewater Master Plan

Ms. Hartman said we are completing all milestones on schedule. The project website is up as well as the form for public input. We anticipate the draft to be completed in November, and we will start public engagement around that time when the draft is completed, and the final is anticipated to be completed at the end of June 2024.

Director Mansour said that with this project, we had a great meeting with the community and we're going to see the light at the end of the tunnel. It's getting closer to reaching a solution and American Water, if they end up accepting connections, the county is looking at creating a county sewer district with the people trying to figure out how the sewer collection is going to be funded and constructed to serve that community, go into that Mauna Lani wastewater treatment plant. So, these are great steps moving forward. And if that gets finalized, that was one of the biggest challenges. And we could use this model for cesspool conversions in different areas within the island. So if that works, then we could implement it somewhere else if private wastewater systems are available and nearby other communities.

Chair Adams said she had heard some comment that some residents are eager and willing to try some innovative technology for individual treatment systems and she was just wondering how they go about getting permission or smoothing things to allow people to try new things without waiting. They're anxious. They want to get things done and changed and improved sooner rather than later. And there is concern about, this whole planning process takes forever and how can we just do something?

Ms. Hartman said the Department of Health is just starting this conversation about state cesspool conversions and how we're going to work with residents on it. And definitely at the front of her recommendations is going to be for the Department of Health to spell out what is allowed, because the law says it has to be septic system or aerobic treatment unit or else approved by the director. And so we need more guidance for residents, the processes and what is approved. So that'll be something she will be working on.

It isn't always going to be the answer is DEM sewers, Chair Adams said. And it's not your burden to get it up faster necessarily? It's, how do we grease the skids so people can try to get something better? If they're willing to take the chance, if they're willing to spend the money now to put in systems that work for them, I'm glad to hear that. I think it's good for us.

Director Mansour said there are a lot of people coming in with new technologies, trying to implement them, what have you. We cannot use it unless it's being proven. So the idea is, hey, I got a new technology, give me a green light to do it. It has to go through a pilot program, it has to be proven technology that has been tested. Department of Health had two of them, NS-40, and NS-45, that are already approved technologies. They have a list of certain models of septic tanks and ATUs that have already been approved. Anybody could get a hold of DOH and get a list of what's being approved. And they don't have to wait. They could just go ahead and buy it and install it. So there is no reason to reinvent the wheel unless that technology could create a better quality for effluent. But we need to work with DOH to do a pilot program and get it approved through the system.

Chair Adams said it's more should be more like Ms. Hartman was saying, you need to encourage DOH to communicate more, get more information out there on what the alternatives are, and maybe willing to try some pilots and see if they can provide the proof. On the topic of a community conversation, have you hired this professional public information officer, whatever you called the position?

Director Mansour said we are still in the recruitment process. We have not hired, so if you know of any people, send them toward our office or just put the word out as well.

#### 4. Information requests to DEM from Commissioners

##### 1. What input has DEM given on the General Plan revision? (Adams)

Ms. Hartman said the Secretary compiled all of the Department's comments and submitted them to the Planning Department prior to this public engagement portion that they're going into starting this weekend. So they're having Kona side meeting on Saturday, which she and the Director will be attending, and another one coming up on the Hilo side, maybe October 7. So we'll continue to take additional comments.

Chair Adams encouraged commissioners to go and attend those meetings, and focus on the solid waste and wastewater infrastructure issues that are DEM concerns.

2. Has DEM received any update to R&D's Request for Information No. 4444 related to sustainable infrastructure? (Otsuka)<sup>9</sup>

Chair Adams said that Commissioner Otsuka was wanting to track what R&D got from their request for information, and we got a copy of it. It was kind of pithy. It didn't show up, at least on the screen I could see. So I don't know if you got all the answers you wanted off of that summary that they did. It was in our references folder, the Chair said.

### VIII. FUTURE AGENDA ITEMS

1. Follow up on action items determined today.
2. Other (Commissioners may suggest items they would like placed on the next agenda.)

Chair Adams said that you have things for Commissioner Acasio to compile for her list (see page 23), submit them. If there are agenda items that you want covered at the next meeting, send them to Vice Chair Olson, who will be chairing that meeting, and copy the Secretary. And they'll be putting together the agenda for next time. If there are huge holes that the Chair swam over, feel free to go back and cover them. If there's follow-up that you think the Commission might benefit from, you can see if Mr. Riznyk has got time to come back or at a later meeting.

### IX. ANNOUNCEMENTS

The next meeting is scheduled for Tuesday, October 24, at the Puna Conference Room of the Hawai'i County Building, 25 Aupuni Street, Hilo, and via Zoom.<sup>10</sup> Vice Chair Jon Olson will preside in the absence of Chair Georjean Adams. Please contact the Secretary for the Department of Environmental Management or review the agenda posted on the County Calendar within six days of the next meeting for confirmation.<sup>11</sup>

Chair Adams urged Commissioners to think of what you might want to cover at the October meeting in Hilo. That's a Tuesday, so hopefully we will be able to pick up Commissioner Burns. And also by then, we should have our District 7 commissioner on board, so that'll be fun, too.

Lastly, Chair Adams noted that because the County has been sued about the Kealakehe Wastewater Treatment Plant by EarthJustice on behalf of a local hui, DEM is unable to talk about it, which DCC Tavares confirmed. So don't put that on the next agenda, the Chair told the Vice Chair.

### X. ADJOURNMENT

**Motion, second, and vote:** Vice Chair Olson made a motion, to which Commissioner Olson seconded, to adjourn. Ayes 6 (Acasio, McIntosh, Olson, Otsuka, Norris, Adams); Absent 2 (Burns, Cardwell). Meeting adjourned at 12:00 p.m.

Respectfully submitted,

Peter Sur, Secretary

<sup>9</sup> VII.4.2: RFI 4444 summary <https://records.hawaiicounty.gov/weblink/DocView.aspx?dbid=1&id=125632>

<sup>10</sup> IX: 2023 EMC meeting schedule: <https://records.hawaiicounty.gov/weblink/DocView.aspx?dbid=1&id=120846>

<sup>11</sup> IX: Hawai'i County Calendar: <https://www.hawaiicounty.gov/our-county/county-calendar>