

From: [David Hunt](#)
To: [Sur, Peter](#)
Subject: Comments: 7/26/23 HI EMC Myg.
Date: Saturday, July 22, 2023 11:08:18 AM

Comments HI EMC

peter.sur@hawaiiicounty.gov

County of Hawai'i
ENVIRONMENTAL MANAGEMENT COMMISSION
345 Kekūanāo'a St. Suite 41 •
Hilo, Hawai'i 96720
Ph: (808) 961-8083 • Fax: (808) 961-8086

July 26, 2023, 9am Meeting

**RE: DRAFT ORDINANCE TO BAN RECYCLABLES FROM LANDFILLING 7/18/23
GEORJEAN ADAMS**

A [DRAFT] ordinance amending THE COUNCIL OF THE COUNTY OF HAWAII CHAPTER 20, ARTICLE 3, OF THE HAWAII COUNTY CODE 1983 (2016 EDITION AS AMENDED), RELATING TO PROHIBITION OF LANDFILLING OF DESIGNATED RECYCLABLE WASTES.

Commissioners,

Thank you for your service.

I am very concerned and urge your action to **delete** the following (underlined, bold, & italicized) items (below) in:

Section 20-07-04 "Performance Targets for the Department:"

Sub section b) "The department may accomplish the reduction in volume accepted by county landfills with various means, but is encouraged to use the following priority order:"

Proposed items:

6. incineration with recovery of energy [WTE]
7. incineration to reduce volume landfilled should be only a last resort (e.g., if remaining county landfill capacity will last less than 5-10 years).

Items 6 and 7 - "incineration" are the exact OPPOSITE of what is now required to reduce CO2 (and other) emissions. Our county can no longer, ethically or legally, resort to (even as a "last

resort") incineration as a means to EITHER solve waste management issues OR to generate electricity. Period. Recent case law has created precedents upholding this simple fact.

Hawaii residents now have a legal right to a healthy environment.

Incinerating waste does NOT pass even a cursory "smell test" in meeting that constitutional right - or your obligation to recognize and uphold that right.

Further, our state and county have made legislated commitments in the areas of energy production and CO2 reductions.

Both the state and the county are now and henceforth (legally) held to a higher standard - in managing and protecting our Public Trust land, air, and water.

Any new project proposals to incinerate waste, biomass, or other types of materials or products are held to this higher legal standard.

It is now a constitutional and regulatory requirement for you as representatives / commissioners to protect our public trust land, air, and water, and the legal right to a healthy environment.

Section 20-07-04, subsection b) items 6 and 7 must be deleted. While there may be various opinions on these matters, there is simply no legally defensible argument to justify including these items 6 and 7.

Sincerely,

David Hunt,
P O Box 1052
Honoka'a, HI 96727

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Aloha, Peace, Love, Music & Gratitude