

**ENVIRONMENTAL MANAGEMENT COMMISSION
COUNTY OF HAWAI'I**

MEETING MINUTES

Wednesday, June 26, 2024

9:03 a.m. to 11:54 a.m.

West Hawai'i Civic Center, Kailua-Kona, and Zoom

Commissioners present:

Georjean Adams, Chair; Dorothy Norris, Vice Chair
Laura Acasio, Jim Beets, Dell Otsuka, Lee McIntosh, Gonzalo Garcia

County staff present:

Ramzi Mansour, Director
Craig Kawaguchi, Acting Recycling Coordinator
Alan Fukamizu, WWTP Operator
Lindsay Moore, Environmental Compliance Specialist
Shelise Lamb, Project Coordinator
Alex White, Recycling Specialist
Christy Swafford, Public Information and Education Specialist
Ray Dovalina, Civil Engineer
Peter Sur, Secretary
Sinclair Salas-Ferguson, Deputy Corporation Counsel

Others present:

Lynda Williams, Jennifer Navarra, Nick Riznyk, Sue Aronson, Blake Hornbacher, others

I. CALL TO ORDER

Chair Adams introduced members and called the meeting to order at 9:03 a.m.

II. APPROVAL OF MINUTES FOR MAY 22, 2024¹

Motion, second, and vote: Commissioner Beets made a motion, to which Vice Chair Norris seconded, to approve the minutes. Ayes 6 (Beets, Garcia, McIntosh, Otsuka, Norris, Adams); Absent 2 (Acasio, Perez). Motion carried.

III. STATEMENT FROM THE CHAIR

Covid is on this island, and some of us are unfortunate enough to have gotten a rebound version of it, Chair Adams said. So that's why I'm not in Kona and will occasionally cough. So I'm glad people can make the meeting. We've been holding a quorum for a long time on this

¹ II: Draft minutes: <http://records.hawaiicounty.gov/weblink/DocView.aspx?dbid=1&id=135956>

Commission, and I really want to thank you all for making efforts to make sure you can make the meetings. It is so frustrating to have to cancel because of lack of quorum.

IV. PUBLIC STATEMENTS ON ITEMS ON THE AGENDA

Lynda Williams: My concern is that the release on Friday the 21st at 8:30 a.m. went on- I mean, I know there was an alert that was put out, but no one saw it. And the beaches were full at Keaukaha all weekend long, people were swimming in untreated, contaminated waste. And the response is completely unsatisfactory and needs to be improved. So trying to help make improvements here we have a Civil Defense system that works perfectly. I get announcements every time there's a small boat advisory or if there's an earthquake. So why not- why doesn't this board, along with the County, use the Civil Defense announcement system to inform the public when there is a contamination spill? Six hundred thousand gallons is a lot of untreated water, and it was four days long. The mayor didn't even put out an announcement himself until Sunday. And people are reporting that they're getting sick. It's just. It's not necessary. Just you like a couple things. You could put- no one saw signs at Carlsmith or Richardson, so there needs to be a lot of signage. There could be a civil alert announcement. And you could also put those electrified signs all along the beachfront. Just put a couple of those up because people deserve to know. I know it's going to take time for the new waste treatment plant to be built, and we may have more accidents. So y'all need to come up with a good plan. I don't even know who's responsible for coming up with the plan, but I know the mayor is the leadership, and I know that you guys run the waste treatment plant. So that's all I want to say is that I'm advocating, as a resident here in Hilo and a swimmer in Keaukaha, that you please inform us better when you have a contamination.

Chair Adams asked Director Mansour for a statement on how the process works and when there is a spill from one of our wastewater treatment plants. And who carries that ball?

Director Mansour thanked Ms. Williams for her testimony and appreciated the suggestions. The plant is going to take some time to get finalized and constructed. Our current standard procedure is that when we do have a spill, the Department of Health gets notified right away once our operators discover the situation, and then our staff will talk to the Department of Health to identify the strategy of the signs and the action item that needs to be taken. And once that is agreed on with Department of Health, our staff will go out there and take samples. In this situation, our laboratory person went there and took samples, and fortunately, the sample came negative, so we did not detect any positive samples. But we were waiting on Department of Health to do their own sampling because Department of Health, once they are notified as well, they do come and take samples to ensure you have those checks and balances. Improvement is needed. I hear the concerns. Currently, our acting Division Chief, he's working on emergency response, organization, and Lynda is correct. We had our system because we have the contact of the Civil Defense, and we have a lot of major players, stakeholders, that usually part of the process. But we should not give any excuses. I know we have turnover of staff and changes, but we are still finalizing that emergency response plan as part of the current Administrative Order on Consent. But any positive or negative comments are well taken. And

like I said, we always look forward to have improvements needed and constructive criticism as well, because that's what's going to make the system better moving forward.

Thank you, Chair Adams said. We'll come back to that when we come to your Director's Report under item VII. But one of the frustrations is that it is basically DOH, the State Department of Health, that determines whether there's a public health hazard and dictates what the responses are. So it's a little bit outside of our mission, but I think we need to address it as well as we can on what is the responsibility, or should be the responsibility for our County department of Environmental Management. So we'll go back to that. Stay tuned, read the minutes, watch the video recording of this, and we'll try and move this on, the Chair told Ms. Williams.

(Chair Adams acknowledged the appearance of Commissioner Acasio at 9:15 a.m.)

Alan Fukamizu, commenting on the spill response: With the spills we do have, I mean, it seems like they are, depending where they are, different treatment plants, the main plant, the country plants, it's usually in a generalized area where we post signage, this and that. So in an emergency response plan, we should set up and not depend on Department of Health initially. If we can have a response plan set up to go beyond what Department of Health would require, the areas, this and that. Because I don't know if Department of Health takes into account the tides or the flow of the waters the tides or whatever, but (unintelligible for about 6 seconds) because I think this is covered under HAR 11-62, also their response. So that's it.

Commissioner Otsuka said that last month she mentioned that Keaukaha residents were going to be camping at Puhi Bay. And so I was told that they were going to take a sample, their monthly sample, and give us a report before they started camping. But they're already camping. So with this huge leak, Puhi Bay is one of the first points of contact with the water. So I only saw the signs day before yesterday, and there are little signs right up front.

(Chair Adams asked the discussion to be deferred until section VII, the Director's Report. See Page 22 for continued comments)

Blake Hornbacher, see Page 16.

V. UNFINISHED BUSINESS

1. Discussion of updated wastewater management code draft dated June 17, 2024.²

We received a revised update on the wastewater management code draft, Chair Adams said. If there are any comments that DEM would like to solicit from us- I should say that I also, I did send in some comments to Chief Sparber. They were picky, detailed stuff. So I don't think we need to go over them at our meeting here. But if anybody else has comments, I wanted to give you an opportunity. Or if the Director wanted some input from EMC on any of the outstanding issues or unresolved issues.

² V.1: Draft wastewater code: <http://records.hawaiicounty.gov/weblink/DocView.aspx?dbid=1&id=135959>

Director Mansour said he had sat down and went over the initial draft. Still a work in progress for that report. Any comments? I still believe it's not fully there yet. So any comment that you could share with us to make sure that we could make it a document that everybody invested some time to look at. And I don't want it to just come out as a bill from the Department. You guys are stakeholders, an advisory committee as well. So anytime you review and advise that will go the extra mile.

Commissioner Beets wanted to make sure he had the latest version of the draft bill (version dated June 17, 2024).

We'll send it to you, the Director said. We'll have the Secretary make sure that he shares it with you.

It was in the email that the Secretary sent to us dated June 20, Chair Adams said. It is also in our online (References) section.

The Secretary will re-send the email, the Director said. That way you'll get it on the top of your email box rather than going for it if you haven't started looking at it.

It's a living document till it gets submitted and approved, Director Mansour said.

DEM is open to receiving comments, Chair Adams said. I had sent some comments earlier and they had addressed some of them, so they are responsive to the comments that come in from us. And again, I just want to emphasize that you should care, because if someone doesn't like a decision made by the Director on what they're doing for pretreatment, we are the ones they're going to come to for a hearing on appeal. And so we need to know enough to be able to decide whether or not we want to overrule DEM.

Commissioner Garcia said he went through the draft bill, and obviously it's a lot. Do you envision producing a Wastewater Management for Dummies version of this thing?

Yes, the Director said. The whole idea is, this is the ordinance and our staff will go through training. We're also going to meet with the communities that will be impacted, to kind of simplify it and go through the expectations. So I would imagine to answer you, we would probably have maybe a ("Wastewater Management 101") for a particular training and sharing with the public as our staff meets with the individuals, individual business owners, such as commercial industrial users.

That would be great, Commissioner Garcia said. And then another question would be, does the lab capacity exist currently for the industrial users and the people that will fall into the program who need to do their own sampling and analysis and submit the reports? Do we have that capacity on island for folks to actually manage it?

That is a great question, the Director said. During that transition period and going through the implementation, there's not enough because our division has two chemist positions - the laboratory in Hilo, we have one chemist, but we only do for our facilities. But O'ahu has more than what we have here. So eventually we will work with the dischargers and navigate how the process is going to go. And we're not going to start enforcing unless all of these are in place. So there's a transitional period that we will work with the dischargers to make sure that they are accessible to all what they need to comply with.

I think there's a linkage as far as lab capacity goes, because I know ships are required to do ballast water testing and all kinds of different programs, and there seems to be a critical need to improve our capacity on island to do those types of analyses, Commissioner Garcia said.

Some people in Oahu would be interested to open another branch here, to expand, the Director said. So there's opportunities for these labs to move from O'ahu to here as well for expansion.

There was a comment in the chat about using citizen science just to do sampling, Chair Adams said. No, this is compliance. And so you need to have certified labs generating the data that supports what kind of pretreatment you need to do. So I think it's a little different cat. Commissioner Garcia brings up a good point, and it's an opportunity as well for getting more training available to develop technical expertise on this island. We're going to need it for the cesspool conversion projects as well as for the pretreatment requirements. So there's going to be plenty of demand. We just need to figure out how to fill it.

Commissioner McIntosh had a question about Article 11 for sewer charges. It's a little confusing. When it refers to charges for those that aren't connected to the sewer or on a cesspool, is that only referring to that they're supposed to be hooked up to this sewer and they're not? Or is it like, you're going to be building something in Nā'ālehu? I live all the way down in Discovery Harbour. Are we going to start being charged because we have a cesspool and I guess eventually a septic system that there's no way in the world we can connect? Is that what it's talking about or something else?

There are a lot of businesses outside the sewer service areas, outside any accessibility to a treatment system, Director Mansour said. For example, Puna areas, they don't have a wastewater treatment plant, but eventually their waste or sludge when they pump their system is going to make it to our facility. So we need to make sure whatever they bring in, it has to be tested because that's going to impact our facility as it comes in.

Acting Wastewater Chief Chris Sparber said that regarding fees for residential customers, the intent of the code is such that, if you're accessible to sewer, meaning you have a lateral at your property line. In the future, that definition may change. But if you have that capability, that lateral to your property line to connect, then, yes, we have a rate that you would pay because you are provided the opportunity, but it's not being taken. But that opportunity is still there. But also on the industrial side, the way that the CFR and the way that the pretreatment law

works is that if you are an industrial user and your septage or your industrial waste is being brought to a county wastewater facility, you might as well be connected to us. So with that respect, our code addresses that and says that we can set up our fees in such a way that we can take that higher- because we're going to have additional regulatory requirements for that industrial waste. So it gives us a means for recuperating those funds for the expense of that. Because the thing about a Significant Industrial User, their septage or commercial waste is being brought to our facility, they might as well be a SIU, and we have to maintain a set of compliance documents and that kind of stuff for them. So there's additional cost to our Division, and so we just needed a means to recover that. But no, if you're in nowhere near a sewer, if you're an Industrial User with your own treatment plant, you're doing your own thing, you need nothing from our Division, then, no, you would not necessarily be directly charged for those services. So I can look at that, I can make that clearer. I've received a couple of comments on that section, and I do realize that it needs to be addressed, so we'll take care of it. And again, if you have any unique ideas that you've seen in other places, let us know so that we can evaluate and potentially incorporate that as well.

I think that is a place for people to focus, not only for Industrial Users, which I agree doesn't make any sense. You can sewer it and get it off to the County to deal with it. That'd be the best, Chair Adams said. But as a resident, "available to connect to the county sewer system," what does that mean, really? My house is here and that sewer line is way heck over there. Where is this service area? Sewer service area and it doesn't include me. Should it reasonably include me? And that's what we've got to make sure is clear in these roles. If it's a particular number of feet or if it's on a map or some way, individuals, whether they're businesses or individual homeowners, need to know whether they are in the "accessible to a sewer connection."

A quick question on the Industrial Users, Commissioner Otsuka said. Do we have a lot? Because for some of the businesses, they're not near sewer. But again, I don't know how many industrial users we're talking about that has to haul their waste to the wastewater [treatment plant]. That was it. Because then that would be not a good example for me to understand if we're just, when we identify Industrial Users, is to say that we must have a lot. And if we do, there must not be near sewer. So that's why they're hauling it there. So are they adjusting the businesses that are not on sewer? Because those are the ones that would be bringing it on-

They got both, the Director said. So the ordinance is going to cover multiple scenarios. The scenario where businesses, commercial and industrial users, are within the sewer service area that they contribute to the sewer line, but yet they still have to have a pretreatment system prior to disposal to the collection. Our staff have already identified the Hilo-area users. They made a list of all the impacted industrial, commercial [users]. So the idea would [be], with that type of group, because they are already connected, they already get charged the monthly fees and the inspections. We are proposing pretreatment fees to allow our compliance people to be able to go and inspect that pretreatment system prior to the connection. Or best management practices per se. Sometimes for FOG, Fats, Oils, and Grease, they must have grease interceptors, for example. They have to take the grease out of the water and wastewater before it makes it to the sewer collection system. So these type of things, our staff will go and

make sure it's functioning, in working condition, and what have you. The other scenario, like you said, outside the sewer area where they don't have sewer collection, but eventually their septage comes to our facility. So. And you don't want it to come contaminated with high metals, VOCs and TSS and BODs and what have you. So they either have to do the sampling prior to us receiving it, otherwise we're going to reject it, and it's going to create chaos. So that's where you all come in as an advisory committee and advise and work with us, and we're going to work with the community as well. Should these people also be charged monthly rate fees and allow them to put also a pretreatment? So we could, even though it's going to their septic tank, but we know that septic tank material eventually is going to come to us. So the idea is, how we're going to work these details and the rates that they're going to be charged, et cetera. So these are the scenarios that we are presenting in the ordinances, and that's why we want you guys to read it. And if you think that we should or should not implement any fees to the people [that] are not connected, then how we going to get them to comply? Because if they're going to have to haul in their septage and if it comes to our plant, if it's hot loads, we're going to reject it, but now they have no place to take it. And it's going to get more expensive. This is the kind of stuff that we would like to hear from you guys.

Commissioner Beets said in a previous discussion the Director shared that the big issue, especially with more residential and maybe small businesses, was oil and grease. Is that correct?

With respect to oil and grease, our major concerns are your food establishments, your larger industrial kitchens, Chief Sparber said. There are some residential areas that have some pretty high grease and that kind of thing. But our primary focus is going to be on commercial food production kinds of facilities. We're not requiring residential folks to install grease traps or anything like that. We're only looking at the commercial group.

It's commercial/industrial, Director Mansour said. And most of the commercial, they should have grease interceptors anyway. The restaurants, they should have their own grease interceptors. So just to make sure that they are in compliance of some of the challenges, maybe these small businesses, restaurants like mom-and-pop types of restaurants, we know the franchise restaurants have to have it because that's a franchise requirement. But these small establishments, that's where we're going to work with them. They have these under-the-sink table units, grease interceptors, where you could place them under the sink. You don't have to tear up your driveway and your parking lot to put a huge tank. So we'll be working with them hopefully also on the funding of these individual grease interceptors. Maybe we could work with state agencies to see if they could assist these small businesses to be able to purchase these units and try to intercept the FOG before it makes it to sewers. But this whole ordinance is not intended to be for residential. It's only commercial/industrial users.

Thanks for that information, Commissioner Beets said. I'll just share one thing. I think this is also important for public education. And I'll give you one example, one of the residents here in Pepe'ekeo was telling me about his neighbor that had a wastewater issue. He does a lot of smoked meat, and he disturbed the neighborhood because of backup. And I don't think he was

doing anything wrong. I think he just wasn't knowledgeable at the amount of grease he was really building up. And it's not a big operation either. It's a small smoker. But I think it's good to make sure we're doing the public education on that.

You are correct, the Director said. I've seen it through my life working in this business, especially when you have holidays, the cooking goes up and the grease and the lard and our sewer collection crew, they used to be called every weekend, every holiday because the families are gathering and are dumping straight oil and fat into the sink. And yes, that's why I think farther down we're going to introduce our education specialist. She started with us and our intent is exactly what you just mentioned.

Chief Sparber said that the big push with your small businesses that don't have existing grease traps, for those folks, if you look in the code, there's a section that identifies BMPs [Best Management Practices]. So specific grease and oil BMPs. And the intent was specifically for those folks, small businesses that don't have existing grease traps. Because in a lot of these situations, the waste plumbing from the bathroom is combined with the plumbing for the kitchen. And it's just a nightmare to try and put in a functional, grease trap. So my thought is we would have a potential waiver and then request and provide education for BMPs for that situation. Because per the analysis and kind of some industry research, those BMP's, if you implement, you can get 80% to 90% reduction in grease discharge to your collection system. And that's great just from the sake of changing your workflows before you even change or put in any type of equipment. And so, that's one of the reasons behind those BMP's. Also those BMP's should be implemented in your newer facilities, because maybe you could increase the duration of time between service events on your grease interceptors. So that was the intent, trying to guide people and provide some education in terms of using good practice within your restaurant kitchen.

Regarding the subject of cesspools outside of the sewer system, Vice Chair Norris asked, can they be assessed prior to submittal of the effluent to the POTW and then assess the fees that would be required for them to dispose of it there, rather than having the individual's waste treatment plants submitting a processable effluent? Definite to you, have it assessed prior to delivery. Add a step there.

I think anything is logical, the Director said. It's just how we're going to build it up in the ordinances. We could do it based on solid loading, but somehow you need to test it prior to coming to the facility. Otherwise, you're going to have the truck standing at the septage receiver. And if the load is hot, we don't have the data. And some of the testing, it takes some time to get the results. So all the logistics need to work out. So our intention is to put it back on the discharger. Make sure before you bring any effluent or septage to our facility, these are what you need to comply with. And send it with the pumper truck so they could hand it to our operators to make sure that the load coming to our facility is in compliance. So there are different ways of doing it. You could participate in the system and pay fees, and we could come and inspect you and work with you, or you could just take it upon yourself. And every time you have a load coming to us, you need to do X-Y-Z before you bring it to us.

It seems logical to do it prior to delivery, the Vice Chair said. I think it would be also to our advantage to assess ourselves rather than be dependent on the individual.

And for us to do that, we have to be able to monitor their system way in advance and build a good record of that system, the Director said. Otherwise, like I said, if we're going to do it ourselves right when we receive it, some of these tests take a long time. So that's why being proactive pays off rather than try to react once you get it.

Lynda Williams commenting as a resident in District 2, on Hoku Street: You were asking yourself about the process. My neighbor told me that he has a cesspool and isn't connected to the county sewage. So I went to find out about my house. Because I bought it as is. And I don't know it. So in order to find out whether you're connected to the county sewage, you have to apply for documentation. And it's such a difficult process, I found. So that's just something I'm putting in your hat is to simplify the process for residents to find out whether they have a cesspool or not, instead of having to file this form or whatever. I mean, at some point, I'm sure you're going to simplify that process. But it took a long time. I had to talk to the engineer. It was unnecessarily complicated. But I'm connected to the sewage, so yay. That's all.

We had a public engagement meeting in Hilo in February, the Director said. I don't know if you are aware and updated. Our department has been working on the cesspool conversion master plan for the entire island. So we've been having public engagement. Hopefully, you could join the meetings. But you are connected. That's a good thing.

VI. NEW BUSINESS

1. Discussion and comments, if any, on the opening of Kalapana Transfer Station on Wednesdays (two days a week) beginning July 17, 2024.³

The Mayor had announced Kalapana Transfer Station will be open another day instead of just the one day, Chair Adams said. How are you going to do that, she asked the Director.

First, I wanted to thank every person that submitted testimony, the Director said. I know the issue is a very sensitive issue. And I want to thank the Mayor for also making the decision to activate it. I'm working with the operations staff. We were able to- we have unfunded positions now. We're trying to work on how we can get it funded, advertised and filled by July 17 or before. Some of the new equipment is being ordered. As you all know, it's a year lag to be able to get the equipment. So I hear that we may get the equipment in October. So from now till October, we may end up renting the equipment to be able to subsidize that service till the new equipment gets here. And we could use some of the old equipment as spare equipment to probably offset that additional day. So our guys are scratching their heads trying to put together that plan so we could implement by July 17.

³ VI.1: Press release: https://www.hawaiizerowaste.org/events/kalapana-transfer-station-adds-wednesday-hours-of-operation/?mc_id=1722

Commissioner McIntosh asked whether Bill 140 is still active. Are they going to still push through that?

My Department always agreed with the intent, the Director said. It's just about the staffing, equipment, and funding issues. And the recommendation was to go through the budget during the budget hearing, and we did that with Maile David for Ocean View as you all recall. So there is a process, there is a vehicle, but like I said, if we need to designate the fund to be able to deliver the service, and that's where had it went through the April budget amendment, we'd be there to support it, you know, during the budget amendment, but unfortunately that route was not taken. So the Finance Department worked with us to get the position funded. We are waiting for the new equipment so we could use the old equipment to offset the extra day. It's the timing and the operational study report in October. So it's all about the timing, but the Mayor is committed, so we've got to move forward.

Chair Adams said that on behalf of the Solid Waste Advisory Committee, it was a recommendation in the Integrated Solid Waste Management Plan to do this operational study so that you have a basis to make smart decisions. So we'll see what comes out of it. But even within the plan, I was going back and rereading part of it. We had recommended that DEM consider reducing the number of days and or the number of transfer stations on this island as being an incredibly inefficient way to manage the solid waste. The fact that we've got some transfer stations open seven days a week and others one or three days a week, there isn't a lot of logic. And that's why the operations study was critical. And if it's crunch time, then reducing Pāhoā, for example, the closest to Kalapana to six days a week instead of seven might be a rational move to make. The other thing that was part of a lot of the ISWMP was considering different options, one of which we looked at was where we can do curbside collection, preferably private company curbside, rather than County taking up curbside like Kauai'i does. But there are lots and lots of options, and that's why the operations study is critical. And I wish you luck on coming up with a way to provide that additional day. And I think it may be a case of some may have to make some sacrifices.

Commissioner Otsuka said it seemed that so often the solid waste projects or the solid waste needs and the wastewater needs are not as serious or as urgent, and so for reducing services regarding solid waste and wastewater, I don't think we should. Maybe you can if you're going to compromise something for something else, but I don't think we should because like everybody says, you're going to find trash on the side of the road, and is that going to be the state's responsibility? So that's my opinion on that. Thank you.

2. Discussion and recommendation, if any, on proposed Solid Waste Division administrative rule amendments.⁴

Chair Adams said these proposed amendments relate to bumping up the tipping fees for hauling to county green waste and solid waste.

⁴ VI.2: Solid Waste rules: <https://records.hawaiicounty.gov/weblink/Browse.aspx?dbid=1&startid=135490>

No, this is a standard procedure, Director Mansour said. We are trying to get the consumer price index added to the fees. That's about it.

And that that index would be geared toward Honolulu and the state costs as opposed to some mainland inflation level, so that we have a more local realistic number, the Chair said. It didn't seem like huge increases to me, but EMC has responsibility to look at these proposed changes to administrative rules. She had one question: There's a green waste fee if you take the green waste directly to West Hawaii Organics Facility or East Hawai'i Organics Facility, does that apply, given our recent snafus with green waste hauling and transfer stations? If a resident takes their green waste directly to those sites?

We don't charge residents, only commercial, the Director said.

I don't think it says that in Admin rules. Look at it and see if there's someplace it does.

We'll have the Secretary look into it, Director Mansour said.⁵ It's usually 25% of the tipping fees.

And you as director can provide waivers, Chair Adams said. But it seems like it'd be more straightforward to say residents for whatever reason, will not be charged for taking your green waste. And just figure out maybe there's a line to add that.

Commissioner Acasio noted for the record that DEM is having its public meeting at Gilbert Kahele Recreation Area on July 3 for the proposed rule amendments.

3. Discussion with Information and Education Specialist re: recommendations for priority topics as drafted in 2022.⁶

We have a new person who has been hired and is dealing with the fire hose of everybody's desire for communication and education of the public, Chair Adams said. She asked the Director to introduce the new employee.

I'm pleased to announce that Christy Swafford had joined my department, the Director said. And we've been meeting, giving her all these projects I wanted to do for the last three and a half years, as you all know. But I'm so glad to have her on board. She comes in with a great experience in the education system.

Ms. Swafford introduced herself. I am the new information and education specialist, she said. So at this point, it sounds kind of like a two-part role. I'm a teacher, and I'm also a public relations officer. And my background is in teaching. I have a master's in education plus licensure for policy studies and management. I ran a school in Colorado before I came here. And moved to the island about a month ago to work in environmental management here. And it's been

⁵ The greenwaste and organics disposal fee is set at 25% of the sanitary landfill disposal fee. The fee charged to residential customers at transfer stations is \$0.

⁶ VI.3: PIO recommendations: <https://records.hawaiicounty.gov/weblink/DocView.aspx?dbid=1&id=116547>

interesting. It's been a very busy three weeks, and suddenly the need for proactive education is becoming more and more apparent to me, especially after this week's events. So I look forward to getting in front of things, making connections to the media and getting to know them, making connections within our community, getting to know the people that I'm going to help teach. I'm not an environmental scientist, which is a wonderful gift. I'm a teacher, so I can see things as a citizen, too. I'm also looking for a house. They all have cesspools. And it's advertised to me that, this is so great. We just redid the cesspool. Isn't that exciting? No. So I'm right there with a lot of you, and I hope to educate everyone on the island proactively and then be there for you when things go wrong. And if you have any questions, I'm here, and someone's already emailing me some ideas, and they're right on par with what I'm working on now. So just getting to know everyone and getting to know you is wonderful timing for this meeting. Thank you.

Every chapter of the Integrated Solid Waste Management Plan talked about how there needed to be public education, so it was No. 1 on our priority list, Chair Adams said. And I'm so happy. I also remind people, although most of you weren't even with EMC at the time, we did put together a paper to DEM about what we considered our high priorities for communication. It was back in 2022 or something, so it perhaps needs updating. From my conversation with Christy, she is more than happy to listen to your concerns, what you think might be done, ideas, contacts, she should make. And maybe the Secretary could put her email in the chat so that you can pass on your ideas.

4. Discussion on the start time for the July 31 EMC meeting.

Director Mansour has a meeting on July 31, Chair Adams said. It's not the fourth Wednesday like we usually do because the Council meeting is the fourth Wednesday. So we went to the following week. But it turns out that the Director has a meeting, 9 to 11 a.m., with the crew that's going to be talking about whether everything in the state needs an NPDES if it gets dribbled on the ground. He cannot miss that meeting. And we would like to hear what happens at that meeting. It runs the same time, I believe, 9 to 11 a.m., as the EMC. So question and the Secretary can follow up with a Doodle if you don't know right now, do you want to hold the meeting a different day? Do you want to hold, start it later, make it an afternoon meeting? There's even, I understand, a budget if we wanted to have lunch so that we could meet over an extended period of time, take a break for lunch, and then meet again. I'm open. So I don't have a preference one way or the other.

Commissioner McIntosh liked the idea of a lunch meeting.

Commissioner Acasio preferred a morning meeting.

Commissioner Garcia preferred to give the Director an opportunity to collect his thoughts and if he wants to package it up for us, to delay the meeting a day or something versus having earlier is not good. Later would be better. Give him an opportunity. So I would vote for a different morning the next day, Thursday or Friday.

Vice Chair Norris and Chair Adams concurred with Commissioner Garcia. Chair Adams recommended the Secretary send a Doodle out to the committee commission and see whether or not we can nail the morning of August 1 or August 2 and find a place to meet.

Director Mansour said he was OK with either option. That will be the second meeting that we can have with all counties in the state trying to navigate NPDES requirement for a non-outfall system such as injection wells, et cetera. Stay tuned, he said.⁷

VII. REPORTS/CORRESPONDENCE

- Status update on the Permitted Interaction Group on Cesspools and Sanitation (Perez, Beets, Acasio, Otsuka)

Erica is our Chair/Spokesperson, but she asked me to give a quick update, Commissioner Beets said. She was going to provide a summary. I don't know if she had time to do that, but I did not receive it. I'll just give you a quick overview of where we are. We've discussed several topics. We have quite a bit of information that we want to share at the next meeting. We've had discussions, independent discussions with Stephen Holmes, who provided quite a bit of information and a lot of knowledge to us. Also, we've met with Director Mansour. We have planned to schedule with the new Finance Director. I don't know if Commissioner Perez has completed that. She should be at the next meeting, though, and provide the rest of the final report. We do have several recommendations that will be forthcoming. What I would say at this point, providing feedback on the new code changes would be greatly appreciated by all of the commissioners that are interested. So we recognize how important that is. And the Director informed us on many things that we weren't aware of, such as new developments not having a required fee for connections. So I think all of those do need to be addressed within the code and we certainly will provide that at the next meeting.

Chair Adams said she understood that the process for a Permitted Interaction Group is to make a formal report. You can meet however much you need to meet until then, and make a formal report, hopefully at next meeting. But don't rush it if you need more time. And then we will hear the report. It'll be part of our public record, and then we get to discuss it and vote on it whether we want to adopt any of the recommendations or the report at the August meeting. Is that correct?

That sounds about correct, the Secretary said. Although if you're going to have a meeting August 1 or 2, you have to specify the second August meeting. If we're postponing from July 31, we're going to have two meetings in August. As long as it's more than six days apart, because that's the new law passed by the State.

I think that will work, Chair Adams said. It's a slow slog, so we need to hear it and then digest it and discuss it and accept or reject at the following meeting.

⁷ Following this meeting, the July 31 meeting was rescheduled to 9 a.m. Friday, August 2 at the Puna Conference Room of the Hawai'i County Building, 25 Aupuni Street, Hilo.

- Update on the Sustainability Summit Solid Waste Reduction workshop follow-up meetings (Adams)

We are in process of setting up a follow up meeting with the group that had come to the first meeting we held. Looking like July 12, may be the time when we'll get together as a gang, Chair Adams said. We're still trying to get people to commit to working on subgroups on individual topics, one of which is the ordinance idea of banning recyclable materials from landfill and phasing that in and setting up some kind of work group to continue that under the potential sponsorship of Heather Kimball. And a smaller group of us has been investigating, along with Alex White from the Recycling Program, a Resource Recovery Park, and even a little field trip to Kea'au and said, yeah, could we turn this into a Resource Recovery Park? What would we add? How hard would it be? So we're still gathering information about that. Again, hope to set up a bigger work group based on the people who are involved in the sustainability summit and see whether or not we could even go for a potential grant from EPA for a community grant to reduce material going to landfill and reduce global warming. So that's kind of like working on a slow slog.

- Director's Informational Report

1. Legislative update

Director Mansour discussed the possibility of introducing legislation. Commissioner Acasio may be able to assist on this one. She has the experience. I'm trying to see if there's possibility that we could impose a county sewer district for the people that within the sewer service area so we don't have to go through Chapter 32 and trying to get everybody that lives within the community to concur that yes, I need to connect or not. To me, if we do it like what the Department of Water Supply has, you go in and you build the water system to a community and the capital costs are divided among the parcels. Because to me that's to be able to meet the priority deadlines. If there would be a bill that may be introduced for the 2035, 2030 conversion of priority No. 1, that means we only going to have six years plus. But 2050, we understand, is 26 years down the road. But we are doing a cesspool conversion master plan now with the idea of trying to accelerate the process because like I said earlier, probably need to do about 2,000-plus conversions starting yesterday to be able to meet the demand for the island. So if, hopefully, as we finish these studies and we engage the public, we really need to- I'm trying to plant the seed for the Commissioners to start thinking of how we could take that and make it a policy through the legislative body of saying yes, you know, if you live in this area, that's, you know, the sewer district will be imposed because of that amount of contaminants or the amount of homes within that certain area that requires a treatment plant versus converting to a septic system. We need to start thinking about solutions now. This is probably one of the best that will get us there and start planning the financial, start planning the roadmap. That way we don't have to get tangled into communities, each individual vote, because we're never going to get there. I mean, try to get two, three people to agree on one thing. It's going to be difficult.

You'll be talking about a County ordinance or would this have to be at the State level, Chair Adams asked.

I think maybe County level, but I'd like to hear from Commissioner Acasio. Is that with the State level because it's state HAR? We need DOH to support it as well, So we need more discussions. And I think that it could benefit both.

I'm thinking it's a combination of both, Commissioner Acasio said. But I guess my question directly would be, is the Mayor or DEM working with any of the area legislators specifically to address it? Because we would have to look into the HRS but also the HAR from the department too. But are you folks working with it? Because now is the time to reach out, contacting and setting up the meetings, working on that legislation for the following year. There's still going to be the other, the bills that have been presented by the cesspool working group that would likely be reintroduced. We will be on the new year of a biennium. So everything has to be reintroduced. But I would imagine that those that have gotten pretty far, I know a lot of them in 2023 from the Cesspool Conversion Working Group got to Conference Committee. So it would just be a matter of working through the reasons why those failed and working on the suggestions of putting which, prioritizing which of those would be more directly impacting the issue that you're addressing with the colleagues.

That is a great idea, Director Mansour said. And I think we are waiting on the meats and potatoes from that report, the cesspool conversion master plan, to define the areas better because there are areas that are going to be requiring cluster units versus areas going to be connected to the treatment plants versus areas going to be IWS. So it's good to have those maps finalized. So as we sit down with the legislative body that will be willing to take it on, at least they could visualize it and see the impact countywide. But I think we need to ask Corporation Counsel, what is our legal obligation? Because Chapter 32, I think now allows for that vehicle, the sewer district establishment. But now the county is going to impose the district. So how is that legally going to maneuver? So I know we have a lot ahead of us, but I just wanted to plant the seed and also if you have different ideas, start thinking.

I would ask our area legislators to do research specifically around where and why some of the other legislation has failed so that we can get a little bit more tuned into where we need to move forward, Commissioner Acasio said.

Is this a topic area being covered by the PIG, Commissioner Adams asked. If it were part of the recommendations coming in the report from the PIG, it would set it up more formally for the Commission to start officially moving on such a thing? I'm not part of that PIG, so I consider it maybe. I certainly agree with you on the political barriers of anything getting through the State Legislature and understanding why they couldn't move, and I'm sure other counties are in the same quandary in terms of how do you, how do you make it happen. But it seems a worthy process, and I will put it on the agenda if you guys have got some meat for me. I certainly will have the report for the PIG if you're ready. But, Director, if you've got anything drafted or would like a more fulsome discussion, maybe we could call Corporation Counsel to give some commentary and see if we try to tackle it at the next meeting.

Commissioner Beets said we did discuss that at our last meeting of the PIG, and I believe that we were discussing that relative to- at least it'll be in the report. I don't know if it'll be a recommendation.

Blake Hornbacher: My name is Blake Hornbacher. "Mothership" just posted some information about using tire chips in the leach fields instead of rock for recycling tires and using it for, instead of 2-inch stone, we'd be using 2-inch tire chips. It helps the leach field bed aerate better. It gets rid of tires, for one, for recycling. But we're working on this project. We have some information. We have 18 states that are certified to do it, so we're just trying to implement that here in our state. So we're just listening in and seeing what you guys have to say. But I don't know if you guys have any gotten information about that or know about that?

Director Mansour said we've been entertaining, wood chips, with sawdust and gravel. We thought of tire material, but because it has chemicals in it, I don't know if even the Department of Health would entertain the chemical constituents within the tire chips that may eventually leak through to the groundwater as part of the contacting the influent itself. So I like to know more of what you guys have done because we did think about it ourselves from DEM and we are also thinking about, we have a lot of gravel that we excavated from our landfill that also we wanted to put it to use for leach field. But yeah, get a hold of me, we could talk. I'd like to see what you guys have done. What type of impact, long-term study on this tire material being contacted with effluent ammonia. And I want to see if there's any chemistry going on between what exists in the tire versus what is in the effluent itself and if any of it has been monitored, has it been leaking into the groundwater, et cetera. Because these are the type of question the department of Health probably want you to do a pilot program so you can start taking samples. So I went through that, you know, analysis process. But if you guys are telling me you guys have done it on the mainland, I would like to see what you have.

Chair Adams halted the discussion as it was not on the agenda. If you've got some information, provide it directly to DEM. I too have some skepticism of doing that with tires, she said. But it never hurts to look at things.

2. Solid Waste Division Projects and Updates

1. Recycling, Greenwaste, and Landfill Diversion updates⁸

Word is roaming around apparently that we're over capacity, Chair Adams asked Mr. Kawaguchi. We're getting way too much green waste at the transfer facilities and maybe even at the organic facilities and stuff's being sent off to landfill. Is that true? And what are you doing about it?

Yes, currently there's no green waste going into it, Mr. Kawaguchi said. That happened one day, I believe in May. But it's not the capacity issue with the green waste, it's the capacity of the mulch going out is where we're having problems with, because the mulch is not moving on the west side.

⁸ VII.2.1: Mulch report

So with that said, let's use this platform to announce that we've been advertising and working with HER: Free mulch for the taking, Director Mansour said. You know, as much as you want, you could drive up to WHOF, they load it for you for free. So we are trying to work with HER and the state and trying to maximize the usage and the needs on the west side for the mulch. So put the word out, and like I said, it's my understanding HER told us they are going to be loading mulch, and they're not going to charge that \$5 per 3 cubic yard for loading. So it's a good thing. So if any of you need mulch, it's time to go and grab it.

Yeah, sometime in August, we're working with Hawai'i Energy with their Rid A Fridge program. So in Puna, we're going to have an event in August where you bring in your old refrigerator, and then they'll get a rebate for it. So this is to take off all the [high] energy consuming refrigerators off the grid, Mr. Kawaguchi said.

We have a great amount of mulch on the west side and our staff have been bringing mulch to the east side as well, the Director said. But it's not sustainable. We need to empty the floor. We are limited on the amount that we could bring because we've only got four trucks, and the four trucks are hauling waste back and forth. But our staff also has been using some of the money that we have to hire a third party to bring mulch to the east side. But like I said, the amount we have exceeds the amount of trips and we need to go back and forth. Therefore, we are also thinking about taking more to the Kona transfer station to allow me to haul more than 3 cubic yards cubic yards. But any creative option that could empty the floor as soon as possible, that's what we'd like to hear.

I'm hearing from residents in our area and everywhere on this side about the limited access that people have for mulch on this side of the island, Commissioner Beets said.

Yeah, come the weekend, maybe you guys could do a landfill trip on the west side to pick up some mulch, the Director said.

Commissioner Otsuka asked about the mulch storage and distribution chart. I noticed a lot has been taken to the Kealakehe, where they're not required to take as much as it's been going there, and not much coming to Hilo, she said. And so the discrepancy on the mulch is a lot. And then the distance between the mulch from Pu'uana'hulu to Kealakehe, it's 22.5 miles one way. So going and coming back with that one truck is 45 minutes. And if they had just brought that one load back to Hilo, it's an hour, a little over an hour. So would it not make more sense to bring the mulch here where it needs to be? And the only difference with the time is 15 minutes.

If they haul from WHOF to EHOFF, it adds up to 45 minutes when they load the trucks, Mr. Kawaguchi said. So that if the first truck starts hauling, that pushes the amount of trash that they can take back toward the end of the day. So it pushes back the trash side of it. That's the problem that they are facing.

So when they load it up to take it to Kealakehe, they're spending twice as much time to load it up and take it there, when they can load it up and bring it to Hilo, Commissioner Otsuka said. Wouldn't that be the same amount of time used to load it up?

Different truck sizes and different operations, Director Mansour said. The west side, they use the west side trucks that are at the transfer station. Saddle Road requires our big trailers because we move in the waste from Hilo to the landfill. So what we're doing is we try to fill these big trailers to come back with a load of mulch. And because we have four trucks, four trailers, and we have about 200, 300 tons per day on the Hilo reloads, our guys work four days, 10 hours a day. And given that amount of travel, given that amount to download the garbage into the working face and drive to WHOF to get the trailer loaded, they've done it, and we've been losing an hour that takes away from doing our obligated duties of emptying the current Reload Facility in Hilo, because under the current permit, we cannot have waste at the floor every day. So we have to empty the floor at the Reload Facility, otherwise you'll be in noncompliance. If you remember, about a year ago, that facility caught on fire because there was extra waste on the floor that we couldn't haul to the west side. So our staff are doing their due diligence to meet compliance requirements, to meet with permit requirements, to utilize whatever equipment we have to navigate. In addition, hopefully, they will continue to work with HER to participate in that as well, since, like I said, that contract, it cost the county about \$5.5 million a year. So it's a teamwork effort. And like I said, different equipment, different functions.

Thank you for all of that, Commissioner Otsuka said. So when the contract was initiated, it was to take the trash to Pu'uanahulu and bring back the mulch. That's part of the contract, is it not?

We're not obligated by contract to bring mulch to the east side. It's just to Kealakehe, Mr. Kawaguchi said.

I thought there were for Kealakehe 300 tons that go there every month, Commissioner Otsuka said. But what I'm looking at too, not only that. So you're saying there's only so many trucks that are used, but those trucks are being used to take the mulch to Kealakehe. You have two separate types of trucks: one type that comes to Hilo with the trash or goes from Hilo with the trash and the one type that drives to Kealakehe.

Yes, Mr. Kawaguchi said. So I think those trucks take about 20 minutes to load.

So half the time, Commissioner Otsuka said. I'm just saying, if it was already in the contract to enter with HER to do what they're doing, we're not holding up to our part of the contract by bringing back the mulch. So there's so much more mulch at WHOF. So that presented the problem with the excess mulch, and then it became excess green waste, and then here comes-

I think this is a contractual issue with the County, Director Mansour said. Our staff believe it's not part of the contract. I don't know where you are reading it is part of the contract.

Commissioner Otsuka asked whether the County is not required to bring back mulch to Hilo.

No, not at all, Director Mansour replied. There are certain requirements they have to go through, but we're not required. We're supposed to haul to the Kealakehe Transfer Station 300 tons every day or three days a week, I cannot remember exactly. But our contract does not require us to haul mulch daily to Hilo, no. If you read in it somewhere, if you think it's in the contract, point it out to us. But we're not going to get into contractual obligations

I understand that because I get this every time, Commissioner Otsuka said. But my thing is for the trips that you're already taking with trash to Kona, you're not bringing back the mulch as often as you could. And I'm not saying bring it back every trip, but it looks like there's such a disparity between all the different months, what comes back and with the contract, you know, when you're saying you're paying \$5 million a month, Waste Management gets paid more than that, but nobody talks about them. So all I'm concerned about is bringing back-

Two different functions, the Director interjected.

The Commissioner continued: Maybe if we don't have enough equipment, we can look at truck companies that are maybe looking to buy new equipment, that the county can actually buy their older equipment because it would be to code and it would be in compliance. So couldn't we look at buying from trucking companies here that's looking to get a new inventory rather than waiting for new equipment that's been ordered? Because that'll take years, like you say. I'm just looking at this and saying that, you know, this is why I'm saying what I'm saying. It's always been a problem with this contract because mulch is not coming back. There's an excess of mulch, then it becomes a fire hazard, and then that's it.

Just for the record, it's not the County, the Director said. Once the green waste goes to HER's processing ground, it becomes their mulch. It's not the County's mulch. It becomes their property.

But it was an agreement, was it not, that the County would take this mulch and provide it to the community in both areas, Commissioner Otsuka asserted.

Not the County, the Director replied. The community would go pick it up from their facility. And that's why you stand up in line on the east side at 5:00 in the morning to pick it up.

And they don't have- They could give more mulch out if there were more mulch, Commissioner Otsuka said.

Exactly! It's theirs, the Director said. They could distribute it as much as they like. They could go pick it up and bring it to your house. I'm not going to get into the contract. We have extra mulch. We try to work with everyone. It's free mulch. So if you guys want to pick up mulch, the

county is doing their due diligence to go beyond the contractual agreement and help HER currently.

So can't the County charge for the green waste that people pick up, we can make some revenue, Commissioner Otsuka asked.

We can't, it's not in our contract, the Director repeated. It's HER property. The mulch is their mulch, not ours. We cannot charge for it.

Well, I'm just looking at the report, and there's a lot of questions in the report, the Commissioner said.

It sounds like there needs to be a sit down meeting with DEM and Commissioner Otsuka, Chair Adams said. We could set up a new Permitted Interaction Group.

Director Mansour recommended Commissioner Otsuka meet with Mr. Kawaguchi, read the contract. Please don't make the announcement that it is in the contract without really understanding what's in the contract, because to me, that's very important because we need to understand the obligation. So sit down with our staff and go over it. They meet with HDR biweekly.

That would be good. I'd be open to that, Commissioner Otsuka said.

And you can come back to us with what you've discovered and maybe make some proposals to EMC, Chair Adams said.

Ms. Swafford mentioned a comment in the chat: Mr. Fukamizu said the issue with the mulch is people are afraid of getting fire ants with it in the community. I talked to someone in Hilo about the mulch and that's exactly what they said. Can someone share the possibility of getting fire ants in the mulch?

Mr. Kawaguchi said the temperature of the mulch is raised to 131 degrees. And that basically kills whatever is in it.

The Hilo mulch goes through an enhancement process where they enhance the mulch by allowing it to stay in the windrows, Director Mansour said. And they till that windrow to make sure that invasive species die, just like the fire ants and what have you. It's a different process from what they do on the west side. The west side, they don't follow the enhanced mulch because we don't have these invasive coqui frogs and fire ants on the west side as we do here. So the east side is a totally different process. Plus we have the Coconut Rhinoceros Beetle now as a concern too. But the CRB also adds more complication as we coordinate with everybody in the process. But it'll be good for Commissioner Otsuka to sit down with Mr. Kawaguchi and figure out the challenges. That way, at least you all know about the challenges. I think it's a great idea.

Commissioner Acasio asked what the CRB protocols are, because it is one of the biggest emergencies that we've seen for local agriculture.

Director Mansour asked Mr. Kawaguchi to share. We have been involved with the Department of Agriculture, Department of Health, and HER.

They're following similar to the Hilo practices, making sure the temperature is up 131 degrees and then maintaining about 115 F, which is where the beetles and the larvae die. But to ensure that it's dead, it's 131. So they always bring it up to that temperature.

And that is the reason we have the additional stockpile because now the process has changed, because now you have to let it sit for more days on the same property to allow for that temperature to reach the 131 degrees Fahrenheit, Director Mansour said. So now you have to lengthen the process to make sure you get rid of the CRBs. So you have to manage it, control it, then distribute it. Prior to the CRB, it would just mulch it, grind it and just distribute.

So my understanding is there's a 3 acre lot next door, Commissioner Otsuka said. So because there's so much abundance or excess of mulch at the West Hawaii Organics Facility, they're moving that mulch to that 3-acre lot and there's a condition to use that lot. So I'm just saying for some of the things I've been made aware of I am questioning some of the decisions that are being made with the mulch.

That 3-acre lot was approved by DOH way back then for surplus only, the Director said. But our staff were told that they could use the 3-acre site. DOH is aware of the situation. I personally talked to them last week. So they are aware. They've been working with our staff, they've been working with HER to remedy the situation with the CRB and the mulch situation we have now due to the CRB.

So I would love to chat. Thank you, Commissioner Otsuka said.

I appreciate the, um, retention process that you do and trying to get the temperature up, Commissioner Beets told Mr. Kawaguchi. I know it's a very imperfect process because I've been getting mulch from Hilo for years. And I always test the mulch using the little fire ant testing procedures, peanut butter on a stick, and I still get fire ants. I think I've got gotten them two times in the last four-plus years. And I understand it's an imperfect process. So this is actually information for Ms. Swafford. If you want to avoid little fire ants I always hold my mulch another month and tarp it to get it up to temperature, just to ensure that everything in there is dead. But thanks for the efforts. And I do know that it's imperfect and it happens, so it's being diligent.

1. Solid Waste Operational Study update

The Solid Waste Operational Analysis is still expected to be done in October. Maybe we'll get some sneak peeks in August. But as I understand it, that's moving right along, said Chair Adams.

The first draft of the report is still scheduled for August 2024, Shelise Lamb said. The consultant was out again in June, completing their interviews with more of the recycling companies, as well as our staff with the chief and deputy chief. So just wanted to communicate that we are still hearing from you that the first draft will be submitted August 24.

2. Wastewater Division Projects and Updates.

Alan Fukamizu: I know this was asked several months ago, the question of saltwater intrusion in Keaukaha. And I know the question was directed to Ramzi, and I don't know if he was uninformed of it, but I know I met with the Mayor on September 11 to discuss this issue and with Chris Sparber on February 23. So right now we have saltwater infiltration on the mains coming into the pool pump station in Keaukaha. And this is dependent on high tide. So this past week, you know, just this week, you know, but it's been going on for months. Every time we have a high tide, we have operators being called out to alarms because we have a second pump run and they have to man the station. So I understand this is becoming- this is going to come under AOC compliance, but something needs to be done, because with infiltration, you also have exfiltration dependent on tide, too. This is a big issue because if we're to get the perfect storm, you know, high tide, rains, storms or whatever, the pump station cannot keep up, and you'll discharge raw sewage out of outflow into the ocean. I'd like to bring that up. And also the other issue, too, with this spill is a lot of this stuff, you know, could be avoided. The main issue we have is operators there, too, you know, and also, I should announce myself as an operator and a member of the public, and I represent the guys of the Hilo treatment plant as a union steward. We have issues with no standard operating procedures. So everything we do is based upon knowledge. And I've asked them for written procedures, standard operating procedures, even down to lockout tagout, which we don't have. So with this, you have another chance of having a spill, be it partially treated water or untreated wastewater going into the bay. So something has to be done. With the infiltration issues, it's an easy way to track it. You plug manholes. You know, you can track it, you put flow meters in there. But something has to be done because amount of manpower being spent on this issue is ridiculous. I mean, in my opinion, an audit should be done on how much manpower is spent on call outs because of this issue. So that's just my two cent on this. And I feel like I need to go on record here because, nothing's being done about it, you know?

Chair Adams asked Director Mansour for a response.

Thank you, Alan, for bringing these to our attention and being part of our team, the Director said. Alan is one of the Hilo WWTP operators as well, so he's part of the team. And I encourage you for bringing a good point. Maybe we need to create a task force within the division so you could maybe start drafting what you feel need to be done and then share with the management and us, and we'll give you all the support you need. And I think because you are a Division employee and I think it makes sense when you have great ideas to start working on them and let's bring them to fruition.

Acting Chief Sparber said Mr. Fukamizu is correct on the Hilo WWTP inflow and infiltration issue. There is definitely I&I. Currently, we're working to do an analysis in terms of quantifying that. At this point with the Integrated Wastewater Management Plan, it would be a desktop analysis to basically approximate the I&I based on the number of connections and relative industry accepted standards for wastewater generation. And then from there, you know, my current instruction with our sewer collection system maintenance group is to, you know, track down the visual sources that they can see within the Hilo collection system area. We're going to get them out there during high tide events and use that knowledge they have. And then we're currently grouting. And so that's what we're doing immediately to address those situations. Long term, we are in the process of prioritizing an approach, putting together projects for a prioritized approach to this. I&I is a big issue. If you look at the draft NPDES permit for Lahaina, there's actually an I&I program within that NPDES permit for that wastewater facility.

And so, albeit it's for sewer laterals, it's still a very, very big issue with operations and maintenance costs as well, really stretching the operations staff thin. I just want to respond directly to that on record. We're not ignoring it, we are addressing it. However, it's going to take us a bit of time to really ensure that we have everything quantified and our approach is clear. Hope this addresses the concern.

Commissioner Acasio said she wanted to raise the issue too, because she did bring this up two meetings ago and it was very clearly stated that there was no issue or that DEM was not aware of this. And as far as the integrated plan, it definitely makes sense to address it. But it seems as if because high tides, and especially during the summer, higher tides happen very often, we have a really clear issue when it comes to personnel, safety issues, overworking. This is something that was reported to us, or myself, I should say, from multiple folks. And this is just as I'm door knocking. So in terms of staff burnout and perhaps really larger HR issues as well, but also the concern that again, where there is potential for intrusion or actual intrusion, there's also a lot of actual and potential for extrusion like was stated. And so we have, again, public health concerns when, if we're talking about raw sewage, not even partially treated sewage, we have an incident that just happened. We addressed it earlier around the partially treated release over the weekend, and yet this is a next level emergency. So while I think it is important to address it in that larger term integrated plan, it also needs to be raised on multiple levels. The concerns around immediate and emergency safety issues for community as well as for our workers. I would like clarity from DEM around the fact that I did bring it up two months ago and it was dismissed as not something that DEM was aware of.

Thank you, Laura, the Director said. I don't think anybody dismissed anything. I don't know who dismissed it, but we always pay attention. But I think you are bringing a good point, maybe you and Alan and some of our staff, maybe create a group such as the one to be formed with Commissioner Otsuka regarding HER. I think maybe that may come to be a good process for commissioners to get involved with. Because to me, we are here to make sure that we implement what we need to implement. I don't think anybody dismisses anything. So I don't know where that- we all know there's I&I. The code, Number 1, we cannot act as private property because of the cleanout. That issue with the cleanout, like Chris was saying, it's legal

because we cannot come to your backyard and try to figure out what's going on with your cleanout. So we have to go through some of the code amendments now. We have to enforce some way where we could start accessing individual cleanouts and make sure they have a cap on the cleanout to prevent water, rainwater, from getting in that way. And you have the salt water through also maybe a bad seal into the joints. My recommendation is maybe what Commissioner Otsuka has stated on the HER. If you have certain issues and if you feel that the staff is not moving on it or you may misunderstood the plan, interact with them, and I think that way you get the level of comfort that you need.

Commissioner Otsuka said she would also like to speak with Mr. Fukamizu, as Keaukaha is in Council District 3.

Commissioner Acasio said she would push back the Director's statements. She would pull up the actual recording and reshare it with him as to the timestamp because I specifically asked about this question and it was responded that you were not aware of it, she said. And the part about it is because I had already talked with community members and staff, however, moving forward, I think, yes, it's a great idea to do a PIG on these things, but being that we're a volunteer board and this is actually in the purview of the Director and the County, in terms along with the State, especially in state waters, if we are having active releases because of high tides, because of intrusion, because of pump burnout, et cetera, there's multiple levels that need to be addressed from the County. And I believe that would be more in the purview of your position. And so, yes, it's wonderful that we are a community commission that will address this as well. But in terms of the immediacy of the need, like I said, for safety reasons, for our staff, for safety issues, for our community that is currently using the waters as we speak, and in terms of monitoring those high tide events and what the protocols are in place on the county level, whether it's civil defense or to be communicating with the Mayor directly, my understanding is that this has been brought to the attention of the County multiple ways and the response has been very minimal. Again, I could be wrong in terms of that, but I'm just putting that is what community members are telling commission members, which is why I brought it up. Commissioner closed by noting that she had to leave for another meeting, but she will watch the recording and follow up directly with the Director.

I look forward to the Commissioners getting together with our staff, Director Mansour said.

Chair Adams agreed: Go ahead and meet, she said, and planned to put on the agenda for next time that we would like to get a report specifically from DEM on what's being done around I&I on the Hilo side.

1. Pāhala and Nā'ālehu Large Capacity Cesspool Closure AOC⁹

For the Pāhala collection system project phase, Phase I and II combined is bidding. And then I think we're in the process of working through our addendum to answer some RFI questions and submit a few revisions. But, it is under way.

⁹ VII.3.1: Ka'ū - <https://www.dem.hawaiicounty.gov/projects/pahala-na-alehu-large-capacity-cesspool-closures>

2. Countywide Wastewater AOC

The Countywide AOC is under way, Chief Sparber said. Coming up for submittal was our progress schedules for our critical capital improvement projects. We are submitting revised emergency response plans as well as an asset management implementation plan. Later this year. We have a connection compliance program that we're going to be implementing, and we need to submit our SOPs for those. And then also September was our deadline for the Hilo rehabilitation project. So we've actually gotten that. According to the countywide AOC, we've been early on that. So those are just a few of the deadlines this calendar year that we're working toward or have met.

3. Hilo WWTP upgrades

As you all know, the project is out on the street for the construction document, Director Mansour said. Hopefully multiple contractors will be able to bid this project. It's one of the largest projects that the County has taken on in decades. This is a huge project, but we've been fortunate. We were able to push it out and it's out on the street. So we anticipate that probably bid openings sometimes in September. So we'll keep our fingers crossed and hopefully we get multiple contractors interested in this project.

And Hilo WWTP also was part of the countywide AOC as well, the Director said. And this is way ahead of schedule. And as you all know, the countywide AOC got a deadline of 2035. But based on the scheduling and the milestone that we have done and negotiated, we feel comfortable. There are certain milestones that are due, but they're working, given the amount of staff that we have and the staff shortages. I just want to give kudos to all of our staff here in the Department, really. Everyone jumps in trying to get projects done from operations to maintenance to compliance. It's amazing the amount of stuff that this Department was able to put out. Hilo WWTP by itself, a \$260 million project, it took us less than a year to put it out. That's a huge achievement, the Pāhala sewer collection system, because we don't want to lose the grant funding. So we pushed and it went out to make sure that, you know, we could award the contract to be able to get the grant money. There's a lot of movement, but staffing has always been a challenge. It's just hard to recruit.

4. Wastewater Plans

1. Integrated Wastewater Management Plan and Public Engagements¹⁰

We've been meeting with the consultant, the Director said. As you all know, we had the first public engagement way back in February. So the work is going to continue until we start defining the Cesspool Conversion Master Plan, the Facility Planning within the IWMP, and also revising the Operations and Maintenance manuals.

Chair Adams asked whether the IWMP addresses funding.

¹⁰ VII.4.1: IWWMP - <https://www.dem.hawaiicounty.gov/projects/integrated-wastewater-management-plan>

Yes, there will be a financial section within the plan, the Director said. It's going to be of a general nature because it depends if we impose the sewer district versus, individuals financing their own IWS versus the state committing to give money out to the people as well. So there's a lot of issues pertaining to finance, and it depends on legislation as well, if the state is willing to assist in financing cesspool conversion as part of this IWMP.

Once upon a time, and I think it was back in 2021, EMC sent a request to the Council asking for a contract to be able to hire a consultant to do an economic funding analysis, including the idea of enterprise fund, but also other ways to get money, Chair Adams said. And I'm wondering, do we need to go back and renew that? Because that's not really covered enough in the integrated wastewater management master plans.

My recommendation, the Director said, is for the consultant to cover as much as they can, but maybe as you are part of the participation of this creation of this IWMP is, maybe review that section and also just beef it up. Because eventually that document is going to be our- we're going to extract policies and procedures from it. And if we could beef it up as much as we want it to, this is the time to do it.

I'll be looking at, are we covering enough, the Chair said. Or do we need some additional analysis for how we're going to not just fund immediate issues, but have a sustainable funding program associated with our wastewater management?

2. Puakō and South Kohala Regional Wastewater Master Plan¹¹

This plan was finalized, the Director said, by consultant AECOM. Kelly Hartman was able to manage it with a consultant and put it out and finalize this project.

4. Status of existing staff vacancies and recent hires

1. Information and Education Specialist, DAV Coordinator, Civil Engineer IV

EMC heard from Ms. Christy Swafford previously in the meeting, the Director said. Thank you, Christy, for joining my department. And we have the DAV coordinator, and Civil Engineer IV Ray Dovalina who came in and he's going to try to assist Chris Sparber and the Wastewater Division. So he has an engineering background and was assigned major projects. So hopefully he'll take it and run with it and start catching up with the stuff that we all been having and trying to juggle.

2. Other vacancies

We have 86 vacancies currently, the Director said. We have no HR. We have one accountant doing Solid Waste and Wastewater. We have one contract person. I mentioned it before, it seemed like our Department was built like a division when it came out of DPW. But, but now we fought hard over the last three years to get positions. And now this is a challenge. Now is the recruitment aspect of filling out the position. So we fought hard to expand and have redundancy and have the right people. And unfortunately it's the recruitment, the lack of even having people within our HR here to do the paperwork to reallocate positions. And that's what

¹¹ VII.4.2: Puakō/S. Kohala - <https://www.dem.hawaiicounty.gov/projects/puako-and-south-kohala-regional-wastewater-master-plan>

has been the challenge. I intended to meet with the Mayor and Department of Human Resources. And I know they are short-staffed themselves. I requested assistance from DHR. I was told they are short staffed. We need to find a solution. I need to meet with them because I got Hilo WWTP starting out with \$260 million. I have no staff to start doing the inspections and trying to manage the project in the field. It worries me every night. If you have solutions trying to be able to improve recruitment- it's on the top of my priorities. I just sent an email yesterday and hopefully today when I see the Mayor and the HR Director, I need to figure out some solution just to get us people.

Definitely agree, Chair Adams said. I don't have the solution. I'm too long retired to know anybody to send to you and good luck. I've read a couple of things that just made me really nervous that, oh, the State, when they're short of money, they just look at, well, there have been all these vacancies forever, so they must not need the staff. You've got to fight that every second. You are killing your people and having them work multiple jobs and letting things that really are priorities have to slide because you just don't have the staff.

Commissioner Otsuka said that before we look outside to get the help that I think is still there, we have got to look at the inside what they're doing, because when we looked at the figures last month with the vacancies and like, they were like 41%- I'm thinking, with the people that you do have, what is your absentee rate? You know, how are you dealing with chronic absenteeism? What are we doing with extended leaves? Is anybody on workers comp? So it's bad enough that we have very little people working, but then of the ones we have working, they're out on something. So maybe that's more of an internal thing that we need to look at so we can strengthen who we have? Cross training, we've talked about that before, moving people up so the ones on the bottom can start moving up, giving them training. You know, we don't have CDL drivers. Maybe the company or the County can pay for that. It's not going to be as much as a consultant fee. So I'm just saying it's not all the answers, but some things within the Department, and not just this one, that are being ignored because I've come from that work. If you address absenteeism, the chronic problems you have there, then you will probably have things look better. Because people that are there every day are getting disgusted because they're there every day doing what they need to do in addition to other stuff, while these other employees are just taking off on a Monday or taking off after a holiday. So I think that goal is a problem. If you correct that, then maybe it'll be easier to work with who you have and they will tend to do more willingly than begrudgingly. Does that make sense?

You hit it right on, the Director said. That's exactly how you would approach the staff resource allocation. You need to look at sick leave, workers comp, vacation time. I created a spreadsheet. I shared it with my prior Division Chief. It takes the hours of current staff plus the new staff. Because current staff invested time and what have you, and because sometimes they may end up taking more time off as a COT versus sick leave and vacation. So by the time you take that in consideration, there's only certain hours per year per person. And then, and you take the hours of the work that they need to do, and if it's four times the hours that they have on the books, you know you need four times of that resource. So we did all the analyses. And certain things involve human resource issues, we cannot talk about it, as you know, you work in

the government and it has to go its own route. It's beyond your control and my control and the Administration's control, it's civil service-controlled. And you have to go through the process. And that's the reason we try to fill these vacancies based on positions that we have in the budget, but it's hard to fill. And the current staff we have, they're really doing a great job. They're working their hearts out. But like you said, there's a time where everybody's going to be burnt out and we don't want to get to that point. But in the meantime, everything you had mentioned is already being considered, inserted in that reallocation resource forms that we created, and trying to compare actual hours of work versus actual hours designated and delegated to each staff member based on the job they are assigned.

5. Questions from Commissioners

1. Does DEM have comments on the CCH Source Reduction Workgroup Report¹²? (Adams)

Chair Adams asked if anyone had read the report from the City and County of Honolulu Source Reduction Workgroup. We included it last time, and then again this time where they had several PIGs that went and looked at reduction. I was curious whether you have had a chance to work through that and see what you can steal or support. And likewise, I would ask that the commissioners look at that report and the recommendations that they've got around major wastes going to our landfill. The sustainability summit group, we'll be looking at what works for them. It's Honolulu, so it's different from us, but there are pieces of it that I think are worthy.

Director Mansour said he would sit with SWD Chief Mike Kaha about it. This will be a good topic for him to forward to the consultants doing that current operational study. And our project coordinator for that site should be able to review and comment as well.

2. Can greenwaste, metal, and appliances be accepted at the same hours a transfer station is open, e.g. 6 a.m. to 6 p.m.? (McIntosh)

You cannot take anything in at 6 a.m. because we have only the security guard, the Director said. And the security guard there cannot help you until the Solid Waste Facility Attendant shows up on site. And after 4:00 the guard cannot do it because the security only is there from 4 to 6 p.m. From 8 a.m. to 4 p.m., if your transfer station takes metal appliances, we can. But 6 a.m.-8 a.m. and 4 p.m.-6 p.m., we cannot have the security guard function as the SWFA.

I was just wondering if there was a way to fix it so that we could do it, because as you get closer to the afternoon, I've seen people show up with a truck full of metal to throw away, and they can't, Commissioner McIntosh said. They have to go back, or it gets dumped in the regular dumpster. I was wondering if it could somehow be fixed.

At one point, we had the security doing it, but we were challenged that they cannot do it, the Director said. We changed because we cannot allow them to do County employee work. It's unfortunate, but we have to abide by the *Konno* decision, and. And they are there just to man the gate. They cannot take on public servants' duties.

¹² VII.5.1: <https://records.hawaiicounty.gov/weblink/DocView.aspx?dbid=1&id=135216>

And that may be something for Ms. Swafford to look at in terms of, we need to communicate that to people so they know, the Chair said. Don't just make the assumption, "It's open. Why can't I dump this stuff?"

3. Why are auto parts not allowed to be accepted as scrap metal? (McIntosh)

I believe it's because of the contaminants that could go in, like the motor oil, antifreeze, Mr. Kawaguchi responded.

Then why would you be able to accept mower parts, Commissioner McIntosh asked. It's just a smaller version of a vehicle.

Let's look into it, the Director said. I see your point. It's part of the vehicle. Maybe the handling - it's our agreement with scrap metal contractors. So we need to figure out from them, because if the current contract doesn't allow us to take it and give it to them. If it could be recycled, it's still a piece of metal, right? Maybe they handle it differently. Let's look into the contract.

I believe it's in the rules, Alex White said. And in a conversation I had with Gene Quiamas, I believe that was in the rule update that we're about to go through. There was an attempt to clarify that language, but I think it was shot down. From my understanding of the situation, that's one of the major hurdles there, too. I believe the rules that we have explicitly state that we're not allowed to take it. I believe that was brought up, but it wasn't included in the updated rule package.

Commissioner Otsuka said she heard the County has this new vehicle program for derelict vehicles. Is there some program that the county's implementing for vehicle pickups for \$20?

We have a program now, the Director said. It was implemented where we could go to private property and pick up two vehicles a year, but we don't charge.

Maybe we should charge. Commissioner Otsuka said. All these services that cost money, we're giving it for free.

I was told we can't because the \$12 we collect annually for your registration goes toward that program, the Director said. Let's keep that conversation going.

VIII. FUTURE AGENDA ITEMS

1. Follow up on action items determined today.

Chair Adams asked if anyone wanted to have someone from the DAV program to give us some information on what's up with the latest program. Let's have somebody next time. If you still want to follow up, we could have just an informational piece on abandoned vehicles and how the program is going.

Chair Adams said she would come up with some language on I&I activities on the Hilo side, and we'll get information back to Commissioner McIntosh on his questions. And if not, we'll get them on the agenda.

2. Other (Commissioners may suggest items they would like placed on the next agenda.)

A member of the public made a statement about biochar and requested a discussion. Chair Adams said she would need to check on that and see if it fits within the EMC charter.

IX. ANNOUNCEMENTS

The next meeting is scheduled for Friday, August 2, at the Puna Conference Room of the Hawai'i County Building, 25 Aupuni Street, in Hilo, and via Zoom. Please contact the Board Secretary or review the agenda posted on the County Calendar within six days of the next meeting for confirmation.¹³

X. ADJOURNMENT

Commissioner Otsuka made a motion to adjourn, to which Commissioner Beets seconded. Ayes 6 (Beets, Garcia, McIntosh, Otsuka, Norris, Adams); Absent 2 (Acasio, Perez). Motion carried and meeting adjourned at 11:54 a.m.

Respectfully submitted,

Peter Sur, Board Secretary

¹³ IX: Hawai'i County Calendar: <https://www.hawaiicounty.gov/our-county/county-calendar>