

ENVIRONMENTAL MANAGEMENT COMMISSION COUNTY OF HAWAI'I

MEETING MINUTES

Wednesday, January 29, 2025

9:02 a.m. to 1:22 p.m.

West Hawai'i Civic Center, Kona, and Zoom

A video recording is made part of these minutes, which is available at <https://youtu.be/fRvbW42QAVo> (part 1) and <https://youtu.be/PBfNtBlkuS8> (part 2)

Timestamps are provided for reference in accordance with the provisions of Chapter 92, Hawai'i Revised Statutes.

Disclaimer: *These meeting minutes were generated with assistance from AI and are intended to provide a summary of discussions. While efforts have been made to ensure accuracy, they may not capture the full context or details of the meeting. Please review and verify for completeness and accuracy.*

County staff present:

Craig Kawaguchi, Deputy Director; Gene Quiamas, Acting SWD Chief; Chris Sparber, Acting WWD Chief; Kelly Hartman, DEM Planner; Christy Swafford, Information & Education Specialist; Tiffany Wallace, Secretary; Sinclair Salas-Ferguson, Deputy Corporation Counsel; Alan Fukamizu, WWTP Operator

Others present:

Charolette Thompson, others.

I. Call to Order & Roll Call

Chair Adams called the meeting to order at 9:02 a.m. [SEE YOUTUBE PART 1 TIMESTAMP 00:00:34].

- Roll call conducted:
 - **Present:**
 - **Jim Beets** (District 1) Zoom
 - **Laura Acasio** (District 2) Zoom
 - **Dell Otsuka** (District 3) Zoom
 - **Erica Perez** (District 4) Zoom
 - **Lee McIntosh** (District 6) In-person
 - **Gonzalo Garcia** (District 7) In-person
 - **Dorothy Norris** (District 8) In-person
 - District 5 seat vacant

II. Approval of Minutes from November 27, 2024
Motion 1 to approve minutes by Dorothy Norris; seconded by Commissioner Garcia.
Vote: Approved unanimously (Ayes: 8). [SEE YOUTUBE PART 1 TIMESTAMP 00:05:45]

III. Introduction of Deputy Director Craig Kawaguchi [SEE YOUTUBE PART 1 TIMESTAMP 00:07:27]

Chair Adams introduced Craig Kawaguchi provided background on his experience, highlighting his work with the county since 2005 and his role in establishing county recycling programs. He previously worked at the campus recycling center and later at the Keea'u Reuse Center before joining the county's recycling division. At this time, no specific statements were made regarding new policies.

IV. Public Statements on Agenda Items

1. Corey Hardin (Malama One Plastic Recycling) – [SEE YOUTUBE PART 1 TIMESTAMP 00:09:16]

Corey Harding thanked the commissioners for their service and raised concerns regarding Malama One's recycling plant, focusing on plastic recycling capacity, contamination risks, filtration and waste management, airborne emissions, environmental impact, and regulatory compliance. Harding questioned the plant's ability to process plastic waste, the fate of non-recyclable materials, and the risks posed by toxic contaminants. Harding also inquired about Malama One's filtration efficiency, the management of liquid and airborne waste, and the potential environmental effects of emissions. Additionally, Harding sought details on the final products' usage and longevity, the presence of independent environmental evaluations, and the status of required permits and approvals.

2. Jeff Silva (Wastewater Concerns – Pahala & Punalu'u) – [SEE YOUTUBE PART 1 TIMESTAMP 00:12:24]

Jeff Silva, a resident of Kā'u and president of the Colony One Association at Punalu'u, spoke about wastewater concerns in Punalu'u. He highlighted ongoing issues with the wastewater system due to a lack of necessary investments by the system owner. Silva noted past incidents, including a prolonged period where wastewater had to be trucked to a treatment plant, raising concerns about potential system failures. He emphasized that the wastewater pumping station is close to the ocean and operates manually, posing a risk of overflow if power is lost. Silva urged the commission to be aware of these issues, stressing the potential for severe wastewater problems in the area.

3. Alan Fukamizu (Wastewater Concerns) – [SEE YOUTUBE PART 1 TIMESTAMP 00:16:12]

- Requested to provide testimony when the Pahala wastewater item comes up.

4. Christine Kubot (Recycle Hawaii & Malama One) – [SEE YOUTUBE PART 1 TIMESTAMP 00:16:22]

- Stated intention to testify on Malama One plastic recycling when the item is addressed.

V. Unfinished Business [SEE YOUTUBE PART 1 TIMESTAMP 00:17:12]

1. Discussion on Wastewater Division's Working Draft of Chapter 21 [SEE YOUTUBE PART 1 TIMESTAMP 00:17:12 – 01:07:44]

The commission continued discussions on the Fats, Oils, and Grease (FOG) program. Chris Sparber emphasized the necessity of implementing a FOG and pretreatment program, as required by the NPDS permit for the Hilo treatment plant. He noted that while the current bill targets the Hilo area, the program would benefit the entire island by addressing operational and regulatory challenges. Sparber highlighted the need for legal authority to enforce compliance and clarified that current county codes do not apply to private wastewater treatment facilities. The discussion also covered food truck waste disposal, potential code revisions to include recycling requirements, and the need for a phased implementation plan incorporating education and enforcement. Additionally, the commission deliberated on jurisdictional challenges, state-level regulatory changes, and fee structures for pretreatment services. Future discussions will focus on refining the proposed ordinance and aligning county policies with state and federal regulations.

2. Discuss Possible Policy Recommendations for 2025 [SEE YOUTUBE PART 1 TIMESTAMP 01:07:45 – 01:44:18]

The commission reviewed potential policy priorities for 2025, emphasizing the need for sustainable funding mechanisms for environmental management. Chair Adams proposed exploring an enterprise fund model for wastewater operations, similar to Maui County's approach, to reduce reliance on general funds. The discussion also included the possibility of a county-wide environmental fee or a green fee on tourism to support waste management initiatives.

Solid waste priorities included improving waste diversion, expanding recycling capabilities, and enforcing policies to reduce landfill use. The commission highlighted the importance of aligning county waste policies with state and federal regulations while leveraging public-private partnerships to enhance resource management. Suggestions included banning landfilling of recyclables, improving extended producer responsibility measures, and incorporating existing county plans into waste management policies. Wastewater priorities focused on compliance with regulatory requirements, particularly the Administrative Orders on Consent (AOCs) and upcoming wastewater treatment mandates. The commission emphasized the need to accelerate cesspool conversion efforts in coordination with state agencies, integrating county-level financing strategies and exploring cost-effective wastewater treatment solutions. Members also stressed the urgency of developing a long-term landfill site selection strategy, given the projected lifespan of existing facilities.

Future discussions will refine these priorities and establish actionable strategies for implementation, ensuring that policies align with county, state, and federal mandates while promoting sustainable environmental management

3. Discussion regarding coping with reduced DEM staffing levels. [SEE YOUTUBE PART 1 TIMESTAMP 01:44:47 - CONT. PART 2 00:18:58]

The commission discussed strategies to address ongoing staffing shortages within the Department of Environmental Management (DEM). Chair Adams emphasized the need to explore technological solutions, operational restructuring, and alternative workforce strategies to manage workload constraints effectively. Members noted that DEM has struggled with staffing shortages, leading to service disruptions in solid waste management, wastewater operations, and other critical areas.

Dell Otsuka highlighted concerns about maintaining essential services while addressing staffing shortfalls. She stressed the importance of working with existing staff, implementing cross-training programs, and developing apprenticeship opportunities in collaboration with local schools and colleges. The commission also considered automation and AI-driven solutions to optimize resource allocation, with Commissioner Garcia suggesting the use of Lean Sigma analysis to improve efficiency in waste collection and trucking operations.

Additionally, members discussed the potential for expanding internship and vocational training programs to build a pipeline of skilled workers for DEM. The importance of collaboration with the Human Resources Department and other county agencies was emphasized to streamline hiring and retention efforts. The commission agreed to explore further recommendations, including issuing a formal letter to county leadership outlining key staffing challenges and potential solutions.

Motion 2 by Commissioner McIntosh, seconded by Commissioner Garcia, that the board hold a meeting closed to the public pursuant to HRS Section 92-5 to consult with the board's attorney on questions and issues pertaining to the board's powers, duties, privileges, immunities and liabilities. Vote: Approved unanimously (Ayes: 8). The board subsequently entered a brief recess and then held an executive meeting for approximately 32 minutes.

Following the conclusion of the executive meeting, Chair Adams made the following statement pursuant to HRS 92-4(b): "We have closed the executive session where we discussed who EMC is able to send formal communications to."

VI. Reports/Correspondence [SEE YOUTUBE PART 2 TIMESTAMP 00:19:01 – 00:35:08]

1. Director's Informational Report

A. Legislative update – No discussion

B. Solid Waste Division Update

i. Recycling, Greenwaste, and Landfill Diversion update

Household Hazardous Waste events:

February 8, 2025 in Hilo

February 15, 2025 at the West Hawai'i Civic Center

March 1, 2025 in Waimea

March 2, 2025 in Pāhoa

ii. Solid Waste Operations Study – New administration reviewing.

C. Wastewater Division update

- i. Pāhala and Nā'ālehu Large Capacity Cesspool Closure AOC
Alan Fukamizu provided testimony regarding the upcoming closure of large-capacity cesspools in Pahala and Nā'ālehu, emphasizing the need for the commission to review the Operations and Maintenance (O&M) manuals for both existing and new treatment plants. He noted that the EPA has mandated completion of these treatment facilities by December 31, 2027. Fukamizu pointed out that O&M manuals set minimum staffing requirements, and there is a concern that there are currently not enough trained operators to manage the new facilities once completed. He urged the commission to consider workforce planning in alignment with the operational needs of these plants to ensure proper functionality and compliance upon completion.

In response, Chris Sparber acknowledged that the concern is entirely valid, emphasizing that there is indeed a shortage of operators to staff the new treatment facilities. As part of the basis of the design report, a staffing analysis is being conducted to determine the necessary workforce for these facilities. This analysis will assess staffing needs and operational requirements. Input from current operations staff will be gathered to inform staffing decisions, and efforts will be made to recruit and train personnel to meet operational needs. The department is actively working on addressing these staffing challenges to ensure proper operation of the new treatment plants upon completion.

- ii. Countywide Wastewater AOC – No discussion
- iii. Hilo WWTP upgrades – No discussion
- iv. West Hawai'i wastewater projects – No discussion
- v. Wastewater Plans – No discussion

D. Intergrated Wastewater Management Plan – No discussion

E. Status of existing staff vacancies and recent hires

F. Questions from Commissions

- i. What is the Status of the Kahalu'u Beach Sewer line extension contract? (Perez)

Chris Sparber provided an update on the Kahalu'u wastewater project, noting that consultants are progressing according to prior correspondence and have been evaluating various alternatives since the project's kickoff meeting. In response to a request for clarification, Sparber explained that the project involves a specific contract focused on connecting cesspools in the Kahalu'u community to a private treatment plant. This contract is separate from those included in the individual wastewater master plan.

The commission raised concerns about why this project has not been included in prior meeting discussions, given that it is an active DEM-managed contract. Sparber clarified that the consultant is still developing

alternatives, which will undergo county review before being released. While connecting to a private facility is one option, the final selected alternative will be determined upon review of the consultant's report. The commission requested that updates on this project be added to future meetings to ensure continuous oversight and understanding of the project's goals and progress.

ii. WWTP reporting requirements table (Perez) – No discussion

2. Report by Georjean Adams on Sustainability Summit Solid Waste Reduction Workgroup activities.

Chair Adams provided an update on the Sustainability Summit Solid Waste Reduction work group, noting that progress is currently on hold due to the change in administration. Adams reported following up on a letter sent from EMC to the council, recommending a ban on recyclables in landfills to slow the rate of landfill use. Meetings with Heather Kimball and Jen Kagawata resulted in interest in developing a resolution on this issue, with an emphasis on a simplified approach. Additionally, Adams suggested that EMC consider forming an advisory group, distinct from a permitted interaction group, to analyze which items and waste generators should be included in a phased landfill ban. This group could involve technical experts and stakeholders outside of EMC to ensure a comprehensive approach, aligning the ban with the development of recycling capabilities on the island.

Adams also noted that EMC will continue to have an advisory role in the process as a new ordinance moves through council, including public readings and comments before it returns for EMC review. Additionally, Adams reaffirmed the commitment to addressing composting initiatives that emerged from the Solid Waste Hui discussions, emphasizing that these efforts will continue beyond their tenure with EMC.

VII. New Business [SEE YOUTUBE PART 2 TIMESTAMP 00:35:09 -]

1. Questions for Malama One on Plastic Recycling

Christine Kubat, representing Hawaii's longest-standing environmental organization dedicated to waste minimization and resource management, expressed strong opposition to Malama One's proposed plastic recycling facility on Hawaii Island. She cited four years of research highlighting the environmental and social risks associated with plastic recycling. Kubat urged the EMC to broaden the discussion and provide more opportunities for community input on the issue.

Kubat emphasized the misconceptions surrounding plastic recycling, describing it as a highly polluting and toxic industrial process. She presented a display illustrating the myth of the circular plastics economy, explaining that plastic originates from fossil fuels and generates pollution at every stage, from extraction to production, use, and disposal. She highlighted that most plastic ultimately ends up in landfills, incinerators, or as litter, rather than being continuously recycled.

She also pointed out that Malama One's operations would be situated within a segment of the plastic waste stream that generates significant quantities of micro and nanoplastic

particles, which are difficult to capture and pose environmental risks. Kubat concluded by referring the commissioners to her written testimony for additional details and urging further public education on the realities of plastic recycling.

New Discussion Item – Letter regarding Plastic Recycling Facilities

During the meeting, the Environmental Management Commission (EMC) engaged in a detailed discussion regarding the Malama One recycling facility, focusing on transparency, permitting, and regulatory oversight. Concerns were raised about the lack of public engagement and regulatory clarity regarding the facility's operations, potential environmental impacts, and its acceptance of plastic waste from across the state. Commissioners debated the need for public comment opportunities and clearer communication from Malama One, the Department of Environmental Management (DEM), and other regulatory bodies.

A motion was introduced to send a letter to DEM and the County Council, urging them to establish a regulatory framework for plastic recycling facilities before issuing permits. The letter was amended to remove specific references to Malama One and instead address broader concerns regarding recycling facilities and their potential environmental impact. Commissioner Acasio requested that the letter be included as an attachment to the minutes. Please see "Attachment 1."

Motion 3 by Commissioner Acasio, seconded by Commissioner Perez. Vote: Ayes 5: (Acasio, Beets, Otsuka, Perez, Norris, Adams). Nays 3: (McIntosh, Garcia, Adams)
Motion 3 adopted.

2. Election of 2025 EMC Chair [SEE YOUTUBE PART 2 TIMESTAMP 01:31:09]

Motion 4 by Commissioner Norris nominated Erica Perez for Chair; Commissioner Acasio seconded to elect Erica Perez as Chair of Environmental Management Commission.

Vote: Approved unanimously (Ayes: 8).

3. Election of 2025 EMC Vice Chair [SEE YOUTUBE PART 2 TIMESTAMP 01:33:23]

Motion 5 Commissioner McIntosh nominated Dot Norris for Vice Chair. Commissioner Acasio nominated Jim Beets, but Commissioner Beets withdrew his nomination. A roll call vote was conducted, and Dot Norris was unanimously re-elected as Vice Chair.

Vote: Approved unanimously (Ayes: 8).

Congratulations were extended to both Erica Perez and Dot Norris on their elections.

VIII. Future Agenda Items [SEE YOUTUBE PART 2 TIMESTAMP 01:35:43]

- Follow-up on action items from this meeting.

The commission was reminded to contact the new chair for agenda items for the February meeting.

IX. Announcements [SEE YOUTUBE PART 2 TIMESTAMP 01:35:41 – 01:35:57]

1. Next Meeting: February 26, 2025 in Hilo (Puna Conference Room & via Zoom).
2. Statement of the Chair: Chair Adams reflected on her time in the role and expressed appreciation for the experience, extended well wishes to the incoming leadership, and noted they would remain on the EMC for the next two upcoming meetings until a District 9 replacement is selected.

X. Adjournment

Motion 6 to approve by Commissioner McIntosh; seconded by Commissioner Garcia. Vote: Approved unanimously (Ayes: 7). Meeting adjourned. [SEE YOUTUBE PART 2 TIMESTAMP 01:38:58]

Attachments: The following document is attached and form part of these minutes:

- **Attachment 1: 2025-02-04 EMC Letter to DEM Director & Council re_Plastic Recycling Plants**

Respectfully submitted,

Tiffany Wallace, Secretary