



DEPARTMENT OF HEALTH

News Release

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GOVERNOR

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**DOH SETTLES ENFORCEMENT CASE AGAINST
WASTE MANAGEMENT OF HAWAII AND
CITY & COUNTY OF HONOLULU**

Waimanalo Gulch Landfill Permit Violations

HONOLULU – The Department of Health (DOH) has entered into a \$1.5 million settlement agreement with Waste Management of Hawaii, Inc. (WMH) and the City and County of Honolulu (City) relating to DOH's 2006 case that alleged solid waste violations at the Waimanalo Gulch Landfill. The settlement commits WMH, which manages the landfill, and the City, which owns and operates the landfill, to various corrective actions in addition to payment of the \$1.5 million. The corrective actions include the operations, monitoring, and reporting at the landfill relating to groundwater, daily cover for municipal solid waste and ash, leachate, asbestos, and gases.

WMH and the City may choose to (1) pay the full amount in cash; or (2) deposit \$637,500 into a state fund for environmental projects in the Leeward community, and use \$342,500 toward the development of a community drop-off center for refuse and recyclables at the existing landfill. The state will develop a process to allow the community to provide input on the type of environmental projects it prefers.

Alternatively, WMH and the City may pay the entire penalty amount to the DOH. Any cash penalties received will go to the Environmental Response Revolving Fund, which is used to respond to oil spills, hazardous substance releases, environmental staff support, and other environmental purposes.

(more)

WMH has generally corrected the outstanding violations. However, the authority for current fills above permitted heights is pending issuance of a modified solid waste management permit, which is currently under a public review process.

“These were serious violations that warranted a large penalty,” said Laurence Lau, deputy director for environmental health. “We are pleased that Waste Management Hawai‘i has made significant improvements to the facility and its operations and look forward to the renewed dedication by both Waste Management and the City to provide compliant waste management services.”

On January 31, 2006, the DOH issued a Notice and Finding of Violation and Order against WMH and the City for violations of their joint permit and State solid waste management rules in the operation of Waimanalo Gulch Sanitary Landfill. DOH alleged that WMH and the City committed 18 types of violations, and at that time the Department imposed an Administrative penalty of \$2.769 million. The department later re-calculated its penalty to be \$2.445 million. The City and WMH contested the DOH action and do not admit liability.

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