

DEPARTMENT OF HEALTH

PUBLIC HEARING

RE: DRAFT PERMIT RENEWAL AND MODIFICATION
PVT LAND COMPANY INTEGRATED SOLID WASTE MANAGEMENT
WAIANAEE, OAHU

September 2, 2010

7:00 p.m.

Nanakuli Elementary School
89-778 Haleakala Avenue
Waianae, Hawaii 96792

HEARINGS OFFICER: ANDREW W.L. TSEU

REPORTED BY: SUE M. FLINT, RPR, CSR 274
Notary Public, State of Hawaii

1 P U B L I C H E A R I N G

2 HEARING OFFICER TSEU: Good evening.

3 Today's date is September 2nd, 2010. The start time
4 for this hearing is 7:02 p.m. The location is
5 Nanakuli Elementary School, at the cafeteria. The
6 address is 89-778 Haleakala Avenue, Waianae, Hawaii
7 96792.

8 My name is Andrew Tseu -- last name is
9 spelled T-s-e-u -- and I'm the hearing officer for
10 the evening. I just want to maybe take care of some
11 business first. For the UH game, USC 27, Hawaii 16
12 at half time.

13 On August 12, 2010, the public notice for
14 this hearing was published in the Star-Advertiser
15 newspaper. The public notice for this hearing
16 states the following:

17 Notice of draft solid waste permit and
18 public hearing for the PVT Land Company integrated
19 solid waste management facility, Waianae, Hawaii.

20 The Hawaii State Department of Health
21 invites public review and comment on the draft solid
22 waste management permit for PVT Land Company
23 integrated solid waste management facility in
24 Waianae, Oahu.

25 On Thursday, September 2nd, 2010, at

1 Nanakuli Elementary School, DOH and PVT will meet
2 the public to provide information and answer
3 questions from six to seven p.m. and DOH will then
4 hold a formal hearing from seven to 8:30 p.m. to
5 receive testimony.

6 DOH will receive and accept testimony
7 through September 2nd, 2010. All written comments
8 should be delivered at the hearing or submitted by
9 September 2nd, 2010 via e-mail at PVTcomments@doh.
10 hawaii.gov or by mail to DOH Solid and Hazardous
11 Waste Branch, Attention: Mr. Steven Chang, P.E.,
12 919 Ala Moana Boulevard, Room 212, Honolulu, Hawaii
13 96814.

14 Just a modification of this notice --
15 there's going to be an extension of the written
16 comment period until September 7th, the close of
17 business. Also, after this hearing there will be
18 poster materials posted on the website. DOH will
19 also respond in a timely response to any comments or
20 written testimony after this hearing -- not
21 specifically after this hearing, but in the
22 following days.

23 Now, this hearing should abide by the
24 following rules: The order people testify in will
25 be as follows: Order will be determined by the

1 sign-in sheet. The first person listed to sign in
2 and testify will be the first, the second person
3 listed on the sheet and identified to be doing
4 testimony will be the second and so on.

5 Please ensure that you sign in and note
6 you are testifying so that you may be called to
7 testify. Before testifying, please state your first
8 and last name and spell out your last name for the
9 court reporter. If you're representing anyone,
10 please state at that time who you are representing.
11 The time limit for each testimony shall be two
12 minutes. Two minutes is because of the number of
13 people that need to testify. We want to make sure
14 that everybody does have a chance to testify who has
15 been identified. If there is any time going past,
16 you may come back and if there's extra time you can
17 testify after that a little more. Right now we're
18 going to try and get this hearing done by nine p.m.,
19 which is 30 minutes later than the 8:30 closing time
20 initially scheduled.

21 At this time I just want to make clear
22 that the public hearing is for testimony only. This
23 is not a debate, informational session or Q and A
24 session. At this time can everybody please turn off
25 your electronic devices or put it on silent or

1 vibrate?

2 Now let's begin. The first person to
3 testify is Kevin Kondo.

4 MR. KEVIN KONDO: Thank you. My name is
5 Kevin Kondo. I represent a company called Honua
6 Power. We are a renewable energy power plant and
7 we're going to build an 11 megawatt power plant in
8 Campbell Industrial Park. This power plant is going
9 to use a gasification system to turn biomass and
10 waste materials into a synthetic gas that goes to a
11 boiler and the boiler makes steam. The steam turns
12 the turbine and the turbine makes electricity and we
13 sell the electricity to Hawaiian Electric.

14 This is what you guys have all been
15 hearing about over the last couple years, ever since
16 oil hit \$150 a barrel in Hawaii and everybody's
17 electric bills jumped double, almost triple on the
18 outer islands.

19 This kind of project that we did we
20 started five years ago, in 2005. Our companies have
21 waste handling experience and we have experience in
22 high temperature technologies and we just decided to
23 put the two together, because Hawaii has the highest
24 waste disposal cost and the highest electricity
25 rates in the whole country and we wanted to change

1 that ourselves. And before anybody was talking
2 about renewable energy, we started on this project.

3 The whole renewable energy thing happened
4 with the high price of oil. This project is going
5 to use wood that comes from the PVT recycling
6 operation, so PVT now has a place to take the wood
7 that it didn't have before. Because before, they
8 could pull out metal and send it to the metal
9 recyclists. Now it's going to be able to pull out a
10 lot more metal, a lot more concrete and a lot more
11 -- all the wood, and that's what we need for our
12 fuel.

13 Our fuel is going to -- when our project
14 is done -- in about four years we'll finish both
15 phases. In about two years we'll finish the first
16 phase. When our project is done, we're going to
17 have offset maybe 177,000 barrels of oil every year.
18 We'll make enough electricity for like 12,000 houses
19 and we'll create 400 indirect jobs with our project.

20 Again, it's going to be in Campbell
21 Industrial Park and we plan to start -- break ground
22 this year. So I'm here to support the PVT recycling
23 operation because this is really the source of the
24 fuel, it's a resource for our community and we need
25 to use it.

1 HEARINGS OFFICER: Next would be Polly
2 Grace. Can I please remind everybody if they can
3 spell their last name for the reporter, please?

4 MS. POLLY GRACE: G-r-a-c-e, just like how
5 you say it, Grace.

6 HEARING OFFICER TSEU: Thank you.

7 MS. GRACE: I talked with the Department
8 of Health people. My concern was because of the
9 health -- the health respect to our families. And
10 when I talked to them, they answered all my
11 questions. I don't have to go into detail about
12 that.

13 But for environmental, I had a
14 certification back in 1965. I went to the mainland
15 because my husband had a portable toilet company and
16 we went through the different chemicals that we use
17 for our portable toilets, so I was certified as an
18 environmental specialist. So when I talked to that
19 girl -- and she answered all my questions. My
20 concern is because of the health and welfare of all
21 the children.

22 I've also talked to PVT and I was
23 flabbergasted when I see what they did to their
24 place. I see green lawns. I see trees. I only
25 seen it in the picture. The last and first time I

1 went there was about two years ago and they said
2 they did that two years ago. But hey, if renewable
3 energy and everything can come, too, why not?

4 Any questions? No questions.

5 HEARING OFFICER TSEU: Next -- I apologize
6 about this. Lily Cabinatan from Manamana Lines
7 (phonetic).

8 MS. LILY CABINATAN: Cabinatan,
9 C-a-b-i-n-a-t-a-n. Lily. And I'm from Manamana
10 Lima, a non-profit organization.

11 Good evening. My name is Lily Cabinatan
12 and I'm a retired administrator with the Department
13 of Education. I have lived here on the Waianae
14 Coast for a long time. I attended Waianae
15 Elementary, Nanaikapono Elementary and graduated
16 from Waianae High School. I presently live in
17 Maili. I'm a strong advocate for our Waianae Coast
18 just because we have great people here who deserve a
19 better way of life.

20 I understand you're all here today to let
21 our community know what you are planning to do with
22 your PFT landfill and I thank you for this
23 opportunity to share with all of you my thoughts.

24 First of all, I want to thank you for your
25 generosity for our high school graduates in the form

1 of scholarships and for donating to Nanakuli High
2 School's performing arts program so they can achieve
3 their goal of performing at the Fringe Festival in
4 Scotland next summer, which is such an honor for
5 them and for our community.

6 I am here today to educate all of you
7 about several things concerning the living
8 conditions of our people and community.

9 Number one, Hawaiians, Blacks, Hispanics
10 have the highest rate of all the diseases such as
11 diabetes, cancer, obesity and high blood pressure,
12 to name the most deadly ones, in the state.

13 Number two, Our Waianae coast is inhabited
14 by the most Hawaiians in our state.

15 Number three, Landfills are toxic to our
16 community, affecting the air that we breathe, the
17 water we drink and much more. Everything today is
18 toxic, from the food we eat, which is full of
19 preservatives, to computers, to TVs, to the exhaust
20 from our cars. You name it, we are being constantly
21 bombarded with toxins and free radicals all day
22 long. However, when you put a landfill in the area,
23 the level of toxicity is elevated to the highest
24 level imaginable.

25 So to begin with, our Hawaiian community

1 is not too healthy, especially if they already have
2 some of the diseases I listed earlier. Then you put
3 a landfill in the area which will definitely
4 contribute to the shorter life span and unhealthy
5 one at that of these people.

6 I am here today to ask for your kokua in
7 the form of a million dollar grant to help fund our
8 non-profit organization Healthy is Wealthy program,
9 which consists of four components: Number one,
10 assessment and evaluation; number two, nutrition
11 education; number three, individualized wellness
12 plans; number four, wellness maintenance and
13 sustainable living plans.

14 The program's target group which will
15 benefit from these services and products will be all
16 the residents that reside in the immediate impact
17 area of your landfill, Nanakuli Homestead, Puu
18 Heleakala, Helelua, Mohihi, Auyoung, Princess
19 Kahanu, Garden Groves, Hakimo, and Paakea and
20 Lualualei.

21 This idea came about from a very prominent
22 person in our community who lives right in the
23 direct line of your landfill, Mr. George Paris. I
24 thank him for this. I have our grant proposal and I
25 hope you will seriously consider it at this time

1 because time is of the essence in executing this
2 program. A lot of people from these communities
3 have already gone to heaven and a lot more are
4 seriously ill.

5 The truth of the matter is, if our
6 community is unhealthy and doesn't have enough
7 antioxidants to neutralize the toxins and free
8 radicals which are attacking them daily, these
9 toxins and free radicals from the landfill and
10 elsewhere start eating at your DNA and cells,
11 causing mutations such as cancers and other
12 diseases. You get antioxidants from eating fresh
13 fruits and vegetables daily and consuming
14 supplements and nutrient drinks full of
15 antioxidants.

16 I thank you for your time here and I look
17 forward to hearing from you.

18 HEARING OFFICER TSEU: Next would be
19 Abraham Kilakalua.

20 MR. ABRAHAM KILAKALUA: Hi. My name is
21 Abraham Kilakalua. My concern is the
22 transportation. The truckers that are coming into
23 our area, it's possibly dangerous, damaging our
24 roads because of overloaded, the weight on the
25 truck. And our roads is always screwed up. It has

1 been for a while. So what can PVT do for the
2 community as far as maintaining our roads? That's
3 my question. What can they do for us? Can they put
4 some money in to help the city and -- because our
5 city ain't got no money. Our state ain't got no
6 money. The truckers are damaging the road. The
7 truckers --

8 I'm in the trucking industry. I'm a
9 trainer and I train people to get CDL. And I watch
10 them coming in and they -- they're endangering the
11 pedestrians, they're endangering our traffic. It's
12 not the problem of the dump. It's the problem of
13 the truckers coming in. That's the problem. Okay.
14 Thank you.

15 HEARING OFFICER TSEU: Next would be
16 Roberta Searle.

17 MS. ROBERTA SEARLE: Aloha kakou. My name
18 is Roberta Searle, S, as in Sam, e-a-r-l-e, and I
19 represent Manamana Lima, as well, and I would highly
20 suggest you put a second chair here and call up the
21 other person that needs to speak so we can expedite
22 our hearing.

23 First of all, I'd like to say that for 25
24 years PVT has not been seriously inspected or even
25 had any serious fines assessed against them, as

1 opposed to Waimanalo Gulch. Economics should never
2 take precedence over health and safety concerns. I
3 don't think any of you here who work for PVT and the
4 Department of Health would accept or even tolerate a
5 PVT landfill in your backyard.

6 The only reason PVT made any kind of
7 contribution to the community was because they were
8 aware of the fact that this hearing was coming up.
9 All the past years, they have never done anything
10 for this community. For what they have done in
11 destroying this community, they have never given
12 back to this community.

13 I know that PVT has requested the
14 Department of Health to mine buried trash. And I
15 fully agree with the first gentleman that spoke that
16 there's merit in renewable energy products and
17 this company that's starting in Campbell, what
18 they're wanting is to mine the buried wood that's
19 filled with contaminants from PVT. PVT will then
20 shred it on PVT's site and transport that shredded
21 material to the renewable energy site at Campbell.

22 Take it straight to Campbell. You shred
23 it there. Don't shred it here in our backyard.

24 Lastly, I am not opposed to waste-to-
25 energy, but PVT continues to burden our community

1 under the guise of waste-to-energy operations. Now,
2 I understand the Department of Health has hired a
3 toxicologist. The toxicologist says according to
4 the report that she would not hesitate to live
5 there. I challenge you to buy a house there and
6 live there.

7 In the toxicology report, item 7-3-3, it
8 says estimation of exposure dose. I quote:
9 Uncertainty was introduced in analytical results
10 from the bulk samples as known quantities of arsenic
11 was added evaluated by the laboratory. I quote:
12 Additional uncertainty is also introduced by
13 assuming non-detected laboratory results as present
14 at one-half the sample reported unit. In reality --
15 still quote -- this may over or underestimate the
16 actual concentration of the contaminant in the
17 sample.

18 Now, oddly enough, they were not able to
19 give us copies, but I sat down and I looked through
20 it and this is what I gleaned from it. To end the
21 quote: This introduces uncertainty in the
22 assessment.

23 So Department of Health cannot say that
24 they have done a thorough job and that we're safe.

25 Lastly, quote: Furthermore, the remaining

1 lifetime of the landfill would probably not approach
2 the estimated duration of lifetime for the residents
3 or for the employees.

4 We adopted five children. My youngest is
5 five years old. When she was a year old she was
6 mis-prescribed some medication. The pharmacist
7 erroneously listed two and a half teaspoons when it
8 should be half teaspoon. For five years -- I mean,
9 for five days I gave her the two and a half
10 teaspoons three times a day. She got very, very
11 sick. When I took her to the doctor, the doctor
12 immediately called the Center for Disease Control.
13 Center for Disease Control called Kapiolani Hospital
14 and told Kapiolani Hospital there's two kinds of
15 toxic poisoning; one is when you ingest it all at
16 once, the second kind is when you're exposed to it
17 over a long period of time. The worst is the
18 second, when you're exposed to it over a long period
19 of time, and that's happening with PVT. We're being
20 exposed to all these toxins over a long period of
21 time and it may be that we're dying right now, but
22 there's no statistics to prove that. But the
23 statistics prove that all these contaminants are not
24 good for the human body.

25 And Department of Health, shame on you,

1 because your job is to protect the public and you
2 are not.

3 HEARING OFFICER TSEU: I just want to
4 remind everybody that in order for everybody to
5 testify and for us to finish at 9:00, we're really
6 going to have to keep strictly with the two-minute
7 time limit. I don't want to interrupt anybody, but
8 if I have to, I may.

9 What I'm going to be doing next is I'm
10 going to be calling up the two next people and if
11 the second person can just come up and be ready to
12 testify.

13 ANONYMOUS (from Audience): Where's your
14 timekeeper? You should have been consistent.

15 HEARING OFFICER TSEU: At this time, I do
16 not want to interrupt anybody, but right now because
17 there's so many people testifying, I'm going to have
18 to keep it to two minutes.

19 Larry, would you mind timing it for me?

20 Next would be Patty Teruya. I'm sorry. I
21 could not read that. I apologize.

22 And then the next one would be Kimo Kelii.

23 MS. PATTY TERUYA: First of all, I wanted
24 to thank Mr. Larry Lau and the Department of Health
25 for being here. This is their first public

1 community hearing in our Waianae coast regarding the
2 PVT landfill. I need to thank the neighborhood
3 board for being very persistent in writing letters
4 to the Department of Health to come up and speak on
5 any kind of concerns regarding the PVT landfill. So
6 thank you for having this public hearing this
7 evening.

8 Aloha. Patty Kahanamoku Teruya, chair of
9 the Nanakuli Neighborhood Board 36. And I will
10 share the neighborhood board's position of not
11 supporting any expansion or modifications to the PVT
12 landfill located at Nanakuli, Oahu. We, the board,
13 are strongly opposing any operation of PVT landfill,
14 and also, no new landfills along the Waianae coast.
15 This is the board's position and as the chair I'd
16 like to share this position on record.

17 Thank you very much.

18 MR. KIMO KELII: Aloha, community. My
19 name is Kimo Kelii. First of all, on the record,
20 I'm adamantly opposed to PVT's request to recover
21 and recycle materials for feedstock for a planned
22 waste-to-energy facility including reclaiming
23 materials by mining previously buried construction
24 and demolition waste in parts of the landfill, of
25 existing asbestos disposal area and to accept wood,

1 furniture, tires and mattresses for recycling after
2 an off-site receiving facility is permitted.

3 Bottom line is these are the following
4 reasons why I oppose the State of Hawaii Department
5 of Health approving PVT landfill's request to change
6 their current permit license to include the several
7 new hazardous and unsafe activities at their site.

8 You know, I had to do my homework and go
9 on line and investigate, do some research on Mr.
10 Lau, the attorneys for PVT, the owners of PVT, even
11 to find what is the mission of the Department of
12 Health solid and hazardous waste branch, and as I
13 looked at the mission, it says to protect Hawaii's
14 lands from pollutants that endanger people and the
15 environment and to rehabilitate contaminated land.
16 This is their mission. And it goes on to cite other
17 things like prevent releases of hazardous substances
18 and contaminants into the environment, which --
19 basically, this is what they're recommending; that
20 they want to dig up all of these materials. So I'm
21 reading the mission and I'm going --

22 And finally, another part of their
23 mission: To provide technical assistance, education
24 and outreach to not only the regulated community,
25 like PVT, but also the general public. As I was

1 talking to the toxicologist, there has never been
2 any education in this community as to all these
3 different types of contaminants. So my problem is
4 they don't even follow their own mission.

5 Right now I oppose this. PVT was give a
6 petition with over 100 people signing it that live
7 in that impact area. I gave it to Mr. Steven
8 Joseph, and in March 2009, I even gave him seven
9 claims which total over 34 thousand something
10 dollars. He couldn't even -- to this day he's never
11 met with any of those people who have had their
12 homes sustained with damage. When you go in this
13 area, the mauka side of their homes are all red
14 dirt, the makai side is the actual color of the
15 homes. They've never walked through the community
16 to see this kind of damage.

17 The Department of Health has done
18 absolutely nothing and even inside of the
19 congressional --

20 HEARING OFFICER TSEU: Time's up.

21 MR. KELII: Wait. You went let the other
22 people talk long, so you're not going to stop me.
23 You should have been consistent from the get-go.
24 You were not consistent.

25 So anyway, the 1986 amendments -- this is

1 federal law -- they have published regulations to
2 require PVT to demonstrate financial capacity to pay
3 for remediation and clean-up in the event of their
4 release and to compensate third parties for
5 resulting damages. Since 2009 to now, these -- in
6 fact we have the residents here who have sustained
7 damages to their homes. PVT has done -- and it's a
8 congressional law -- and DOH has done nothing to
9 enforce that.

10 Now, this is the question I had for the
11 toxicologist. I told her point blank, You're an
12 expert in the field, can you guarantee me --
13 guarantee now that all these items they're going to
14 be digging up with arsenic -- because a lot of the
15 wood was in lumber that the military used for all
16 the play apparatus that they had all over the
17 island, the military bases. We have tons of bases.
18 When they found out there was arsenic in the lumber,
19 they had to destroy all the playgrounds and it's all
20 in PVT. They want to dig up all this lumber with
21 arsenic, and I asked her, Can you guarantee me that
22 none of these fibers are going to be released in the
23 air where all the children play? You know what she
24 told me? Well, we cannot guarantee anything. Even
25 Mr. Lau said he cannot guarantee anything. So what

1 the heck is that?

2 I'm almost done. We all live on an
3 island. Somehow, some way we're all related or
4 intertwined by various connections. For example,
5 Mr. Lau and the PFT -- one of their attorneys
6 graduated from Harvard University. So I see that
7 as, oh, Harvard, Harvard, good friends. Well, the
8 reason why I mention this is my sister is a
9 Department of Health inspector. She's my sister.
10 She lives in this community. My question to
11 Department of Health is: Because of her
12 relationship to us, to me, the number one person who
13 want to shut PFT down, because she's related to me
14 and she's a DOH inspector, does that mean that she
15 cannot inspect the landfill? If there is nothing to
16 hide, they have no violations, they have everything
17 operating in compliance, there is no threat to have
18 my sister inspect that site. In fact, I think we
19 should have a community person inspecting that site.

20 Number five, I do not trust the state with
21 monitoring a state-licensed landfill. Considering
22 the fact that this landfill is the only landfill of
23 its kind that accepts all the federal, all the
24 state, all the city, all the private construction --
25 this is the only landfill that accepts every type of

1 construction and demolition waste on this island.
2 So to me, I don't know how Department of Health can
3 sleep at night when all of this waste is just a
4 frisbee throw away from the kids, from the
5 residents.

6 And finally, only this year -- because
7 this is an election year -- was I able to tell Karen
8 Awana that she needed to draft a resolution or bill
9 to require a state-licensed landfill to operate
10 under the same standards -- Waimanalo Gulch has to
11 have a public hearing. Waimanalo Gulch has to go
12 through all these stringent -- that's why if you
13 check it out, Waimanalo Gulch has tons of
14 violations. You know that state landfill hardly get
15 any. You know why? The state policing themselves.
16 Bottom line is, we're not idiots in this community.
17 Okay? (Inaudible - audience disruption.) Our
18 legislators are not protecting us. They can create
19 bills and laws to require the same kind of
20 monitoring Waimanalo Gulch has to go through, and at
21 our last forum all of the candidates said, Hey,
22 we'll propose legislation to make PVT -- require
23 them -- right now they weren't even required to have
24 this meeting tonight. Thanks to our board, thanks
25 to many community residents, they're here tonight.

1 Maybe they can get some sleep. I don't know.

2 Bottom line is what is the worst kind of
3 waste; municipal waste or construction demolition?
4 To me, they're both toxic. They're both not good
5 for our community. But to think one is okay than
6 the other? A'ole. Bottom line is the state has
7 done a pathetic job of taking care of the people in
8 the community. Move this landfill to where you
9 live, Mr. Lau.

10 MS. KAULANA BENAVIDES: Aloha mai kakou.
11 My name is Kaulana Benavides. I am here to say
12 please say no to more PVT landfill. Look at me. I
13 want to live long enough to have children and
14 grandchildren like you, Mr. Lau. Mahalo.

15 HEARING OFFICER TSEU: I just want to
16 remind everybody that there is a two-minute limit.
17 If people are going to go over, it may take into
18 other people's time. We're already accommodating
19 the community by extending the hearing to 9:00,
20 which is a half hour --

21 ANONYMOUS (from Audience): I'll give him
22 my two. No worries.

23 HEARING OFFICER TSEU: Next will be
24 Kauiohi Kaleikalii.

25 ANONYMOUS (from Audience): Didn't hear

1 you.

2 HEARING OFFICER TSEU: I'm sorry. I
3 cannot -- it's spelled K-a-u-i-i-o-h-i Kaleikelii.

4 ANONYMOUS (from Audience): What is the
5 first name?

6 HEARING OFFICER TSEU: I really can't read
7 it. It's 89-107 Nanaikala.

8 ANONYMOUS (from Audience): It's Kaanohi.

9 HEARING OFFICER TSEU: Okay. Thank you.
10 And the next after that would be Marti
11 Townsend.

12 MS. KAANOHI KALEIKINI: Kaanohi Kaleikini,
13 like Danny.

14 Aloha. First of all, I'd like to stay
15 that the two-minute testimony limitation -- you need
16 to take a look at that again, because when you ask
17 our community come out to speak, it takes a lot from
18 our people to come out, and we speak from our na'au,
19 and when we do, we cannot limit it to two minutes.
20 We do not. And what has happened before is when
21 they couldn't -- we couldn't limit ourselves to two
22 minutes, they just -- the state ended up staying
23 until one or 2:00 in the morning, because when you
24 ask us to come out and the community does, then you
25 guys better come out, too, and put out for us. And

1 what you're asking here of our people is huge.

2 Okay? So you should and you better expect to stay
3 here longer than 9:00 or 9:30. You guys have a
4 nerve to ask us to limit our mana'o to two minutes.

5 And first I'd like to say when I walked in
6 I spoke to -- I think it was Steven Chang over here,
7 and I was concerned about the water and how they can
8 prove that our water is not being contaminated, the
9 ocean water, that the contamination is not flowing
10 out to the ocean. And I didn't really -- I didn't
11 get a satisfactory answer, and he said that they
12 sent inspectors out to the site once a year. That's
13 -- that's hardly enough. And, of course, they let
14 the people know, they let PVT know when they're
15 coming. So, of course, they're going to follow --
16 make sure all the requirements are in order when
17 they do come out for inspection. So that needs to
18 be addressed, I think.

19 And in talking to that gentleman there, I
20 was more than concerned about the dust that flies
21 through the air around there and about the cancer
22 rate that he says would affect a small percentage of
23 the community. But then in asking him how they can
24 guarantee that, because there has never been a study
25 about how people in the communities have been

1 affected by cancer by breathing the dust from this
2 landfill --

3 So before they -- you know, when they give
4 this landfill -- permit to continue operations, I
5 would like to seek a study of the cancer rate in
6 this area, because there's a huge residential
7 community right below this landfill and the dust
8 goes that way. So I need to really see and
9 understand that the people in this community is not
10 being affected by the dust. I would like to know
11 that the people are not dying from cancer that is
12 coming from the dust from this landfill. I really
13 need to know this and understand this. So I would
14 like to seek a study, because I understand from that
15 gentleman there that there has never been one and
16 there really needs to. That's it. Mahalo.

17 MR. KAMUELA ENOS: Aloha. My name is
18 Kamuela Enos. I'm taking Marti Townsend's time.
19 Aloha mai kakou. Even though I'm from Makaha,
20 Nanakuli is still our backyard and we face
21 everything with you guys. Mahalo for having me
22 speak on you guys' aina. Mahalo.

23 A little bit about me -- I'm born and
24 raised Waianae. My dad is Eric Enos at Ka'ala Farms
25 and I was raised practicing traditional ways of

1 living. I then used that to get my bachelor's in
2 Hawaiian studies and my master's in urban and
3 regional planning at UH Manoa and now I work on the
4 farm, from Waianae to college.

5 To me, as a planner and as a kalo farmer
6 and all these different things, we shouldn't be at
7 this meeting. There's never going to be a meeting
8 in Kailua where a bunch of people come and say, We
9 don't want a dump here, and it's because
10 historically, through the research, wherever dumps
11 are placed, they're always near the poor people,
12 people of color and indigenous people. It's never
13 around rich people. It's always with consultants
14 who walk in with nice cards and really fancy
15 presentations, but there's no way in hell they'd
16 ever have these things in their backyard, no matter
17 how well it's done, no matter how significant the
18 technology is.

19 And the problem is that when you put a
20 dump in the community, what does that tell the
21 people of the community? What are they worth?
22 Yeah? I try not to be mad. I try to be respectful,
23 because I understand the process.

24 But you know that we have an organic farm
25 in Waianae that's doing almost a million dollars a

1 year, sending kids to college. You know that you
2 have a high school that's doing a program, a
3 multi-media program that's now the top -- fastest
4 growing business in Hawaii, Makaha Studios. You
5 have all the opportunity to create businesses in
6 your backyard that make a lot of money, send kids to
7 college. Think back to the traditions of the
8 ancestors where there's mo'olelo or mahi'ai or
9 fishermen.

10 But when you put dumps in the middle of
11 everything, you're no longer able to do that.
12 You're no longer able to be an innovative community.
13 You always keep yourself in a place where you guys
14 always gonna be poor, always dumped upon, and
15 everybody's gonna look at you as Waianae the dump
16 town, Waianae the homeless town and everything.

17 No matter where they put this dump, we'll
18 be on it and we'll be working every single day with
19 a yes for what we do want in our community, along
20 with you guys saying no, what we don't.

21 I appreciate your guys' time. Mahalo.

22 HEARING OFFICER TSEU: Next would be
23 Father Alapaki Kim and then Floreen Kaopua.

24 FATHER KIM: I'm Father Alapaki Kim,
25 K-i-m. Aloha kakou. I know I'll be under two

1 minutes. I just wish to state that I'm against the
2 continuation of, much less the expansion of the PVT
3 landfill. Even though there seems to be no statutes
4 in Hawaii concerning the distance the landfill can
5 be from private homes and businesses, I think it's a
6 travesty that the PVT landfill abuts a large portion
7 of Nanakuli homes and businesses.

8 In a recent study done, it was found that
9 there was seven potential sites for landfills, all
10 of which were located on the Waianae coast. I think
11 this is environmental racism. After reading the
12 signs around the room, especially on that side, I
13 have come to the conclusion that since the risk to
14 health is so minuscule, that the hills behind Hawaii
15 Kai should be considered as an optimal site for the
16 landfill. PVT can abut houses there.

17 Also, at one time Kapaa Quarry was the
18 location of the landfill, in Kailua. No one lives
19 around the quarry and if the landfill is so
20 environmentally safe, it should have no adverse
21 effect on the wetlands of Kawainui. Oh. I guess I
22 forgot both Kailua and Hawaii Kai are both affluent
23 areas and are more likely to litigate than are the
24 people of Nanakuli and the rest of the Waianae
25 coast.

1 This whole consideration of the possible
2 seven landfill sites on the Waianae coast and of the
3 existence and of the considered expansion of PVT is
4 environmental racism, especially considering this
5 coast already has Makua Valley, Lualualei, the
6 electric plant and Waimanalo Gulch. Since Waimanalo
7 Gulch is already here, PVT landfill needs to be shut
8 down. Let some other area on Oahu take their turn
9 at hosting a dump.

10 MS. FLOREEN KAOPUA: Aloha. My name is
11 Floreen Kaopua, last name Kaopua, K-a-o-p, as in
12 Peter, u-a.

13 I am here for many important reasons.
14 One, first of all is because I've been a Nanakuli
15 resident all my life. I'm also here because I'm a
16 mother of three, and I'm here because the PVT
17 landfill now borderlines our church where I attend.
18 I attend the Nanakuli Baptist Church, and for a long
19 time it's already been a problem. A lot of the dust
20 has always come over and when we volunteer, we go up
21 to our church grounds and we clean the inside of our
22 church. I mean, just wiping one of the jalousies or
23 louvers and you can fill up a whole cup and that's
24 all dust, dust alone. Where our children play on
25 the basketball courts out there by our church

1 grounds, it can rain, and not even hard -- when it
2 rains out there, it just fills our whole basketball
3 court full of mud and dirt. And all of our requests
4 to get any kind of assistance for the clean-up all
5 falls on deaf ears.

6 And as a mother, you know, I'm here to say
7 it's important to be here and I'm here -- actually,
8 I took off from work to be here, because that's how
9 important it is, and I feel that it's important to
10 stand up for what you believe in, which means loss
11 of wages. I'm sure you folks already understand the
12 economy is bad. I think I wrote a song for it. I
13 teach my kids the song every day. But I tell you
14 aside from just being here to share how important it
15 is to stand up against the PVT, I also want to state
16 as a Nanakuli resident -- all my life I've been
17 here. I'm also a graduate of Nanakuli. I'm a
18 Golden Hawk. I graduated 1998. And also, I tell
19 you, I want to say -- I've never heard anything this
20 sugar-coated so much as to -- I can tell you one
21 thing; you can find me out on the street, you'll see
22 me stopping the manapua man occasionally. You'll
23 also see me out there shopping the supermarkets.
24 But there's one thing that you won't see me doing.
25 It's standing here asking you for any kind of money,

1 let alone a million dollars. Because I'm going to
2 stand here and say Nanakuli ain't for sale and we
3 won't ever be for sale. I appreciate whatever
4 grants were given for the schools. I tell you --
5 you can never sugar-coat something like that. It's
6 almost as bad as putting nipples on 40-ounce liquor
7 and then sugar-coating or chocolate covering
8 cocaine. To me that's wrong. Poison we don't need
9 in our neighborhood. I'm here against the PVT
10 landfill. Mahalo.

11 HEARING OFFICER TSEU: Next will be Jackie
12 Ku and Dolly Naiwi.

13 MS. JACKIE KU: Aloha. First of all, this
14 mike is junk. Second of all, I want to say that I
15 wish we could have it at a more bigger place where
16 it's not too congested and it's hot. And second of
17 all -- next thing is UH playing tonight, so, you
18 know, the score is 27-16, so everybody know now.
19 USC is winning.

20 I not --

21 HEARING OFFICER TSEU: Jackie Ku?

22 MS. KU: Yes. Everybody know me already.

23 I'm not in favor of any landfill in this
24 -- I not in favor of any landfills in this
25 community, period. And already our community like a

1 four mile range, maybe a little bit more around
2 Nanakuli -- and to have testimony here is one of the
3 best things that ever happened in this community,
4 because I hate to go to Honolulu Hale, because you
5 guys don't live in this community, bottom line. And
6 it stinks, it's health hazard and I'm not for any
7 landfill in Nanakuli, period. You want to build
8 something, build a regional park. That's what I'm
9 for.

10 MS. DOLLY NAIWI: Dolly Naiwi, N-a-i-w-i.

11 Aloha everybody. I'm sorry if I don't
12 face you guys, but I gotta face the people because
13 -- you know these 18 truck -- wheeler trucks that
14 drive through? Okay. It's a four-mile stretch from
15 that landfill right out and it's the people of
16 Nanakuli that gets the impact of everything. This
17 PVT landfill is not good and not well for the people
18 of our community. The trucks are not passing
19 through Maili, Waianae and Makaha. It's only
20 through here. Now, it's bad enough that they use
21 the roads, and it's being fixed right now by Okada
22 Trucking, who I'm going to say -- Okada Trucking has
23 not helped our community with the traffic. It's
24 really bad.

25 But with this landfill, it's not a good

1 place for our people. I'm sorry to say one of our
2 big advocates from that community right behind of
3 the landfill, he was hospitalized in the hospital.
4 I think he's out of it right now. But the landfill
5 is not good for our people. Our indigenous people
6 here in the community does not need a landfill. In
7 fact, I don't even hear of any landfill that's
8 applying for opening up land on their side. It's
9 just this one. If Waimanalo dump should close,
10 we're not going to have any alternative, and I'm
11 going to say that's where the rubbish is going to
12 go. Okay?

13 Now, they have a lot of money to give.
14 Yes, they do. They're helping out with
15 scholarships. They're helping out our drama club.
16 But that's not enough to bring back people who
17 possibly has died from living there all these years.
18 I went to several people who lived there -- to their
19 funerals, and it was -- it's not well. In fact,
20 maybe they should have filed a class action suit.

21 Okay. So now that we're given the chance
22 to voice our concerns for this landfill, we
23 shouldn't have this landfill extension. I don't
24 even know how they got the permit in the first place
25 without a fair hearing. And like my niece said

1 before me, this is just sad that we have to have a
2 hearing in this small little cozy-lozy area, but --
3 our high school would have been a better place for
4 parking, for kupunas, for restrooms, for everything.

5 You know, so with that being said, our
6 health is most important. The future generations of
7 our kids -- I teach at Nanakuli High School. I'm an
8 educator. And I really feel so deep in my heart for
9 the people of Nanakuli. I moved here in 1950. I
10 live in Waianae now. My children live here in the
11 Nanakuli area. And I ask all you people here,
12 please, please, don't go for that extension. We
13 need to stop it and stop it now. Thank you.

14 HEARING OFFICER TSEU: Next would be
15 Carolyn Fetu, Nelson Tuitele. Is Carolyn Fetu --

16 ANONYMOUS (from Audience): She's coming.

17 MS. CAROLYN FETU: Good evening, ladies
18 and gentlemen. I hope you all can hear me. I just
19 want to say that, yes, I am against the landfill,
20 and the only reason why I'm against it -- or one of
21 the reasons is because all my cousins live here in
22 Nanakuli. I live in Waianae. And I see my cousins
23 and I see their children and I would like to see
24 them to grow up. I would like to see my future
25 children to grow up in the Nanakuli area. And I

1 don't see that happening with all this going on with
2 this landfill. And I just want to say no to the
3 landfill. So thank you.

4 MR. NELSON TUI TELE: Good evening
5 everybody. My name is Nelson Tuitele. I'd like to
6 make it short and sweet, because I know there's a
7 lot of people here. I'm disagreeing in having any
8 landfill being put back here. I feel, you know,
9 they keep putting dump sites out on the leeward side
10 and it needs to stop. That's the bottom line. We
11 don't need no extensions, no more landfills, no more
12 nothing down this side, anything to do with garbage
13 or any kind of waste. Because I feel like they're
14 using our side as the dumping site. Why can't they
15 bury the stuff over in Hawaii Kai and all these
16 other places, you know? So thank you.

17 HEARING OFFICER TSEU: Next would be
18 Hanalei Aipoalani and then Irene Baker.

19 MR. HANA LEI AI PO ALANI: Aloha. Hanalei
20 Aipoalani, A-i-p-o-a-l-a-n-i. I think I wrote
21 legibly.

22 You know, to our community I stand on the
23 testimonies of those that came before me that do not
24 wish to see an extension occur in our community. It
25 is a travesty that we have to face a landfill that

1 abuts our residences. And I truly hope that the
2 Department of Health will continue to come out and
3 work with our community, because we have to find
4 another location for PVT or any other landfill.

5 When people get sick and it's because they
6 have unknown upper respiratory ailments and then
7 they pass away of unknown causes and they all live
8 within 50 to 250, 500 feet of the landfill, that
9 speaks volumes. So I would encourage the
10 toxicologists to go back and review the data. Go
11 back and look at what you're bringing to the
12 community, because it doesn't make us feel
13 comfortable. You just lost public trust. We here
14 have to live in the community. We have to --

15 Like they said, like Flo and those who
16 spoke earlier, we have children that are growing up.
17 I have three, two are five years old and I have a
18 son who's 19 months. This is our 'aina
19 ho'opulapula. If we cannot protect and preserve the
20 very land that will nurture and house us, then how
21 can we sustain our community? So shame on you
22 folks. Shame on the state for allowing this license
23 and the permit to have occurred in the first place.
24 We all should come together, force this pass of a
25 class action suit, regardless of what, you know,

1 happens from this event, because it needs to be shut
2 down regardless. And we have to take the action as
3 a community. So let's (inaudible - audience
4 disruption) priority. That's my testimony. I thank
5 everybody for coming out to participate. Mahalo.

6 MS. IRENE BAKER: Good evening. My name
7 is Irene Baker. By now we all know, PVT, we don't
8 want you, we don't want you here on the Waianae
9 coast. I think that's been stated loud and clear.
10 I live on the homestead. Right now I have
11 grandchildren now and I'm a Handi-Van driver, and
12 what I see daily is the trucks that's ripping 'em
13 in, you know. And I know bruddahs, sistahs, you get
14 your job. You're going where you gotta go for dump
15 all that rubbish, but yeah, we no like 'em in our
16 backyard. We no like 'em already. Dangerous when
17 they're coming through, you know, our homes.

18 Not only that, environmentally it's not
19 good for our community and, yeah, we no like 'em in
20 our backyards. We no like 'em in our homes. So
21 please -- great you have stuff, you know, in place
22 you want to recycle. Find a new area and practice
23 it there, you know. Leave our community alone. And
24 that's what I wanted to say. Mahalo.

25 HEARING OFFICER TSEU: Next two would be

1 Tiare Kaopua and then Donald Chung, Junior.

2 MS. TIARE KAOPUA: Hi. I'm Tiare Kaopua
3 and I'm here on behalf of my family and I wanted to
4 say that one of my concerns is our church is located
5 by -- right in front of the landfill and like my
6 auntie said, there has been a lot of dust and toxic
7 that's come into the community, as well as our
8 church, and I don't think it's good for us, the
9 babies, the elderly people who attend our church,
10 and I don't think you guys should have the extension
11 for this. Thank you.

12 MR. DONALD CHUNG: Aloha. Who is from the
13 health department? Raise your hand. No shame. You
14 folks, are you folks ready for take responsibility
15 for medical, medicine? How about (inaudible).

16 My name is Donald Chung, C-h-u-n-g, Jr.

17 Are you ready for take responsibility for
18 medicine, health care? How's about funeral
19 planning? How's about taking care of us from
20 Honokai Hale all the way to Hakimo, what's in
21 between. The dust -- already the environmental --
22 the environment is already -- it's in the air all
23 these germs. I just took my wife out of the
24 hospital because of her lungs. The medicine, I need
25 to purchase all that kind stuff, yeah. But we need

1 to take care of this dump. I don't want this dump
2 here. I want this dump to Hawaii Kai, where it
3 belongs -- to share in the other islands, all around
4 the island. Give 'em them. Give 'em to them.
5 Time for us to take care of our health. And I think
6 you guys should be taking the responsibility for
7 taking care of the people that lives here, paying
8 everything for them, free, like how they pay for
9 everybody, free, should be free.

10 Because you guys test the PVT, the germs
11 is all in the environment already. If we have the
12 east, the south winds, you cannot see with your
13 naked eye, but you can see the dust flying. When
14 the school lights is on, I can see, I can see the
15 pollution in the air already, and it's hitting my
16 wife and my wife is getting bad. I just took her
17 out today.

18 And I think they should shut down this
19 dump, shut down PVT, shut down Waimanalo Gulch and
20 take it someplace else. Go put 'em in Honolulu
21 Hale. Take it over there. Give it back to them.
22 Enough already. Enough is enough. Time for the
23 state to start taking care of our health. Thank
24 you.

25 HEARING OFFICER TSEU: Next would be

1 Milaielehu Jelis and Pearl Key.

2 MS. PEARL KEY: My name is Pearl Key. Na
3 Kupuna o Tribunal.

4 You know, the sustainability program going
5 on, but look like by the time we get sustainability
6 they gonna wipe us Hawaiians out, and the thing is
7 Waianae have the most Hawaiians in the whole world.
8 Okay? The last of us is home here in Waianae. Now,
9 these people are precious. We're precious people.
10 Get aloha in us something tremendous, I know. Okay.
11 The love of our people is great. If you thinking
12 about you no care about wiping out this kine people,
13 you better think twice. This is a people gonna come
14 out in the end with the aloha. Okay? Only our love
15 gonna stand. You better take care our people. Take
16 care, because something great gonna happen for this
17 world with these people with the kind of aloha they
18 get. They get promise in them they gotta fulfill
19 and only can be fulfilled with love, and these
20 people get it. No take this away from the world.
21 This is tough people. You just don't know it. They
22 just don't know that they carry kine mana, so
23 please, listen to this. I get one (inaudible) going
24 around about the kumulipo. You guys should pick 'em
25 up and see where the Hawaiians going. Okay?

1 But stop and start -- gotta stop already,
2 because gonna get -- lot of things going to come out
3 way beyond this. Going to be obsolete. Okay.
4 Something really heavy coming on pretty soon and the
5 world gonna be running on energy. That's what the
6 whole new trip is about, energy. Communities all
7 over the world, but they know Hawaii get the most
8 energy in the whole world, and this energy has to be
9 tapped and it's gotta be tapped before you guys tap
10 us out. You know what I mean? This mana gotta be
11 tapped before you guys think about tapping us out.
12 Because we love you guys, too. Okay? We love
13 everybody. Thank you.

14 MS. PEARL TAYLOR: Aloha, everyone. My
15 name is Pearl Kaihi Taylor. I'm a homesteader all
16 my life at Pua Avenue and I attended Nanakuli school
17 and I have lot of grandparents and classmates here.
18 I want to read something that I put together last
19 night, my concerns.

20 My family and I live below the PVT
21 landfill. Our community begins along the boundary
22 line of PVT and down to Farrington Highway. We are
23 now the victims of government negligence. They are
24 the reason that allowed all this to happen from the
25 start. At one time we enjoyed the peace and quiet

1 and the view of the beautiful mountains. We would
2 go out on our balcony and relax and have dinner,
3 have pupu and beer and enjoy the breeze. Not
4 anymore. Today, the noise from the landfill and the
5 trailer trucks can be heard from my home every day.
6 The loud banging noise often could be heard over the
7 fence along the boundary as they continue with their
8 demolition.

9 We are now -- we are downwind from the
10 PVT. We suffer from the poison winds and dust every
11 day and every night. From Maaloa Street, where we
12 live, we now look up and see a manmade mountain 75
13 to about 100 feet high at the PVT. On some days we
14 are able to see the dust spread, and whenever we
15 have a windy day, it's worse.

16 I have called several agencies with no
17 follow-up response. At one of our community
18 meetings we were told by the state health department
19 that the current laws are so vague that PVT can
20 continue doing what they are doing. Today we have
21 more concerns. This request to renew and modify
22 PVT's permit -- besides the asbestos and other
23 toxic buried into the ground at the PVT, we now have
24 a bigger problem, liquid waste. Is this medical
25 waste, medical waste from all the hospitals and

1 other medical facilities? Can you imagine what we
2 have to live with if that is so? I became really
3 concerned when one day I saw Unitek truck come out
4 of PVT landfill. Now tell me what else we have to
5 live with. As for the permit to mine previously
6 buried material on construction of demolition waste,
7 this will surely and seriously affect our community.
8 We will be breathing this air in addition to the
9 noise. God help us.

10 And in closing, I have some photos here
11 that I took from my yard and on Maalooa Street of the
12 dust from the landfill from where I live. Thank
13 you.

14 MS. MILAINA FELISI: Aloha. My name is
15 Milaina Felisi and I live at 87-279 Mikana Street,
16 50 yards down from PVT. First of all, before I say
17 anything, my husband normally is at our board
18 meeting. He's normally here. But he is now at
19 skilled nursing because of an infection in his -- it
20 started from his ear -- he thought it was an
21 earache, but just below your brain there's a bone
22 there. He has an infection there. And so this is
23 the seventh week of antibiotics. He's been in the
24 hospital for six days and then transferred to
25 skilled nursing home. But prior to the hospital six

1 days, for three weeks I was taking him to the
2 doctors almost every other day or even to emergency
3 room, three times in that three weeks because of the
4 pain that he has. And the infection was -- by the
5 time the infection disease doctor got to want to see
6 the results, the lab had thrown it out, so I need to
7 investigate on that. But I'm almost sure and I'm
8 100 percent sure it comes from all of this that we
9 are suffering from PVT.

10 On Saturday, there was a group at -- Ms.
11 Gay, who came by my house and they've been coming by
12 and my husband's been talking to them. But being
13 that he's in the skilled nursing -- I was there
14 before I went to work. Now, what I did was get the
15 paper towel and wipe my counter, my floor that's in
16 the kitchen, my dining table, and my headboard and
17 my dresser in my room and I showed them the dust --
18 the dirt, actually, that's on there. And that's
19 every day and I did that on Thursday. I'm sorry. I
20 did this on Saturday. But on Thursday night, after
21 I got home from being with my husband, I cleaned. I
22 wiped down. And I have blue ceramic tile on my
23 kitchen counter and my floor, but that's what I get,
24 okay, and that's all from PVT. When I take my
25 great-grandson to school and I come home, you can

1 see the dust that's flying over. And, of course,
2 I'd take pictures, but you can't take pictures of
3 dust.

4 Now, what I want to say is: Close PVT.
5 We don't need that. We don't want that. I've lived
6 there since we opened there in 1963. We were the
7 first to buy there and there was no homes on the
8 side of me or around me. Now -- and we were
9 supposed to have a park back there. Now, I don't
10 know what happened that it ended up PVT got that,
11 but it was supposed to have been a park for the
12 residents there.

13 Last week Thursday, I believe it was, when
14 I came home, I found that, oh, PVT got a green
15 screen back there. They don't have the black puka
16 screen that they had. Now, because of this meeting
17 that they're -- we have tonight, that they called
18 for, they're trying to do things, put things up and
19 say they're doing something for us, which they're
20 not.

21 There's been a lot of affliction, people
22 being sick, people dying, and frankly I truly don't
23 want my husband to die now. You know, we just
24 celebrated 51 years of marriage. How many can say
25 that? I'm looking forward to many, many more years

1 and to celebrate my great grandchildren or even my
2 great-great. But, you know, we need to stop PVT.

3 Mr. Lau, we met with you many times by the
4 baptist church, but you had nothing to help us with.
5 You said you could not do anything. You also told
6 me that when you go to the doctor, ask the doctor to
7 call the board of health. Now, tell me what doctor
8 has time to call the board of health to give you a
9 report. Now, no doctor can do that. Okay? And
10 things that you said we should do is not being done.
11 I mean, you're not doing anything to help us. And I
12 really would like to know how we can go about doing
13 a class action suit against them. Close PVT. Get
14 out of our yard.

15 MS. LORI NORDLUM: My name is Lori
16 Nordlum. I'm a resident of Princess Kahanu Estates
17 and I live -- I grew up on second road. My family
18 name is Navarro and we came to Nanakuli -- moved to
19 Nanakuli in 1947 and we've been here ever since, and
20 I wanted to say that, you know, PVT, PVT people, you
21 know what your hill is called? Your hill is called
22 pu'u opala. You know, when I was a child I remember
23 going to Nakatani's and looking up Lualualei depot
24 road and where PVT is it was just flat as a road and
25 today it's a mountain and -- if you all remember

1 that.

2 And I wanted to say one more thing. Mr.
3 Lau, Larry, I remember you had meetings at that
4 baptist church near my sister's house, and I think
5 it was in 2007, 2008, 2009, and, you know, and the
6 community came out and they pleaded with you. They
7 were sick. They told you what the problem was. And
8 you listened and you listened, but you know what?
9 It went in one ear, out the other ear, nothing was
10 ever done. You went back to town. You left the
11 people here with nothing, not a promise, not an
12 assurance, nothing. And so honestly, you know --
13 what is the motto of the State of Hawaii, Mr. Lau?
14 Do you know what it is? Can you say it? Can you
15 say it, please, for the people? What is it?

16 MR. LAU: Ua Mau Ke Ea O Ka Aina I Ka
17 Pono.

18 MS. NORDLUM: Ua Mau Ke Ea O Ka Aina I Ka
19 Pono.

20 Do you know what that means, Mr. Lau? It
21 means the land is preserved in righteousness. Is
22 PVT preserving our land in righteousness? Is PVT
23 preserving our land in righteousness? A'ole. Mr.
24 Lau, please take us seriously. Okay? I know you
25 can hardly wait for this meeting to be over with so

1 you can go back downtown and, That meeting's over
2 with. Okay? And the same thing with the
3 toxicologist.

4 Johnny Felisi is my brother-in-law.
5 Johnny Felisi has always been a strong, healthy man.
6 He also has a lot of faith in God. He also is very
7 strong and that is what's making him heal today.
8 But because you have allowed -- the state has
9 allowed, the toxicologists -- the state and PVT has
10 allowed my brother-in-law to be so ill that we were
11 just really worried about him. We're all in prayer
12 day and night, the whole entire family.

13 Mr. Lau, do you want that -- do you know
14 how many -- if this is happening to my
15 brother-in-law, times that by how many thousands in
16 Nanakuli, just in Nanakuli alone. You know what you
17 are allowing. And I know because I work -- I've
18 worked at the Attorney General's office and I know
19 you. You're a good -- personally, you're a good
20 man. Okay. But what you are doing to our people,
21 Mr. Lau, is not becoming, honestly, and you need to
22 really think about this, about what your
23 responsibility is to the people on the leeward
24 coast.

25 Do you know, Mr. Lau, there are seven

1 landfills just in the Waianae coast. Hello? Where
2 else in the state of Hawaii is there a landfill
3 other than in Nanakuli? Is it because they are --
4 we are the highest population of native Hawaiians in
5 here that you can just say, Oh, you know, they don't
6 matter, because they're sick anyway, you know, they
7 have heart trouble, they have diabetes, they have
8 all this stuff, doesn't matter. And when we
9 complain about being sick, what's the excuse that we
10 hear? Well, they're Hawaiians, of course, they're
11 always sick. You're killing us off slowly but
12 surely.

13 My brother-in-law is gonna come out of
14 this. He's gonna be strong, and I tell you what;
15 his spirit is gonna haunt you folks, honestly.
16 You take my word. You talk about Hawaiian and the
17 mana, like this young lady talked about, there is so
18 much mana on this side of the island it's
19 unbelievable. Okay. I could tell you stories, you
20 know, that will blow your mind.

21 But Mr. Lau, you have some of that power.
22 Ms. Fukino, who is a native Hawaiian, who graduated
23 from Kamehameha Schools, she's the director of
24 Department of Health. My goodness, get her to come
25 out here and talk to our people, have her share --

1 have us share our mana'o with her so that she can
2 see our people and what we have to go through.

3 I really, really believe that PVT is like
4 BP on the Gulf Coast, you know, because BP is
5 showing the public how wonderful they are, how
6 they're helping the community, they're giving the
7 community money and all this stuff.
8 That is what PVT is doing by scholarships, by money.
9 Oh, we'll give you a million dollars, okay, for --
10 they're buying the community to kill us off slowly
11 but surely. Thank you.

12 HEARING OFFICER TSEU: Next would be
13 Mapuana Tector and the other one, the first name is
14 Fea. I cannot read the last name. It starts with a
15 T.

16 MS. MAPUANA TECTOR: Aloha. My name is
17 Mapuana Kelii Tector, born and raised in Nanakuli.
18 I'm one of seven siblings. My tutu man was awarded
19 this place 1930. At one point we used to live at
20 Nakatani's and play. Was actually beautiful for
21 some of us that know what it used to look like. Two
22 minutes -- I'm sorry. When you ask us to give a
23 testimony, there's research involved. The decision-
24 making -- I have to share. There's steps.

25 We have to define the problem. I think we

1 found it. Now, what is important to us some of us
2 are sharing? Look at the information. The
3 Department of Health has a lot, but who wants to
4 print out 700 pages? Who can afford it? If they
5 give each of us two reams and ink, I think we can.
6 Figuring out the risks involved, choosing each
7 ailment or alternative, develop a plan -- I don't
8 think a lot of us was privy to all of this.

9 When PVT first opened, I'm pretty sure
10 they were only allowed X amount of years, give or
11 take, three to seven. But they overstayed their
12 welcome.

13 Mr. Lau, you work for the state.
14 According to this book, you're obligated us. Okay?
15 According to this book, which is from OHA, it shows
16 the map. So since our annexation in 1893, now the
17 year 2010, I'm pretty sure that the state really has
18 a lot of plans and time to plan out what they would
19 like for Oahu, let alone Nanakuli.

20 I work also for the department -- or at
21 Wahiawa General. I'm a licensed CNA. When we work
22 with patients, by rights we have to give them
23 literature, the family members, if they ask. Where
24 are your literatures, these are easy steps of how to
25 take care of yourself? We do have health issues. I

1 have it myself. I was diagnosed with lupus,
2 whatever, autoimmune deficiency. It attacks your
3 own immune system. But that didn't occur until mid
4 '90s. I stand here -- sit here before you -- okay.
5 We want action. Right now we really deserve
6 results. So if it took me several days to gather
7 all of this information, each of us should have been
8 walking out this room with an action plan from your
9 office.

10 I have four children, two at the
11 university, one at Kamehameha and one at Kawaihono.
12 My oldest daughter was given that scholarship of
13 \$2,000 for four years, but yet the University of
14 Hawaii keeps them there for at least seven years.
15 So do the math. It is about time that you guys
16 should have given us results and say, Wow, guess
17 what, due to everybody's testimonies and the facts
18 -- we're giving you our own health issues. That's
19 facts.

20 So HIPAA, they gag us from talking about
21 other patients that are ill. And they're asked,
22 Where do you live? Oh, Nanakuli, between two dumps.
23 Oh, but I'd like to share with you that there were
24 other dumps. Oh, what are you talking about? We're
25 giving them history, but no one's taking it back to

1 the right people. You're getting verbal and direct
2 -- I don't know -- anger coming from us, because you
3 work for the state and the state legislators said
4 that they were going to take care of us in our
5 community. They haven't. You guys have failed us.
6 We need results already. That's all I can say.

7 HEARING OFFICER TSEU: Is a Fea -- last
8 name starts with a T -- is that person here?

9 The next two would be Cameron Black and
10 Cynthia Rezentes.

11 MR. CAMERON BLACK: Good evening,
12 everybody. Cameron Black. Last name B-l-a-c-k,
13 like the color. Thank you for allowing us to come
14 and talk. I'm within the energy office within the
15 Department of Business, Economic Development and
16 Tourism, and we're here to support the renewable
17 energy aspect of PVT's project. We've been
18 listening to all you folk's testimony and appreciate
19 the opportunity to come out here and talk to you
20 guys, to listen to you guys. So thank you. I think
21 there's a lot more work to be done.

22 Our main goal is to prevent the barges
23 from coming in right off Barbers Point, in and out,
24 to plug in out there, to prevent what's happening
25 across the world. I know we're looking at your

1 immediate community here at this hearing tonight,
2 but our goal is to look at the bigger picture and we
3 see PVT's project as a small part of that bigger
4 picture.

5 Again, we'd like to thank you for giving
6 us the opportunity to come out here and talk. We're
7 happy to listen to anything you have to say and it
8 sounds like this meeting was definitely overdue, and
9 we're happy to be out here while it's happening.
10 Thank you.

11 MS. CYNTHIA REZENTES: Good evening. My
12 name is Cynthia Rezentes, R-e-z-e-n-t-e-s.

13 Originally I was not going to come up and
14 speak. I'm here to listen to what you have to say.
15 But upon asking some questions of some of the
16 experts that we have here tonight, I felt that I
17 needed to say a few words. I do support renewable
18 energy. I do support reuse of what we have in
19 trying to maximize whatever we have in the state so
20 that we don't need to put it into landfills.

21 What really bothered me tonight, though,
22 in discussions was this community has been for the
23 last three to four years complaining about the dust,
24 complaining about what has become problems within
25 the community on the downwind or makai side of PVT

1 landfill. What bothered me tonight was when I asked
2 what has been done. The air quality studies that
3 have been done are off of sampling on that green
4 fence, if you will, three monitors there. When I
5 asked, Well, what about dust being carried up and
6 down into the lower community, the question (sic)
7 was, We don't know. When I asked what about the
8 operations mauka of that -- you have West Oahu
9 Aggregate, who's also crushing concrete and doing
10 aggregate work up there. What about the lands mauka
11 that are undeveloped? In all cases I could not get
12 an answer that said, We know where the dust is
13 coming from on the community that's makai of PVT.

14 What's really distressing about that is in
15 the United States we have the technology to be able
16 to find out that some of the dust that lands in the
17 United States comes from the Gobi Desert in China.
18 If we have the technology to be able to determine
19 dust that lands in the United States that comes from
20 the Gobi Desert in China, why don't we have the
21 information for our people as far as where their
22 homes are getting contaminated from all of this
23 dust.

24 Given all of that, in my mind, the studies
25 that have been done are not complete. They're not

1 complete. They do not give us the answers that this
2 community has been asking for the last three and a
3 half to four years. Where is all this stuff coming
4 from? And I would challenge the Department of
5 Health to be able to move forward without having the
6 answers for this community.

7 If we have the technology, which we do,
8 why can we not get an answer? Why can there not be
9 a definitive statement and why can't we correct that
10 situation before we move ahead? That's all that the
11 community is asking for. Tell us where it's coming
12 from. Fix it. And if we have the technology,
13 again, as I said, to be able to track dust from the
14 Gobi Desert, which is halfway around the world, to
15 the United States, why can't we track what's within
16 a mile or two of the residents that are being
17 affected. Therefore, in my mind, the studies are
18 not done yet, and if the studies are not done and if
19 they are incomplete and they have not answered those
20 questions, then I don't see how you can move forward
21 with this permit. Thank you.

22 HEARING OFFICER TSEU: Next would be Terry
23 Morris and Daphne Kahawai-Tom.

24 MR. TERRY MORRIS: Thank you. My name is
25 Terry Morris. I live at 87-257 Maia Street in

1 Nanakuli. I've lived there since 2001, when I
2 bought the house where I'm living at now. That
3 house is within less than a half a block from the
4 PVT, on the makai side. So right at this point,
5 I've lived in Nanakuli since 1980. I've been here
6 for a while. I know a few of you people here. My
7 reason for testifying is to explain from a
8 resident's point of view regarding the current PVT
9 landfill now in use in Nanakuli and what it is doing
10 to me and my family and probably my community, as
11 well, as we've been testifying tonight.

12 The edge of the landfill is, like I said,
13 half a block from my house. I can hear the
14 equipment in the morning working in the landfill.
15 It sometimes wakes me up in the daytime or the
16 morning before I actually have to get up to go to
17 work, and so I'm a light sleeper anyway, so I can't
18 go back to sleep. I stay up for the rest of the
19 day. So if people understand that, they'll
20 understand that it's a long day when you have to get
21 up and go to work. It used to be very quiet in
22 Nanakuli. Not anymore.

23 I have a pool in my backyard. And though
24 many people don't have that luxury, it came with the
25 house when I bought it, so I have to clean it. I

1 used to have to clean it maybe every three weeks.
2 Now I have to clean it every week, because of the
3 fact that since the landfill was put in, dust is
4 blowing from outside my yard into my pool. I have
5 to clean it. So you can tell by just looking at the
6 bottom when it's nice and clear it's like sand
7 building up inside there. So it's not something
8 that I enjoy doing every time, but I have to do it
9 in order to keep it for my grandkids. They like
10 swimming in the swimming pool. This is my indicator
11 that the dust is coming from a source that at one
12 point was not a real problem and it wasn't a
13 disturbance for us, but now it is.

14 There is yet another area of concern with
15 the dust entering my residence from outside my yard.
16 My wife has allergies. We used to live over on
17 Kapiki Road, off of Hakimo Road for many years. We
18 had to move from there because of her allergies and
19 having problems with breathing, so we moved to the
20 house we're in now since 2001 and now she has to
21 take medication again daily in order to be able to
22 breathe and to be able to sleep at night. So this
23 is one other area where I know that there's problems
24 with the dust in the air that's coming into our
25 residence. It shows up on the outside of my house.

1 I can see it. On the other side of the house it's
2 not -- I know it's coming in.

3 So the PVT landfill was never wanted in
4 our community at all. I know that. And I've been
5 at several of the meetings that we've had and
6 people, like you said earlier -- Cynthia and many
7 other people, that we didn't want it, but nobody
8 ever heard us. Nobody listened to us. I urge PVT
9 to rethink their plan. Thank you very much.

10 MS. DAPHNE KAHAWAI-TOM: Aloha. My name
11 is Daphne Kahawai-Tom, K-a-h-a-w-a-i - T-o-m. Aloha
12 everyone. I had a lot of questions in my mind when
13 we first came in here and we were just told about
14 this meeting yesterday. But I tried looking up in
15 the newspaper ads, you know, the Internet, to find
16 out when this meeting was actually scheduled;
17 couldn't find anything until we walked into the
18 meeting this evening and were told it that was
19 publicized in the newspaper in August. Well, in
20 August I was in Texas and I tried to look for
21 something that was stating when this meeting was
22 supposed to be planned for our community. I wish
23 there were more people here.

24 Anyhow, in knowing about PVT, my daughter
25 and my family and I agree with recycling and

1 renewable energy, but in PVT's case, no, because
2 there's just been too much asphalt there. Hawaii
3 doesn't have the proper recycling companies that we
4 need to have. In 2006, my daughter and I approached
5 Mufi Hannemann and told him about a company called
6 Herhoff. Sorry. It comes from Germany. Hawaii is
7 a recycling state that uses energy from Japan, we
8 were told, and Germany has one of the best recycling
9 -- green countries ever. You can look them up. But
10 we had asked about having Herhoff brought here and
11 be put at Campbell Industrial and doing this
12 renewable energy and digging up all of our dumps
13 that are here on this island.

14 And I come from Kaneohe, born and raised
15 in Kaneohe. So I knew about the landfill out in
16 Kailua, C and D, and we were very much opposed to
17 turning that area, especially the swamp land areas,
18 into a dump. I appreciate having that area look
19 like it is today. Unfortunately, it's all coming
20 out here to the leeward coast.

21 My daughter's going to school made me have
22 to go back to school with her to understand what's
23 actually happening in our community. And in our
24 community there's so much illegal dumping going,
25 aside of the legal dumping that's already here. So

1 we have seven legal dumps that are here on the
2 leeward coast. But in 2006, there were 14 illegal
3 dumps. Today, in 2010, we have anywhere from 17 to
4 20 illegal dumps that's not even on the roster;
5 people you don't know. It's all over. And students
6 from the different colleges that do environmental
7 studies, they come out here and they're able to find
8 all the illegal dumps that are going on.

9 Things look pretty. Of course, there's
10 all this scholarship monies that are given out.
11 Unfortunately, our children that coming up, they're
12 not going to be able to use the scholarship monies
13 because they won't be here if we keep on doing what
14 we're doing. We need to stop PVT. Thank you for my
15 time.

16 HEARING OFFICER TSEU: Lucy Gay would be
17 next. Then afterwards George Gyaletta from Paradise
18 Lua, Inc.

19 MS. LUCY GAY: Good evening. My name is
20 Lucy Gay. That's G-a-y, L-u-c-y. I'm not going to
21 repeat the positions that have been very well stated
22 by various members of the community. What I want to
23 do is take this time to focus on some items that
24 were not brought to the health department's
25 attention or to the people who are in the community

1 now who may not have had an opportunity to actually
2 read the permit application, so I'm going to focus
3 on those pieces and look at the kinds of suggestions
4 that I'd like for the health department to consider
5 as you move through this process, however you're
6 going to decide on this permit.

7 So we've heard over and over from people
8 in the audience -- and I myself have heard from
9 people in the community this resounding concern
10 about the impact of dust on people's private
11 property and on their private body. And so in the
12 document -- and I appreciate your staff, Mr. Lau,
13 putting this particular document together, because
14 if you read the one they had last time, six years
15 ago, and you look at this document this year, I
16 would consider it a marked improvement in its detail
17 and its attention to items that I know were raised
18 in the course of the six years. And one particular
19 one I'm going to talk about is chlordane, that just
20 came up recently. So that's mentioned in here. Now
21 we have a place where we can take it, that kind of
22 soil, where it will be regulated and that's good.

23 But the dust issue, I think, arises
24 because of a land use issue. When you place an
25 industrial-like activity, a facility, immediately

1 adjacent to a residential district with no gradation
2 in between, you cannot help but expect persistent
3 wicked problems. That's why we have land use
4 commissions, we have land use rules, because they
5 look for ways to provide that gradation to avoid or
6 ameliorate some of the issues that we face in this
7 community. And for us, unfortunately, the
8 separation -- there is no separation between the PVT
9 activity and the residential. So how did that come
10 to be? How was it that back in whenever this
11 community -- whenever the government began the
12 deliberation to site the landfill, how was it that
13 that issue or concern was not raised, or if it was
14 raised, was ignored or it was put on the side? How
15 was it that that wasn't done?

16 I wasn't in your community then, so I
17 don't have the history. But I know there are people
18 in this room who have been active participants for
19 years, like grannie. We need her institutional
20 memory to go back and find out how this happened,
21 because PVT didn't fall out of the sky into our
22 community. It didn't happen by accident. So
23 there's a responsibility we share in the consequence
24 we face today. That's one thing I want to put out
25 there.

1 I think the dust issue becomes -- it's
2 something we can address, Mr. Lau, and you refer to
3 it. It's somewhat in your documents. You talk
4 about a buffer, a buffer that I think people refer
5 to as the green belt. In other languages I've heard
6 that. That's supposed to separate the homes from
7 the landfill. It says the buffer is 750 feet, what
8 it has there. I'm questioning that and I'm going to
9 suggest that you and your staff consult the city
10 department of planning and permitting, because this
11 operation, this facility has the entitlement to do
12 what they do because they have a conditional use
13 permit and that conditional use permit triggers a
14 lot of land use ordinances that define what's to
15 occur, when it's to occur and how it's to occur.

16 I'm sorry. I didn't bring my notes. I'm
17 going to trust my memory. I think it's Section
18 21-5.068 in the city and county land use ordinance
19 where it says that buffer for waste processing and
20 disposal facilities is 1,500 feet. Now, for the
21 guys in the room, that sounds like five football
22 fields; right? PVT, do we have 500 (sic) football
23 fields as a buffer? So that's something we need to
24 take a look at. And why that buffer is significant?
25 Because if that buffer has in it the green belt with

1 the trees, what that does is it helps to collect the
2 drifting dust as it blows across and eventually at
3 some point it will find land. That's why we have a
4 buffer. So I really urge you guys to take a look at
5 that.

6 The other thing is, they talk about
7 mitigating the dust by spraying water. I know from
8 a report that was shared at the Waianae Neighborhood
9 Board meeting, at least an e-mail, that went between
10 Board of Water Supply and one of the members, it
11 identified the largest Board of Water Supply
12 consumers in our moku, and one of those is PVT. So
13 my question is why are we using good water? There
14 is -- and I know there's no time to incorporate this
15 aspect into the current application, but it's
16 something we need to think about, and maybe PVT, you
17 guys have some window there to begin looking at the
18 potential to use non-potable water, because that
19 water is available. When they shut down the
20 agricultural activity in Ewa and in the central
21 plain, that water became available. Now, it's very
22 expensive, I know that. That's why I'm saying this
23 is something that needs to be considered and will
24 take some time. But let's look at how we might be
25 able to use that water. Because if we're paying

1 good money and we know what's going to happen to the
2 water bill; right? You guys all know. It's going
3 to go up by how many percent by the time they're
4 finished with that schedule? You guys know?

5 ANONYMOUS (from Audience): 15 percent.

6 MS. GAY: Put one other zero, all the way
7 through.

8 So what we're paying now is expensive.
9 It's going to be out of reach when they're done. So
10 if you're the guy using water, you're going to be
11 sparing, yeah. So maybe this is something we could
12 look to so that they don't spare the water for the
13 dust, but cover the dust, because maybe the potable
14 water might be more within reach.

15 The other thing, about the trucks -- your
16 language needs to change. There's two sections in
17 there where you talk about the trucks should be
18 covered when they exit the property. I would
19 propose that you change that language to, Shall be
20 covered. Because what we're talking about is not
21 just dust on the property, because, you know, Jeff
22 Hales (phonetic) has a lot of photos of your trucks
23 on that flat with dust flying all over the place.
24 So we can talk about dust on the property,
25 mitigating that with buffer zone, with water and all

1 that, but you still have dust going off the property
2 as the trucks leave on NAD road. So maybe that
3 language should be, Shall be covered, not, Should be
4 covered. In legal language, shall is like you
5 gotta.

6 Then another item that comes in that I
7 think is integral to the dust problem is the pu'u
8 opala. Again, that's a city DPP matter that needs
9 -- I think needs to be looked at, because if you
10 look at the project, there are rules about the
11 setback when you're doing a waste processing
12 disposal facility, a permissible activity on AG-II
13 land with a conditional permit. But when you read
14 that, it talks about the height for a structure.
15 That implies it's a constructed -- you know, it's
16 like a house -- it's a building, something the
17 people built, and it sets that height, I think, at
18 40 -- well, I won't quote the number, but there is a
19 height limit. Now, the pu'u opala is not a built
20 structure. Right? But it is a built environment.
21 So you guys are the planners. You folks with the
22 DPP go sit down and talk about that, because I am
23 almost certain the 135 feet above mean sea level,
24 which makes it 95 feet, that's like ten stories, you
25 know. I think that far exceeds what the height

1 limit would have been had that environment been a
2 built structure. And I don't know if it applies.
3 I'm not one expert in this. I'm just saying as I
4 read it, it raised some concerns.

5 Then the last one I have, I mentioned to
6 the toxicologist. There's no study of the diesel
7 particulates that are emitted by the diesel trucks
8 that go on the property, go off the property and the
9 particulates that she's measuring there are large.
10 It's the diesel ones that are very, very, very plain
11 that go into your nostril and into your lungs. But
12 we have nothing on that. And perhaps a study of
13 that might help us come to some understanding of
14 where these people are getting their respiratory
15 illnesses. But we haven't looked at diesel
16 particulates. And we have -- everybody knows we
17 have a lot of trucks that come up here, and they're
18 not the new trucks; right? The new ones get the
19 modification in it to collect that stuff. We get a
20 lot of old trucks and they are still emitting that
21 stuff. And then we are also looking to a potential
22 future of an additional 500 more truck traffic on
23 that very same road, passing the same neighborhood
24 in addition to what's here. So it's not about just
25 PVT and its impact. The people here are talking

1 about we live in a place -- it's not as if all of
2 these things stop at a boundary, an imaginary
3 boundary or mete and bound -- it flows. I think --
4 let me review this.

5 Oh. The shredder. The shredder that
6 you're going to use to shred the lumber, we're
7 concerned about the CCAs that are in it. So what I
8 would like to suggest is that you at least consider
9 maybe shielding that, because my students and I have
10 been on the property more than once. We've watched
11 them handle asbestos, so we're not -- and we saw the
12 recycling activity with the shredder and there was
13 no shield. So we know when you shred, it goes up a
14 belt, the shredded material, and it falls. It's in
15 the falling that dust flows. So that's something --
16 I'm trying to make positive things to --
17 constructive things -- not positive -- constructive
18 items to -- for you to look at to strengthen the
19 permit so that we get greater health protection for
20 our community.

21 Thank you.

22 MR. GEORGE GRACE: Aloha. My name is
23 George Grace, III, G-r-a-c-e. Aloha, everybody. I
24 hear everybody's testimony tonight, and I am a
25 Waianae resident. I just wanted to share my side of

1 the story. I'm ashamed to say I never graduate high
2 school. I can barely read and write. I get one
3 sixth grade education. I'm afraid to say I'm 60
4 pounds -- 60, not 50, pounds overweight. I'm
5 ashamed to say I'm losing my hair. Whatever I not
6 losing turning gray. I cannot blame PVT for none of
7 that.

8 I'm a subcontractor for PVT. I own
9 Paradise Lua and Quality Disposal. A lot of
10 testimonies here that I heard, I can guarantee you
11 *you people never been to that landfill. You never
12 did. Some of you are -- maybe if you visited --
13 you're kinda easy with your testimony. The ones
14 that never been, I know for sure you haven't been
15 there. I work there every day. I have a crew of 11
16 people there every day that work. We often see
17 dust, smoke, from the neighboring properties and
18 probably getting accused of it. So my point is --
19 my point is before you gonna say something,
20 investigate.

21 Excuse me, Miss. You said you're retired
22 from the Department of Education. It's very
23 important; educate yourself before you point the
24 finger. You gotta come out and come look. Have you
25 ever been there?

1 ANONYMOUS (from Audience): Don't pick on
2 anybody in the --

3 MR. GRACE: No, I'm not picking on
4 anybody. I'm just trying to make a point.
5 If you haven't been there, I encourage you, visit
6 there. If you haven't been there, visit, educate
7 yourself. You gotta go look.

8 (Inaudible conversation.)

9 MR. GRACE: I live right next door to the
10 landfill, right next door, right on Hakimo Road.

11 ANONYMOUS (from Audience): That's not
12 next door.

13 MR. GRACE: Next to the landfill. My
14 point is, if you haven't been there, go out there,
15 take the tour before you make up your mind. Thanks.

16 HEARING OFFICER TSEU: Next would be Alice
17 Greenwood and Rose Woods, please.

18 MS. ALICE GREENWOOD: Alice Greenwood. I
19 requested to go early because I adopted a nine-
20 year-old boy and he's at home, so I need to be at
21 home with him.

22 Anyway, for 60 years, Waianae -- for 60 --
23 no -- 70 continuous years, from 1940 to 2010,
24 Waianae has always had landfill, continuous.
25 There's eight landfills in our area. They've got

1 Schofield as Ewa. Schofield is Waianae Uka. So
2 it's in Waianae. My thing is, where is the city and
3 county out of this whole thing? They do the zoning.
4 They do the height and they do all of this. They
5 also have preservation agricultural zoning and they
6 change it into what, what we have in our area that
7 we're faced with today. Where are they? I know we
8 have a neighborhood board. But be very careful when
9 it has to do with the city and county, because
10 they're also the persons that should be involved
11 with this kind of issues.

12 You know, talking about trucking -- my
13 girlfriend and I shared a beautiful car and we were
14 coming out of Nanakuli -- not Nanakuli -- Lualualei
15 shopping center, by McDonald's, and we was going to
16 go across towards Honolulu. Well, we heard a truck
17 pumping his horn. He was quite a distance from us.
18 The light was green. The truck in the back was
19 moving slow and there were three other cars in the
20 front of us. And she says, Why is he pumping the
21 horn? I said, He's warning us. Why? Do not stop.
22 Even if that light turns yellow, do not stop. When
23 we hit the crosswalk area, the light turned yellow.
24 I told her, You make it across as fast as you can.
25 As we went to -- as we turned, a few minutes later

1 that truck just ran that red light. Can you imagine
2 what would have happened? Can you imagine what
3 those truckers would do? And yet we want to allow
4 more trucks in a light industrial area to come to
5 our area. We're speaking up now about the landfill.
6 Wake up and look what's going to impact us with a
7 light industrial park. Now is the time to turn
8 around and say to our city and our state, We don't
9 want it, we had enough, 70 years is too much. And
10 that's my story and I'll stand by my statement.
11 Thank you.

12 MS. ROSE WOODS: Hi. My name is Rose
13 Woods. That's W-o-o-d-s. I understand that
14 tonight's public hearing is to determine whether or
15 not PVT's permit will be extended and I ask the
16 Department of Health to deny this request.

17 You know, I heard from this gentleman over
18 here from the office of renewable energy and also
19 from Honua Power and I understand that the landfill
20 is requesting with their permit an extension for
21 recycling. I don't think this community is adverse
22 to recycling and I want Department of Health to
23 understand that I think that it's not fair anymore
24 for this community to pay for the rest of the state
25 to benefit from the recycling being done here. It

1 should not be done here anymore. No opala, no
2 recycling, but we're not adverse to it. But why
3 should we pay the price and everybody else benefits?
4 Everybody should pay the price in the state. As an
5 office, your responsibility is to come up with the
6 ideas beforehand, preventable measures, and I ask
7 you to remove PVT landfill.

8 My children -- I live below PVT landfill,
9 and you know what? I don't need to go visit them.
10 They visit me every single day. I invited every
11 person that I spoke to to come and stay at my house.
12 You come stay my house and you tell me how clean it
13 is and how dust-free it is. I disagree with the
14 assessment.

15 I spoke at length with Russell from
16 environmental risk analysis. Now, they did an
17 assessment on the recycling portion and he told me
18 it was four hours. That's how long it took to do
19 the assessment. That was my understanding of his
20 explanation of that assessment. That is not
21 adequate. That is inadequate. We live in our
22 community for more than four hours in a daytime, in
23 a month, in a year, in a century.

24 The reason that I want you to close the
25 landfill is health issues. They're polluting the

1 air. They haven't put up adequate screening up
2 until a week ago, like Mrs. Felisi stated, that
3 beautiful green screen.

4 Also, for safety issues -- there was an
5 employee up there that, you know, he expired because
6 instead of -- something was being dumped improperly.
7 It resulted in an employee's death. It was supposed
8 to come out like wet damp sand, but it came out like
9 liquefied hot ash. That is unsafe.

10 Numerous trucks have already been stated.

11 And, you know, I would venture to say I
12 would like to see the business plans of these
13 corporations. Are you guys taking into
14 consideration the communities that you're affecting?
15 Your business plans should include, you know,
16 insurance claims for damages for things that are
17 happening in this community.

18 And finally, I would like to encourage the
19 state -- you know, you guys collect general excise
20 tax, and I hope we have some politicians or
21 community organizers here that hear this. The
22 general excise tax that you collect, I believe that
23 this community is owed retroactive part of that from
24 these businesses that have been making money off of
25 our community, because in your business plans what

1 you haven't factored is the health of this
2 community, children, women, men, senior citizens,
3 people -- Hawaiians that have lived here for a long
4 time. Your paper needs to include the lives of the
5 individuals that you are directly affecting.

6 So again, Department of Health, we
7 understand that, you know, that there are challenges
8 that you face, but our community should not bear the
9 brunt of this responsibility. It is a statewide
10 responsibility and I ask you to please find another
11 solution for the landfill and to close this landfill
12 down.

13 HEARING OFFICER TSEU: At this time we
14 need to take a ten minute break for the court
15 reporter. She's been typing away every word that's
16 been said. So we're going to start the hearing
17 again in 10 minutes. Thank you.

18 (Break taken.)

19 HEARING OFFICER TSEU: We're going to be
20 starting in just one minute.

21 We'll get started. I just want to
22 encourage people to summarize their thoughts or
23 maybe be cautious about the time for other people,
24 because maybe other people cannot be here all
25 evening. I'm willing to be here as long as it

1 takes, but other people may not be able to.

2 Next we'll do Linda Cuson and then after
3 that, Awietta Benavides and Lehua Benavides after
4 that.

5 MS. LINDA CUSON: Hi, everyone. My name
6 is Linda Cuson, C-u-s-o-n. And, you know, tonight I
7 was just going to come here as a listener, but
8 seeing everything that's going on, I don't think you
9 guys are all aware of what's going on with the
10 health of each and every one of us. I lived in
11 Waianae for 20 years -- in the Waianae area. I
12 bought a house a year ago right next to my mom and
13 dad. My dad is John Felisi. I bought that house so
14 that my grandchildren would live on the land, that
15 we would own the property and they could play in. I
16 think that was a huge mistake. I never knew what
17 they were going to encounter.

18 My granddaughter was born with a
19 diaphragmatic hernia. We had to go to California to
20 have her. She's been suffering all her life, but it
21 wasn't all that bad. When we moved next to -- I'd
22 say three houses from PVT, she's been going to the
23 hospital monthly or twice a month. She's been on
24 ambulance and she has a hard time breathing. She
25 misses school more than they have school. I just

1 wanted to let you guys know that if you were to put
2 your own families in this predicament, I don't think
3 you would continue or give them a license. I think
4 you would shut them down.

5 You know, normally I don't get involved.
6 I, like the other woman, have a second job. I have
7 to work 12 hours every day to pay for what I have
8 and, you know, it's not for me. Just like how my
9 dad did -- it's not for him; it's for his
10 grandchildren. And right now it's his
11 great-grandchildren. My grandson who's 11, he wants
12 to be here -- he was like, mom, I want to be here, I
13 want to talk. You know, he had other obligations.

14 Tonight when I came up the road, I was
15 like, There's only going to be like eight people
16 here, because people in Nanakuli don't speak up.
17 When I came up the road, I was amazed that there was
18 no parking. I was like, Oh, my God, I'm so proud of
19 my community for coming out and speaking, you know,
20 because this is something we need to get involved
21 with.

22 I graduated from Nanakuli in 1977. We
23 just got the high school, and, you know, I want my
24 grandchildren to grow up where I grew up. Nanakuli
25 is a place where we live, where we love and where we

1 can just grow together, yeah.

2 Let me tell you, I live right on the back
3 street and I know that there's times when the trucks
4 are supposed to shut down and when they're supposed
5 to start up. Okay? 5:00 in the morning is when
6 they start up. They're going up and down the road.
7 My window is open. I can only breathe from 11:30 at
8 night until 4:00 in the morning, because they're
9 starting up. And they don't slow down. They fly
10 through the back. Okay?

11 My dust in my house -- talk about dust --
12 I work 12 hours every day, six days a week. I only
13 have Sundays off, which I take my grandchildren to
14 church. I have to clean my room. My window, when I
15 go one time, one cloth isn't enough for even four of
16 the shields that there is. There's not enough. And
17 then I have my dresser. I've got to change the
18 sheets. When I wash clothes, it's not even clean,
19 because the dust goes by and makes it all dirty, and
20 they're not going slow. They're speeding. Okay?

21 Another thing is, Nanakuli, Waianae, this
22 is where we have the most pure Hawaiians, indigenous
23 people. Now, everybody's worried about protecting
24 animals, specifically, whales. They stopped the
25 Super Ferry for the whales; right? All this bills

1 they're passing, they're not caring about people.
2 They're caring about animals. I love animals, too.
3 I have animals. But I think we're more important
4 than animals.

5 Another thing is my dog. Okay? I know
6 plenty people -- we all have dogs. I raised my dog
7 from a puppy. He was a purebred. Okay? He is a
8 purebred. I hope he's still gonna live. We tied
9 him in the back, right where the trucks go up and
10 down, because we don't want him running through the
11 yard barking at everybody. He's been tied there for
12 like seven months, yeah. He walks around but that's
13 where he stays throughout the day when we're at
14 work. Okay? He is -- he was like 70 pounds. He is
15 like 35 now, lucky. Only got bones left. And it's
16 like sad.

17 And I just hope that you guys we'll keep
18 the human people in mind when you do things or when
19 you approve things, because, you know, you guys
20 giving money to all the foreigners who been -- like
21 got injured by the bomb that exploded that United
22 States did. How about the Hawaiians that live right
23 in Nanakuli, breathing all that dust and
24 contamination from everything that's going on in our
25 own community. I think you guys should look for

1 another place. Recycling is good, but find it
2 somewhere else. Thank you.

3 HEARING OFFICER TSEU: Awietta Benavides
4 or Lehua Benavides?

5 MS. ARVIELLA BENAVIDES: Aloha. Arviella
6 Benavides, A-r-v-i-e-l-l-a. Last name Benavides,
7 B-e-n-a-v-i-d-e-s. I am a long-time resident and a
8 fourth generation of Nanakuli. I am proud to be
9 here to stand here and to say this aloud. Shame on
10 you. We've been inviting you to the neighborhood
11 board committee, the public health, since 2009. You
12 have not replied. You have not responded to the
13 invitation and that highly upsets us because we as a
14 community wanted to have you educate us. Right now
15 what I see here is you want to educate us now, give
16 us the wagon before the horse.

17 You know, we went and got educated. You
18 may have gone to Harvard. You may have gone to
19 Maryland University or University of Phoenix, but
20 the degree serves the same purpose. We're not
21 stupid anymore. We got educated. We don't need to
22 go and visit a landfill that is killing our people.
23 Anybody want to go ahead and educate yourself, too.
24 Hey, Erin Brockovich, what happened at Hinkley's.
25 Okay? That's where we can go with this. Our people

1 are dying slowly, gradually, but before their time
2 because of that, the PVT landfill.

3 Data right here -- outdated. We want
4 current data. The Department of Health cannot
5 guarantee us, even with the assessment of air
6 monitoring. Three? Hello. How big is that
7 landfill area? Now you want to expand it? My
8 recommendation is to place 20 or more monitors.

9 We consulted -- the two consultants that I
10 spoke with, they're paid consultants. What I would
11 like to see and highly recommend the Department of
12 Health do is go ahead and get an independent entity
13 to come in and do that assessment. Do away with
14 your paid consultants for PVT landfill. Okay?

15 Where's the PVT owners? Who's that;
16 Kaneshiro? What I'm looking at is just an indirect
17 way of genocide. Okay? Our Hawaiian people -- okay
18 -- a genocide. What is the difference between the
19 Holocaust and now? Hello. We may not be Jews, but
20 we are sparkling gems. Okay?

21 So in my closing, I'd like for you to know
22 that I am totally against having you allow PVT
23 landfill to continue on with their business. Shut
24 it down. Close it. We don't want them here in our
25 community.

1 Hmmm. And you know what? I'll be a fool
2 by judging them by their outward appearance. But
3 you know what? Put it in all their backyard. Okay?
4 Put 'em all in your backyard. Take a piece of land
5 from PVT landfill and place it in your backyard and
6 then you guys come back to our community and tell us
7 and share with us what type of health you've been
8 receiving on your end, what kind of problems. Have
9 your grandchildren play in the dirt. Okay? Have
10 your children -- oh, go outside, play with the dirt,
11 too, with your grandchildren, and then you come back
12 and tell us, okay -- five years, ten years, do an
13 assessment. So with that, please when you go home,
14 I hope you don't sleep well. I hope that all what
15 has been said is weighing heavy on you so you can go
16 ahead and decide, you and your department, decide to
17 shut it down.

18 MS. LEHUA BENAVIDES: Aloha. My name is
19 Lehua Benavides, first name L-e-h-u-a, last name
20 Benavides, B-e-n-a-v-i-d-e-s. I would just like to
21 say I play volleyball for this team at Nanakuli
22 Beach Park, and there was three teams playing at the
23 same time as us, so we had different time schedules.
24 We had to have practice like late at night because
25 there's not enough parks. So instead of this

1 landfill, why don't you guys build a park there
2 instead?

3 When the trucks go past Nanakuli, they
4 pass three or more schools, millions of homes,
5 millions of people and restaurants, a shopping mall,
6 shopping center, and all this dust is polluting our
7 people. You know, we're just going about our
8 everyday lives and we have to deal with all these
9 health problems. I'm the oldest of five children
10 and we all have chronic asthma and this dust doesn't
11 help any. Thank you.

12 HEARING OFFICER TSEU: The next two would
13 be Reginald Kanelua and then after that, that would
14 be Gwen Kaopua. Then after that Karen Paris.

15 Last chance to come up, Reginald. I know
16 Reginald wanted to testify. He's not here? Okay.
17 We'll go on to the next one. Antonio Kawika. Then
18 after that Anthony Makana Paris.

19 MR. ANTHONY BENAVIDES: I'm Anthony
20 Benavides. Kawika is my son.

21 HEARING OFFICER TSEU: Oh. Okay.

22 MR. ANTHONY BENAVIDES: Aloha. I'm not
23 from Nanakuli. I'm originally from Corpus Christi,
24 Texas. I came to Nanakuli via my wife that I met
25 some 26 years ago that was born and raised here in

1 Nanakuli. I wasn't going to testify tonight, but I
2 came to testify because the same thing is happening
3 with PVT right now is the same thing that's
4 happening in my hometown in Corpus Christi, Texas.
5 All this analyzed data that you see before you is
6 the same percentages that was given to my hometown.
7 That is a national analyzed data that is presented
8 to the people so they can come and say, You know
9 what -- when they take this to the legislators to
10 let them get their permits done, they can say, you
11 know, we did talk to the people, we did present our
12 analyzed data, we did put the checkmark in the box.

13 But it's all about you. What value do you
14 put on your life? Does your mo'opunas' future got a
15 value? If you don't stop this right now, I'm not
16 sure what's gonna happen to your mo'opuna's children
17 when they're born with 21 toes, which is happening
18 in my hometown right now, when other diseases like
19 Guillain-Barre syndrome is affecting the kupunas,
20 like it happened to my mom because of the dust
21 particles that had contributed to her health. And
22 this is a disease that is only allotted to or -- I
23 shouldn't say allotted, but only contributed to one
24 in every hundred thousand. There has been like 25
25 cases since they have had spillages of contaminants

1 into the water system in my hometown. If Nanakuli
2 residents prepared to face this in the near
3 future --

4 And they have come across and said, We
5 have used Teflon coating, one of the toughest
6 coatings that there is that the military uses to
7 protect our bodies when we go to war. Yes -- I'm a
8 retired Marine after 30 years. They use some of the
9 top hardening shields that they use so the
10 contaminants will not go through, but it still
11 spills over. It's in the water system. It's in the
12 air.

13 Is Nanakuli prepared to face the future of
14 your mo'opunas, your children's children' children's
15 children when they are born with defects? That's
16 all I gotta say. Thank you.

17 MS. GWEN KAOPUA: Aloha. My name is Gwen
18 Kaopua, K-a-o-p-u-a. Aloha everyone. I'm here
19 because I'm a Nanakuli resident, born and raised. I
20 have four children and I'm here in strong opposition
21 of this landfill being given this extension, and the
22 reason why is because for three main reasons,
23 because we've just had enough. There was a question
24 raised earlier about technology and the technologies
25 we have where we can determine dust coming from

1 China. Well, the reason why we don't have that
2 technology in place is mainly because that would be
3 putting a fingerprint on the guilty party that has
4 been the number one source and contributing factor
5 to everyone who's been getting sick, from our kids
6 to our community members, and I just -- I don't want
7 to see it anymore. We need to put a stop to it
8 while we can and get rid of all of these landfills.
9 Thank you.

10 MS. KAREN PARIS: Aloha. Karen Paris,
11 P-a-r-i-s. My name is Karen Paris. I'm here
12 tonight to speak in opposition of the PVT landfill.
13 Many here have quoted and said that it's a city
14 issue. Well, guess what? Our state -- our state
15 Hawaii statutes supersedes city ordinances, so it's
16 the Department of Health who can actually put into
17 action something that states no, people of Nanakuli
18 say no. Currently, Hawaii statutes does not have
19 any current regulation for construction and debris
20 landfills. In the contiguous 48 states, they have
21 state statutes that prohibit any landfill one mile
22 away from private residences.

23 Currently, there is no buffer, if you look
24 at the map that they show you; although it's been
25 stated that there is a buffer of 750 feet. That's

1 only one-eighth of a mile. So you add more footage
2 to that and they would be in the neighbor's yard.
3 For example, the Felisi home, that's only 50 yards
4 away from the actual landfill. I asked the
5 Department of Health, How can you allow PVT to move
6 forward with their existing permit and the extension
7 they're asking for?

8 Many here tonight who have gone before me
9 have mentioned this but have given no name to it. I
10 would like to cite Robert Bullard with the Sierra
11 Club on environmental racism and what his definition
12 of environmental racism is. According to him,
13 environmental racism stems from the civil rights
14 movement and was coined by African-American civil
15 rights activist Benjamin Chavis. Environmental
16 racism refers to the enactment or enforcement of any
17 policy, practice or regulation that negatively
18 affects the environment of low income and/or
19 racially homogeneous communities at a disparate rate
20 than affluent communities. Environmental racism is
21 either intentional or unintentional racial
22 discrimination and can explain specific incidents in
23 which predominantly minority communities are
24 targeted for the city or polluting industries.

25 I speak here today and tell the Department

1 of Health that if you go ahead and grant them their
2 permit, you too will be committing, to me,
3 environmental racism as an injustice to all of us
4 and to everyone, my son, everyone here tonight. So
5 I really ask you folks to think about it and to
6 really take into effect the kids that came up to
7 here to speak tonight. Thank you.

8 MR. MAKANA PARIS: (Hawaiian language
9 spoken.)

10 My brothers and sisters, I was born and
11 bred on this land. It was from this place that I
12 got my mana, my strength to actually do what I can
13 do and speak what I can speak today. I wanted to
14 just mahalo to the kupuna, to 'aumakua, to ke akua
15 and to all of the opio and to basically all of those
16 that are yet to be born. Mahalo ia kakou.

17 It is our kuleana as makua in this
18 generation to speak our minds to let you know our
19 opinions, to actually listen to the kupuna that have
20 wisdom in order to actually protect the life of
21 those that will come after us. And that is what I
22 hope to do today.

23 I am a graduate of Nanakuli Elementary
24 School. I'm also a graduate of Kamehameha Kapalama
25 when they only had one. After that, I was sent with

1 the funds of our alii to actually go and be schooled
2 at the Massachusetts Institute of Technology. I am
3 trained in environmental science and engineering.
4 That is my training and degree. I am currently also
5 a graduate student at both the Graduate Theological
6 Union and the Jesuit School of Theology at Santa
7 Clara University, two of the top theological and
8 social science institutions in the world, because of
9 the mana of the people here, because of those
10 teachers that took the time, who have invested in me
11 here, because of my kupuna who laid the path before
12 me here.

13 And I am here to say, with all of the
14 voices of you, our kupuna and our opio yet to be
15 born, I am opposed, opposed, opposed to the renewal,
16 let alone the extension of a permit that allows PVT
17 to continue operations of a landfill in our
18 backyard. That is hewa. No matter how you look at
19 it, it is hewa.

20 As a trained environmental engineer, I am
21 appalled at the lack of independent procurement and
22 verification of the data presented in these charts,
23 graphs and reports. As a trained scientist, I have
24 learned the ways in which scientists choose to
25 manipulate information to justify the positions of

1 those with wealth, power, position and status. And
2 I know those things because I went to similar
3 schools that bruddah went over there. Harvard was
4 right down the road.

5 As my cousin just mentioned, environmental
6 racism. What we feel as kanaka, as locals, in our
7 na'au, what that tells us, what that speaks to us,
8 we know here in our piko. There's a technical term.
9 It is called environmental racism. It is a
10 scholastic term. It is also a legal term.

11 In the United States of America, the
12 wealth of a community is not nearly as good as a
13 predictor of hazardous waste locations as the ethnic
14 or racial background of the residents. What does
15 that suggest? That the selection of sites for
16 hazardous waste disposal involves racism. It
17 involves racism. The facilities are primarily
18 located in areas where voter registration and
19 education are low and citizens are presumed to be
20 less informed, less aware and less concerned with
21 the hazardous waste. The statistics suggest that
22 the people of the community will be less likely to
23 try and stop the corporation from coming in or
24 fighting back; therefore, not seeking financial
25 compensation and/or having to deal with costly

1 political battles, making locations cost effective
2 for them to continue their business as usual. The
3 greater potential for collective action in the area
4 means bad business. The expected cost of
5 litigation, lobbying and compensation the firm will
6 face, the less likely it will choose to expand in a
7 given location.

8 These minority communities may be easier
9 targets for environmental racism because they are
10 less likely to organize and protest than their
11 middle or upper class predominantly white
12 counterparts. This lack of protest is usually due
13 to their fear of economic survival. What does that
14 mean? Their fear of losing their jobs.

15 My brothers and sisters that came up here
16 and spoke, in my opinion -- this is my opinion --
17 they're speaking on behalf of PVT because they fear
18 losing their jobs. And you know what? As a
19 community that cares for each other, we need to
20 commit not just to actually ourselves, but to them.
21 If we don't want them to be on the opposition, we
22 need to provide the means for them to be supported,
23 too, because that's our kuleana.

24 Now, to sum up, environmental racism
25 refers to the enactment of any policy, practice or

1 regulation that negatively affects the environment
2 of low income and/or racial or ethnically
3 homogeneous communities; i.e. Hawaiians, locals,
4 people of color. Fill in your blank, because we all
5 meet 'em over here, every single one.

6 And you know how I know this? Because as
7 a former minister of community service and social
8 justice at Chaminade University, I brought students
9 from all over the globe to visit the Waianae coast,
10 particularly Nanakuli, in order to see physically,
11 to smell physically, to touch physically,
12 environmental racism. I co-coordinated these
13 programs with Dr. Gail Grabowsky of the
14 environmental science department there. We did this
15 for years. And you know what? The students that
16 came from every single other place in the globe,
17 they said, Makana, we get it, we see it, we
18 understand it, this is unjust.

19 Now, if po'e haole, people from away from
20 our land, can actually notice it without any
21 physical training or technical expertise, how can
22 people living in it not know? You know what? We do
23 know, but we lack, apparently, the means to
24 articulate. But you know what? That's the reason
25 why our alii, my kupuna and you guys sent me for get

1 educated.

2 Environmental racism is not solely a
3 science issue or a scholarly issue. It is a legal
4 issue, as I mentioned before. Traditional civil
5 rights laws in the United States of America
6 explicitly prohibit discrimination, providing an
7 important vehicle for communities like ours to
8 actually challenge racially disparate treatment
9 within the context of the laws of the United States
10 that are currently on the books. These include, but
11 are not solely limited to, Title 6 of the 1964 Civil
12 Rights Act -- take note, kanaka, because you guys
13 gonna be using this -- the equal protection clause
14 of the 14th Amendment of the United States of
15 America, the highest law in the federal government;
16 also, Statute 42 USC 1983; and finally, the EPA's
17 administrative regulation on Title 6. These are
18 legal means in which we can actually address this
19 particular concern of environmental racism in our
20 own backyard.

21 Now, to boil it all down into one
22 question, one question that relates to this, not as
23 just a legal issue, not just a scholarly issue, but
24 as a human issue: Why is there an unequal
25 distribution of benefit -- everybody gets their

1 opala -- and an unequal distribution of burden?
2 They drop 'em over here in Nanakuli. Why? That is
3 the question that focuses the issue of environmental
4 racism.

5 Now, in conclusion, as a Hawaiian, as a
6 kanaka maoli, as a local, as a native son of
7 Nanakuli and most importantly as a human being, I
8 say a'ole, no more. No more we're gonna allow this
9 to happen. No more we're going to stand and
10 tolerate this kind of situation to happen to our
11 community. No more. Because it's not just about
12 me. It's about my kids. It's about my kids' kids.
13 It's about my kids' kids' kids. And, you know what?
14 To be honest, it's about your kids, too. How are
15 you going to look into their faces and say: You
16 know what? For you for get your education, we have
17 to go shet upon the people on the west coast. For
18 you for get ahead in life, we have to keep people
19 down. For you to feel superior about yourself, we
20 have to make sure that there's always somebody
21 that's stupid.

22 Yeah. You know what? It's about aloha on
23 this island. It's about malama. It's about aina.
24 This is not an issue about me hating on anybody.
25 It's an issue about us treating each other with

1 aloha, and that's all I'm asking, for us to
2 recognize this issue for what it is, environmental
3 racism, and to move forward in aloha, to kukakuka,
4 to talk story and to work out a mutually acceptable
5 situation for everybody involved. Mahalo.

6 HEARING OFFICER TSEU: The next speaker
7 will be Pearl Taylor, Sabrina DeReis and Courtney
8 Reed.

9 MS. SABRINA DeREIS: My name is Sabrina
10 DeReis. I live in Waianae over 40 years. I'm
11 responsible for the prosecution of a lot of illegal
12 dumpers. I hear everybody's testimony today about
13 PVT landfill. Are you aware that we have 23 illegal
14 landfills in the backyard in farms in Waianae? PVT
15 is regulated by the State of Hawaii. If we didn't
16 have PVT, where would it all go?

17 Waianae has always been the work force.
18 When you look at the traffic coming into Waianae,
19 you see all those yellow shirts, operators and
20 engineers, all the union people; majority live
21 Waianae. I'm not for landfills, but I'm going to
22 support PVT landfill because right now that is all
23 we have.

24 We need to put the blame on landfills in
25 Waianae with the people who we elect to be our mayor

1 and our governor. The city is responsible for the
2 illegal landfills. I don't know if you're aware
3 that the city is issuing grading permits. With
4 these permits, landfills develop. A lot of these
5 landfills are in Nanakuli, majority of the landfills
6 are in streams. I don't think closing PVT is the
7 best solution for all of us.

8 We need to work on some of the problems
9 that we're having with dust. I'm sure PVT would
10 address that. But before we choose to close and not
11 renew their permit, we need to look at our
12 government people, our leaders, and our union
13 leaders on where we gonna take all of this rubbish.

14 ANONYMOUS (from Audience): Who cares?
15 Just get it out of here.

16 MS. DeREIS: We need to care. PVT has put
17 a lot of --

18 (Inaudible - audience disruption.)

19 MS. DeREIS: -- and food on a lot of
20 people that live in Waianae.

21 I want you guys to look at this picture.
22 Right here is the Google map, Pacific Aggregate,
23 Larry Wilderman's property. If we vote wrongly for
24 governor, this is going to be the next landfill in
25 Waianae. I am watching Mr. George Paris right now.

1 He's a very close friend of Mr. Wilderman and they
2 have made attempts to turn this into a landfill.

3 (Inaudible - audience disruption.)

4 MS. DeREIS: They're already down to the
5 ocean level -- right next to a school where children
6 we're trying to educate. Right? We need to shut
7 this down. We need to shut this place down also,
8 because this will be the next landfill.

9 (Inaudible - audience disruption.)

10 HEARING OFFICER TSEU: Excuse me. Can you
11 please let her testify?

12 MS. DeREIS: I listened when you were up
13 here. Okay.

14 ANONYMOUS (from Audience): State facts.

15 MS. DeREIS: I am stating facts. I
16 listened when you were up here. I know Hawaiians
17 have etiquette and courtesy.

18 These pictures here are Google maps of
19 current landfills in place. Okay? This is Henry
20 Silva construction company in Waianae, on Hawaiian
21 Homes land. I don't qualify for Hawaiian Home land,
22 but a lot of you Hawaiians here do. You should be
23 complaining about this landfill that is next to a
24 stream, where the asphalt and the petroleum is going
25 out to Maili Stream and killing the ocean, not --

1 (Inaudible - audience disruption.)

2 MS. DeREIS: Until the government can
3 provide a better place for us to take this
4 demolition rubbish, I support PVT landfill and I say
5 to the Department of Health, Continue to regulate
6 and renew their permit.

7 HEARING OFFICER TSEU: Is Pearl Taylor or
8 Courtney Reed here?

9 ANONYMOUS (from Audience): I don't think
10 so. She went already. Pearl went.

11 HEARING OFFICER TSEU: We'll go to the
12 next. Mel Kahele, Pamela Waterhouse, Shantell-
13 Tiare Tom.

14 MS. COURTNEY REED: Aloha. Good evening.
15 I want to introduce myself. My name is Courtney
16 Reed. I'm here representing myself, my family,
17 Nanakuli First Baptist Church, as well. On behalf
18 of myself and my family and Nanakuli First Baptist
19 Church, I want to let you all know that we stand in
20 direct opposition of PVT landfill. And I want to
21 get to the basics of why I oppose PVT landfill.

22 Yes, we can talk about the cultural
23 issues. They're there, they're present and they're
24 real. We can talk about the monetary issues.
25 They're there, they're present, they're real. But

1 we need to talk about the health issues, because
2 without good quality of life, we don't stand a
3 chance for anything that comes our way and we need
4 to get people focusing on quality of life.

5 Tonight, during the Q and A session before
6 the testimony, we had a chance to talk with all of
7 you and ask questions, and I will be the first to
8 say -- well, not the first to say, but I will back
9 up what everybody said, that none of our questions
10 were answered, no questions were answered tonight.

11 Now, one of the things that was addressed
12 over and over again was the installation of dust
13 monitors. What is being tested with those dust
14 monitors? I've been told arsenic, heavy metals and
15 dust. What is dust? Why are we not testing for
16 asbestos? And no one can answer that question, why
17 we're not testing for asbestos. Are we so sure that
18 asbestos is not present that we're willing to
19 overlook it? If it is not present, that should be
20 the first thing that you can come to the table with
21 and say asbestos is not present and here's the
22 proof. And no one can provide that proof.

23 Now, the reason I talk about asbestos is
24 because it is classified as a known human
25 carcinogen, which means it is known to cause cancer,

1 and when we look at our elders and when we look at
2 our children, are we willing to sacrifice their
3 lives to a known human carcinogen in our backyard,
4 and that landfill is in our backyard, Nanakuli First
5 Baptist Church's backyard and all of your backyard.
6 Do you want cancer filling your lungs every day of
7 your life until it's shut down? And it needs to be
8 shut down. It needs to be shut down now.

9 I've also been told that air samples have
10 been taken and conducted over the last several
11 months by one of the ladies here. Where are the
12 results of that? Can anybody answer that? Where
13 are the results? For the last, I was told, six to
14 eight months air sample quality tests have been
15 taken. Where are the results? If they do not show
16 the proof of what we're talking about, put them in
17 front of us and let us see it. If there's nothing
18 to hide, let us see it.

19 In the late 1970s, the U.S. government
20 banned the use of asbestos, and this is the document
21 right here from the CDC. This is the document from
22 the Agency for Toxic Substances and Disease
23 Registry. This is a chemical that the government,
24 the federal government has banned; yet we're
25 allowing it to be dumped in our backyard. Not we --

1 PVT and the state is allowing it to be dumped in our
2 backyard.

3 The government went in and said, Okay,
4 schools, we need to protect our children, let's
5 remove the wallboard that has asbestos in it.
6 That's great. We need to protect our children.
7 We need to protect our schools and make it healthy.
8 Where do they put it, though, when they take it out?
9 Where does it go? To that construction landfill
10 where the big sign outside says, We're currently
11 accepting asbestos material. It's in our backyard.
12 Why are we protecting our schools when we're not
13 protecting our homes? When our children come home
14 from school, what are they coming home to; the same
15 thing that you're trying to protect them against in
16 the schools. It makes no sense, no sense
17 whatsoever.

18 And I know what PVT says, We double-bag
19 this and we use chemicals on that to control leakage
20 and this and that. Show me the proof. Provide the
21 air sample testing and show me the proof that you're
22 doing what you're supposed to be doing. You've
23 already been cited for noncompliance, PVT. You've
24 already been cited for noncompliance. Right? Okay.
25 How do we know you're gonna continue to comply with

1 the state government and with the federal
2 government? There are federal regulations for
3 asbestos, but we have no idea if they're being
4 followed, but there's a history saying that it's not
5 being followed, because you've already been cited.
6 Correct?

7 When schools and homes and public use
8 buildings remodel and remove the asbestos material,
9 it goes into our backyard. The only so-called
10 protection is a piece of flimsy green fabric that
11 you can see through and that's supposed to protect
12 us from a cancer-causing agent.

13 This is from the government, you guys,
14 CDC. People may be exposed to asbestos in their
15 work place, their communities, their homes. If
16 products containing asbestos are dispersed, tiny
17 asbestos fibers are released into the air. When
18 they're breathed in, they will get trapped into the
19 lungs and remain there for a long time. Over time
20 these fibers can accumulate and cause scarring and
21 inflammation, which can affect breathing, and lead
22 to serious health problems. It goes on to say that
23 this cancer-causing chemical and fiber -- that it
24 will cause cancer when exposed over a long period of
25 time on a regular basis, most often in a job where

1 they work directly with the material or through
2 substantial environmental contact. And this is from
3 the Centers for Disease Control. This is what our
4 federal government is telling us about asbestos that
5 the state and PVT just happened to overlook. Why
6 does it not apply in Nanakuli?

7 In 2007, the deputy director of
8 environmental health, Mr. Lau, suggested that soil
9 samples indicate no significant levels of hazardous
10 materials. However, the federal government says,
11 and I quote, Evidence suggests that there is no safe
12 level of asbestos exposure. So that little
13 insignificant level that you quoted and said no,
14 it's not a big deal, don't worry, don't worry -- the
15 federal government says otherwise, right here. Any
16 exposure to asbestos is life-threatening.

17 Some of you may be wondering about the
18 proof of illness. We have church members at
19 Nanakuli First Baptist with ongoing lung infections,
20 have gone through multiple rounds of antibiotic
21 treatment to no avail. Asthma is present.
22 Migraines are present, allergies, et cetera. Is
23 that proof to you? Probably not. It's probably not
24 enough for you. But we need to remember that
25 evidence suggests there's no safe level of asbestos

1 exposure.

2 The CDC goes on to state that it can take
3 from ten to 40 years or more for symptoms to become
4 present. Where am I going to be in ten to 40 years?
5 Where are you going to be in ten to 40 years and
6 where are our children going to be in ten to 40
7 years? I know where PVT is going to be in ten to 40
8 years. They're going to be shut down. That's where
9 they're going to be.

10 One of the predominant illnesses of
11 asbestos exposure is mesothelioma. You've probably
12 heard about it a lot on TV, lawyers trying to get
13 you to sign up and this and that. Cases of
14 mesothelioma have also been seen in individuals who
15 live close to asbestos mines, is what the CDC says.
16 It says there's a higher occurrence of
17 asbestos-related illness and mesothelioma closer to
18 asbestos mining. Why is that? Because a mine
19 involves excavation and it involves disturbing
20 asbestos fibers. That's exactly what PVT does on a
21 daily basis. They excavate. They dig holes. They
22 dig into the ground. They disturb asbestos fibers.
23 Even if you double-bag it and put the chemical on it
24 and all that, when you're transferring it from the
25 trucks onto your property and taking possession of

1 it, you're disturbing asbestos fibers, is what
2 you're doing. You're sending it into the air, the
3 particulates into the air. They become airborne and
4 they come into our backyards, my church where my
5 children play, the community children play, where
6 they want to come play basketball. We're trying to
7 provide a safe haven for these kids, only to put
8 them in a situation that would shorten their life
9 span. That is immoral. It's illegal. It's
10 unethical and it should be unconstitutional, and it
11 is unconstitutional.

12 The CDC says individuals who have been
13 exposed to asbestos fibers on the job, through the
14 environment or at home via family contact should
15 inform their doctors immediately about their
16 exposure. So since we're supposed to notify our
17 doctors immediately, I want to pose this: We've all
18 had heartfelt concern for the issues at hand. We've
19 all come up here and just bared our souls and told
20 you how we feel about this. Right? That hasn't got
21 your attention. I haven't seen a lot of movement of
22 emotion on this side of the room tonight. Okay? So
23 let me speak it in a language that might get your
24 attention, and that's money. Because human concern
25 doesn't get your attention. Human health doesn't

1 get your attention. Compassion does not get your
2 attention. So maybe money will.

3 Most cases of asbestos or lung cancer in
4 workers occurred 15 years or more after the person
5 was first exposed and most cases of mesothelioma are
6 diagnosed 30 years or more after the first exposure
7 to asbestos. If we don't stop this now, we are
8 handing our children and grandchildren an epidemic
9 of lung cancer and mesothelioma. Not only are we
10 handing them an epidemic, we are handing them the
11 medical bills to go with it. So let me talk in your
12 language, money. The area immediately adjacent to
13 PVT landfill is an area that is underserved in our
14 community. This area already relies heavily on
15 assistance, whether it be food stamps, whether it be
16 housing, Section 8, whether it be QUEST, Medicaid or
17 Medicare. Those medical costs will be handed down
18 to the state. I guarantee you that. They will be
19 handed down to the state. So since we're not
20 talking compassion anymore, we're talking money,
21 maybe we need to really step back and from your
22 perspective decide is this something that we're
23 going to allow to continue to happen so that the
24 state foots the bill, billions and billions of
25 dollars for our children and our grandchildren's

1 lung infections and cancer? Is that a risk that
2 you're willing to take?

3 In addition to mesothelioma and lung
4 cancer, there's strong indication that asbestos
5 exposure contributes to gastrointestinal and
6 colorectal cancer, as well as kidney, brain,
7 bladder, laryngeal and other cancers.

8 It's time for PVT to come to an end. We
9 need to stand up for our children and for our
10 grandchildren and for our elderly and we need to
11 make a difference in their life. They don't need to
12 be walking around 15 years from now with lung
13 cancer, mesothelioma, unable to breathe. We live in
14 the greatest state in the United States and this is
15 how our community is being treated. It's a money
16 issue. At the heart of it, I know, this is a money
17 issue.

18 We need to put the money aside and look at
19 the people. And you know, when you put all the dots
20 together, you start wondering how this even came to
21 exist, how it even got to this point. And you know,
22 when I started connecting my dots of research,
23 because I'm a research hound, I started finding all
24 these names, like a lobbyist that PVT hired that is
25 the former executive director of the Hawaii State

1 Ethics Commission, that is also former legal counsel
2 for City and County of Honolulu. Why would PVT need
3 a lobbyist, a paid lobbyist to go persuade
4 politicians to make laws -- put laws into acts that
5 affect their corporation? Why would they need that?
6 Let's think about that for a minute. Why do they
7 need a paid lobbyist that has connections to the
8 county and state? Why would they need that? I know
9 the answer to that and I hope all of you know the
10 answer to that. Thank you for your time. And you
11 guys, we've got to get on this. We've got to shut
12 it down now. Thank you.

13 MR. MEL KAHELE: My name is Mel Kahele,
14 K-a-h-e-l-e. Actually, I'm gonna keep it short. I
15 don't want to repeat what most of you if not all of
16 you already said. We need to close PVT landfill
17 down.

18 But you know, there are some areas of
19 concern that I have that may not have been brought
20 up regarding the meetings, the ongoing meetings, the
21 hearings that we've had with the Land Use
22 Commission, with the neighborhood board, and, you
23 know, I've attended five neighborhood boards,
24 Waipahu, Ewa Beach, Waianae, Nanakuli and Kapolei,
25 and it's on the record, Larry, that all of the

1 neighborhood boards are against landfills,
2 particularly PVT.

3 And I would ask -- I will submit my
4 written testimony after I get done with my oral
5 testimony so you can put it in the record. I want
6 to thank everyone who signed their testimony. I
7 actually -- I gathered almost 100 testimonies
8 opposing PVT. That would also be submitted.

9 But, you know, I can sit here and repeat
10 what everyone else has already said. So I'll make
11 it short. One concern that is really appalling to
12 me and it should be to you is that we have elected
13 officials. We have people that we voted in, you
14 know, that is not here listening and -- maybe not
15 taking a side, because, you know, we have PVT's
16 livelihood and we also have our livelihood here as
17 residents of the leeward coast. But you know,
18 what's appalling to me is none of them are here.
19 Thank you. None of them are here to listen. Their
20 job is to listen to our concerns, our community
21 concerns and issues, and try to see what they can do
22 to help. I don't see any of them here. Remember,
23 on the 18th do something about it.

24 I will submit, Larry, all of the testimony
25 that I got on the record. Thank you very much,

1 people. Aloha.

2 HEARING OFFICER TSEU: At this time we're
3 going to take a five-minute break and get started
4 sharply in five minutes. Thank you.

5 (Break taken.)

6 HEARING OFFICER TSEU: At this time we'll
7 get started. Is there a Pamela Waterhouse or
8 Shantell-Tiare Tom?

9 MS. PAMELA WATERHOUSE: Aloha. My name is
10 Pamela Kaopua Waterhouse and I just wanted to thank
11 everybody that came tonight, that showed up. And
12 again, it does indicate times are changing, that
13 Nanakuli is not asleep, that there are people here
14 filled with compassion for many causes. One
15 important one that drives me here -- I have a
16 two-year old here this evening. I'm only still here
17 because my name is on the bottom of the two-mile
18 list of people that have come to express themselves,
19 and I'm very much -- all of the sentiments that were
20 expressed tonight -- taking a position that opposes
21 extension or expansion of the landfill of PVT is why
22 I'm here. So I have strong sentiments about that.
23 Much of how I feel has already been expressed and I
24 want to say, too, I don't know what more it takes.

25 I wanted to express tonight, also, I was

1 asked specifically by a family member for the person
2 that mentioned George Paris's name, that you be very
3 careful about what you say, that what you said was
4 not fact. He is adamantly opposed to any and all
5 landfills being raised in this community and
6 anywhere else that he lives. That's a fact. And be
7 careful not to use that name if you don't know what
8 you're saying about him, please.

9 And I want to thank again the people that
10 have showed up this evening, because it takes a lot
11 for people. Time is valuable and the fact that
12 there was many people here tonight, you people need
13 to realize, you know, exactly what it is you're
14 facing and the fact that this is a mountain of
15 people. The mountain was built right behind.

16 I'm here -- okay. I can start my two
17 minutes now, because that was all just trying to
18 thank the community and setting the facts straight.

19 I worked with children at First Baptist
20 Church of Nanakuli. On a weekly basis I've cleaned
21 the tables there, week in and week out, and let me
22 tell you, it's not just dirt; it is a pile on the
23 table, it is thick.

24 And I don't know what bruddah who was here
25 saying he works there every day -- don't be in

1 denial. It's not coming from all over creation. We
2 are right next to the property. There is no doubt
3 where this dirt comes from. And also, there's
4 contaminants held in this dirt. Okay? It's not
5 just, you know, from the beach, because they test
6 things to a depth there.

7 But really, Department of Health, study is
8 an understatement. There needs to be a really
9 comprehensive study covering, you know, the
10 environmental issues, the health. I mean, I don't
11 know what more you need. This is not the first time
12 the issues have been raised. This is not the first
13 time these people have showed up to these hearings
14 to express the same issues that have been stated
15 tonight. This is not the first time. I'm
16 privileged to be here this time to speak and not
17 happy right now because of everything that's gone
18 on, but -- and I'm grateful -- thank you.

19 This lady right here who lives right
20 beside the church, I couldn't barely hear what she
21 says, but she has photographs for you, evidence of
22 what it is she has gone through given the
23 environment in which she lives. And she's not in
24 Waikiki. She's right beside this property. Okay.
25 Evidence -- you people need evidence. The people

1 are here speaking. They have children, faces that
2 go with these issues. It is real.

3 We are, again, grateful that bruddah who
4 was really educated, MIT person, is here. These
5 people are not dumb anymore. These are people that
6 know what's going on, understand the issues, know
7 the cause and are here to speak against what it is
8 they have been living. So please, emphatically,
9 hear what is being said, please.

10 In addition to working with the children
11 at the church, because they are -- I love the kids,
12 because they're a part of this community.

13 The dirt, again, major issue,
14 contaminants. I, by trade, am an unexploded
15 ordinance technician. I work with bombs. My first
16 experience was Kahoolawe. Because of that and my
17 love for cleaning the aina, I've worked at Schofield
18 recently, contracted out at Makua Valley. We remove
19 the explosives from the ground. The contaminants
20 held within an explosive -- firecrackers is minor.
21 The stuff they put in the ground that comes from
22 these demolitions and it's after the (inaudible),
23 the kind of waste that's being brought in is
24 demolition waste from construction; lethal, the
25 contaminants within that. The fact that --

1 How do I know that we're being
2 contaminated by this stuff? The fact that dust gets
3 over there. There's not enough measure of trying to
4 control what it is that's harming us, nowhere near
5 enough. So study upon study upon study that you
6 need to satisfy yourself. Please, go get what it is
7 that you need. We are here telling you, because we
8 live here -- nowhere else -- on the land that
9 contains these things.

10 I would also like to urge, please, sir,
11 the mountain that you brought, spend whatever
12 millions of dollars that you need investing in
13 removing that mountain, because the contaminants
14 that have been placed into this mountain that is
15 high now are killing us, as well. You cannot
16 control rain water. When rain water comes down, it
17 spills across the land. Contaminants are not being
18 contained.

19 So with that, I just want to say thank you
20 again to all of those residents that care about the
21 place that they live, that are here to tell you the
22 truth. They have nothing to gain from coming here
23 tonight but to say, Please, hear us -- not just hear
24 us -- listen. The testimony is being recorded.
25 It's being written. This has been done before.

1 Please use it to make a difference. Thank you.

2 HEARING OFFICER TSEU: I'm going to call
3 the last four. Kyle Kajihiro -- I'm sorry -- Karen
4 Awana, Alexandria Matsushima and Jeanette Grace.

5 MR. KYLE KAJIHIRO: Aloha. My name is
6 Kyle Kajihiro. I live in Mohihi. I work for the
7 American Friends Service Committee, which is a peace
8 and justice organization. We also worked with youth
9 from Waianae for two summers, Ka Makani Ka Ulu o
10 Waianae, and last year we came out and mapped some
11 of the sites in this area. We also went and knocked
12 on doors around the Mohihi Street, that area, and
13 what we were shocked to find, every house we went to
14 had -- people had respiratory problems and asthma,
15 and when we did some research with the health data,
16 what we found is Waianae has the highest rates of
17 asthma, adult and childhood asthma.

18 So, you know, it might be very difficult
19 and it might actually be a red herring to try to pin
20 one cause to a medical condition. That's always how
21 they throw us off the course, by trying to say,
22 well, prove it. But shouldn't be up to the
23 community that is suffering the impact to prove
24 causation. It should be the responsibility of those
25 who are adding elements into the environment to

1 prove that it's safe. That's (Inaudible - audience
2 disruption.) And it's a basic --

3 I've done work with environmental justice
4 groups in the United States and what I see here in
5 Waianae is some of the worst environmental racism
6 that I've seen anywhere.

7 You have to always consider the cumulative
8 impacts, not just one site, but the impacts over
9 time, the impacts of all the adjacent activities,
10 the impacts -- the interactions between different
11 activities, and here in Waianae we have maybe a
12 third of the land is occupied by the military. Up
13 in Lualualei you have storage of munitions. There's
14 toxic sites. Depleted uranium and chemical weapons
15 were stored there. Some of those chemical weapons
16 were dumped in the sea now, yeah. We have the radio
17 towers that emit electromagnetic radiation. The
18 hazard arc is about a mile. It goes all the way to
19 the ocean. And we know that there's been traveling
20 cumula clusters in the various community. They
21 couldn't prove the causation because the sample was
22 too small. But for those kids that was enough,
23 yeah.

24 So here we have, you know, people giving
25 you testimony that there are health problems. I

1 think that that is evidence enough, that one more
2 factor is too much. It should be taken off. So we
3 support ending the permit for PVT and begin cleaning
4 it up.

5 And I like the idea of recycling; although
6 if it causes more dust and contamination, that would
7 counteract the benefit. So if we're going to remove
8 toxic material from the underlying areas, I would
9 suggest that there be some solution where you could
10 create a covering or some containment for that
11 material, like they do when you remove asbestos; you
12 create a negative pressure system, you pipe air out
13 through a filter and you create a negative pressure
14 so that no particles get out of that system. If you
15 could create some kind a sealed system to remove the
16 material from the ground, take it out and get it
17 recycled, that would take out another toxic source
18 that would affect ground water, and so that might be
19 a way of containing the toxins and removing the
20 opala and cleaning up this community for the long
21 term.

22 The issue of zoning is -- you know, it's
23 inconceivable that this landfill was sited here in
24 the first place. I don't know how that happened so
25 close to a residential area. That's why you have

1 zoning laws. That's why you have those regulations.
2 So probably somebody got paid or something to make
3 this happen.

4 But what it does is it creates a slippery
5 slope, yeah. Now they're looking at the land across
6 the street for another landfill and there's proposal
7 of changing zoning up the road to industrial, from
8 ag to industrial. That's going to create a cascade
9 effect, because you're now isolating all these
10 areas, turning it in to urban uses that will begin
11 to erode the agricultural benefit of these lands.
12 So I think we need to consider those cumulative
13 effects and begin turning these lands back into
14 productive agricultural uses that are more
15 sustainable for the community.

16 I just want to say that -- in closing,
17 that living in a clean and healthy environment is a
18 basic human right under international law, under the
19 declaration of the rights of indigenous people,
20 under the state constitution. Everyone has a right
21 to a clean and healthy environment, and part of the
22 right of environmental justice is that the
23 communities affected get to say what -- they get to
24 say yes or no to the things that are going to impact
25 their health. That's called self-determination and

1 this community is now demanding self-determination
2 for what happens with this landfill. I think that
3 the state, the regulators need to listen to that
4 call for ending this landfill, cleaning it up and
5 restoring this community to health and integrity.
6 Thank you.

7 MS. ALEXANDRIA MATSUSHIMA: Hello,
8 everybody. My name is Alexandria Matsushima. I
9 live at 87-1810 Mohihi Street. The landfill stay by
10 my house. I get plenty for say, but I cannot say
11 'em. Okay. I have this problem with dust. My baby
12 got BOPD, bronchopulmonary disease. She was on
13 oxygen since she was four years old part-time until
14 she was five. We gotta chronically clean the house.
15 All our windows always shut. Our house is like a
16 sauna. We -- there's like no life in our house,
17 because it's hot. My baby's room gotta have an air
18 con. My son is 19. He has asthma. His room gotta
19 be air con.

20 It's like I work for PVT, because PVTs in
21 my house. Because, you know, when you work 40 hours
22 a week, you gotta come home work 40 hours a night,
23 because you constantly gotta clean, dust. And I
24 know they put water in the day because of the dust.
25 You have people monitoring the dust. They stand in

1 here, No more dust. But you know when we go clean,
2 when everybody go home after they work 40 hours a
3 week, you sit in your yard and you look in the sky,
4 you see all the dust. Who monitoring the dust when
5 we sleeping? I can wash my car 10:00 at night, come
6 out in the morning and my car's full of dust,
7 because PVT is on the area -- it's a low area and
8 it's all dirt.

9 Nanakuli's famous for that kind whirlwind,
10 yeah, which we call devil winds. You can see the
11 wind pick up the dust, throw 'em in the air, go over
12 the green fence and land in your yard. I just
13 oppose that.

14 And I should get paid for cleaning,
15 because I work for PVT. Because it's in my house
16 every day, all night. I can be a chronic with the
17 Clorox and the vacuum. The vacuum won't work. You
18 gotta use Clorox. You need wet rag everything. I
19 so tired. Ten years of that. I working overtime at
20 home, which I should be enjoying my house. Because
21 I'm active in the community -- I used to go
22 football, Waianae junior bowler, west side softball.
23 I'm always for the community. But yeah, and I for
24 the park, too. And I just wanted to say that -- I
25 went wait so long, I forget already.

1 Before you guys go digging, yeah, and you
2 gonna remove -- I know you guys like do that --
3 before you give them the permit, what about when had
4 the fire under ground for all that kind burning?
5 You know, if you guys going -- you guys gotta look
6 into that, because that ash, if you guys gonna dig
7 that area up, that ash gonna come into our community
8 and it's a health hazard. So please look into that.
9 Please dig into that. If you gotta get one
10 (inaudible) for dig in the ground, notice where that
11 air monitor, 'cause that not gonna work. Get into
12 it, dig into it. Just like me, I work for PVT,
13 yeah. I'm always dirty and dusty from that place.
14 Please do that. Go into it. Okay. Thank you.

15 HEARING OFFICER TSEU: Jeanette Grace and
16 then after that will be Paul Paaaina.

17 MS. JEANETTE GRACE: Good evening,
18 everybody. My name is Jeanette Grace and I am a
19 leeward coast resident for over 40 years. What I'm
20 about to say tonight is probably something that you
21 might have already heard and something that you
22 don't want to hear or you don't want to accept.

23 But I do believe that it all begins with
24 education. Okay? I've had the ability to go into
25 PVT and see for myself what the landfill looks like.

1 Okay? I've been there many occasions, windy days,
2 sunny days, rainy days, cloudy days, and I have to
3 say that the way they run the landfill, I was amazed
4 because it's so clean. You know, it's so clean and
5 so tidy. Everything is so organized. It's a
6 well-synched wheel. It's just -- everything is
7 good, and I'm not saying that because my husband, my
8 family or anything like that. I can actually say
9 that because I've been there. I've seen with my own
10 eyes. Okay? I'm not influenced by anybody.

11 I also was lucky enough to be able to
12 watch their DVD. They have a presentation, and wow,
13 it's very educational, very educational. And I
14 think that's something that the community should
15 actually look into. I know PVT offers tours.

16 A lot of people say or they think, Oh, why
17 should I go over there for? They should just shut
18 it down, just like that. Well, you know what? This
19 is not a perfect world and it doesn't just happen
20 like that. You know we live in an island state. We
21 don't have the luxuries and the capabilities like
22 the mainland where you can travel and you can take
23 all this opala somewhere else where there's nobody
24 around. We're very limited with the land that we
25 have and we have to utilize it the best way we can.

1 And yeah, everybody says, Not in my backyard, not in
2 my backyard. Nobody wants it in their backyard, but
3 what choice do we really have, you know, what
4 choice? All I can say is that yeah, maybe you don't
5 want PVT here, but the way PVT maintains itself and
6 operates is clean.

7 I mean, I understand you guys have
8 concerns and, you know, I understand that. I'm a
9 parent. I'm a grandparent. I have family down
10 here. I have property in Nanakuli right next to the
11 landfill. I'm there all the time and I can see from
12 my mother-in-law's house what happens over there.

13 We cannot control dust devils. It happens
14 everywhere. I have my business in Campbell. We
15 come across that, too. There's nothing we can do.
16 That's mother nature.

17 But all I can ask is that the community
18 takes the time and educates themselves. Call PVT.
19 If you guys don't want to take the tour, at least
20 ask them, you know what, that DVD Jeanette Grace was
21 talking about, can we have a copy, we want to see
22 it. Take a look at it and then maybe call them up
23 and, You know what, I get one group of maybe like
24 five, ten people or just me and my family, we want
25 to come and take a look firsthand to see what the

1 inside of PVT looks like.

2 Because a lot of people, they only see it
3 from the roadway. All they see is this big
4 mountain. But what they don't realize and
5 understand is that it goes beyond that. And the
6 Department of Health, you know, they give the
7 permit, and they have a responsibility to everybody
8 to make sure that PVT complies with everything that
9 they're supposed to be doing, and if they don't, I'm
10 pretty sure the board of health is down there doing
11 something about it. So let's have some faith in the
12 board of health that they are doing what they need
13 to be done, that PVT is complying. And from what I
14 can see with my own eyes and what I know, it's that
15 they are in compliance. So thank you for your time.

16 MR. PAUL PAAAINA: Am I the last guy?

17 HEARING OFFICER TSEU: I think so, yeah.

18 MR. PAAAINA: My name is Paul Paaaina,
19 P-a-a-a-i-n-a. You know, I have been sitting here
20 and, you know, tonight again and I went to -- I
21 think we had two other meetings at the church. I
22 went to those -- or maybe three. I think maybe I
23 went to the landfill once, as well, with Mufi.

24 But anyway, I've been going to this stuff
25 a couple of times and the concerns I've been hearing

1 is almost the same. You know, I almost left and I
2 really didn't want to come up to begin with, you
3 know. That's why I guess I last, because I learned
4 if you going to testify, sign up right when you
5 come. But anyway, you know, I don't want to wake up
6 one day and my grandkids ask me, Papa, how come you
7 never do nothing, you know. So I want to stand up
8 and just know that in my mind that I did something.

9 You know, I try to figure out one win-win
10 situation, you know. Of course I'm against PVT.
11 You know, I mean, Oh, no, gonna have a construction
12 site down the road from my house another couple of
13 years? I'm sure nobody would like that by their
14 house. And, you know, I have compassion for
15 bruddah, them. You know, we all gotta put food on
16 our table, you know, and that's the way the world
17 turns, you know.

18 And poor thing -- I look around.
19 Everybody tired. Poor guy over there, oh, he looks
20 real tired. I know everybody gotta go work
21 tomorrow.

22 But, you know, I suggested this to
23 everybody the first time I testified at the church
24 and -- to take it into consideration that the
25 solution, the win-win situation is that just move

1 the project to where it's not next to one
2 residential area. You know, I mean I know you guys
3 heard this all night, but for me, that's the win-win
4 thing. You know, we can still keep our jobs, you
5 know. Why don't we just put it in a contaminated
6 area -- I mean an area that's already contaminated.
7 You know, I suggested that we do that up at Kunia.
8 They're already dumping up there. You know, this
9 place has been contaminated for years, these
10 pesticides that's been going on in the cane fields
11 for centuries -- or at least one century. But yeah,
12 nobody lives up there in the middle of the cane
13 fields. Nobody gonna complain. You know, they're
14 already doing it. You know, I talked to Mufi about
15 it, you know, why don't we just move it there, they
16 already started. I mean, they said there's some
17 kind of illegal dumping or whatever, but it just
18 makes sense to me, you know, where the people is not
19 going to be concerned, you know.

20 I can sit here and I can tell you
21 everything what everybody said, and I feel strongly
22 about that, you know. But after coming tonight and
23 I sat here and I looked, Oh, that's my friend them
24 over there, wow, they work PVT. You know what I
25 mean? You know, and I look -- my cousin work over

1 there, you know, and it's like bruddah work over
2 there, you know. We all gotta put food on our
3 table, so, you know, to try to fight amongst
4 ourselves, you know, we not gonna get nowhere.

5 That's what -- I hate to point fingers.
6 That's what they like us do. That's what they like
7 us do. So let's not be like that, you know.

8 And the last thing we want to do is put
9 this mess in somebody else's backyard. I don't know
10 nobody in Hawaii Kai, but, you know, why take our
11 opala and put it in somebody else's backyard? We've
12 got -- that's what we're concerned about tonight,
13 they putting 'em in our backyard. Let's put it
14 somewhere where nobody live. That's all I got.

15 HEARING OFFICER TSEU: At this time did I
16 miss anybody that wanted to testify that has not
17 already?

18 MS. JEWELYNN KIRKLAND: My name is
19 Jewelynn Kirkland. My last name is K-i-r-k-l-a-n-d.
20 Aloha, everyone. My name is Jewelynn Kirkland, as I
21 mentioned. I'm a Nanakuli High and Intermediate
22 School environmental science teacher and I asked my
23 students to come to this meeting tonight, and there
24 was about four of them that attended, and part of
25 the reason for attending the meeting is to learn

1 about all these things that we're talking about and
2 that we have to make a decision, and as Mr. Paaaina
3 mentioned, that there is not a win-win here. We
4 hope to find one.

5 So the project that my students are doing
6 is called stewardship, about how to balance between
7 land and management of waste and people. So I'm
8 hoping that when our children are being educated
9 that they will come up with a solution for us if we
10 don't find it here in the next ten years or in the
11 near future.

12 So I'm glad that everybody had a comment,
13 and I wasn't going to make a comment myself, because
14 I try to stay on the down-low. But I think it's
15 important that my students see me come up here and
16 if I ask them to come, then I should make a comment.
17 So I want -- I was almost into that Honua Power
18 because I was like, all right, they can recycle, but
19 then I didn't realize that they are mining to get
20 it. I was under the impression that the wood that
21 was being used was current -- it's probably current
22 items that would come into the landfill and
23 including those that is underneath the land.

24 And, you know, I live here in Nanakuli. I
25 live on Mokiawe Street. I went to Makaha

1 Elementary, Waianae High School. I went to the
2 mainland and I was there for 15 years and got
3 educated there. So I came home and I'm now home to
4 take care of my people. So my kuleana is to help
5 our children learn and make a decision on their own,
6 on their own, but take the time to learn about it.

7 So that as far as being against PVT -- my
8 neighbor right next door works at PVT. Pacific
9 Aggregate, my best friend is the manager there.
10 Okay? So it's very sensitive and I love all of them
11 and I understand we all have to put food on the
12 table. So it's not that I don't want to make a
13 commitment to PVT here or PVT not here. But that we
14 have to come to a point where we gotta make a
15 decision that will take care of all of us.

16 So as an educator, I want my students to
17 learn that you need to come here and make public
18 comments. If you feel that your opinion, your heart
19 is -- where it belongs is to be against it, but you
20 also should come here if you feel that you're for
21 it. But you need to have supportive evidence. And
22 as our previous speaker who went to MIT -- he's
23 correct. Science can take data and manipulate it to
24 what they want to use it for. Statisticians can
25 take information and they can skew data if they want

1 to.

2 So in conclusion, I thank you for taking
3 the time and being here for this. I just want to
4 make sure our people are educated. Thank you very
5 much.

6 HEARING OFFICER TSEU: Is there anybody
7 else that would like to testify before we conclude
8 with this hearing?

9 MR. KAHAKU PINERO: Hello. My name is
10 Kahaku Pinero. Last name Pinero, P-i-n-e-r-o. I
11 just felt like I should kinda express myself,
12 because I've been here since the beginning and I get
13 plenty on my mind. You know, I'm only 17 right now.
14 I just went start college and I'm learning about all
15 this kind environmental justice stuff. I went join
16 one program in -- during the summer. That's how I
17 started to learn about this. And, you know, my, I
18 guess, thought on this is -- well, I graduated from
19 Ke Kula Kaiapuni 'O Anuenue. That's one Hawaiian
20 immersion school, and I've been in Hawaiian
21 immersion since kindergarten to 12th grade and like
22 what we do is we learn about like Hawaiian culture
23 and whatnot. And when we learn about our aina,
24 there's something called aloha aina, and that aloha
25 aina has a lot to do with Hawaiians. That is what

1 Hawaiians live for. That's what kept Hawaiians
2 alive. Everything that has to do with Hawaiians is
3 aloha aina, and when you think aloha aina, you think
4 of like love and then land. Yet it means like -- it
5 means more than that. There isn't no -- there's no
6 specific meaning to it.

7 And I felt like we should -- I felt like
8 our community is missing a lot of Hawaiian values
9 and stuff. And when we think of like our community,
10 a community is where like a bunch of people live and
11 that's like our ohana and we're supposed to be there
12 for each other, supposed to -- you know, everything
13 supposed to be good in an ohana, and when they talk
14 about construction and how like a lot of people from
15 the Waianae -- from Waianae, how we work
16 construction, I feel like some, I guess, maybe --
17 how some companies, you know, how Waianae's kind of
18 a poor place, like we not like the richest place on
19 the island and we all need jobs and I feel like a
20 lot of companies, they put out the jobs, and us, we
21 need the jobs, so we take them because we need money
22 for live and we taking them unaware of what's like
23 the effects or the -- what's gonna happen in the
24 long run. And I feel like we should take a lot of
25 this stuff into consideration and --

1 I had all this stuff to say, but I forgot.
2 Sorry. Just I was happy for be here and hear
3 everything. I like to hear everybody's mana'o and
4 whatnot. I do -- I am against PVT and I feel that
5 it's mostly because I feel that it's unfair that we
6 have most of the industrial sites and I can see like
7 maybe what if every district had their own, you
8 know, industrial site; you take care of your own
9 trash, not everything comes to our site.

10 But mahalo for listening and thank you.

11 HEARING OFFICER TSEU: I'd like to thank
12 everybody who participated in this hearing. I
13 appreciate you being very patient tonight.

14 I just want to remind everyone that the
15 Department of Health will respond to the testimony
16 comments this evening. They will be posting the
17 material on their website. And for written
18 testimony, it has been extended until September 7th,
19 close of business.

20 The public hearing is now concluded. Time
21 is 10:53 p.m. Thank you.

22 (Hearing concluded at 10:53 p.m.)

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C E R T I F I C A T E

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STATE OF HAWAII)
) SS.
CITY AND COUNTY OF HONOLULU)

I, SUE M. FLINT, Notary Public, State of Hawaii, do hereby certify:

That on September 2, 2010 at 7:00 p.m. this public hearing was taken down by me in machine shorthand and was thereafter reduced to typewriting under my supervision;

That this 135-page transcript represents to the best of my ability, a true and correct transcript of the proceedings had in the foregoing matter.

I further certify that I am not an attorney for any of the parties hereto, nor in any way concerned with the cause.

DATED this 14th day of September, 2010, in Honolulu, Hawaii.

Sue M. Flint
SUE M. FLINT, CSR 274
Notary Public, State of Hawaii
My Commission Exp: July 23, 2011

