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FOR IMMEDIATE RELEASE

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CITY SETS INACCURATE MEDIA REPORT STRAIGHT

(*Thur., Jan. 27, 2011*) – The City’s Department of Environmental Services wants to set the record straight as to a Hawaii News Now (HNN) report that aired Wednesday night regarding issues at the Waimanalo Gulch Sanitary Landfill, which included inaccurate and some blatantly incorrect information .

The HNN report started off by claiming a “document has come to light, showing that Waste Management of Hawaii (WMH), the operator of the Waimanalo Gulch Landfill, and the city were fined \$424,000 last year for design failures at the landfill.” This implies that the document was somehow kept secret from the public. On the contrary, the document was publicly announced via a press release from the state Department of Health May 13, 2010 and then further publicized by various local media outlets May 13-15, 2010. Obviously, this document is not something that was “uncovered” recently.

Further, the report quotes Carroll Cox as stating “the failure to follow the design [as alleged in the May 2010 enforcement action] contributed to the problems that arose when floodwaters went through the landfill and spread refuse and medical waste along the Leeward Oahu Coast” This is a blatantly incorrect statement that HNN did not attempt to verify. In actuality, the West Berm, which was the subject matter of the May 2010 enforcement action, is approximately 150 feet south of the section of the landfill impacted by the storms and was constructed and completed in 2007 to prevent any east-to-west movement of other parts of the landfill. In other words, the West Berm has no correlation to what happened as a result of the three extremely large storms on Dec. 19, Dec. 28, and Jan. 13. In fact, the West Berm acted as a dam to keep the waters from the valley from further impacting the landfill.

HNN also reported that the May 2010 enforcement action resulted in fines at the cost to the taxpayer. This is again a wholly incorrect statement of the facts. The two enforcement actions referenced in the article initially assessed fines of \$2.8 million and \$424,000.

However, WM resolved these actions via settlement and paid significantly lower fines than was reported. For the \$2.8 million fine, WM settled the matter for a penalty of approximately \$1.5 million in cash and supplemental environmental projects. For the \$424,000 fine, WM paid \$100,000 in cash. Moreover, Steve Chang, Branch Chief of the Department of Health Solid and Hazardous Waste Branch, the branch that oversees the landfill, was quoted in a Honolulu Advertiser article May 14, 2010, as stating that “the failure to follow the design specification that Waste Management’s own subcontractors had created **did not create a**

safety issue.” Finally, per the contract between the City and Waste Management, these fines were the responsibility of the operator, WM. WM paid the fines determined via settlement in full and the City and taxpayers **did not** pay any part of the fine.

The piece also quotes Carroll Cox as stating that “water got behind the liner and into the cell.” This is another inaccurate statement and reveals a lack of understanding of the construction of the landfill. The water did not “get behind the line.” The liner acts as a barrier between the waste that sits on top of the liner and the soil beneath. The waste in turn is covered, not by the liner, but by landfill cover, which is comprised of dirt and soil.

The City and WMH hope that the above corrections get equal attention as the false and incorrect information in last night’s report. The corrections do not simply explain our position but present facts as opposed to mere supposition.