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Director of Council Services
Traci N. T. Fujita, Esq.

Deputy Director of Council Services
David M. Raatz, Jr., Esq.

COUNTY COUNCIL
COUNTY OF MAUI
200 S. HIGH STREET
WAILUKU, MAUI, HAWAII 96793
www.MauiCounty.us

April 6, 2023

Mr. Shayne Agawa, Director
Department of Environmental Management
County of Maui
Wailuku, Hawaii 96793

Dear Mr. Agawa:

SUBJECT: **FISCAL YEAR ("FY") 2024 BUDGET** (BFED-1) (EM-3)

Thank you for participating in the Committee's discussions on April 4, 2023. The Committee respectfully submits the follow-up questions listed below. May I further request that, after approval by the Office of the Mayor, you transmit a written response to bfed.committee@mauicounty.us by **April 13, 2023**.

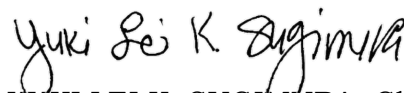
1. Has P-29111, Assistant Wastewater Treatment Plant Operator and Maintenance Supervisor IV position been filled? (TP)
2. Given Wastewater Treatment Plant vacancies, does the Department have plans to work with the University or schools to prepare to get qualified workers to fill these vacancies? (TP)
3. Have the following positions ever been filled? (TP)
 - a. Account Clerk III.
 - b. Environmental Program Specialist (both positions).
 - c. Recycling Program Specialist I.
4. Regarding your correspondence dated March 31, 2023:
 - a. On page 8, the answers to 15 (CBS 3576), 18 (CBS 4588), 20 (CBS 7250), 22 (CBS 1119), and 23 (CBS 1128) indicate that the contracted amount is far lower than the budgeted amount. Please provide an explanation. (KRF)

Mr. Shayne Agawa
April 6, 2023
Page 2

- b. On page 8, regarding questions 11 (CBS 1178), 13 (CBS 1180), and 14 (CBS-1180), please provide the total amounts spent on these projects and their current status. (TP)
 - c. On pages 3–4, how did you determine the anticipated fill date for the positions will be June 1? (TP)
 - d. Have the four positions that you anticipate filling on June 1, 2023, already been described by the Department of Personnel Services? (TP)
- 5. Please explain why the Go Green recycling program was discontinued. (TP)
 - 6. Please explain why West Maui Green Cycle was not funded. (TP)
 - 7. Are abandoned vehicles on County land under your purview? What support are you getting for abandoned vehicles on County land? (TP)
 - 8. Can a nonprofit organization contact the Tow and Scrap program for abandoned vehicle assistance? (NUH)
 - 9. Please provide more details on the \$1 million State cesspool pilot project that was mentioned during the meeting by the Budget Director. Please include the pilot project scope and implementation plan. (YLS)
 - 10. What are the parameters for commercial entities to bring solar panels to the landfill? (TK)
 - 11. Who is responsible for decommissioning windmills? And once they are decommissioned how are they disposed of? (TK)

Thank you for your attention to this request. Should you have any questions, please contact me or the Committee staff (Lesley Milner at ext. 7886, Kasie Apo Takayama at ext. 7665, or Yvette Bouthillier at ext. 7758).

Sincerely,



YUKI LEI K. SUGIMURA, Chair
Budget, Finance, and Economic
Development Committee

bfd:2024bgt:230404aem03:alkl

cc: Mayor Richard T. Bissen, Jr.
Budget Director

RICHARD T. BISSEN, JR.
Mayor

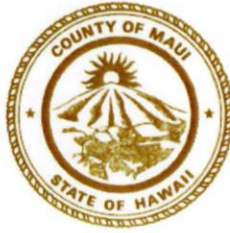
SHAYNE R. AGAWA, P.E.
Director

ROBERT SCHMIDT
Deputy Director

MICHAEL KEHANO, P.E.
Solid Waste Division

ERIC A. NAKAGAWA, P.E.
Wastewater Reclamation Division

TAMARA L. FARNSWORTH
Environmental Protection &
Sustainability Division



**COUNTY OF MAUI
DEPARTMENT OF
ENVIRONMENTAL MANAGEMENT**
2145 KAOHU STREET, SUITE 102
WAILUKU, MAUI, HAWAII 96793

April 13, 2023

Ms. Maria Zielinski
Budget Director, County of Maui
200 S. High Street
Wailuku, HI 96793

Honorable Richard T. Bissen, Jr.
Mayor, County of Maui
200 South High Street
Wailuku, HI 96793

APPROVED FOR TRANSMITTAL

Mayor **4-13-23**
Date

For Transmittal to:

Honorable Yuki Lei K. Sugimura
Chair, Budget, Finance and Economic Development Committee
Maui County Council
200 South High Street
Wailuku, HI 96793

Dear Chair Sugimura,

SUBJECT: FISCAL YEAR ("FY") 2024 BUDGET (BFED-1) (EM-3)

The County is in receipt of the above Budget, Finance and Economic Development (BFED) Committee requested information dated April 6, 2023. Your request and the corresponding answers are provided below by the Department of Environmental Management (DEM).

Overall

- 1. Has P-29111, Assistant Wastewater Treatment Plant Operator and Maintenance Supervisor IV position been filled? (TP)***

Yes

2. ***Given Wastewater Treatment Plant vacancies, does the Department have plans to work with the University or schools to prepare to get qualified workers to fill these vacancies? (TP)***

DEM has plans to visit in-state and Westcoast universities to assist the department in recruiting employees for hard-to-fill positions (i.e. treatment plant operators, engineers, etc.). We are also planning to work with local schools to offer non-paid intern positions along with potential paid summertime positions, which would benefit students when applying for future employment and/or when applying for college.

3. ***Have the following positions ever been filled? (TP)***

a. Account Clerk III

Yes, this position was filled until August 31, 2022 when the employee left EP&S after accepting a job at the Department of Housing & Human Concerns.

b. Environmental Program Specialist (both positions).

No. These two positions are new, have never been filled, and are part of the State Hi-5 Program. The Position Descriptions have not yet been written.

c. Recycling Program Specialist I.

This position is currently filled.

4. ***Regarding your correspondence dated March 31, 2023:***

a. On page 8, the answers to 15 (CBS 3576), 18 (CBS 4588), 20 (CBS 7250, 22 (CBS 1119), and 23 (CBS 1128) indicate that the contracted amount is far lower than the budgeted amount. Please provide an explanation. (KRF)

- CBS 3576 – The full amount of funding has been encumbered.
- CBS 4588 and CBS 7250 – The portion of funds encumbered was for design services and the remaining funds are anticipated to be encumbered in fall, around October of 2023, for the construction phase.
- CBS 1119 – This project has multiple projects countywide. Some of the funding was encumbered for a couple of projects and the remaining funds are anticipated to be encumbered in fall.
- CBS 1128 – This is for projects that come in over our estimated costs and typically use majority of it due to a strong construction climate.

b. On page 8, regarding questions 11 (CBS 1178), 13 (CBS 1180), and 14 (CBS-1180), please provide the total amounts spent on these projects and their current status. (TP)

- CBS 1178 - \$0 spent and we anticipate encumbering the funds in fall of 2023.
- CBS 1180 - \$308,967 encumbered and 13% complete.

Note: 13 and 14 are the same project and was accidentally listed twice.

c. On pages 3-4, how did you determine the anticipated fill date for the positions will be June 1? (TP)

Position	Justification
Solid Waste Division	
P-32278 Civil Engineer III	Position is on continuous recruitment through DPS so Dept anticipates being able to hire by June 1
P-29136 Landfill Equipment Operator I	Promoting within Dept once qualified employees complete their certification training
Wastewater Division	
P-29076 Wastewater Pretreatment Coordinator	Position is on continuous recruitment through DPS so Dept anticipates being able to hire by June 1
P-29074 Civil Engineer I	Position is on continuous recruitment through DPS so Dept anticipates being able to hire by June 1
P-29085 Wastewater Technical Support Engineer	Position is on continuous recruitment through DPS so Dept anticipates being able to hire by June 1
P-29149 Wastewater Collection System Superintendent	Division setting up interview with one person on the certified list
P-29166 Sewer Maintenance Supervisor	Promoting within Dept once employee qualifies for position
P-29108 Wastewater Treatment Plant Op Maint Sup IV	Position is on continuous recruitment through DPS so Dept anticipates being able to hire by June 1
P-29194 Wastewater Treatment Plant Operator Trainee	Dept made a mistake on anticipated fill date for this position because Dept needs to submit a re-org to reallocate this position to a Grants Specialist
EP&S	

P-30983 Account Clerk III	Position is on continuous recruitment through DPS so Dept anticipates being able to hire by June 1
P-XXXXX Environmental Program Specialist	Hiring put on hold to work out logistics on funding & benefits between the State & County
P-XXXXX Environmental Program Specialist	Hiring put on hold to work out logistics on funding & benefits between the State & County
P-29127 Recycling Specialist II	Promoting within Dept once employee qualifies for position

d. Have the four positions that you anticipate filling on June 1, 2023, already been described by the Department of Personnel Services?

P-30983, Account Clerk III & P-29127, Recycling Specialist II were initially going to be reallocated but Dept has decided to leave positions as is & will both be recruited for & filled. Both Environmental Program Specialist positions are State grant funded positions & have been put on hold to work out logistics on funding & benefits between the State & County.

5. Please explain why the Go Green recycling program was discontinued. (TP)

EP&S lost our location to host this event on the West Side. The event requires specific permitting and when the Lahaina Court House started construction in early FY23, we were no longer able to use their parking lot. Great effort was taken to talk to other departments, community organizations, and businesses to find a new location but no one has been able to secure that level of commitment. We hope to re-launch this program, or devise a different, more permanent solution to better serve the West Side.

6. Please explain why West Maui Green Cycle was not funded. (TP)

FY23 funds were allocated for West Maui Green Cycle with a proviso, and further appropriations may be considered by the Maui County Council for FY24. If proviso funds are available, EP&S will manage the grant.

7. Are abandoned vehicles on County land under your purview? What support are you getting for abandoned vehicles on County land? (TP)

Our responsibilities include the removal of only those vehicles classified as "abandoned" by the Maui Police Department (MPD) on County land and County roadways. If these vehicles are not accessible to tow trucks, we work in collaboration with the Department of Public Works (DPW) to develop a coordinated plan for removing them safely and efficiently. This may involve DPW moving the vehicles to

a roadside location where we can remove them. Depending on the specific circumstances, we may also coordinate with MPD to aid with traffic flow or security.

8. *Can a nonprofit organization contact the Tow and Scrap program for abandoned vehicle assistance? (NUH)*

The Abandoned Vehicle Program and the new Tow and Scrap Program are two separate and distinct programs. The Tow and Scrap Program is designed to assist residents with towing their personal junk vehicles; non-profit organizations are not authorized to have vehicles towed on behalf of residents under this program. Additionally, non-profits are not eligible for free junk vehicle towing through the Tow and Scrap Program. However, non-profits are encouraged to help residents with their paperwork and to accompany them to Hammerhead if needed. Moreover, non-profits can also report any abandoned vehicles they spot on County roads and County land.

9. *Please provide more details on the \$1 million State cesspool pilot project that was mentioned during the meeting by the Budget Director. Please include the pilot project scope and implementation plan. (YLS)*

This project is being managed by the Mayor's office. We don't have the project scope and implementation plan.

10. *What are the parameters for commercial entities to bring solar panels to the landfill? (TK)*

In order for a commercial entity to bring solar panels to the landfill, the commercial entity would need to first determine if the solar panel is designated hazardous waste or not. All County of Maui landfills are non-hazardous waste landfills and do not take hazardous waste. If the solar panel is non-hazardous, the commercial entity would need to sign and submit a Declaration of Non-Hazardous Construction and Demolition Waste Form and receive a Construction and Demolition (C&D) Number to bring waste to the landfill.

Some solar panels are hazardous depending upon "the leachability of RCRA toxic materials present in the solar panel. The most common reason that solar panels would be determined to be hazardous waste is if they meet the characteristic of toxicity. Heavy metals like lead and cadmium may leach at such concentrations that waste panels would fail the toxicity characteristic leaching procedure (TCLP), a test required under RCRA to determine if materials are hazardous. Solar panel waste that fails TCLP must be managed as hazardous waste", according to the EPA (October 25, 2022), <https://www.epa.gov/hw/solar-panel-frequent-questions>.

11. *Who is responsible for decommissioning windmills? And once they are decommissioned how are they disposed of? (TK)*

The decommissioning of wind energy facilities is often the responsibility of the wind energy facility owner/ operator and is guided by a range of county, state, and federal laws and permit requirements. This regulatory framework addresses—among other issues— financial assurance, site restoration, removal of equipment and facilities, the disposal of hazardous materials as well as grading of the land and erosion control measures; these are often outlined in a project/ facility decommissioning plan and are site specific.

EP&S has not yet worked with any partners nor received any funding to work on wind energy facilities decommissioning so our knowledge about stakeholders, plans and facilities in the County of Maui is limited. EP reached out to Hawaiian Electric and the Hawaii State Energy Office but has not yet received a response. However, additional information about Hawaii's context is available here:

Guide to Renewable Energy Facility Permits in the State of Hawaii (2015):
https://energy.hawaii.gov/wp-content/uploads/2022/05/DBEDT-Permit-Guide_V3_04-30-15R.pdf

Hawaii State Energy Office Renewable Energy Permitting Wizard:
<https://energy.hawaii.gov/information-center/project-development-center-tools/renewable-energy-permitting-wizard/>

After the windmill is deconstructed/demolished, any waste material to be disposed of at a landfill would need to meet the size requirements to be accepted by the landfill and delivered to the landfill at the allowed times. Commercial customers who would like to bring Construction and Demolition (C&D) waste to Maui County Landfills must have a valid landfill account and C&D Number. A C&D Number can be obtained by completing and submitting a Declaration of Non-Hazardous Construction and Demolition Waste Form. The County must issue a C&D Number before disposal can begin.

Thank you for the opportunity to provide you with information on this matter. Should you have any questions or concerns, please feel free to transmit them to the Department of Environmental Management via transmittal through the Office of the Mayor.

Sincerely,



SHAYNE R. AGAWA, P.E.
Director of Environmental Management

Digitally signed by Shayne R. Agawa, P.E.
DN: cn=Shayne R. Agawa, P.E., o=County
of Maui, ou=Director of Environmental
Management,
email=shayne.agawa@co.maui.hi.us,
c=US
Date: 2023.04.13 08:34:23 -10'00'

BFED Committee

From: Desiree Echalas <Desiree.B.Echallas@co.maui.hi.us>
Sent: Friday, April 14, 2023 8:16 AM
To: BFED Committee
Subject: FY 2024 (BFED-1) (EM-3)
Attachments: FY24 (BFED-1)(EM-3) Response.pdf

Attached is response EM-3 from Department of Environmental Management.

Mahalo,

Desiree Echalas

Budget Specialist

County of Maui

Office of the Mayor

Desiree.B.Echallas@co.maui.hi.us

Phone: (808) 270-8239