

**REPORT TO THE TWENTY-FOURTH LEGISLATURE
STATE OF HAWAII
2008**

H-POWER ASH TESTING

AS RELATED TO HOUSE CONCURRENT RESOLUTION H.C.R. NO. 162
REQUESTING CERTAIN ACTION CONCERNING THE CONDUCTING OF A TEST
TO CONVERT H-POWER ASH TO RESUABLE MATERIAL

PREPARED BY:

STATE OF HAWAII
DEPARTMENT OF HEALTH
SOLID AND HAZARDOUS WASTE BRANCH
NOVEMBER 2007

I. Introduction

Although not requested in House Concurrent Resolution (HCR) No. 162, the Department of Health (DOH) prepared this report to update the legislature of our actions. HCR No. 162 requested that the DOH:

1. Consider, if legally permissible, waiving the H-Power permit modification requirement for the conduct of an ash conversion test at the H-Power site; or
2. Suggest an alternative method to conduct a test that would not require a permit modification.

If the Director of Health cannot do either of these two options, the Director of Health was requested to:

1. Expedite the review of any application to modify the H-Power permit to allow the conduct of a on-site test for the conversion of H-power ash into reusable material; and
2. Make the decision on such a permit modification application before the expiration of the one hundred eighty-day deadline of section 342H-4(d), Hawaii Revised Statutes.

II. H-Power Permit Requirement

The DOH has determined that a permit modification is not necessary for Covanta Honolulu Resource Recovery Venture (permittee of H-Power's solid waste management permit, and operator of the facility) to conduct testing for an ash recycling alternative. Although H-Power's solid waste permit requires the facility to dispose of the ash at a permitted ash monofill, such as Waimanalo Gulch Sanitary Landfill, the permit also allows the permittee to pursue ash recycling, provided DOH approves its use. The permit states that the DOH may require additional testing, analysis, risk evaluation, and other applicable information to evaluate the proposed recycling alternative.

Since the passing of HCR No. 162, Covanta Honolulu Resource Recovery Venture (Covanta) has not requested to recycle ash, however, we understand that Microorganics, a technology vendor, is interested in conducting tests to demonstrate the viability of recycling the ash for use as soil. The DOH has on a number of occasions met and discussed with Microorganics the types of testing and risk evaluation we require to properly evaluate their recycling proposal. We have also transmitted a letter to Covanta Honolulu Resource Recovery Venture (Covanta) the list of required information. To date, DOH has not received the required sampling and analysis plan.