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HB 483
RELATING TO ESTABLISHMENT OF
COMMITTEE ON HAZARDOUS WASTE

Statement for
House Committee on
Planning, Energy, and Environmental Protection
Public Hearing - 14 February 1985

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HB 483 would establish in the Department of Health an advisory committee on hazardous wastes. This statement on the bill does not represent an institutional position of the University of Hawaii.

The proposed committee, which would be chaired by the Director of the Office of Environmental Quality Control, would advise the Director of Health on legislative and technical matters relating to hazardous-waste management and, specifically, on the feasibility of establishing a hazardous-waste disposal site and on a user-fee system to help defray the costs of the state hazardous-waste management program. There is no question of the need for a comprehensive and well-coordinated program for the appropriate disposal of hazardous waste in Hawaii. There is also no question that the Department of Health lacks sufficient in-house competence to design and operate such a program successfully, and that a committee of experts on hazardous wastes and their management could provide the DOH with advice that would be of great assistance in the design and operation. However, we question the proposed composition of the committee, whose members would be appointed by the governor.

The committee would include, in addition to the chairman, seven members appointed from government agencies, six appointed from the private sector, and one appointed from an environmental organization. The seven agency members would be chosen, one each, from the State Departments of Health, Transportation, and Defense, and the four county public works departments. The six private-sector members would be selected from businesses that are engaged in the production, handling, or disposal of solid wastes. There is no question that each of the state and county departments and each of the categories of business represented have, or should have, concerns with the management of hazardous wastes. There is, however, the likelihood of an undesirable bias in the committee with the proposed membership.

All of the six private-sector members may be expected to have some competence relating to the nature and management of hazardous wastes. However, as representatives of hazardous-waste businesses, their competence is likely to be greater in the business aspects of hazardous waste management than in the aspects of the chemistry of the wastes and the environmental and health hazards presented in their disposal. Furthermore, as representatives of businesses with special concerns with costs, their unbiased evaluation of disposal options may be questioned. The costs of hazardous-waste management must certainly be taken into account by the committee, but the committee must be equally concerned with the environmental and human-health effects of the disposal of the wastes. Even if it could be assumed that the seven agency representatives had no greater concern with the costs than with the environmental and human-health effects, it is likely that in the committee as a whole there would be a bias representing a net over-concern with costs. Any such bias could be offset only by the single committee member appointed from a community organization, but there is no specification in the bill that this member have special pertinent competence.

We point out that in the State there are, in organizations such as the University, hazardous-waste experts with pertinent technical competency who are neither involved in hazardous-waste businesses nor connected with agencies having responsibilities for hazardous-waste management. We suggest strongly that the membership of the committee include representatives from the independent technical-scientific community to assure that environmental and economic concerns are properly balanced in developing the hazardous-waste management plan and selecting a hazardous-waste disposal site.