

STAND. COM. REP. NO. **2721**

Honolulu, Hawaii

FEB 16 2024

RE: S.B. No. 2418
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirty-Second State Legislature
Regular Session of 2024
State of Hawaii

Sir:

Your Committees on Agriculture and Environment and Government Operations, to which was referred S.B. No. 2418 entitled:

"A BILL FOR AN ACT RELATED TO TOXIC CHEMICALS,"

beg leave to report as follows:

The purpose and intent of this measure is to:

- (1) Require state agencies that monitor environmental toxins and pollutants to establish environmental action levels to ensure the preservation of a safe environment;
- (2) Prohibit modifications to environmental action levels, unless certain procedural requirements are met; and
- (3) Allow any state resident to petition for modifications to an established environmental action level.

Your Committees received testimony in support of this measure from the Honolulu Board of Water Supply, Americans for Democratic Action Hawai'i, and three individuals.

Your Committees received testimony in opposition to this measure from the Department of Health and one individual.

Your Committees find that certain state agencies monitor the presence of environmentally toxic chemicals in the water, soil,



and air, and require that remedial actions be taken if pollution levels exceed a level known as an environmental action level (EAL). Your Committees acknowledge that, while the use of EALs can be beneficial for monitoring and regulating environmental pollution, there is currently no standardized or formal process for the establishment or amendment of an EAL. As a result, some state agencies that use EALs have been known to arbitrarily raise, or in some cases lower, an EAL without sufficient public notice or scientific justification. Your Committees find that procedures must be established to provide the public with advance notice and opportunity regarding the establishment of EALs, and to require state agencies that use EALs to provide justification for their decisions. Therefore, this measure establishes procedural and substantive requirements for the establishment and revisions of EALs by state agencies.

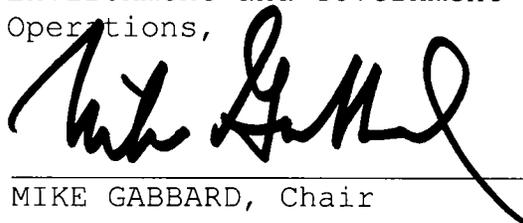
Your Committees have amended this measure by inserting an effective date of July 1, 2050, to encourage further discussion.

As affirmed by the records of votes of the members of your Committees on Agriculture and Environment and Government Operations that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2418, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2418, S.D. 1, and be referred to your Committee on Ways and Means.

Respectfully submitted on
behalf of the members of the
Committees on Agriculture and
Environment and Government
Operations,



ANGUS L.K. MCKELVEY, Chair



MIKE GABBARD, Chair



