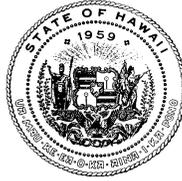


JOSH GREEN, M.D.
GOVERNOR OF HAWAII
KE KIA'ĀINA O KA MOKU'ĀINA 'OHAWAI'I



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WRITTEN
TESTIMONY ONLY

**Testimony COMMENTING on HCR0189
URGING THE DEPARTMENT OF HEALTH AND UNIVERSITY OF HAWAII WATER RESOURCES
RESEARCH CENTER TO TAKE ALL ACTION NECESSARY TO INCENTIVIZE WASTEWATER
TREATMENT PLANTS TO TEST SEWAGE SLUDGE, RECLAIMED WATER, AND ANY OTHER
RESIDUAL MATERIAL FOR THE PRESENCE OF PERFLUOROALKYL AND POLYFLUOROALKYL
SUBSTANCES.**

REPRESENTATIVE NICOLE E. LOWEN, CHAIR
HOUSE COMMITTEE ON ENERGY AND ENVIRONMENTAL PROTECTION

March 20, 2025, 10:00 A.M. and Room Number: 325

1 **Fiscal Implications:** This resolution may impact the priorities identified in the Governor's
2 Executive Budget Request for the Department of Health's (Department) appropriations and
3 personnel priorities.

4 **Department Position:** The Department offers the following comments.

5 **Department Testimony:** The Environmental Management Division, Wastewater Branch
6 (EMD-WWB) provides the following testimony on behalf of the Department.

7 The Department has reservations regarding the implementation and incentivizing of
8 wastewater treatment plants to test sewage sludge, reclaimed water, and other residual
9 material for the presence of perfluoroalkyl and polyfluoroalkyl substances (PFAS) without
10 sufficient resources. Sample collection and testing for the chemicals are very comprehensive
11 and costly, and staffing for the additional monitoring may be needed. Final U.S. Environmental
12 Protection Agency Method 1633A¹ is the multi-matrix choice to test for 40 PFAS in wastewater,

¹ <https://www.epa.gov/cwa-methods/cwa-analytical-methods-and-polyfluorinated-alkyl-substances-pfas>

1 surface water, groundwater, soil, biosolids, sediment, landfill leachate, and fish tissue. The
2 estimated cost to test a single sample can be \$1,100; which will be borne by the wastewater
3 treatment plant owners and operators.

4 Presently, toxicological human health assessments have not been completed in order to
5 promulgate applicable standards for most of the PFAS; so, the Department would have to
6 devote tremendous resources to develop the underlying data for defensible administrative
7 rules for the safe disposal and sequestration of sewage sludge, reclaimed water, and other
8 residual material that contain “any amount” of PFAS. At this time, Department does not have
9 these resources. We encourage the private and public entities who are voluntarily testing for
10 PFAS to share their data with the Department.

11 The Department has reservations in taking a zero tolerance approach when renewing
12 permits. Almost certainly any sewage sludge, reclaimed water, and other residual material will
13 have at least trace amounts of PFAS. Prohibiting any renewed permits to use sewage sludge,
14 reclaimed water, and other residual material on land used for agronomic purposes, where
15 drainage tiles have been installed, that drains into the waters of the State, or in a five-hundred-
16 year floodplain will effectively cease all these uses.

17 **Offered Amendments:** None.

18 Thank you for the opportunity to testify on this concurrent resolution.



Environmental Caucus of The Democratic Party of Hawai'i

March 19, 2025

To: Chair Nicole E. Lowen, Vice Chair Amy A. Perruso, and Members of the Committee on Energy & Environmental Protection

Date: Thursday, March 20, 2025 **Time:** 10:00 a.m.

Place: Via Videoconference and Conference Room 325

Subject: Testimony in Strong Support of HR183/HCR189 - Test sewage sludge and reclaimed water for PFAS

Aloha Chair Lowen, Vice Chair Perruso, and Members of the Committee,

The Environmental Caucus of the Democratic Party of Hawaii strongly supports HR183/HCR189, which urges the Department of Health and the University of Hawaii Water Resources Research Center to take all necessary actions to incentivize wastewater treatment plants to test sewage sludge, reclaimed water, and other residual materials for the presence of perfluoroalkyl and polyfluoroalkyl substances (PFAS).

Key Points in Support:

1. Protecting Public Health and Agricultural Safety:

- Testing for PFAS is critical to ensuring the safety of reclaimed water and sewage sludge used for agricultural purposes. These chemicals, known for their persistence in the environment and potential health risks, must be monitored to prevent contamination of food sources and drinking water supplies.

2. Examples of PFAS Concerns:

- **Schofield Wastewater Treatment Facility:** Through Aqua Engineers, reclaimed water and sewage sludge from this facility are sold for agricultural purposes, yet there is currently a lack of mandatory testing for PFAS in these materials. This absence of testing raises serious concerns about the potential spread of these toxic substances into crops, soil, and groundwater, jeopardizing both public health and environmental integrity.

3. Aligning with Best Practices:

- Encouraging testing aligns with national and global efforts to address PFAS contamination. Establishing robust testing practices in Hawaii would ensure that

the state remains proactive in protecting its environment and residents from exposure to harmful substances.

4. Building Public Confidence:

- Implementing comprehensive testing for PFAS in wastewater treatment products will strengthen trust among consumers and agricultural producers, demonstrating a commitment to safety and environmental stewardship.

This resolution represents a crucial step toward safeguarding Hawaii's water resources, agricultural lands, and public health. We commend the Legislature for addressing this important issue and urge the committee to pass HR183/HCR189.

Thank you for the opportunity to testify in strong support of this measure.

Respectfully submitted,

Melodie Aduja and Alan Burdick

Co-Chairs Environmental Caucus of the Democratic Party of Hawaii

HCR-189

Submitted on: 3/17/2025 9:26:41 PM

Testimony for EEP on 3/20/2025 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
B.A. McClintock	Individual	Support	Written Testimony Only

Comments:

Please support this important bill. Mahalo.

HCR-189

Submitted on: 3/17/2025 8:40:16 PM

Testimony for EEP on 3/20/2025 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
.Ted Bohlen	Hawaii Reef and Ocean Coalition and Climate Protectors Hawaii	Support	Written Testimony Only

Comments:

Hawai‘i Reef and Ocean Coalition and Climate Protectors Hawai‘i **SUPPORT** this concurrent resolution and resolution urging testing for sewage sludge, reclaimed water and residuals.

PFAS (per- and polyfluoroalkyl substances) are a family of chemicals also known as “forever chemicals” because they don’t break down. They persist in our environment and many appear to have serious health consequences even at very low levels. PFAS presence is a recent but **serious concern regarding land applications of sewage sludge.**

Exposure to PFAS has been associated with a **variety of health risks**, including:

- Increased risk of several types of cancer, particularly kidney and testicular cancer, but also possibly cancers in the digestive, endocrine, oral cavity and respiratory systems.
- Effects on the immune system, including decreased vaccine response.
- Hormonal changes and developmental issues, particularly affecting fetal development during pregnancy.
- Elevated cholesterol levels and potential metabolic effects.

Given the health risks of even very low levels of PFAS, wastewater treatment plants should indeed test sewage sludge for PFAS before any land application. This testing is crucial due to the persistent and bioaccumulative nature of **PFAS, which pose significant environmental and public health risks.**

Regulators are increasingly emphasizing the need for such testing before land application practices to mitigate risks related to PFAS contamination. Several other states have enacted restrictions or guidelines regarding the application of sewage sludge contaminated with PFAS. Regulations vary significantly from state to state.

- California and other states have implemented or are considering restrictions to protect public health and prevent PFAS from entering groundwater and food supplies.

- Maine law requires testing of biosolids for PFAS levels before any land application. Maine has adopted specific measures limiting or prohibiting the land application of sewage sludge containing PFAS above certain thresholds. This includes both monitoring and reporting requirements for treatment plants and a state directive addressing the management of biosolids with PFAS contamination.

- Vermont has established specific rules limiting the concentrations of PFAS in land-applied biosolids.

- New York has introduced strict standards that govern PFAS levels permitted in biosolids before any land application.

Hawai'i should join these states that are restricting wastewater sludge land applications unless they are tested and found free of PFAS as this concurrent resolution urges.

HCR-189

Submitted on: 3/19/2025 9:11:38 AM

Testimony for EEP on 3/20/2025 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Sherry Pollack	Individual	Support	Written Testimony Only

Comments:

Requiring monitoring for PFAS at wastewater treatment plants consistent with environmental regulations and public health guidelines demonstrates responsible management of wastewater facilities.

PFAS--forever chemicals linked to significant health risks, including but not limited to cancer, liver damage, developmental issues, weakened immune systems, and endocrine disruption--have already been detected in the Navy's water system and near military sites across Hawaii due to the military's criminal negligence. To protect the health and safety of our communities, it is critical that we take steps toward assessing and then remediation of PFAS contamination throughout the State.