



STATE OF HAWAII
DEPARTMENT OF HEALTH
KA 'OIHANA OLAKINO
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**Testimony in OPPOSITION to SB0644
RELATING TO WATER QUALITY.**

SENATOR JOY A. BUENAVENTURA, CHAIR
SENATE COMMITTEE ON HEALTH AND HUMAN SERVICES

SENATOR MIKE GABBARD, CHAIR
SENATE COMMITTEE ON AGRICULTURE AND ENVIRONMENT

January 31, 2025, 1:00 pm, Room Number: 225

1 **Fiscal Implications:** The Department of Health ("Department") requests that this measure be
2 considered as a vehicle to provide this needed funding so long as it does not supplant the
3 priorities and requests outlined in the Governors executive budget request.]

4 **Department Position:** The Department opposes this measure with comments.

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

7 Regulated public water systems continue to deliver safe water to Hawai'i's residents.
8 Hawai'i is consistently an excellent performer delivering drinking water which meets the
9 National Primary Drinking Water Regulations due mostly in part to being blessed with good
10 source water. The continued vigilance under the existing authority maintains safe distribution
11 of the water to the greater public and does not need to be extended, with additional authority,
12 and would be duplicative with the County permitting and infringe on the property of a private
13 residence.

1 The measure proposes to provide the Department with the authority to access and test
2 water quality in both residential and commercial buildings on public and private property. The
3 current authority of the Department does not extend past the water meter onto private or
4 public property. The Department regulates the drinking water quality distributed by the public
5 water system purveyor who supplies the drinking water up to their consumers water meters.

6 The Department does not regulate the drinking water quality within private or public
7 properties. The water quality in premise plumbing is impacted by use of the sampling point or
8 tap (e.g., kitchen sink, bathroom sink, utility sink, etc.) within a private or public property and
9 may not be reflective of the water quality provided by the water purveyor to the property. The
10 mixing of hot water and the potential for line stagnation also creates a complex change in water
11 chemistry which cannot be differentiated between water that represents the premise or
12 distribution lines. In addition, water quality in a building's premise plumbing will change due to
13 construction material type, as well as the operation, maintenance, and management of the
14 building's cold and hot water plumbing system.

15 The regulation of plumbing and associated water quality at the tap is facilitated through
16 building and plumbing codes as well as County building permits. Enforcement of such standards
17 is delegated to the County as unsafe conditions, post-construction, may impact public health
18 and safety.

19 Premise plumbing is unique to the property and tap water test results cannot be
20 definitively determined to be the responsibility of a water purveyor unless expensive and
21 extensive measures are taken to identify the origin of the detected contaminant. The lineal
22 footage of premise piping nationally is four times that of the lineal footage of water distribution
23 piping managed by a water purveyor. As such, the risk for drinking water quality issues is much
24 higher in premise plumbing which is not the responsibility of a water purveyor.

1 An evaluation of the effort and expense of the proposed widespread testing indicates
2 that it is not practical or executable. There are approximately 568,000 housing units in the State
3 of Hawai'i. By comparison, the U.S. Department of the Navy (Navy)'s Joint Base Pearl Harbor-
4 Hickam and U.S. Department of the Army's Aliamanu Military Reservation water systems serve
5 9,800 units (residential and commercial). Due to the 2021 jet fuel contamination, the Navy is
6 committed to analyze one test suite of 40 compounds for each building. It would cost up to
7 \$1.02 billion if every house in Hawai'i were tested once for the same suite of 40 compounds.

8 Chapter 342D, Hawaii Revised Statutes (HRS), for water pollution pertinent to the Clean
9 Water Act, and Chapter 11-54, Hawaii Administrative Rules (HAR) for Water Quality Standards,
10 are not the appropriate regulation and rule to be cited. Chapter 340E, HRS, regulates drinking
11 water quality and water purveyors under the Safe Drinking Water Act. As previously stated, the
12 standards of construction to ensure potable water in premise plumbing is regulated under
13 plumbing codes and approved by the County through building permits.

14 **Offered Amendments:** None

15 Thank you for the opportunity to testify on this measure.

**BOARD OF WATER SUPPLY
KA 'OIHANA WAI
CITY AND COUNTY OF HONOLULU**

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January 31, 2025

The Honorable Joy A. San Buenaventura, Chair
and Members
Committee on Health and Human Services
Hawaii State Capitol, Room 225
Honolulu, Hawaii 96813

The Honorable Mike Gabbard, Chair
and Members
Committee on Agriculture and Environment
Hawaii State Capitol, Room 225
Honolulu, Hawaii

Dear Chair San Buenaventura, Chair Gabbard and Members:

Subject: Senate Bill 664: Relating to Water Quality

The Honolulu Board of Water Supply (BWS) strongly supports Senate Bill (SB) 664.

This measure proposes to expand the duties and powers of the Department of Health (DOH) relating to water quality and water testing to ensure compliance with water quality standards and protect public health and the environment. The bill also directs DOH to adopt rules pursuant to chapter 91 and appropriates funds to carry out the purposes of the measure.

Jet fuel and fire suppressant chemical leaks from the Red Hill bulk fuel facility have resulted in detecting many kinds of chemical contaminants in water samples from Navy waterlines and the environment. Many do not easily degrade and/or linked to severe health issues highlighting the need for the State to take the lead in managing a comprehensive water quality testing program. This measure will improve our surveillance and understanding of our exposure to chemical contaminants to better protect public health and the environment.

Thank you for the opportunity to testify in support of SB 664.

Very truly yours,

ERNEST Y. W. LAU, P.E.
Manager and Chief Engineer



Environmental Caucus of The Democratic Party of Hawai'i

January 28, 2025

Testimony in Support of SB664: Relating to Water Quality

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

We, Melodie Aduja and Alan Burdick, are testifying on behalf of the Environmental Caucus of the Democratic Party of Hawaii in strong support of SB664, which aims to expand the duties and powers of the Department of Health (DOH) related to water quality and water quality testing to ensure the safety and health of Hawaii's residents. This bill also appropriates funds for these purposes.

Key Points of Support:

1. **Protecting Public Health:** SB664 addresses the urgent need for comprehensive water quality testing to prevent contamination and protect public health. Recent incidents, such as the leaks at the Red Hill underground fuel storage facility and the contamination of waterlines with petroleum and PFAS, have highlighted the critical importance of stringent water quality standards and regular testing.
2. **Environmental Safety:** By expanding the DOH's responsibilities, this bill will help safeguard Hawaii's natural resources and ecosystems from harmful contaminants. Ensuring clean and safe water is essential for the well-being of our environment and the communities that depend on it.
3. **Preventing Future Contamination:** SB664 will enable the DOH to implement more rigorous water quality testing protocols, which will help identify and address potential sources of contamination before they become significant threats. This proactive approach is crucial for preventing future incidents and ensuring the long-term safety of our water supply.
4. **Funding and Resources:** The appropriation of funds for water quality testing and related activities will provide the necessary resources for the DOH to effectively carry out its expanded duties. This financial support is essential for maintaining high standards of water quality and protecting public health.

In conclusion, the Environmental Caucus of the Democratic Party of Hawaii strongly supports SB664 and urges the committee to pass this important legislation. By expanding the DOH's duties and powers related to water quality, we can ensure a cleaner, healthier, and safer future for all residents of Hawaii.

Mahalo for the opportunity to testify in support of this critical bill.

Sincerely,

Melodie Aduja and Alan Burdick

Co-chairs, Environmental Caucus of the Democratic Party of Hawaii

SB-664

Submitted on: 1/28/2025 8:32:53 PM

Testimony for HHS on 1/31/2025 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Ilima DeCosta	Testifying for Red Hill CRI	Support	In Person

Comments:

Mahalo for the opportunity to testify in strong support of SB664, which proposes to expand the authority of the DoH and thereby expand local control over our precious water resources.

Native Hawaiians have long revered wai as a source of life and wealth, and SB664 will help to respect these cultural values and promote aloha 'aina stewardship.

For too long that Navy has been allowed to run roughshod over the rules and regulations, and SB 664 seeks to finally hold the Navy - and any other past or potential polluters - accountable for contamination of our 'aina and water.

As the EPA is being restrained by changes in Whitehouse policy, the people of Hawai'i need and demand that our local water regulator - the Department of Health - be empowered to take the necessary actions to protect human health and safety.

Please pass SB664 onto the final committee and allow the measure a full floor vote. The future of our local water supply - and the health of our 'aina and its people - depends on your prudent actions to expand the DoH authority, today. Mahalo piha.

SB-664

Submitted on: 1/29/2025 1:16:31 PM

Testimony for HHS on 1/31/2025 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Lynette Cruz	Testifying for Malama Makua	Support	Written Testimony Only

Comments:

In strong support. Please help the DOH to support the communities it is supposed to protect.

SB-664

Submitted on: 1/29/2025 10:18:45 PM

Testimony for HHS on 1/31/2025 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Ted Bohlen	Testifying for Hawaii Reef and Ocean Coalition	Comments	In Person

Comments:

The Department of Health regulates Safe Drinking Water under HRS c. 340E. That might be a better chapter than Section 342-1 that's in the bill. The bill should consider existing DOH regulation and may require amendment.

Ted Bohlen

SB-664

Submitted on: 1/28/2025 7:04:32 PM

Testimony for HHS on 1/31/2025 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Klayton Kubo	Individual	Support	Remotely Via Zoom

Comments:

Support

SB-664

Submitted on: 1/29/2025 9:31:26 PM

Testimony for HHS on 1/31/2025 1:00:00 PM

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

Comments:

I strongly support SB664 that would expand the duties and powers of the department of health that relate to water quality and water quality testing to ensure the safety and health of Hawaii's residents. The tragic incidents in the last few years with the Navy's criminal negligence that led to the contamination of our soul source aquifer, and with thousands being sickened as a result, is enough proof that it is imperative the DOH perform regular comprehensive water quality testing.

Please pass this important legislation.

Thank you for the opportunity to testify.

SB-664

Submitted on: 1/29/2025 8:07:49 PM

Testimony for HHS on 1/31/2025 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Patrice Choy	Individual	Support	Written Testimony Only

Comments:

I support SB664.

The Department of Health must step up to the plate to fulfill their mission "to protect and improve the health and environment for all people in Hawai'i," by ceasing to protect the EPA and the Navy when it comes to shutting down, cleaning and remediating the Red Hill Bulk Fuel Storage Facility.

SB-664

Submitted on: 1/30/2025 12:45:23 PM

Testimony for HHS on 1/31/2025 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Kaylee Braun	Individual	Support	Written Testimony Only

Comments:

First, mahalo committee members for holding a public hearing for this. I am in full support of SB664, expanding the duties and powers of the Department of Health in regards to water quality testing. It is extremely essential to determine the water quality in our communities, especially as Hawaiians. We have been over water issues countless times, seeing disasters like Red Hill take place in our home, but caused by settlers. We are all affected by pollution; no one can escape it if you live here. We must determine the causes, hold those responsible accountable, and create solutions for our future. We MUST have clean and safe water. Ola i ka wai. Through water we live. We must always remember that. Please consider those in generations to come, and how our decisions now will affect them. Mahalo for your time.

SB-664

Submitted on: 1/30/2025 11:46:45 AM

Testimony for HHS on 1/31/2025 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Patricia Blair	Individual	Support	Written Testimony Only

Comments:

Support

LATE

SB-664

Submitted on: 1/30/2025 5:18:03 PM

Testimony for HHS on 1/31/2025 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Mai Hall	Individual	Support	Written Testimony Only

Comments:

Aloha, my name is Mai Hall and I support SB664 to expand the duties and powers of the Department of Health that relate to water quality and testing. As an affected family from the fuel laced water from Red Hill, and a Kanaka Hawaiian, I feel deeply that wai, our water, is our most precious resource. We must protect our wai for us and for future generations. Mahalo