

STATE OF HAWAII
DEPARTMENT OF HEALTH
KA 'OIHANA OLAKINO
P. O. BOX 3378
HONOLULU, HI 96801-3378

**Testimony in SUPPORT of SB0504
RELATING TO ENVIRONMENTAL PROTECTION**

SENATOR JARRETT KEOHOKALO, CHAIR
SENATE COMMITTEE ON COMMERCE AND CONSUMER PROTECTION
Hearing Date: 2/23/2023 Room Number: 229

- 1 **Fiscal Implications:** This measure will 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 Testimony:** The Department supports this measure which seeks to expand on
- 5 2022's Act 152 extending prohibitions on the manufacturing, distribution, and use of products
- 6 containing per- and poly-fluoroalkyl substances (PFAS). This measure expands the prohibition
- 7 to additional types of food containers, food service ware, cosmetics and personal care products
- 8 and its implementation would likely decrease the overall burden of PFAS contamination in
- 9 Hawaii's environment.
- 10 The Department supports this measure which seeks to expand on 2022's Act 152 extending
- 11 prohibitions on the manufacturing, distribution, and use of products containing per- and poly-
- 12 fluoroalkyl substances (PFAS). This measure expands the prohibition to additional types of food
- 13 containers, food service ware, cosmetics and personal care products and its implementation
- 14 would likely decrease the overall burden of PFAS contamination in Hawaii's environment.
- 15 While the Department supports this measure, implementation and enforcement may be difficult.
- 16
- 17 Thank you for the opportunity to testify on this measure.

February 21, 2023

Senator Jarrett Keohokalole, Chair
Senator Carol Fukunaga, Vice Chair
Committee on Commerce & Consumer Protection
Thursday, February 23, 2023
10:00 am
Via Videoconference



RE: **SB504** Relating to Environmental Protection (**Strong Support**)

Dear Chair Keohokalole, Vice Chair Fukunaga & Members of the Committee,

The Chamber of Sustainable Commerce (CSC) testifies in strong support of SB7504, which prohibits the manufacture, sale, offer for sale, distribution for sale, and distribution for use of any food packaging, food service ware, cosmetic, or personal care product that contains perfluoroalkyl and polyfluoroalkyl substances (PFAs).

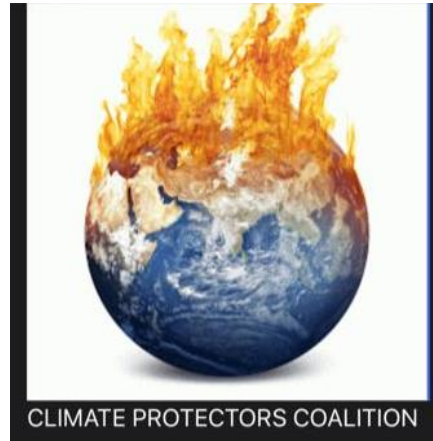
As business owners who believe we can strengthen our economy without hurting workers, consumers, or the environment, we urge this committee to pass SB504 because it protects consumers and the environment from substances that cause harm and forces those who profit from the commerce of PFAs containing products to use safer alternatives to PFAs. (See example below.)

Those who oppose this measure willfully ignore the alternatives to PFAs currently available in the supply chain. They also give the false impression that businesses are not prepared to adapt to change. Change is the only constant for most businesses: technology, consumer awareness, supply chain, labor shortages, competition, price of real estate, utilities, raw materials – so many things constantly changing at the same time.

If we are incapable of operating our businesses without hurting our customers, then we should examine our motivations for staying in business.

Table 1. Safer alternatives identified for specific food packaging applications.

Application	Safer alternatives	Total number identified
Bags and sleeves	Densified paper and wax-coated options	2
Bowls	Clay-coated, polylactic acid-coated, polylactic acid foam, and reusable options	4
Flat serviceware	Clay-coated, polylactic acid-coated, polylactic acid foam, and reusable options	4
Open-top containers	Clay-coated, densified paper, wax-coated, polylactic acid-coated, polylactic acid foam, aluminum, and reusable options	7
Closed containers	Clay-coated, polylactic acid-coated, polylactic acid foam, and aluminum options	4



To: The Honorable Chair Jarrett Keohokalole, the Honorable Vice Chair Carol Fukunaga, and Members of the Committee on Commerce and Consumer Protection

From: The Hawai'i Reef and Ocean Coalition and Climate Protectors Hawai'i (by Ted Bohlen)

Re: **Hearing SB504 SD1 RELATING TO ENVIRONMENTAL PROTECTION**

Hearing: Thursday February 23, 2023, 10:00 a.m., room 229

Aloha Chair Keohokalole , Vice Chair Fukunaga, and Members of the Committee on Commerce and Consumer Protection:

Hawai'i Reef and Ocean Coalition and Climate Protectors Hawai'i STRONGLY SUPPORT SB504 SD1.

The Hawai'i Reef and Ocean Coalition (HIROC) is a group of scientists, educators, filmmakers and environmental advocates who have been working since 2017 to protect Hawaii's coral reefs and ocean. HIROC is deeply concerned about PFAS "forever chemicals" in the marine environment.

The Climate Protectors Hawai'i seek to educate and engage the local community in climate change action, to help Hawai'i show the world the way

back to a safe and stable climate. Climate Protectors Hawai'i is deeply concerned about PFAS "forever chemicals" in the environment.

Perfluoroalkyl and polyfluoroalkyl substances (PFAS) are persistent, toxic substances. PFAS are often called "forever chemicals" because they do not naturally break down in the environment and can continue to pollute the environment for thousands of years. PFAS can contaminate drinking water, bioaccumulate in fish and wildlife, and have multiple adverse health effects on animal and human populations including cancer, reproductive and developmental harm, thyroid disruption, impaired immune function, increased cholesterol levels, and vital organ damage.

PFAS are utilized in a broad range of products, including clothing, textiles, food packaging, and cosmetic products such as lotions, nail polish, shaving cream, and mascara. PFAS can enter the human body when consumed, applied directly on skin, and after eating food packaged in materials that contain PFAS.

As an island state, when these forever chemicals are brought in the State, they never leave. Instead, they make their way into residents' bodies and the State's wastewater, landfills, and eventually groundwater and the drinking water supply. Hawai'i can no longer afford to import toxic substances that contaminate the State's finite resources and risk residents' health.

This Act would prohibit the manufacture, sale, offer for sale, distribution for sale, and distribution for use of any food packaging, food service ware, cosmetic, or personal care product that contains PFAS, with certain exceptions. This is an important measure to protect human health and the environment in Hawai'i.

The Hawai'i Reef and Ocean Coalition and Climate Protectors Hawai'i **STRONGLY SUPPORT** this bill to reduce the presence of PFAS "forever chemicals" in Hawai'i. Please pass this bill! Mahalo!

Hawai'i Reef and Ocean Coalition and Climate Protectors Hawai'i (by Ted Bohlen)



Environmental Caucus of The Democratic Party of Hawai'i

To: The Honorable Jarrett Keohokalole, Chair
The Honorable Carol Fukunaga, Vice Chair
Members of the Committee on Commerce and Consumer Protection

Re: **SB 504 – RELATING TO ENVIRONMENTAL PROTECTION**

Hearing: Thursday, February 23, 2023, 10:00 a.m., Conference Room 229 & Videoconference

Position: **Strong support**

Aloha, Chair Keohokalole, Vice Chair Fukunaga and Members of the Committee on Commerce and Consumer Protection:

The Environmental Caucus of the Democratic Party of Hawai'i stands in strong support of SB 504. This measure prohibits the manufacture, sale, offer for sale, distribution for sale, and distribution for use of any food packaging, food service ware, cosmetic, or personal care product that contains perfluoroalkyl and polyfluoroalkyl substances, beginning 12/31/2026.

We humbly request that this measure be amended to include a ban on firefighting foams that contain perfluoroalkyl and polyfluoroalkyl substances.

The Platform environmental policies of the Democratic Party of Hawai'i are to protect and preserve Hawai'i's environment and achieve energy sustainability, advance measures to re-establish a healthy climate and environment for humans and fellow species, including actions to urgently address climate change, and work towards 100% renewable energy goals.

We believe that all people have the right to live in a clean, healthy and safe environment. We believe that the preservation of our natural environment and its ecological well-being is essential to ensuring a safe, healthy, bountiful life for future generations in Hawai'i. We support policies that create a more sustainable society. We support the restoration, preservation, and protection of native ecosystems.

We believe in the resource management principles outlined in the Public Trust doctrine of [Article XI, Section 1 of] the Hawai'i State Constitution." [OUR PLATFORM | DPH \(hawaiidemocrats.org\)](https://www.democrats.org/our-platform)

The Environmental Caucus supports this bill as studies have shown that PFOA and PFOS can cause reproductive and developmental, liver and kidney, and immunological effects in laboratory animals, and both PFOA and PFOS have caused tumors in animals. In addition, there have been findings of an increased cholesterol levels among exposed populations with other findings related to low infant birth rates, effects on the immune system, cancer for PFOA, and thyroid disruption for PFOS.

Individuals can be exposed to PFAS by eating food that was packaged in material that contains PFAS or using consumer products that contain PFAS. Another pathway to PFAS is through drinking water contaminated by firefighting foam containing PFAS. Once PFAS enters the environment, they persist for 700-1000 years, hence the name, "Forever Chemicals," as there are no natural processes that can break down these substances. As such, these forever chemicals can continue to cause exposures long after they



February 23, 2023
Page 2

are phased out of consumer and other products and they bioaccumulate in the environment and in our bodies from one generation to the next.

Given the known health risks and persistency of these forever chemicals, the ban called for in this measure, with the amendment to include a ban on firefighting foams that contain perfluoroalkyl and polyfluoroalkyl substances, is reasonable, justifiable, and long overdue. Please pass this measure.

Please support and pass this bill.

/s/ Melodie Aduja and Alan Burdick
Co-Chairs, Environmental Caucus of the Democratic Party of Hawai'i

SB-504

Submitted on: 2/20/2023 8:48:43 PM

Testimony for CPN on 2/23/2023 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
laurel brier	Testifying for Kauai women's caucus	Support	Written Testimony Only

Comments:

The more we know about PFAS & PFOS it is evident that we need to eliminate them for well being of all. Thank you for taking action

February 21, 2023

Committee Chair Keohokalole & Vice Chair Fukunaga
Senate Commerce and Consumer Protection Committee
Hawaii State Legislature
415 South Beretania Street
Honolulu, HI 96813

RE: Oppose unless amended: SB 504

Chair Keohokalole and Vice Chair Fukunaga:

Good morning/afternoon, Chair Keohokalole and Members of the Committee. On behalf of the members of the Personal Care Products Council (PCPC), I am writing to express our opposition to SB504 as currently drafted, legislation to ban the sale of PFAS in cosmetics. PCPC appreciates the intent of the language and seeks additional amendments to harmonize the bill with other recently enacted state laws.

The Personal Care Products Council is the leading national trade association representing cosmetics and personal care products companies and serving as the voice on scientific, legal, regulatory, legislative and international issues for the global cosmetics industry. The personal care products industry holds sacred the trust families put in the safety of their products. Our member companies invest substantial resources in scientific research and safety processes to ensure we are precisely following all laws and regulations and providing safe products to our consumers. PCPC and its member companies have a long history of going above and beyond what is required by law and a long history of working with various stakeholders at all levels of government on public policy.

President Biden recently signed the Modernization of Cosmetic Regulation Act (MoCRA) of 2022.

The Modernization of Cosmetics Regulation Act (MoCRA) of 2022 was included in the Consolidated Appropriations Act of 2023 that was signed into law by President Biden on Dec. 29, 2022. PCPC applauds Congress for spearheading the effort on cosmetics modernization and thanks bipartisan Members of Congress and the Administration for working together to modernize Federal regulatory oversight of cosmetics and personal care products marketed in the U.S.

This long-awaited, historic legislation gives the FDA additional tools to ensure the safety of cosmetics, protects consumers and reinforces consumer confidence in the products they trust and enjoy every day. MoCRA represents significant reform of FDA's cosmetics authorities, which was signed into law by President Franklin D. Roosevelt in the 1938 Food, Drug & Cosmetic Act. MoCRA also brings the FDA's oversight of the beauty and personal care industry more in line with other categories the Agency regulates and contributes to global regulatory alignment. We ask that you pause further state action as implementation begins on this historic law.

PCPC seeks harmonization with other recently enacted state laws

In concept, PCPC supports the phase out of the PFAS class of chemicals in cosmetics and personal care products. However, we are seeking amendments to provide regulatory certainty. PCPC is requesting amendments to clarify that the definitions in our sector are consistent with existing Hawaii code and consistent with other recently enacted PFAS laws. Cosmetics and personal care products companies remain committed to advancing innovative product technologies that address a wide variety of consumer needs.

For example, California AB 2771 was signed by Governor Newsom in September 2022 and phases out PFAS in cosmetics. CA AB 2771 builds upon CA AB 2762, signed into law by Governor Newsom in 2021, which bans certain cosmetic and personal care ingredients,

Specific concerns with SB504 as currently drafted- PCPC seeks harmonization with definitions already codified in Hawaii statute PCPC requests that the term “cosmetic,” “PFAS,” “ingredient” and manufacturer” have the same meaning as in section 321-30.4.

“Cosmetic” means an article for retail sale or professional use intended to be rubbed, poured, sprinkled, or sprayed on, introduced into, or otherwise applied to the human body for cleansing, beautifying, promoting attractiveness, or altering the appearance. (As found in Chapter 328 of Hawaii State Statute.)

“Perfluoroalkyl and polyfluoroalkyl substances” or “PFAS” means a class of fluorinated organic chemicals containing at least one fully fluorinated carbon atom. (As found in Chapter 328 of Hawaii State Statute.)

"Ingredient" has the same meaning as that term is defined in subdivision (e) of Section 700.3 of Part 700 of Chapter 1 of Title 21 of the Code of Federal Regulations and does not include any incidental ingredient as defined in subdivision (l) of Section 701.3 of Part 701 of Chapter 1 of Title 21 of the Code of Federal Regulations.

"Manufacturer" means any person whose name appears on the label of a cosmetic product pursuant to the requirements of Section 701.12 of Title 21 of the Code of Federal Regulations.

For all of the reasons I outlined today, PCPC respectfully asks that you oppose SB504 unless amended. We welcome the opportunity to dialogue with you on the legislation and thank you for your consideration and the opportunity to comment.

Sincerely,



Kelsey Johnson
Vice President, State Government Affairs
Personal Care Products Council



**TESTIMONY OF TINA YAMAKI
PRESIDENT
RETAIL MERCHANTS OF HAWAII
February 23, 2023**

Re: SB 504 RELATING TO ENVIRONMENTAL PROTECTION

Good morning, Chair Keohokalole members of Senate Committee on Commerce and Consumer Affairs. I am Tina Yamaki, President of the Retail Merchants of Hawaii and I appreciate this opportunity to testify.

The Retail Merchants of Hawaii was founded in 1901 and is a statewide, not for profit trade organization committed to supporting the growth and development of the retail industry in Hawaii. Our membership includes small mom & pop stores, large box stores, resellers, luxury retail, department stores, shopping malls, on-line sellers, local, national, and international retailers, chains, and everyone in between.

We oppose to SB 509 Relating to Environmental Protection. This measure prohibits the manufacture, sale, offer for sale, distribution for sale, and distribution for use of any food packaging, food service ware, cosmetic, or personal care product that contains perfluoroalkyl and polyfluoroalkyl substances beginning 12/31/2026.

It is our understanding that the FDA authorizes the use of perfluoroalkyl and polyfluoroalkyl in not only food contact applications but cosmetics as well.

“The FDA has authorized specific PFAS for use in specific food contact applications. Some PFAS are used in cookware, food packaging, and in food processing for their non-stick and grease, oil, and water-resistant properties. To ensure food contact substances are safe for their intended use, the FDA conducts a rigorous review of scientific data prior to their authorization for market entry. The FDA’s authorization of a food contact substance requires that available data and information demonstrate that there is a reasonable certainty of no harm under the intended conditions of use.” FDA website

There have been few studies on the presence of PFAS in cosmetics. Those studies that have been published found the concentration of certain PFAS in cosmetics—as impurities or as ingredients—ranged from the parts per billion level to the 100s of parts per million range. There is also limited research on whether PFAS in cosmetics are absorbed through the skin at levels that could be harmful to human health. A 2018 by Denmark’s Environmental Protection Agency, the only risk assessment that has evaluated PFAS in cosmetics, was conducted on certain PFAS unintentionally present in cosmetics. The study focused on five different types of PFAS impurities that were detected in the largest number of different cosmetic products. The researchers determined that the levels of PFAS in the individual products tested are unlikely to pose a health risk for consumers. <https://www2.mst.dk/Udgiv/publications/2018/10/978-87-93710-94-8.pdf>

We would like to point out that there are thousands of food packaging & service wear as well as cosmetics and personal care products that would be impacted. This ban would include but is not limited to long wear * waterproof makeup, aluminum foil, cardboard boxes, microwave popcorn, food wrappers, certain pet food bags, parchment paper, dental floss, mascara, foundation, menstrual underwear, shampoo & conditioner, toothpaste, nail polish, eye makeup, lotions, cleansers, shaving cream, lipstick, eyeliner, sunscreens, hand soap, deodorant, shower gel, perfume, hairstyling gel, mouthwash, anti-wrinkle cream, lip balm, and more.

By banning these products that the FDA deems safe, the choices that consumers in Hawaii have will shrink considerably. Many products will no longer be available to purchase to Hawaii’s consumers. Small local retailers who do not have mainland locations will be forced to take a loss on the products if they must sell them at a deep discount or discard them to make the deadline. Business with contracts may have to pay an early cancellation fine to the distributors. Local consumers would then turn to the internet to order their favorite banned products online. Or find a way for a friend or family member to purchase them from military facilities where there are no taxes charged. Or purchase it through the black market where personal care products and cosmetics are one of the sought-after items to steal by retail organized crime.

We ask you to hold this bill.

Mahalo again for this opportunity to testify.





SIERRA CLUB OF HAWAI'I

SENATE COMMITTEE ON COMMERCE AND CONSUMER PROTECTION

February 23, 2022 10:00 AM Conference Room 229

In **SUPPORT** of **SB504**: RELATING TO ENVIRONMENTAL PROTECTION

Aloha Chair Keohokalole, Vice Chair Fukunaga, and Committee Members,

On behalf of our 20,000 members and supporters, the Sierra Club of Hawai'i **SUPPORTS SB504**, which will help to partially stem the flow of “forever chemicals” into our islands and environment.

As the Committee is likely well aware, the public health impacts of PFAS or “forever chemicals” are just beginning to be more widely recognized. Unfortunately, Hawai'i is not isolated from the global ubiquitousness of these extremely toxic compounds, and may be far more vulnerable to the consequences of PFAS entering our groundwater, streams, soil, and aquatic life. Strategies for remediating existing PFAS contamination – particularly from PFAS found in highly mobile, highly concentrated, and readily ingestible forms, such as Department of Defense class B fire-fighting foams – remain to be developed; however, we do have the opportunity to take the proactive step of preventing the further importation of PFAS, through measures such as the present bill. **Given that PFAS will persist in our environment – bioaccumulating in plants, animals, and people – for centuries, such proactive action is the bare minimum step we can take right now to safeguard the health and well-being of present and future generations – including generations born well after our lifetimes.**

By expanding the classes of PFAS-based products that should be prohibited from sale or distribution, this measure takes a small but important step towards mitigating the impacts of these “forever chemicals” on our environment and people, now and for generations to come.

The Sierra Club does note that the wording of Section 5 of this measure is critical to preserving the pending prohibition of PFAS in certain products beginning on December 31, 2024. Accordingly, should the Committee seek to defect the effective date in Section 5, the Sierra Club respectfully urges the Committee to nonetheless retain the language found on page 3, line 17.

Accordingly, the Sierra Club of Hawai'i respectfully urges the Committee to **PASS** SB504. Mahalo nui for the opportunity to testify.

SB-504

Submitted on: 2/18/2023 12:17:33 AM

Testimony for CPN on 2/23/2023 10:00:00 AM

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

Comments:

Cosmetics have some really toxic chemicals in them. This bill is a good start. Please support it.

SB-504

Submitted on: 2/18/2023 10:04:32 AM

Testimony for CPN on 2/23/2023 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Douglas Perrine	Individual	Support	Written Testimony Only

Comments:

I support SB504 to ban the sale of PFA-containing products in Hawaii. PFAs are very scary, carcinogenic substances which persist in the environment for extremely long time periods, posing a serious threat to public health.

SB-504

Submitted on: 2/18/2023 12:45:55 PM

Testimony for CPN on 2/23/2023 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Caroline Azelski	Individual	Support	Written Testimony Only

Comments:

In support. Thank you.

SB-504

Submitted on: 2/20/2023 11:05:36 AM

Testimony for CPN on 2/23/2023 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Will Caron	Individual	Support	Written Testimony Only

Comments:

Perfluoroalkyl and polyfluoroalkyl substances (PFAS) are persistent, toxic substances that can contaminate drinking water, bioaccumulate in fish and wildlife, and have multiple adverse health effects on humans.

PFAS are utilized in a broad range of products, including clothing, textiles, food packaging, and cosmetic products such as lotions, nail polish, shaving cream, and mascara. PFAS can enter the human body when consumed, applied directly on skin, and after eating food packaged in materials that contain PFAS.

PEAS are often called "forever chemicals" due to the fact that they do not naturally break down in the environment and can continue to pollute ecosystems for thousands of years. We are an island state. When these forever chemicals are brought here, they never leave. Instead, they make their way into our bodies, our wastewater, our landfills, and eventually into the groundwater and the drinking water supply.

Hawai'i can no longer afford to import toxic substances that contaminate the State's finite resources and risk residents' health. Banning these dangerous chemicals is completely warranted, and I urge you to support SB504.

SB-504

Submitted on: 2/20/2023 11:11:17 AM

Testimony for CPN on 2/23/2023 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Ruta Jordans	Individual	Support	Written Testimony Only

Comments:

Please save us from these forever chemicals! Support SB504!

SB-504

Submitted on: 2/21/2023 8:04:30 AM

Testimony for CPN on 2/23/2023 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
robert brower	Individual	Support	Written Testimony Only

Comments:

strong support

SB-504

Submitted on: 2/21/2023 10:54:46 AM

Testimony for CPN on 2/23/2023 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Melissa Barker	Individual	Support	Written Testimony Only

Comments:

Honorable Members,

I respectfully ask that you support SB504 banning PFAS & PFOS.

Thank you for your attention and consideration.

Melissa Barker

Kapaa, HI

SB-504

Submitted on: 2/22/2023 8:53:36 AM

Testimony for CPN on 2/23/2023 10:00:00 AM

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

Comments:

Please pass this important measure to prohibit the manufacture, sale, offer for sale, distribution for sale, and distribution for use of any food packaging, food service ware, cosmetic, or personal care product that contains PFAS.

Given the recent contamination at Red Hill of PFAS-laden aqueous film-forming foam (AFFF) concentrate, and knowing that there are PFAS-free foams available which are a safe and effective replacement product, I strongly urge the Committee expand the scope of this measure to include banning AFFF as well. Oahu is already suffering from the contamination of these forever-chemicals due to the Navy's criminal negligence at Red Hill. Hawaii cannot afford to further risk contamination of our finite resources and risk the health of our communities.

Mahalo for your consideration of this amendment and for the opportunity to testify on this important measure.



MAKAKILO/KAPOLEI/HONOKAI HALE NEIGHBORHOOD BOARD NO. 34

c/o NEIGHBORHOOD COMMISSION • 925 DILLINGHAM BLVD SUITE 160 •
HONOLULU, HAWAII, 96817
PHONE (808) 768-3710 • FAX (808) 768-3711 • INTERNET:
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LATE

RESOLUTION

SUPPORTING THE PROTECTION OF O'AHU'S WAI (DRINKING WATER) FROM PFAS

WHEREAS PFAS, or perfluoroalkyl and polyfluoroalkyl substances, are widely used, long lasting chemicals, components of which break down very slowly over time and are commonly referred to as "forever chemicals"; and

WHEREAS PFAS are persistent, toxic substances that can contaminate drinking water, bioaccumulate in fish and wildlife, and have multiple adverse health effects on humans; and

WHEREAS PFAS are utilized in a broad range of products, including firefighting foam, clothing, textiles, food packaging, and cosmetic products such as lotions, nail polish, shaving cream, and mascara; and

WHEREAS recently low levels of perfluoropentanoic acid (PFPeA) a type of PFAS has been detected at Makakilo Well, low levels of perfluorohexanoic acid (PFHxA) a type of PFAS has been detected at the Waipahu Wells II Granular Activated Carbon (GAC) Treatment Facility, and low levels of PFAS has been detected at the Kunia Village water system's Del Monte Kunia 3 well; and

WHEREAS a spill of approximately one thousand three hundred gallons of toxic PFAS-containing firefighting foam occurred at Kapūkaki (Red Hill) in September and November of 2022; and

WHEREAS PFAS is not a regulated drinking water contaminant in Honolulu; and

WHEREAS scientific studies have shown that exposure to some PFAS in the environment may be linked to harmful health effects in humans and animals including kidney and testicular cancer, liver problems, high cholesterol, endocrine disruption, fertility problems, and decreased birth weight and immunosuppression; and

WHEREAS the Hawaii State Legislature passed in 2022, Act 152, which prohibits by the end of 2024, PFAS in certain types of food packaging and firefighting foam and this is a great step towards protecting our wai from PFAS but does not go far enough; now, therefore,

BE IT RESOLVED that the Makakilo/Kapolei/Honokai Hale Neighborhood Board No. 34 supports the protection of Oahu's wai (drinking water) from PFAS; and

BE IT RESOLVED that the Makakilo/Kapolei/Honokai Hale Neighborhood Board No. 34 urges the Hawaii State Legislature to pass SB504 (2022) – Relating to Environmental Protection whose purpose is to prohibit the manufacture, sale, offer for sale, distribution for sale, and distribution for use of any food packaging, food service ware, cosmetic, or personal care product that contains PFAS, or similar such legislation to protect Oahu's wai (drinking water) from PFAS.

Adopted by Makakilo/Kapolei/Honokai Hale Neighborhood Board No. 34 at its Wednesday, February 22, 2022, Regular Board Meeting; 5-0-1.

