

Honolulu, Hawaii

Apr: 18, 2009

RE: H.C.R. No. 65 H.D. 1

Honorable Calvin K.Y. Say Speaker, House of Representatives Twenty-Fifth State Legislature Regular Session of 2009 State of Hawaii

Sir:

Your Committee on Energy & Environmental Protection, to which was referred H.C.R. No. 65 entitled:

"HOUSE CONCURRENT RESOLUTION REQUESTING HAWAII AMERICAN WATER COMPANY TO IMPLEMENT AN ODOR MITIGATION PLAN FOR ITS FACILITY IN HAWAII KAI,"

begs leave to report as follows:

The purpose of this concurrent resolution is to request:

- (1) Hawaii American Water Company (HAWC) to develop an odor mitigation plan by September 2009; and
- (2) The Director of the Department of Health (DOH) to monitor the implementation of odor mitigation measures and report to the Hawaii Kai Neighborhood Board on the progress.

Several concerned individuals supported this concurrent resolution. DOH and HAWC opposed this concurrent resolution. The Representative for the $17^{\rm th}$ District provided comments.

Your Committee finds that the Public Utilities Commission (PUC), as the regulator of rates charged by HAWC, has a role in addressing the resources available to HAWC in its efforts to mitigate offensive odors emanating from its facility.

HCR65 HD1 HSCR EEP HMS 2009-3470

Accordingly, your Committee has amended this concurrent resolution by requesting PUC to:

- (1) Review the rates charged by HAWC and to determine whether they are sufficient to make adequate facilities upgrades, including odor mitigation measures; and
- (2) Determine whether odor mitigation measures have been implemented if the rates are deemed sufficient;

Other technical, nonsubstantive amendments have been made for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Energy & Environmental Protection that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 65, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 65, H.D. 1.

Respectfully submitted on behalf of the members of the Committee on Energy & Environmental Protection,

DENNY COFFMAN, Acting Chair

and Vice Chair



State of Hawaii House of Representatives The Twenty-fifth Legislature

Record of Votes of the Committee on Energy & Environmental Protection

Bill/Resolution No.:	Committee Referral:		Date:	
HCR US	EEP, CPC	-	3-31-09	NO. THE RESERVE OF T
☐ The committee is reconsidering its previous decision on the measure.				
The recommendation is to: ☐ Pass, unamended (as is) ☐ Pass, with amendments (HD) ☐ Hold				
☐ Pass short form bill with HD to recommit for future public hearing (recommit)				
EEP Members	Ayes	Ayes (WR)	Nays	Excused
1. MORITA, Hermina M. (C)	✓			
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2. COFFMAN, Denny (VC)	✓			
3. CABANILLA, Rida				✓
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4. CHANG, Jerry L.	V			
5. CHONG, Pono	V			
A HAD CL				
6. HAR, Sharon E.				
7 HEDKES Debout N			Section 1	
7. HERKES, Robert N.				
8. ITO, Ken				
6. 110, Ken				
9. LEE, Chris	V		**************************************	
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10. LUKE, Sylvia				~
11. SAGUM, Roland D., III				
12. CHING, Corinne W.L.	'			
13. THIELEN, Cynthia	√			
TOTAL (13)	8	0	0	5
The recommendation is: ✓ Adopted □ Not Adopted				
If joint referral, did not support recommendation. committee acronym(s)				
Medman) mand '				
Vice Chair's or designee's signature:				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				