

STAND. COM. REP. NO. 1290

Honolulu, Hawaii

March 27, 2009

RE: S.B. No. 1008  
S.D. 1  
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 Committees on Energy & Environmental Protection and Water, Land, & Ocean Resources, to which was referred S.B. No. 1008, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO WATER QUALITY STANDARDS,"

beg leave to report as follows:

The purpose of this measure is to revise certain state water quality standards for inland and marine recreational waters and for toxic pollutants.

This measure also establishes criteria for all priority and non-priority pollutants and provides that, when there is no nationally recommended criterion promulgated for a priority or non-priority pollutant, relevant provisions in chapter 11-54, Hawaii Administrative Rules, relating to that pollutant shall not be repealed or deemed inconsistent and shall remain in effect.

Comments on this measure were submitted by the Department of Health and the City and County of Honolulu Department of Environmental Services.

Your Committees find that it is desirable to conform the State's water quality standards for toxic pollutants to the national criteria currently recommended by the Environmental Protection Agency. Bacteria indicators for recreational waters also should be consistent with Environmental Protection Agency

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standards. Your Committees further find that an aggressive approach to water quality standards for toxic pollutants is needed to encourage the timely application of those standards. The adoption of these standards is important to the State's economic and social development, as well as protection of our natural resources. Because the Department of Health has failed to adopt, in a timely manner, administrative rules to provide water quality standards, your Committees believe that using this measure to adopt such standards is necessary to protect our inland and marine waters.

Your Committees have amended this measure by:

- (1) Replacing its contents with those of House Bill No. 834, H.D. 2;
- (2) Changing "chromium IV" to "chromium VI" in the list of priority toxic pollutants;
- (3) Clarifying the applicable water quality standards by inserting a table of the numeric standards for toxic pollutants applicable to all waters;
- (4) Requiring the repeal of each numeric standard for a toxic pollutant as that numeric standard is adopted by rule, pursuant to chapter 91, Hawaii Revised Statutes, by the Department of Health;
- (5) Providing for the repeal the Act on June 30, 2011; and
- (6) Making technical nonsubstantive amendments for the purposes clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Energy & Environmental Protection and Water, Land, & Ocean Resources that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 1008, S.D. 1, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 1008, S.D. 1, H.D. 1, and be referred to the Committee on Finance.



Respectfully submitted on  
behalf of the members of the  
Committees on Energy &  
Environmental Protection and  
Water, Land, & Ocean Resources,



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KEN ITO, Chair



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HERMINA MORITA, Chair





