

Testimony Presented Before the Senate Committee on Judiciary and Government Operatoins

February 26, 2009, 9:00 a.m., Room 016

by

Valere McFarland 3055 Pualei Circle, Honolulu, Hawaii

SB 466, SD1: Relating to Pollution

Leaf Blowers; Noise pollution; Emissions, Violations

Chair Taniguchi, Vice Chair Takamine, and Members of the Committee

Thank you for hearing this important bill today. My name is Valere McFarland and I reside at Pualei Circle, in a condominium complex at the Diamond Head end of Waikiki. I support the intent of SB 466 and appreciate very much that you have taken the first steps in addressing this very important issue. However, while the bill has included ramifications for potential violators, I have some specific comments and suggested amendments in the following sections:

On page 2, lines 1-3: I feel these hours are too 'lax' for densely populated areas. Many residents leave home before 7:00 a.m. and arrive home at or after 7:00 p.m., after working long hours in often stressful employment – and should be able to enjoy peace and quiet in their homes and neighborhood on returning to their residences. If we must be subjected to leaf blowers, then condominium managers should be able to schedule leaf blowing operations within a two hour block period in the middle of the day. Furthermore, line three allows leaf blowing on Sundays and federal holidays. Surely we deserve at least one day of peace and rest from this kind of noise.

On page 2, (1) lines 1 through 3: The average blower measures 70-75 dB at 50 feet according to the EPA (EPA, Noise: A Health Problem, United States Environmental Protection Agency, Office of Noise Abatement and Control, August, 1978). I suggest the distance of ten feet be expanded to no more than 50 feet. A lot more than noise is blowing into our units. For example, we are subjected to dust containing rodent droppings (yes); harmful CO2, CO or carbon monoxide; NOx or nitrogen oxides, and hydrocarbons, HC from the motors. In addition, fine PM2.5 particles, which are man-made are occurring: these do not occur in nature, they evade the body's defense systems — and increase the number and severity of asthma attacks, cause or aggravate bronchitis or other lung disease and reduce our ability to fight infections (Air Resources Board, Status Report: 1995-1996). We are receiving bacteria and street dust, including lead and arsenic.

On page 2, (3), lines 1 through 5: We have had two and three leaf blowers operating simultaneously in the parking area and at the swimming pool area. The sound of three of these operating expands exponentially. This harms the residents and the user. Deafness is a social problem because it causes isolation. But in the case of Hawaii, it is also a civil rights issue because the individuals taking these low-paying jobs are most often those with the least education and the least ability to confront their employer should they have concerns. They are likely to be immigrants with limited English written or

spoken abilities and lack the ability to read English language newspapers (the most common source of notice of harmful impacts or legislative initiatives).

On page 2, (4), lines 1-2): The maximum decibel level of 70 dB is much too high. A blower measuring 70-75 dB at 50 feet can reach 90-100 dB at the operator's ear (WHO, 1980). While manufacturers claim that the average blower measures 70-75 dB at 50 feet, and claim this is the same noise level of a vacuum cleaner, how many of us would allow an uninvited vacuum cleaner into our homes for several hours per day? Also, the World Health Organization recommends general daytime outdoor levels of 55dBA or less but 45dBA to meet sleep criteria (World Health Organization, 1980, Environmental Health Criteria 12: Noise). Thus, even a 65 decibel leaf blower would be 100 times too loud to allow healthful sleep (which often takes place during daytime hours for night workers and others). According to the WHO, noise can impair sleep even when the sleeper is not awakened. Our complex includes elderly and infants who sleep during the day time hours. My condo floor alone has six units – half of these are airline employees who work evening shifts or fly all night.

Regarding 342H, page 3: Leaf blower debris. (a). The California ARB has conducted tests showing that a leaf blower creates 2.6 pounds of PM10 dust emissions per hour of use (California ARB, 1991). This dust contains all of the harmful substances listed above. Who is going to enforce or monitor this section when the trade winds blow every afternoon?

Our concern for the health and welfare of our citizens, including those who cannot speak for themselves, should be paramount in all that we do. We do not need to recreate the wheel. Other states and cities have already done this for us. Studies and comparisons have included grandmothers sweeping and raking alongside leaf blowers – and proving in every instance that they were faster – and according to expert witnesses, did a better job – at less cost.

Thank you for this opportunity to testify.



Testimony

Committee: Senate Committee on Judiciary and Government Operations

Measure: SB 466, SD 1, Relating to Pollution.

Date: Thursday, February 26, 2009

2000 0000

Time:

Place: Conference Room 016

9:00 a.m.

Testifier: Daniel D. Palmer, M.D.

Chair Taniguchi and Committee Members:

I am a retired medical doctor and former faculty member of the University of Hawaii John A. Burns School of Medicine. As a matter of public health, I strongly support the intent of this bill to reduce the use of leaf blowers.

It is easy to see that leaf blowers move leaves and twigs with great force. But leaf blowers move smaller particles with even greater vigor. The smallest particles may be nearly invisible, but the combined volume of small particles may approach the volume of larger material. In contrast, rakes barely disturb these smaller particles. Thus, before leaf blowers become prevalent, the smaller particles largely remained on the ground and were gradually absorbed or incorporated into the soil.

The small particles are composed of decaying organic matter, bacteria from the decomposition of decaying organic matter, fungi (molds from decomposition of organic matter), fungus spores and hyphae, pollen, fertilizer particles, herbicides and insecticides used on lawns, animal feces including cysts and eggs of various disease causing organisms, rubber particles from tires, metal particles from brake linings, cigarette butts in various stages of disintegration, organic chemicals from automobile emissions, fine carbon particles (Buckey balls, carbon nano-tubules, from diesel and gasoline combustion), coal dust, mineral materials (cadmium, feldspar, mercury, mica, silica, and others), and other materials.

All of the above are now present in the air we breathe in greater volume than they were before the introduction of leaf blowers. In the past, this particulate matter was allowed to percolate into the soil or become chemically or physically attached to it. It is now wafted into the air, again and again, before it can be assimilated. And because the windows of Hawaii homes are almost always open, the particulate matter floating in the air ends up inside our homes as dust.

It seems clear that all of this fine particulate material in the air must affect the lungs and the general health of all age groups, especially children. Recent publications have established an increase in the incidence of asthma over the past several years. It is probable that the inhalation of the increasing volumes of fine particulate material is one cause for the increase in the incidence of asthma and other respiratory disease problems. Certainly, this aggravates such

problems. Additionally, it has recently been found that the incidence of heart disease and strokes in women is correlated with breathing fine particles in polluted air.

The rise in the incidence of these disorders corresponds in time with the replacement of rakes and brooms by leaf blowers, and with the increase in both the number of leaf blowers used and their power.

Moreover, the noise produced by weed blowers used in residential areas is louder than noise that would be tolerated in an industrial area. The damage that this does to our hearing ability and collective well-being must be significant.

For these reasons, I urge the Committee to pass legislation to reduce the use of leaf-blowers.



From:

Karen Lucas [karen.lucas6@hawaiiantel.net]

Sent:

Thursday, February 26, 2009 10:27 AM

To: Subject:

JGO Testimony noise pollution

Senate Judiciary and Government Operations Committee

Senator Brian T. Taniguchi, Chair

Senator Dwight Y. Takamine, Vice Chair

Thursday, September 26, 2009

Senate Conference Room 016

9AM

SB 466: Relating to Pollution

Leaf Blowers; Noise pollution; Emissions, Violations

Chair Taniguchi, Vice Chair Takamine, and Members of the Committee;

Thank you for hearing this important bill today. I support the intent of SB 466 and very much appreciate that you have taken the first steps in addressing this very important issue. However, while the bill has included ramifications for potential violators, I have some specific comments and suggested amendments in the following sections:

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The sound of these gas leaf blowers are much too loud no matter what decibel level anyone says they are. They should not be allowed for residential use. They harm the residents and the user. Deafness is a social problem because it causes isolation. But in the case of Hawaii, it is also a civil rights issue because the individuals taking these low-paying jobs are most often those with the least education and the least ability to confront their employer should they have concerns. They are likely to be immigrants with limited English written or spoken abilities and lack the ability to read English language newspapers (the most common source of notice of harmful impacts or legislative initiatives).

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Regarding 342H, page 3: Leaf blower debris. (a). The California ARB has conducted tests showing that a leaf blower creates 2.6 pounds of PM10 dust emissions per hour of use (California ARB, 1991). This dust contains all of the harmful substances listed above.

Our concern for the health and welfare of our citizens, including those who cannot speak for themselves, should be paramount in all that we do. We do not need to recreate the wheel. Other states and cities have already done this for us. Studies and comparisons have included grandmothers sweeping and raking alongside leaf blowers —

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Thank you for this opportunity to testify.

Karen Lucas

3093 Pualei Cir. #309

Honolulu HI 96815

(808)926-1640

SENATE COMMITTEE ON JUDIAICARY AND GOVERNMENT OPERATIONS

Senator Brian T. Taniguchi, Chair Senator Dwight Y. Takamine, Vice Chair

LATE

Thursday, February 26, 2009 Senate Conference Room 016 9:00 AM

SENATE BILL 466, SD1 Relating to Pollution

PLEASE HELP US! THESE MACHINES ARE DRIVING US OUT OF OUR HOMES!

Aloha Chair Taniguchi, Vice Chair Takamine and Committee Members:

Please make the 2009 Legislative Session count. Year after year Hawaii's citizens plead with the State Legislature to seriously consider and act upon bills to restore the peace and tranquility of their homes constantly besieged by incessant weekend and weekday 74-decibel noise and air pollution of fossil-fuel powered weed whackers and leaf blowers. Residents of Hawaii live in homes that require cross ventilation, but are precluded from this natural comfort within their own homes by having to ensure that their windows are sealed shut or face the consequences of deafening extended noise impacts, stagnant exhaust fumes and layers of dirt settling on their furnishings and belongings.

Weed-whacking and leaf-blowing crews scour the landscape on weekends and weekdays, many with two or three of these machines blasting away at the same location. Their handlers appear to derive a sense of power and importance from wielding whackers and blowers that tumble debris around and erode the soil, creating clouds of dust and dirt as they permeate the shoreline air with toxic fuel emissions. Timing these actions and comparing them with traditional maintenance methods leads to conclusions that little time is saved by chopping, chasing and blowing leaves and dirt into piles to be scooped into bags.

Many homes are surrounded by several residential properties, all with their own yard crews of three—to-four maintenance workers with 2-to-3 whackers and blowers whining, grinding and blasting at once. This cumulatively amounts to 7 hours or more of direct noise and air pollution each week.

Given Hawaii's warm climate and open living environment, the State Legislature should be a frontrunner in banning this gas-powered equipment from residential areas. With this example yard crews will return to traditional, less expensive and friendlier maintenance techniques, and manufacturers taking heed will find ways to develop better, quieter and cleaner maintenance equipment in the interest of the greater public health and welfare.

<u>Please amend Senate Bill 466, SD1</u> by banning this equipment and returning the right of peace and quiet to the neighborhoods of Hawaii's citizens.

Sincerely, Michelle S. Matson



Senate Judiciary and Government Operations Committee Senator Brian T. Taniguchi, Chair Senator Dwight Y. Takamine, Vice Chair

Thursday, September 26, 2009 Senate Conference Room 016 9AM

SB 466 SD1: Relating to Pollution

Leaf Blowers; Noise pollution; Emissions, Violations

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Thank you for this opportunity to testify.

Linda Wong 3071 Pualei Circle Honolulu HI 96815 923-7484 From:

J. A. Bowman [bowmanj007@hawaii.rr.com] Thursday, February 26, 2009 9:13 PM

Sent:

To:

JGO Testimony

Subject:

Re: SB 466 9:00 AM 2-26-09 late testimony to email

Attachments:

SB 466 leaf blower testimony JGO .doc

Importance:

High

Sending this for Molly Meade. She does not have a computer. Judi Bowman

LATE

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Thursday, September 26, 2009 Senate Conference Room 016 9AM

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name address tel. # From: Sent:

J. A. Bowman [bowmanj007@hawaii.rr.com] Thursday, February 26, 2009 9:03 PM

To:

JGO Testimony

Subject:

Re: SB 466 9:00 AM 2-26-09 late testimony

Attachments:

SB 466 leaf blower testimony JGO .doc

Importance:

High

Please help us reduce noise and pollution in our residential area. I support SB 466. Judith Bowman 3017 Pualei Circle Honolulu, HI 96815

LATE

Senate Judiciary and Government Operations Committee Senator Brian T. Taniguchi, Chair Senator Dwight Y. Takamine, Vice Chair

Thursday, September 26, 2009 Senate Conference Room 016 9AM

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