H.B. NO. ²⁶⁴⁶ H.D. 2 S.D. 2

C.D. 1

A BILL FOR AN ACT

RELATING TO ENVIRONMENTAL PROTECTION.

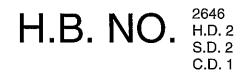
BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

SECTION 1. The legislature finds that protecting the
environment and underground sources of drinking water is in the
best interest of public health and safety and required under
article XI, section 7, of the state constitution.

5 The legislature also finds that since 2005, petroleum 6 chemical contaminants have been detected in the groundwater and 7 rocks beneath the United States Department of the Navy's Red 8 Hill Bulk Fuel Storage Facility fuel tanks. In January 2014, 9 the facility's tank number five released twenty-seven thousand 10 gallons of fuel into underground rocks and groundwater. The 11 current location of the released fuel is unknown.

12 The Red Hill Bulk Fuel Storage Facility fuel tanks have 13 been corroding for more than seventy years. The corrosion has 14 caused significant thinning of the steel tank walls and, in some 15 cases, has fully penetrated the steel. The ongoing corrosion 16 damages the steel walls of the fuel tanks, as well as the steel 17 reinforcement in the surrounding concrete, and can lead to more

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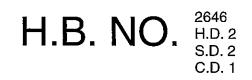
frequent and larger fuel releases than have occurred in the
past.

3 The legislature further finds that the installation of 4 monitor wells is crucial to test groundwater underneath and 5 surrounding the Red Hill Bulk Fuel Storage Facility to protect 6 Oahu's fresh water supply. While it should be the duty of the 7 United States Navy to fund efforts to monitor and remediate fuel 8 leaking from the Red Hill Bulk Fuel Storage Facility, the 9 protection of Oahu's drinking water supply is of such critical 10 importance to the health and safety of the people of Hawaii that 11 as a first step, the local board of water supply is funding the 12 installation of two test wells in the area. The State is also funding two test wells in the area, and the people of Hawaii are 13 14 waiting for the United States Navy to provide funding for at 15 least four additional wells.

16 The purpose of this Act is to protect public health by17 establishing a permanent fuel tank advisory committee.

18 SECTION 2. Chapter 342L, Hawaii Revised Statutes, is 19 amended by adding a new part to be appropriately designated and 20 to read as follows:

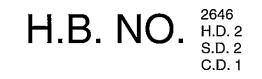




1		"PART . FUEL TANK ADVISORY COMMITTEE
2	§342	L- Fuel tank advisory committee; established;
3	composition. (a) There is established in the department of	
4	health th	e fuel tank advisory committee, which shall consist of
5	up to fou	rteen ex officio members and at least two public
6	members.	
7	(b)	The ex officio members of the committee shall be:
8	(1)	The director of health, who shall serve as the
9		committee's chair;
10	(2)	The four members of Hawaii's congressional delegation,
11		or their designees;
12	(3)	The president of the Hawaii senate, or a senator
13		appointed by the president of the senate;
14	(4)	The speaker of the Hawaii house of representatives, or
15		a representative appointed by the speaker of the
16		house;
17	(5)	The chairperson of the board of land and natural
18		resources, or the chairperson's designee;
19	(6)	The chairperson of the board of water supply of a
20		county with a population of five hundred thousand or
21		more, or the chairperson's designee; and



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1	(7)	The chairperson of the commission on water resource
2		management, or the chairperson's designee.
3	(c)	The following persons shall be invited to participate
4	on the ad	visory committee as ex officio members:
5	(1)	The Commanding General of the United States Army,
6		Pacific, or the Commanding General's designee;
7	(2)	The Commander of the Pacific Fleet of the United
8		States Navy, or the Commander's designee;
9	(3)	The Commander of the Pacific Air Forces, or the
10		Commander's designee; and
11	(4)	A representative from the United States Environmental
12		Protection Agency, or the representative's designee.
13	(d)	The governor shall appoint at least two public members
14	from the	community at large in accordance with section 26-34;
15	provided	that the advice and consent of the senate shall not be
16	necessary	·
17	(e)	The public members of the advisory committee shall
18	receive r	o salary, but shall be entitled to reimbursement for
19	necessary	expenses, including travel expenses.
20	§342	L- Duties. (a) The advisory committee shall study
21	issues re	elated to leaks of field-constructed underground fuel

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1 storage tanks at the Red Hill Bulk Fuel Storage Facility, Kuahua 2 Peninsula, Pacific Missile Range Facility Barking Sands, Hickam 3 Pol Annex, and Schofield Barracks Military Reservation. The 4 advisory committee shall consider: 5 (1)The short- and long-term effects of leaks of the fuel 6 tanks, including effects relating to the health of 7 residents, safe drinking water, and the environment; 8 (2) Response strategies to mitigate the effects of leaks 9 from fuel tanks; 10 Methods to improve communication between the United (3) 11 States Navy, Air Force, and Army; the State; any local 12 board of water supply; and the public in the event of 13 a leak of any fuel tank; 14 (4) Groundwater test results in relation to the 15 surrounding areas of fuel tank facilities, with a 16 particular emphasis on the groundwater near the Red 17 Hill Bulk Fuel Storage Facility; 18 (5) The implications of shutting down any fuel tank 19 facility; and

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1 (6) Updates on progress toward meeting goals of agreement 2 between the State, the affected county, and the 3 federal government. 4 (b) No later than twenty days before the convening of each 5 regular session, the advisory committee shall submit a report of 6 its findings, including groundwater test results, and 7 recommendations, including any proposed legislation, to the 8 legislature." 9 SECTION 3. (a) All rights, powers, functions, and duties 10 of the task force to study fuel tank leaks initially created 11 pursuant to senate concurrent resolution no. 73, H.D. 1, regular 12 session of 2014, and expanded by senate concurrent resolution 13 no. 57, H.D. 1, regular session of 2015, are transferred to the 14 fuel tank advisory committee established pursuant to this Act. 15 All records, equipment, machines, files, supplies, (b) 16 contracts, books, papers, documents, maps, and other personal 17 property heretofore made, used, acquired, or held by the task

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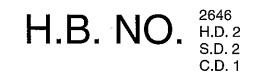
H.D. 2

19 transferred to the fuel tank advisory committee established

force to study fuel tank leaks relating to the functions



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- 1 pursuant to this Act shall be transferred with the functions to
- 2 which they relate.
- 3 SECTION 4. This Act shall take effect on July 1, 2016.





Report Title: Red Hill Bulk Fuel Storage Facility; Fuel Tank Advisory Committee; Monitor Wells

Description: Creates a permanent fuel tank advisory committee to study, monitor, and address fuel tank leak issues. (HB2646 CD1)

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

