
A BILL FOR AN ACT

RELATING TO ENVIRONMENTAL PROTECTION.

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

1 SECTION 1. The legislature finds that, according to the
2 Environmental Protection Agency's 2016 Underground Injection
3 Well Inventory, Hawaii has over six thousand six hundred
4 injection wells. The Environmental Protection Agency recognizes
5 an injection well as a method to place fluid underground into
6 porous geologic formations and that it has a wide range of uses,
7 including storing carbon dioxide and disposing of waste. Some
8 of the injection wells in the State can possibly harm the nearby
9 local environment.

10 Researchers from the University of Hawaii at Manoa used
11 field experiments and chemical analysis of water and algae in
12 Maui to establish a connection between coastal groundwater and
13 the health of nearshore ecosystems. The results were detailed
14 and published on November 3, 2016, in the study "Impact of
15 Submarine Groundwater Discharge on Marine Water Quality and Reef
16 Biota of Maui" and showed a large impact that the wastewater
17 injection wells at the Kahului Wastewater Reclamation Facility



1 have had on Kahului Bay. The study highlighted that there were
2 relatively high nutrient levels in marine surface waters in
3 Kahului Bay and shallow areas were almost entirely dominated by
4 a thick fleshy mat of colonial zoanths, a phenomenon not
5 reported anywhere else in the State.

6 Injection wells can be hazardous to the environment and
7 pose a risk to the health and safety of the public.
8 Accordingly, the purpose of this Act is to prohibit the
9 construction of sewage wastewater injection wells.

10 SECTION 2. Chapter 342D, Hawaii Revised Statutes, is
11 amended by adding a new section to be appropriately designated
12 and to read as follows:

13 "§342D- Injection wells prohibited. (a) No approval
14 for the construction of a sewage wastewater injection well shall
15 be issued by the department unless:

- 16 (1) Alternative wastewater disposal options are not
17 available, feasible, or practical; or
- 18 (2) An applicant to construct a sewage wastewater
19 injection well demonstrates that the applicant will
20 endure undue hardship if the well is not constructed.



1 (b) The department shall adopt rules pursuant to chapter
2 91 to establish standards and to effectuate this section.

3 (c) As used in this section, "injection well" means a
4 bored, drilled, or driven shaft, or a dug hole, whose depth is
5 greater than its widest surface dimension and into which
6 subsurface disposal of fluid or fluids occurs or is intended to
7 occur by means of injection."

8 SECTION 3. This Act does not affect rights and duties that
9 matured, penalties that were incurred, and proceedings that were
10 begun before its effective date.

11 SECTION 4. New statutory material is underscored.

12 SECTION 5. This Act shall take effect upon its approval.



Report Title:

Environmental Protection; Injection Wells; Prohibition

Description:

Prohibits the department of health from approving the construction of sewage wastewater injection wells. Provides exemptions. (SD1)

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