

Honolulu, Hawaii

MAR 16 , 2018

RE: S.B. No. 2930
S.D. 2
H.D. 1

Honorable Scott K. Saiki
Speaker, House of Representatives
Twenty-Ninth State Legislature
Regular Session of 2018
State of Hawaii

Sir:

Your Committee on Energy & Environmental Protection, to which was referred S.B. No. 2930, S.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO UNDERGROUND STORAGE TANKS,"

begs leave to report as follows:

The purpose of this measure is to protect the State's underground drinking water sources and surrounding environment by requiring the Department of Health to adopt rules for underground storage tanks, tank systems, and related piping that conform with the 2015 revisions to federal regulations and include additional requirements no less stringent than any regulation established pursuant to federal law for certain field-constructed underground storage tanks, including compliance with certain requirements under administrative rules.

The Department of Health, Honolulu Board of Water Supply, Oahu County Committee on Legislative Priorities of the Democratic Party of Hawai'i, Sierra Club of Hawai'i, O'ahu Council for the Association of Hawaiian Civic Clubs, Hawaii Guerrilla Video Hui, Young Progressives Demanding Action - Hawaii, IMUAlliance, Ka Lahui Hawai'i Political Action Committee, Surfrider Foundation Oahu Chapter, and numerous individuals testified in support of this measure. The United States Department of the Navy, United States



Pacific Command, Department of the Attorney General, and an individual provided comments.

Your Committee has amended this measure by:

- (1) Statutorily requiring the Department of Health to adopt rules for underground storage tanks and tank systems that conform with the 2015 revisions to federal regulations and providing that all field-constructed underground storage tanks with storage capacities greater than 50,000 gallons shall be required to upgrade with secondary containment; and
- (2) Making technical, nonsubstantive amendments for clarity, consistency, and style.

Your Committee notes that for the purposes of this Act, secondary containment means a release prevention and release detection system for a tank or piping that has an inner and outer barrier separated by an open interstice that allows any liquid that may enter the interstitial space to flow unimpeded under gravity alone, at atmospheric pressure, to the location of interstitial monitors. In the case of a tank, the interstitial space shall be of sufficient width to enable the inspection, maintenance, testing, and physical repair of the exposed faces of the inner and outer barriers. Tanks with filled interstitial spaces incorporating embedded drainage conduits are not considered secondarily contained. Secondary containment includes containment sumps when used for interstitial monitoring of piping.

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 is in accord with the intent and purpose of S.B. No. 2930, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2930, S.D. 2, H.D. 1, and be referred to your Committee on Health & Human Services.



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



CHRIS LEE, Chair



