
A BILL FOR AN ACT

RELATING TO UNDERGROUND FUEL STORAGE TANKS.

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

1 SECTION 1. The legislature finds that fresh water and
2 streams have been among the most important natural resources to
3 Hawaii's people. Dating back to ancient Hawaii, the sanctity of
4 fresh water, or wai, is reflected in the way water permeates
5 throughout olelo Hawaii, the Hawaiian spoken language. For
6 example, the Hawaiian word for "law" is kanawai, which literally
7 translates to the "equal sharing of water". The Hawaiian word
8 waiwai, water repeated twice, means abundance and prosperity.
9 In Native Hawaiian culture, to have water is to have wealth.

10 The legislature further finds that the purity and safety of
11 the State's fresh water is in jeopardy of contamination. In
12 December 2021, the United States Navy confirmed that the Red
13 Hill bulk fuel storage facility on Oahu leaked petroleum into
14 the Navy's water system, contaminating the drinking water for
15 residents and personnel at Joint-Base Pearl Harbor-Hickam and
16 surrounding neighborhoods. More than ninety-two thousand people



1 were impacted within weeks, with some reporting ill effects from
2 ingesting the fuel-tainted water.

3 Therefore, the purpose of this Act is to:

4 (1) Prohibit the department of health from issuing new
5 permits for large capacity underground storage tank
6 systems mauka of the applicable underground injection
7 control line; and

8 (2) Prohibit the operation of and renewal of permits for
9 large capacity underground storage tank systems mauka
10 of the applicable underground injection control line,
11 beginning January 1, 2045.

12 SECTION 2. Chapter 342L, Hawaii Revised Statutes, is
13 amended by adding a new section to part I to be appropriately
14 designated and to read as follows:

15 "§342L- Large capacity underground storage tank
16 systems; prohibited. (a) Beginning July 1, 2022, the
17 department shall not issue a permit for a new large capacity
18 underground storage tank system located mauka of the applicable
19 underground injection control line; provided that a permit may
20 be issued by the department for purposes of repairing or



1 replacing an existing large capacity underground storage tank
2 system.

3 (b) Beginning January 1, 2045, no person shall operate a
4 large capacity underground storage tank system located mauka of
5 the applicable underground injection control line, and no permit
6 for a large capacity underground storage tank system located
7 mauka of the underground injection control line shall be
8 renewed."

9 SECTION 3. Section 342L-1, Hawaii Revised Statutes, is
10 amended by adding three new definitions to be appropriately
11 inserted and to read as follows:

12 "Large capacity underground storage tank system" means an
13 underground storage tank system with any single tank with a
14 capacity greater than 50,000 gallons or with a total tank
15 capacity greater than 100,000 gallons.

16 "Mauka" means toward the mountains or the encircled
17 underground source of drinking water.

18 "Underground injection control line" means the underground
19 injection control line represented by a dashed line on the State
20 of Hawaii department of health underground injection control



1 program maps, made effective July 6, 1984, and identified as
2 follows:

- 3 (1) For the island of Hawaii, quadrangles H-1 to H-74;
- 4 (2) For the island of Kauai, quadrangles K-1 to K-11;
- 5 (3) For the island of Lanai, quadrangles L-North and
6 L-South;
- 7 (4) For the island of Maui, quadrangles M-1 to M-17;
- 8 (5) For the island of Molokai, quadrangles M-East and
9 M-West; and
- 10 (6) For the island of Oahu, quadrangles O-1 to O-15."

11 SECTION 4. New statutory material is underscored.

12 SECTION 5. This Act shall take effect July 1, 2060.

13



Report Title:

Large Capacity Underground Storage Tank Systems; Underground Injection Control Line; Permits; Prohibition

Description:

Prohibits the issuance of future large capacity underground fuel storage tanks mauka of the applicable underground injection control line. Prohibits the operation of and renewal of permits for large capacity underground fuel storage tank permits located mauka of the applicable underground injection control line beginning 1/1/2045. Effective 7/1/2060. (HD2)

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