

STAND. COM. REP. NO. 2997

Honolulu, Hawaii

MAR 04 2022

RE: S.B. No. 2172
S.D. 2

Honorable Ronald D. Kouchi
President of the Senate
Thirty-First State Legislature
Regular Session of 2022
State of Hawaii

Sir:

Your Committees on Judiciary and Ways and Means, to which was referred S.B. No. 2172, S.D. 1, entitled:

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

beg leave to report as follows:

The purpose and intent of this measure is to:

- (1) Prohibit the Department of Health from issuing new permits for underground fuel storage tanks mauka of the underground injection control line, as defined by the Department of Health, except for the repair or removal of existing tanks;
- (2) Prohibit the renewal of permits for underground fuel storage tanks mauka of the underground injection control line as defined by the Department of Health, beginning January 1, 2023; and
- (3) Create a new definition for "underground fuel storage tank".

Your Committees received testimony in support of this measure from the Department of Land and Natural Resources, Department of Health, Honolulu Board of Water Supply, Sierra Club of Hawai'i, Livable Hawaii Kai Hui, Protect Kaho'olawe 'Ohana, Aloha 'Āina Legal



Group, Hawai'i Alliance for Community-Based Economic Development, Hawaii State Teachers Association, Hawaii Reef and Ocean Coalition, Surfrider Foundation O'ahu Chapter, Hawai'i Alliance for Progressive Action, Hawai'i Public Health Institute, Environmental Caucus of the Democratic Party of Hawai'i, 'Ahahui o nā Kauka, Papa Ola Lōkahi, Church of the Crossroads, Uprooted and Rising, 350 Hawaii, Free Access Coalition, and forty-nine individuals.

Your Committees find that large capacity underground storage tank systems endanger public health and safety due to the risk of leaking and contaminating potable drinking water. This measure will protect public health and reduce the risk of fuel leaking into potable drinking water by prohibiting the installation or continuance of large capacity underground storage tank systems within one-half mile of the outer edge of aquifers.

Your Committees have amended this measure by:

- (1) Changing "underground storage tank system" to "large capacity underground storage tank system";
- (2) Adding a definition of "underground injection control line";
- (3) Amending section 1 to reflect its amended purpose; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Judiciary and Ways and Means that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2172, S.D. 1, as amended herein, and recommend that it pass Third Reading in the form attached hereto as S.B. No. 2172, S.D. 2.



Respectfully submitted on
behalf of the members of the
Committees on Judiciary and
Ways and Means,


DONOVAN M. DELA CRUZ, Chair


KARL RHOADS, Chair



The Senate
 Thirty-First Legislature
 State of Hawai'i

Record of Votes
Committee on Judiciary
JDC

Bill / Resolution No.:*	Committee Referral:	Date:
SB 2172, SDI	HTH/AEN, JDC/WAM	03-02-22


The Committee is reconsidering its previous decision on this measure.
 If so, then the previous decision was to: _____

The Recommendation is:

Pass, unamended 2312
 Pass, with amendments 2311
 Hold 2310
 Recommit 2313

Members	Aye	Aye (WR)	Nay	Excused
RHOADS, Karl (C)	✓			
KEOHOKALOLE, Jarrett (VC)	✓			
ACASIO, Laura	✓			
GABBARD, Mike	✓			
KIM, Donna Mercado	✓			
LEE, Chris	✓			
FEVELLA, Kurt	✓			
TOTAL	7	-	-	-

Recommendation: Adopted Not Adopted

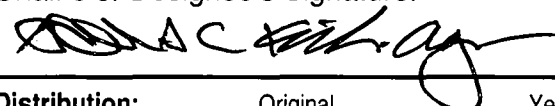
Chair's or Designee's Signature: 

Distribution: Original Yellow Pink Goldenrod
 File with Committee Report Clerk's Office Drafting Agency Committee File Copy

*Only one measure per Record of Votes

The Senate
Thirty-First Legislature
State of Hawai'i

Record of Votes
Committee on Ways and Means
WAM

Bill / Resolution No.:* SB 2172, SD1	Committee Referral: HTH/AEN, JDC/WAM	Date: 3/2/22		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
DELA CRUZ, Donovan M. (C)	X			
KEITH-AGARAN, Gilbert S.C. (VC)	X			
INOUYE, Lorraine R.	X			
KANUHA, Dru Mamo	X			
KIDANI, Michelle N.	X			
MISALUCHA, Bennette E.	X			
MORIWAKI, Sharon Y.	X			
SHIMABUKURO, Maile S.L.	X			
TANIGUCHI, Brian T.	X			
WAKAI, Glenn	X			
FEVELLA, Kurt	X			
TOTAL	11			
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

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