

Honolulu, Hawaii

FEB 1 8 2022

RE: S.B. No. 2598 S.D. 1

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

Sir:

Your Committees on Health and Agriculture and Environment, to which was referred S.B. No. 2598 entitled:

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

beg leave to report as follows:

The purpose and intent of this measure is to implement a schedule and standards for the inspection and repair of underground storage tanks.

Your Committees received testimony in support of this measure from the City and County of Honolulu Board of Water Supply, Hawai'i Alliance for Progressive Action, and two individuals. Your Committees received testimony in opposition to this measure from the Department of Health. Your Committees received comments on this measure from the Department of Transportation.

Your Committees find that article XI, section 7, of the Hawaii State Constitution requires the State to "protect, control and regulate the use of Hawaii's water resources for the benefit of its people." Aging underground storage tanks threaten to leak hazardous substances into the ground and contaminate the State's precious supply of drinking water. In November 2021, the State experienced such an occurrence when the United States Navy confirmed that petroleum leaked from its Red Hill Underground Bulk Fuel Storage Facility, contaminating a portion of Honolulu's water



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supply. This measure establishes a schedule and standards for the inspection and repair of underground storage tanks.

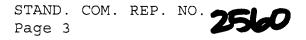
Your Committees acknowledge the testimony of the City and County of Honolulu Board of Water Supply, which raised concerns that the measure as drafted only requires inspection of release detection equipment and related process, which is a reactionary means to monitory substances that have already been released from a tank. Your Committees agree that this measure should be preventative and that the inspections should cover the entire underground storage tank system.

Therefore, your Committees have amended this measure by:

- Making the application of the new requirements prospective, beginning July 1, 2022;
- (2) Requiring inspections of underground storage tanks and related systems to determine compliance with section 342L-32, Hawaii Revised Statutes, which requires that tanks and tank systems be designed, constructed, installed, upgraded, maintained, repaired, and operated to prevent releases of the stored regulated substances for the operational life of the tank or tank system;
- (3) Requires annual inspections;
- (4) Inserting an effective date of January 1, 2050, to encourage further discussion; and
- (5) 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 Health and Agriculture and Environment that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2598, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2598, S.D. 1, and be referred to your Committees on Judiciary and Ways and Means.





Respectfully submitted on behalf of the members of the Committees on Health and Agriculture and Environment,

KEOHOKALOLE, Chair (ETT

MIKE GABBARD, Chair

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The Senate Thirty-First Legislature State of Hawaiʻi

Record of Votes Committee on Health HTH

Bill / Resolution No.:*	Committee Referral:			Date:					
SB 2518	HTH/AS	N, JDC/	MAM	Ó	1-11-2	2022			
The Committee is reconsidering its previous decision on this measure.									
If so, then the previous decision was to:									
The Recommendation is:									
Pass, unamended Pass, with amendments Hold Recommit 2312 2311 2310 2313									
Members		Aye	Aye (WF	R)	Nay	Excused			
KEOHOKALOLE, Jarrett (C)		i/							
BAKER, Rosalyn H. (VC)									
MORIWAKI, Sharon Y.									
SAN BUENAVENTURA, JOY A	۱					_ V_			
FEVELLA, Kurt		V							
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TOTAL		ک	-			2			
Recommendation:									
Chair's or Designee's Signature: Rosaly & Bake									
Distribution: Original File with Committee Re	•								

*Only one measure per Record of Votes

The Senate Thirty-First Legislature State of Hawaiʻi

Record of Votes Committee on Agriculture and Environment AEN

Bill / Resolution No.:* 5132598	Committee Referral: Date: HTH/AEN, JDX/WAM 02/11/22									
The Committee is reconsidering its previous decision on this measure.										
The Recommendation is:										
Pass, unamended Pass, with amendments Hold Recommit 2312 2311 2310 2313										
Members		Aye	Aye (WR)	Nay	Excused					
GABBARD, Mike (C)		4								
NISHIHARA, Clarence K. (VC)										
ACASIO, Laura		/								
RHOADS, Karl		1								
FEVELLA, Kurt		/								
TOTAL		5								
Recommendation:	Not Adopted									
Chair's or Designee's Signature: Clarence & Prishiher										
Distribution: Original File with Committee R										

*Only <u>one</u> measure per Record of Votes