

STATE OF HAWAII
DEPARTMENT OF HEALTH
KA 'OIHANA OLAKINO
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In reply, please refer to:
File:

**Testimony in SUPPORT of HB0546 HD1
RELATING TO THE FUEL TANK ADVISORY COMMITTEE**

REPRESENTATIVE DELLA AU BELATTI, CHAIR
HOUSE COMMITTEE ON HEALTH & HOMELESSNESS

Hearing Date: 2/15/2023

Room Number: 329

1 **Fiscal Implications:** This measure will impact the priorities identified in the Governor's
2 Executive Budget Request for the Department of Health's (Department) appropriations and
3 personnel priorities.

4 **Department Testimony:** This measure proposes to specify the frequency of the Fuel Tank
5 Advisory Committee (FTAC) meetings to, "no fewer than 1 regular meeting in each quarter of a
6 calendar year."

7 The Department supports this measure, however, we respectfully request \$350,000 to
8 fund contractor services to assist the Department in the preparation, facilitation and execution of
9 these meetings. The Department has received comments from the public stating that they prefer
10 the open house format over the FTAC meeting format to receive updates on Red Hill activities.
11 Therefore, the Department also plans to conduct more open house events. Since the same
12 Department staff who perform the regulatory oversight are tasked with preparing for these
13 meetings and open houses, additional support is necessary to minimize the potential impact on
14 the Department's oversight of the Red Hill activities.

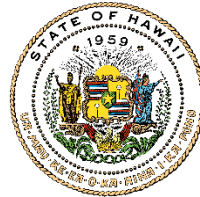
15 The Department is tasked with assembling the FTAC pursuant to Section 342L-62,
16 Hawaii Revised Statutes. Although the meeting frequency is not specified in the law, the
17 Department currently holds two meetings a year.

18 Thank you for the opportunity to testify.

19 **Offered Amendments:** None

JOSH GREEN, M.D.
GOVERNOR | KE KIA'ĀINA

SYLVIA LUKE
LIEUTENANT GOVERNOR | KA HOPE KIA'ĀINA



**STATE OF HAWAII | KA MOKU'ĀINA 'O HAWAII'
DEPARTMENT OF LAND AND NATURAL RESOURCES
KA 'OIHANA KUMUWAIWAI 'ĀINA**

P.O. BOX 621
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CHAIRPERSON
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KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

**Testimony of
DAWN N. S. CHANG
Chairperson**

**Before the House Committee on
HEALTH & HOMELESSNESS**

**Wednesday, February 15, 2023
9:30 AM
State Capitol, Conference Room 329**

**In consideration of
HOUSE BILL 546, HOUSE DRAFT 1
RELATING TO THE FUEL TANK ADVISORY COMMITTEE**

House Bill 546, House Draft 1 proposes to amend Section 342L-62, Hawai'i Revised Statutes, requiring the Fuel Tank Advisory Committee to hold no fewer than one regular meeting in each quarter of a calendar year. **The Department of Land and Natural Resources (Department) supports this measure.**

Since the first meeting of the Fuel Tank Advisory Committee (FTAC) in 2016, the Department has held two positions on the Committee. Having seats on the FTAC allowed the Department to have a valuable voice to address the implementation of the conditions of the Administrative Order on Consent. Annual meetings were held until 2020, after which interest in the FTAC annual meeting was so great that semi-annual meetings were held in 2021 and 2022.

Holding quarterly meetings of the FTAC would allow: 1) more timely disclosure of spill events and the responses to deal with them; 2) better communication regarding current efforts for aquifer recovery and remediation; 3) better opportunity for the public to present their concerns; and 4) more coordination of members of the committee to address concerns related to the administrative order on consent, which include ground-water flow models, contaminant fate and transport models, and construction of monitor wells to assess aquifer contamination.

Mahalo for the opportunity to provide testimony in support of this measure.

HB-546-HD-1

Submitted on: 2/13/2023 11:56:25 PM

Testimony for HLT on 2/15/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Dave Mulinix	Our Revolution Hawaii	Support	Remotely Via Zoom

Comments:

Aloha Chair Belatti, Vice Chair Takenouchi & Members of the Health & Homelessness Committee,

On behalf of Our Revolution Hawaii's 5,000 members and supporters statewide, we stand in support of the intent of HB546 that requires the Fuel Tank Advisory Committee to hold no fewer than one regular meeting in each quarter of a calendar year with the following important amendments.

First we suggest that HB546 be amended such that the Fuel Tank Advisory Committee meet monthly rather than quarterly. Meeting monthly is important because the magnitude of the immediate and ongoing threat to Oahu's sole-source aquifer merits intensified scrutiny and monitoring.

Second we suggest that HB546 be amended such that the Fuel Tank Advisory Committee be expanded to be more representative of relevant stakeholders, including representatives from the Board of Water Supply, the Sierra Club of Hawaii, and the Oahu Water Protectors, all of whom have the full trust of the greater community.

Including community representatives on the Fuel Tank Advisory Committee that are trusted by the greater community is essential, because there is sever well earned distrust of the Navy, Department of Health, and politicians by the community at large due to their lack of action, downplaying of the disaster, and foot-dragging. Adding members to the committee that are trusted by the greater community will show good faith and improve trust in the committee's decisions.

Please take these amendments into consideration to improve HB546.

Mahalo for your kind attention,

Dave Mulinix, Cofounder & Hawaii State Organizer

Our Revolution Hawaii

BOARD OF WATER SUPPLY

CITY AND COUNTY OF HONOLULU
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HONOLULU, HI 96843
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February 15, 2023

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ERNEST Y. W. LAU, P.E.
Manager and Chief Engineer

ERWIN M. KAWATA
Deputy Manager

The Honorable Della Au Belatti, Chair
and Members
House Committee on Health and Homelessness
Hawaii State Capitol, Room 329
415 South Beretania Street
Honolulu, Hawaii 96813

Dear Chair Belatti and Members:

Subject: House Bill 546, HD1: Relating to the Fuel Tank Advisory Committee

The Honolulu Board of Water Supply (BWS) strongly supports House Bill (HB) 546, House Draft (HD) 1. This measure proposes to amend Hawaii Revised Statutes (HRS) 342L-62, to require the Fuel Tank Advisory Committee to hold no fewer than one regular meeting in each quarter of a calendar year.

The purpose of the Fuel Tank Advisory Committee is to study issues related to leaks at the Red Hill Bulk Fuel Storage Facility (RHBFSF) among other responsibilities. Given the November 2021 fuel release that contaminated Oahu's sole source aquifer and the Joint Base Pearl Harbor Hickam (JBPHH) water system that affected almost 100,000 people including the release of 1,300 gallons of per- and polyfluoroalkyl substance (PFAS) containing aqueous film forming foam (AFFF) at the RHBFSF, the Committee needs more meetings to discuss and comment on the Navy and regulatory agencies' progress to characterize and mitigate this contamination. It has been more than a year since the 2021 fuel release and nine years since the 2014 tank 5 spill and we are no closer knowing the nature and extent of the contamination present in our aquifer. We can no longer wait. The legislature and the Fuel Tank Advisory Committee needs to take swift and decisive action to end the wait and restore our aquifer for future generations to come.

Thank you for the opportunity to testify in strong support of HB546, HD1.

Very truly yours,

ERNEST Y. W. LAU, P.E.
Manager and Chief Engineer

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HB-546-HD-1

Submitted on: 2/13/2023 9:02:27 AM

Testimony for HLT on 2/15/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
cheryl B.	Individual	Support	Written Testimony Only

Comments:

I SUPPORT this bill which requires the Fuel Tank Advisory Committee to hold no fewer than one regular meeting in each quarter of a calendar year. Appropriates funds.

This report should immediately be available to the public and updates provided earlier if information is determined to be important to the people of these islands.

HB-546-HD-1

Submitted on: 2/13/2023 12:24:22 PM

Testimony for HLT on 2/15/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Susan Pcola_Davis	Individual	Support	Written Testimony Only

Comments:

HB546 Fuel Tank Advisory Board.

I am in strong support of this bill. Quarterly meetings will keep the public informed. The last one held on November 19, 2021 provided presentations from HODOH, EPA, NAVY, results of two health surveys (ASTRD and EPA), and public testimony from a large number of concerned residents.

I support providing funding for the HODOH to organize quarterly meetings. These meeting should all be scheduled and posted on the HODOH website under Fuel Tank Advisory Committee for the public.

Changing the effective date to June 30, 3000, to encourage further discussion is ridiculous.

If all goes accordingly, the Red Hill crisis will be over. Tank Farm closed and unusable. Then come the year 3000, or however long this takes to have discussion and action, it will be MUTE!

HB-546-HD-1

Submitted on: 2/13/2023 9:47:21 PM

Testimony for HLT on 2/15/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Sherry Pollack	Individual	Comments	Written Testimony Only

Comments:

While I appreciate the intent of this measure, I strongly disagree with mandating the advisory committee meet only quarterly. That is woefully insufficient. The Navy’s contamination of our sole-source aquifer is an existential threat. More must be done to remediate the situation in earnest. I strongly urge that this measure be amended to mandate the “advisory committee shall hold no fewer than one regular meeting in each *month* of a calendar year.”

Moreover, the committee needs to be more representative of relevant stakeholders, and as such, should include a member from the Board of Water Supply, as well as a representative of the Sierra Club of Hawaii and a representative of the Oahu Water Protectors, all of whom have been working on this issue and have the full trust of the community.