
SENATE CONCURRENT RESOLUTION

URGING HAWAII'S CONGRESSIONAL DELEGATION TO TAKE ALL ACTIONS NECESSARY AND PROPER TO CAUSE THE UNITED STATES CONGRESS TO FUND THE CONSTRUCTION AND COMMENCEMENT OF OPERATIONS OF A LABORATORY CERTIFIED BY THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY TO ANALYZE ENVIRONMENTAL TOXINS IN THE STATE AND PUBLISH THE RESULTS TO THE PUBLIC.

1 WHEREAS, for decades, the State has been subjected to
2 environmental degradation caused by multiple entities that have
3 deposited materials that are toxic to human health and the
4 natural environment; and

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6 WHEREAS, the State continues to lack a testing laboratory
7 certified by the United States Environmental Protection Agency
8 that is capable of identifying diseases and toxins present in
9 the State's air, water, soil, and biological specimens; and

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11 WHEREAS, Hawaii residents often rely on data relating to
12 environmental toxins that are provided by the very same entities
13 that have caused the toxins to be present in the State's natural
14 environment; and

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16 WHEREAS, the State's ability to evaluate the presence of
17 environmental toxins is often delayed due to the need to send
18 samples to laboratories located in the continental United States
19 and the results from sample analyses may be withheld by the
20 agencies that control the supply of the samples to those
21 laboratories; and

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23 WHEREAS, the presence of environmental toxins caused by
24 pollutants has notably increased, particularly with the rapid
25 expansion of the use of per- and polyfluoroalkyl substances or
26 "PFAS", a group of three synthetic organofluorine chemical
27 compounds that have been found to be highly toxic; and
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1 WHEREAS, a laboratory certified by the Environmental
2 Protection Agency should be constructed in the State to address
3 these issues and to facilitate the prompt and transparent
4 disclosure of the results of testing samples taken from the
5 State; and

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7 WHEREAS, the laboratory would need to comply with all
8 applicable standards enumerated in the Clinical Laboratories
9 Improvement Amendments of 1988 (title 42 United States Code
10 section 263a); and

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12 WHEREAS, the present lack of a laboratory certified by the
13 United States Environmental Protection Agency negates the
14 State's responsibility to evaluate and, as appropriate, confirm
15 or reject contentions by federal government departments and
16 agencies, including the Department of Defense and United States
17 Environmental Protection Agency; state agencies such as the
18 Department of Health; and other private entities, relating to
19 environmental toxic chemicals such as TPH-D, TPH-O, TPH-G,
20 petroleum constituents, PFAS, PFAS-related substances, and many
21 other toxins found throughout the State's natural environment;
22 and

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24 WHEREAS, the cost of construction of the laboratory is
25 likely in the range of \$100,000,000, and the annual operational
26 cost, including staffing, exceeds \$200,000; and

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28 WHEREAS, these costs are currently beyond the State's means
29 as it endeavors to respond adequately to the catastrophe of the
30 August 2023 Maui wildfire that destroyed Lahaina and damaged
31 Upper Kula, Pulehu, Kihei, and Kaanapali; now, therefore,

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33 BE IT RESOLVED by the Senate of the Thirty-second
34 Legislature of the State of Hawaii, Regular Session of 2024, the
35 House of Representatives concurring, that Hawaii's congressional
36 delegation is urged to take all actions necessary and proper to
37 cause the United States Congress to fund the construction and
38 commencement of operations of a laboratory certified by the
39 United States Environmental Protection Agency to analyze
40 environmental toxins in the State and publish its results to the
41 public; and

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1 BE IT FURTHER RESOLVED that the Governor, Department of
2 Health, and other relevant governmental agencies are urged to
3 support the construction and the commencement of operations of
4 the laboratory; and

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6 BE IT FURTHER RESOLVED that certified copies of this
7 Concurrent Resolution be transmitted to Hawaii's congressional
8 delegation, the Governor, and Director of Health.

