

Honolulu, Hawaii

APR 03 2024

RE: S.C.R. No. 76
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirty-Second State Legislature
Regular Session of 2024
State of Hawaii

Sir:

Your Committees on Health and Human Services and Agriculture and Environment, to which was referred S.C.R. No. 76 entitled:

"SENATE CONCURRENT RESOLUTION REQUESTING THE DIRECTOR OF HEALTH AND THE CHIEF ENERGY OFFICER TO CONTINUOUSLY MONITOR AIR POLLUTANTS EMITTED BY WASTE INCINERATION FACILITIES,"

beg leave to report as follows:

The purpose and intent of this measure is to request the Director of Health and the Chief Energy Officer to continuously monitor air pollutants emitted by waste incineration facilities.

Your Committees received testimony in support of this measure from the Energy Justice Network, Environment Caucus of the Democratic Party of Hawai'i, CARES, and two individuals.

Your Committees received testimony in opposition to this measure from the Covanta Honolulu Resource Recovery Venture, LLC.

Your Committees received comments on this measure from the Department of Health and Hawaii State Energy Office.

Your Committees find that of the twenty-two known pollutants that waste incineration facilities emit, only four are monitored continuously. Further, as emissions may vary based on what materials are being incinerated, the measurements of certain emissions that are taken only once per year may not accurately



reflect the pollutants being emitted at other times of the year, which is critical with respect to certain dioxin emissions that are restricted by the Environmental Protection Agency due to their toxicity. This measure would request the Department of Health, in collaboration with the Hawaii State Energy Office, to conduct monitoring of air pollutants emitted by waste incineration facilities. Your Committees further find that this measure's proposed request would require additional staff, time, and effort, and that no funds are being allocated to the Department of Health or Hawaii State Energy Office to fulfill these requests.

Your Committees note that H.C.R. No. 153 (2024) was recently passed out of the House of Representatives Standing Committee on Energy and Environmental Protection and requests the Department of Health to conduct a feasibility study on the implementation of continuous monitoring and sampling technologies in waste combustion facilities and municipal solid waste landfills. Your Committees find that the language in H.C.R. No. 153 is preferable because it does not request the Department of Health or the Hawaii State Energy Office to actually conduct continuous monitoring of air pollutants, but rather to conduct a feasibility study on the implementation of continuous monitoring of air pollutants.

Accordingly, your Committees have amended this measure by:

- (1) Deleting its contents and inserting the contents of H.C.R. No. 153, which requests the Department of Health to conduct a feasibility study on the implementation of continuous monitoring and sampling technologies in waste combustion facilities and municipal solid waste landfills;
- (2) Inserting language to request the Department of Health to seek fees from users of waste facilities to fund the requested development of the emissions data disclosure website;
- (3) Amending its title 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 Health and Human Services and Agriculture and Environment that are attached to this report, your Committees concur with the intent and purpose of S.C.R. No. 76, as amended herein, and recommend its adoption in the form attached hereto as S.C.R. No. 76, S.D. 1.

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



MIKE GABBARD, Chair



JOY A. SAN BUENAVENTURA, Chair



The Senate
 Thirty-Second Legislature
 State of Hawai'i

Record of Votes
Committee on Health and Human Services
HHS

Bill / Resolution No.:* SCR 76	Committee Referral: HHS/AEN	Date: 3/25/24		
<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
SAN BUENAVENTURA, Joy A. (C)	✓			
AQUINO, Henry J.C. (VC)	✓			
KEOHOKALOLE, Jarrett	✓			
SHIMABUKURO, Maile S.L.	✓			
AWA, Brenton				✓
TOTAL	4			1
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				

*Only one measure per Record of Votes

The Senate
 Thirty-Second Legislature
 State of Hawai'i

Record of Votes
Committee on Agriculture and Environment
AEN

Bill / Resolution No.:* <i>SCR 76</i>	Committee Referral: <i>HHS/AEN</i>	Date: <i>3/25/24</i>		
<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
GABBARD, Mike (C)	✓			
RICHARDS, III, Herbert M. "Tim" (VC)				✓
DECOITE, Lynn	✓			
RHOADS, Karl	✓			
AWA, Brenton				✓
TOTAL	<i>3</i>	<i>0</i>	<i>0</i>	<i>2</i>
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <i>Karl Rhoads</i>				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes