

MAR 08 2024

SENATE RESOLUTION

REQUESTING THE OFFICE OF THE GOVERNOR TO CONVENE A WORKING GROUP
TO PLAN FOR THE REMEDIATION OF PERFLUOROALKYL AND
POLYFLUOROALKYL SUBSTANCES (PFAS) IN THE STATE.

1 WHEREAS, perfluoroalkyl and polyfluoroalkyl substances
2 (PFAS) are a group of synthetic organofluorine chemical
3 compounds that have multiple fluorine atoms attached to an alkyl
4 chain that are increasingly becoming understood to pose serious
5 toxicity to humans and other organisms in the environment; and
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7 WHEREAS, in 2021, the Organization for Economic Co-
8 operation and Development (OECD) identified at least 4,730
9 distinct PFAS chemicals; and
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11 WHEREAS, the United States Environmental Protection
12 Agency's toxicity database (DSSTox) lists 14,735 unique PFAS,
13 while PubChem lists more than 6,000,000 that fit under the 2021
14 revised definition of PFAS by the OECD; and
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16 WHEREAS, DSSTox also includes perfluorosulfonic acids, such
17 as perfluorooctanesulfonic acid (PFOS) and perfluorocarboxylic
18 acids, such as perfluorooctanoic acid (PFOA); and
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20 WHEREAS, many PFAS chemicals were used in the mid-twentieth
21 century in products and on materials due to their enhanced
22 water-resistant and oil-resistant properties, like Teflon or
23 aqueous film forming foam, before the environmental impact and
24 toxicity to human and mammalian life had been studied; and
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26 WHEREAS, PFOS, PFOA, and other PFAS chemicals are commonly
27 described as persistent organic pollutants or "forever
28 chemicals" because they remain in the environment for long
29 periods of time; and
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31 WHEREAS, residues have been detected in humans and
32 wildlife, prompting concern about impacts on health; and
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34 WHEREAS, according to the National Academies of Sciences,
35 Engineering, and Medicine, PFAS exposure is linked to increased



1 risk of dyslipidemia (abnormally high cholesterol), suboptimal
2 antibody response, reduced infant and fetal growth, and higher
3 rates of kidney cancer; and

4
5 WHEREAS, health concerns related to PFAS have resulted in
6 numerous lawsuits involving PFAS producers 3M, Chemours, DuPont,
7 and Corteva where billion-dollar settlements have been reached
8 and the use of PFAS has been regulated in several parts of the
9 world, some with plans to phase PFAS out entirely from products;
10 and

11
12 WHEREAS, chemical corporations that produce PFAS generate
13 approximately \$4,000,000,000 in annual profits from the
14 production of these chemicals in the United States, but they
15 impose monumental costs on taxpayers and the health of global
16 human and animal populations; and

17
18 WHEREAS, of these costs, the most expensive are remediation
19 efforts to fight PFAS soil and water contamination, followed by
20 the health care costs to treat cancer, thyroid disease, kidney
21 dysfunction, birth defects, and other major medical conditions
22 that have been linked to even low levels of exposure to PFAS,
23 and followed by the costs of monitoring of PFAS pollution in
24 human and other life forms; and

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26 WHEREAS, the International Chemical Secretariat has
27 estimated that PFAS costs approximately \$17,500,000,000,000
28 annually; and

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30 WHEREAS, PFAS have been frequently documented in marine
31 species that are commonly consumed by humans, posing substantial
32 health risks because of bioaccumulation and biomagnification in
33 certain species that exceeds tolerable limits for human
34 consumption posing potential health risks and causing local
35 communities to face economic and food source consequences due to
36 potential future advisories, fishing limits, or closures for
37 certain species due to their PFAS content; and

38
39 WHEREAS, as of August 2023, twenty-five states have
40 established enforceable drinking water standards related to PFAS
41 and the United States Environmental Protection Agency is



1 conducting a study from 2023 to 2025 to collect data on PFAS and
2 develop additional regulations; now, therefore,

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4 BE IT RESOLVED by the Senate of the Thirty-second
5 Legislature of the State of Hawaii, Regular Session of 2024,
6 that the Office of the Governor is requested to convene a PFAS
7 working group; and

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9 BE IT FURTHER RESOLVED that the working group is requested
10 to include the following members:

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12 (1) The Chairs of the House of Representatives and Senate
13 Standing Committees with subject matter jurisdiction
14 encompassing environmental protection and restoration;
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16 (2) The Director of Health;
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18 (3) A representative from the City and County of Honolulu;
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20 (4) A representative of the County of Hawaii;
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22 (5) A representative of the County of Maui;
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24 (6) A representative of the County of Kauai;
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26 (7) Two representatives from established Hawaii
27 organizations whose mission statements or purposes are
28 dedicated to environmental protection, including
29 protection against contaminations by environmental
30 toxins, as selected and invited by the Governor; and
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32 (8) Two representatives of the business community that
33 manufacture or sell products containing PFAS, as
34 selected and invited by the Governor; and
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36 BE IT FURTHER RESOLVED that the mayors of each county are
37 requested to select a representative from their county to serve
38 on the working group; and
39

40 BE IT FURTHER RESOLVED that the Chairs of the House of
41 Representatives and Senate Standing Committees with subject
42 matter jurisdiction encompassing environmental protection and



1 restoration are requested to serve as co-chairpersons of the
2 working group; and

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4 BE IT FURTHER RESOLVED that the working group is requested
5 to proactively plan for the remediation of PFAS contamination
6 throughout the State and to accomplish this objective the
7 working group is requested to:

- 8
9 (1) Identify the presence, character, location, and
10 controlling authority of all major accumulations of
11 PFAS and related chemicals, or both, within the State;
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13 (2) Propose plans of action, including but not limited to
14 proposals for legislation and litigation, remediation,
15 or elimination of all major accumulations of PFAS and
16 related chemicals within the State;
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18 (3) Identify any known contaminants or environmental
19 hazards associated with the inventoried lands, any
20 environmental studies performed in connection with the
21 lands, and any required remediation;
22
23 (4) Affirmatively engage in a public information campaign
24 to advise the public of the dangers of PFAS and
25 related chemicals, and actions that the public may
26 undertake to limit their exposure to these chemicals;
27
28 (5) Encourage the business community to become more aware
29 of the presence of PFAS and related chemicals in
30 products and product packaging, make the community
31 aware of the dangers of such chemicals, and encourage
32 members of the community to adopt practices to
33 eliminate or at least reduce the presence of these
34 chemicals in the products that they use and sell; and
35
36 (6) Work on any other objectives deemed necessary by the
37 working group; and
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39 BE IT FURTHER RESOLVED that the working group is requested
40 to report to the Legislature by:
41



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1 (1) Submitting a preliminary report of its findings and
2 recommendations, including any proposed legislation,
3 to the Legislature no later than twenty days prior to
4 the convening of the Regular Session of 2025; and

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6 (2) Submitting subsequent reports on its findings and
7 recommendations, including any proposed legislation,
8 to the Legislature no later than twenty days prior to
9 the convening of each Regular Session thereafter; and

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11 BE IT FURTHER RESOLVED that certified copies of this
12 Resolution be transmitted to the Governor, President of the
13 Senate, Speaker of the House of Representatives, Director of
14 Health, and Mayor of each county.

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OFFERED BY: 