



SIERRA CLUB OF HAWAI'I

HOUSE COMMITTEE ON WATER & LAND

March 19, 2024

9:30 AM

Conference Room 430

In SUPPORT of HCR208/HR188: REQUESTING HAWAII'S CONGRESSIONAL DELEGATION TO URGE CONGRESS TO FUND CONSTRUCTION OF A LABORATORY CERTIFIED BY THE ENVIRONMENTAL PROTECTION AGENCY TO PROVIDE INFORMATION TO THE PUBLIC ON ENVIRONMENTAL TOXINS IN THE STATE.

Aloha Chair Ichiyama, Vice Chair Poepoe, and Members of the Committee,

On behalf of our over 20,000 members and supporters, the Sierra Club of Hawai'i **SUPPORTS HCR208/HR188**, which seeks to provide Hawai'i residents and communities across the Pacific with a local water testing laboratory, in order to understand and manage our exposure to toxic compounds including but not limited to jet fuel and per- and poly-fluoroalkyl substances ("PFAS"), in a meaningful and timely manner.

As we continue to navigate water contamination crises on O'ahu and Maui, and as we begin to grapple with the implications of PFAS being found in more and more of our water sources, it has become abundantly clear that our islands are in need of a local water testing laboratory that can provide timely, meaningful data on our residents' potential exposure to toxic compounds.

For example, the water contamination crisis resulting from the U.S. Navy's Red Hill Facility has required and will continue to require continual analyses of monitoring well, sentinel well, and drinking source samples. Currently, this in turn requires the storage and transshipment of potentially volatile contaminants across thousands of miles to backlogged laboratories on the U.S. continent. As a result, water quality results have taken and continue to take months to be returned, leaving our agencies and residents in limbo as we await water test results. A local water testing facility will ensure that we have more sound and timely data to prevent the potentially catastrophic contamination of our municipal water supply, and protect the health of Hawai'i residents.

A water testing facility will also serve critical needs in circumstances beyond Red Hill. For example, citizens in Waiawa have had to wait for months, simply to know if their drinking water sources were contaminated by PFAS due to military firefighting training at the Waiawa Army National Guard Armory. Given the extent of past training exercises and the persistence of PFAS "forever chemicals" in the environment, ongoing and timely testing will also be required to ensure that these citizens are not exposed to these contaminants in the future, as PFAS percolate and migrate in soil, streams, and groundwater for decades and centuries to come.



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Similar water testing needs will also be necessary for impacted water systems and water sources in Lāhainā and Kula, where the 2023 wildfires may have resulted in the release of a wide range of toxic, environmentally persistent compounds including PFAS, dioxins, furans, PCBs, and others.

Notably, our local testing needs will only increase over time, as more contamination issues come to light, or are created by future climate-related disasters. Meanwhile, the demand on testing laboratories on the continent is anticipated to significantly increase in the very near future, as maximum contaminant levels are set for PFAS and potentially other compounds by the Environmental Protection Agency. As a result, we may have less and less access to meaningful and timely water testing data, while our need for such data continuously increases.

In addition, the Sierra Club notes that a local water testing laboratory would assist other communities wrestling with water contamination issues, including places such as Guåhan, Okinawa, the Philippines, and other locations across the U.S.-occupied Pacific.

Accordingly, the Sierra Club of Hawai'i respectfully but strongly urges the Committee to **PASS** this resolution. Mahalo nui for the opportunity to testify.



TESTIMONY FROM THE DEMOCRATIC PARTY OF HAWAII

HOUSE COMMITTEE ON WATER AND LAND

March 19, 2024

HR188/HCR208 REQUESTING HAWAII'S CONGRESSIONAL DELEGATION TO URGE CONGRESS TO FUND CONSTRUCTION OF A LABORATORY CERTIFIED BY THE ENVIRONMENTAL PROTECTION AGENCY TO PROVIDE INFORMATION TO THE PUBLIC ON ENVIRONMENTAL TOXINS IN THE STATE.

POSITION: SUPPORT

Aloha Chair Ichiyama, Vice Chair Poepoe and esteemed Members of the Committee,

The Democratic Party of Hawaii'i supports HR188/HCR208 urging our Congressional Delegation to secure funding for an independent testing laboratory for environmental toxins.

Our Party Platform states under "Environment and Energy":

"We believe that all people have the right to live in a clean, healthy and safe environment. We believe that the preservation of our natural environment and its ecological well being is essential to ensuring a safe, healthy, bountiful life for future generations in Hawai'i. We support policies that create a more sustainable society. We support the restoration, preservation, and protection of native ecosystems."

For decades, Hawai'i has been subjected to environmental degradation caused by multiple entities that have deposited materials that are toxic to human health and the natural environment; but Hawai'i continues to lack a testing laboratory certified by the Environmental Protection Agency that can identify diseases and toxins present in Hawai'i's air, water, soil, and biological specimens. The Hawai'i public has had to rely on data relating to environmental toxins that are often provided by the very entities that may have caused such toxins to be present

in Hawai'i's environment. We cannot rely on them to provide full and accurate information about testing results.

Mahalo nui loa for your time and consideration.

Kris Coffield (he/him)
Co-Chair, Legislative Committee
(808) 679-7454
kriscoffield@gmail.com

Abby Simmons (she/her)
Co-Chair, Legislative Committee
(808) 352-6818
abbyalana808@gmail.com



Environmental Caucus of The Democratic Party of Hawai'i

March 17, 2024

To: House Committee on Water and Land
Hon. Linda Ichiyama, Chair
Hon. Mahina Poepoe, Vice Chair

Re: HCR 208, HR188 relating to ENVIRONMENTAL TOXINS LABORATORY
Hearing: Tuesday, March 19, 2024, 9:30 a.m., Room 430 & videoconference
Position: Strong support

Aloha, Chair Ichiyama, Vice Chair Poepoe, and Members of the Committee on Water and Land:

The Environmental Caucus of the Democratic Party of Hawai'i comprises some 7,500 politically active members of Hawai'i's majority political party. We strongly support this proposed resolution, which requests Hawai'i's Congressional Delegation to take steps to obtain federal funding for the construction of an independently operated EPA-certified Environmental Toxins Laboratory that the public can rely on to provide publicly available accurate and timely information on toxic chemicals, such as PFAS and PFAS-related substances that are found in samples of soil, air, water, and biological and other specimens. Hawaii has been filled with dangerous chemical, and the public has an urgent need to know.

We have been very frustrated in even getting information about obtaining such an independent laboratory. Supposedly our highway to success was going to be Act 121 of the 2022 Session of the Legislature (HB 2515). That Act mandated that the Hawai'i Department of Health (DOH) seek federal funds to construct a first-rate, up-to-date toxicology laboratory. We all know that the current laboratory is barely, if at all, functional and urgently needs replacement. In testimony in support of HB 2515, DOH had outlined two versions of a laboratory, which we can call the Cadillac and the Volkswagen versions, for \$100 million and \$50 million respectively in construction costs. DOH provided no details of what either version might contain.

We attempted on multiple occasions over the past 12 months to get a status report from DOH on its attempts pursuant to Act 121 to obtain funding for an environmental testing lab. However, we have never received any response to our inquiries, which we found both puzzling and disconcerting. Our conclusion, for now, is that Act 121 set the State on a wild-goose chase for funding that evidently was actually non-existent.

So, now, we ask the Legislature to beseech our Congressional Delegation to get the funding. This appears to be our best chance to find such funding, without improper strings being tied to the lab's administration. Independence and local presence are both critical: we learned, quite recently, that the Navy obtained lab results from a lab on the mainland in January 2023 for PFAS contamination in the Red Hill area, but the Navy only disclosed the results in December, a delay of ten months. This is precisely why we need an independent lab



Environmental Caucus of
The Democratic Party of Hawai'i

that will not sit on adverse findings until – if ever – convenient for the Navy – or the State – or any other powerful actor to disclose them.

Accordingly, we believe it is critical for the Legislature to reinvigorate the actions it took via Act 121 of 2022 by formally requesting that the Hawai'i Congressional Delegation take whatever action is needed to accomplish these goals. We respectfully suggest that the necessary further steps will include:

1. Obtaining a Congressional appropriation of at least \$125 million for the construction of an independent environmental toxin laboratory in Hawai'i, perhaps under the jurisdiction of JABSOM or another agency of the University of Hawai'i.
2. Obtaining a Congressional appropriation of at least \$200,000 per year for at least three years for initial operations of the lab.
3. Requiring that the recipient entity in Hawai'i make a public pledge that it will promptly evaluate environmental samples submitted to it and promptly make those results available to the public.
4. Taking such additional action to ensure that such an independent toxicology laboratory is actually established and runs long-term.

On behalf of the Environmental Caucus, we thank you very much in advance for your support of these requests. Thank you for the opportunity to testify on this important resolution.

Melodie Adyja legislativepriorities@gmail.com

Alan B. Burdick burdick808@gmail.com

Co-Chairs, Environmental Caucus

HR-188

Submitted on: 3/17/2024 11:12:09 PM

Testimony for WAL on 3/19/2024 9:30:00 AM

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

Comments:

Please support this important bill. Mahalo.

HR-188

Submitted on: 3/18/2024 5:56:03 AM

Testimony for WAL on 3/19/2024 9:30:00 AM

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

Comments:

SUPPORT!