

STAND. COM. REP. NO. 875

Honolulu, Hawaii

**FEB 28 2025**

RE: S.B. No. 639  
S.D. 1

Honorable Ronald D. Kouchi  
President of the Senate  
Thirty-Third State Legislature  
Regular Session of 2025  
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B.  
No. 639, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO UNDERGROUND STORAGE TANKS,"  
begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Clarify the level of environmental restoration that owners and operators of underground storage tanks or tank systems must satisfy in the event of a confirmed release of jet fuel from an underground storage tank or tank system;
- (2) Establish that the environmental restoration shall require the cleanup and removal of jet fuel, including jet fuel additives and compounds resulting from the degradation of jet fuel or jet fuel additives, or the reaction of jet fuel or jet fuel additives with water or other chemicals, as soon as practicable, with the goal of complete removal; and
- (3) Establish a rebuttable presumption that any detection of these contaminants in the vicinity of an underground storage tank or a tank system after a confirmed release is a result of the confirmed release.



Your Committee received testimony in support of this measure from the Honolulu Board of Water Supply, Kalihi Palama Neighborhood Board No. 15, Green Party of Hawai'i, Greenpeace Hawaii, Free Access Coalition, Sierra Club of Hawai'i, 350Hawaii.org, Shimanchu Wai Protectors, Kūpuna for the Mo'opuna, Malama Kaua'i, Ka Lahui Hawai'i, Environmental Caucus of the Democratic Party of Hawai'i, Save Medicaid Hawaii, and forty-eight individuals.

Your Committee received comments on this measure from the Department of Health.

Your Committee finds that protecting the State's finite natural resources is of paramount importance. However, in the aftermath of the 2021 Red Hill fuel leaks, contamination of water resources from jet fuel poses a significant threat to public health, the natural environment, and surrounding areas that remain unaffected. Full remediation of water resources is critical to providing residents with safe, clean drinking water while protecting other valuable resources from further contamination. Therefore, this measure ensures continued accountability for jet fuel releases into aquifers while protecting residents from further public health emergencies arising from contaminated water resources.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 639, S.D. 1, and recommends that it pass Third Reading.

Respectfully submitted on  
behalf of the members of the  
Committee on Judiciary,



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KARL RHOADS, Chair



The Senate  
Thirty-Third Legislature  
State of Hawai'i

**Record of Votes**  
**Committee on Judiciary**  
**JDC**

Bill / Resolution No.:*	Committee Referral:	Date:							
SB 639, SD 1	HHS/SEN, JDC	2/20/25							
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____									
The Recommendation is: <div style="display: flex; justify-content: space-between; align-items: flex-start;"> <div style="text-align: center;"><input checked="" type="checkbox"/> Pass, unamended 2312</div> <div style="text-align: center;"><input type="checkbox"/> Pass, with amendments 2311</div> <div style="text-align: center;"><input type="checkbox"/> Hold 2310</div> <div style="text-align: center;"><input type="checkbox"/> Recommit 2313</div> </div>									
Members	Aye	Aye (WR)	Nay	Excused					
RHOADS, Karl (C)	✓								
GABBARD, Mike (VC)				✓					
CHANG, Stanley	✓								
SAN BUENAVENTURA, Joy A.	✓								
AWA, Brenton	✓								
<b>TOTAL</b>	4			1					
Recommendation: <div style="display: flex; justify-content: space-around; margin-top: 5px;"> <input checked="" type="checkbox"/> Adopted           <input type="checkbox"/> Not Adopted         </div>									
Chair's or Designee's Signature:									
<table style="width: 100%; border: none;"> <tr> <td style="width: 25%; border: none;"><b>Distribution:</b></td> <td style="width: 25%; border: none;">Original File with Committee Report</td> <td style="width: 25%; border: none;">Yellow Clerk's Office</td> <td style="width: 25%; border: none;">Pink Drafting Agency</td> <td style="width: 25%; border: none;">Goldenrod Committee File Copy</td> </tr> </table>					<b>Distribution:</b>	Original File with Committee Report	Yellow Clerk's Office	Pink Drafting Agency	Goldenrod Committee File Copy
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\*Only one measure per Record of Votes