

JAN 17 2025

A BILL FOR AN ACT

RELATING TO ENERGY.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that the protection of
2 the State's natural environment is of paramount importance.
3 Existing law requires environmental assessments for certain
4 types of projects and the legislature further passed Act 55,
5 Session Laws of Hawaii 2004 (Act 55), to, in part, include any
6 power-generating facility of a certain minimum output to require
7 an environmental assessment pursuant to Hawaii's environmental
8 impact statement law. However, Act 55 limited "power-generating
9 facility" to those that generate electricity using fossil fuels.

10 Since 2004, further research has determined that the
11 combustion of any type of fuel creates air pollution that harms
12 the environment as well as human health. Therefore, assessing
13 the environmental impact all types of fuel combustion, rather
14 than solely fossil fuel combustion, will further protect the
15 State's natural resources and overall public health.

16 Accordingly, the purpose of this Act is to expand the law
17 requiring environmental assessments for power-generating



1 facilities by redefining "power-generating facilities" to
2 include those that rely on the combustion of any fuel source.

3 SECTION 2. Section 343-2, Hawaii Revised Statutes, is
4 amended by amending the definition of "power-generating
5 facility" to read as follows:

6 "Power-generating facility" means:

- 7 (1) A new~~[, fossil-fueled,]~~ combustion electricity-
8 generating facility, including facilities that plan to
9 operate commercially after January 1, 2025, where the
10 electrical output rating of the new equipment exceeds
11 5.0 megawatts; ~~[or]~~
- 12 (2) An expansion in generating capacity of an existing~~[,~~
13 ~~fossil-fueled,]~~ combustion electricity-generating
14 facility, where the incremental electrical output
15 rating of the new equipment exceeds 5.0 megawatts~~[,]~~;
16 or
- 17 (3) A conversion of an electricity-generating facility
18 from one source of energy to another source, where the
19 new source requires combustion and the electrical
20 output rating of the converted facility exceeds 5.0
21 megawatts."



1 SECTION 3. Statutory material to be repealed is bracketed
2 and stricken. New statutory material is underscored.

3 SECTION 4. This Act shall take effect upon its approval.

4

INTRODUCED BY:

A handwritten signature in black ink, appearing to read "Mike Gilman", is written over a horizontal line.

Report Title:

Energy; Environmental Impact Assessments; Power-Generating Facilities; Combustion; Fuel Source

Description:

Clarifies the definition of "power-generating facility" for the purposes of environmental impact assessments to include facilities that rely on the combustion of any fuel source, including facilities operating beginning 1/1/2025, and facilities that convert from one source of energy to another source, where the new source requires combustion and the electrical output rating of the converted facility exceeds 5.0 megawatts.

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