

Honolulu, Hawaii

, 2026

MAR 19

RE: S.B. No. 2096
S.D. 2
H.D. 1

Honorable Nadine K. Nakamura
Speaker, House of Representatives
Thirty-Third State Legislature
Regular Session of 2026
State of Hawaii

Madame:

Your Committee on Energy & Environmental Protection, to which was referred S.B. No. 2096, S.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO WASTEWATER MANAGEMENT,"

begs leave to report as follows:

The purpose of this measure is to:

- (1) Require certain wastewater treatment works to test sewage sludge and any other residual material intended for land application for the presence of perfluoroalkyl and polyfluoroalkyl substances (PFAS);
- (2) Require the Director of Health to adopt rules for the monitoring, sampling, testing, and data collection of sewage sludge and other residual material at wastewater treatment works that contain PFAS; and
- (3) Prohibit the issuance or renewal of permits authorizing the land application of sewage sludge or other residual material containing PFAS, as indicated by testing pursuant to Director of Health-adopted rules, on land used for agronomic purposes, where drainage tiles have been installed, that drain into waters of the State, or in a five hundred-year floodplain.



Your Committee received testimony in support of this measure from the Department of Land and Natural Resources; Environmental Caucus of the Democratic Party of Hawai'i; and five individuals. Your Committee received comments on this measure from the Department of Health and American Chemistry Council.

Your Committee finds that perfluoroalkyl and polyfluoroalkyl substances (PFAS) are "forever chemicals" that pose a serious threat to the environment and human health. Your Committee further finds that PFAS can contaminate wastewater and sewage sludge, which may then be used on agricultural lands, creating a pathway for PFAS to enter soil, crops, and ultimately, the human food chain. This measure seeks to reduce the spread of PFAS and promote public health by requiring certain testing requirements for PFAS in sewage sludge and other residual material.

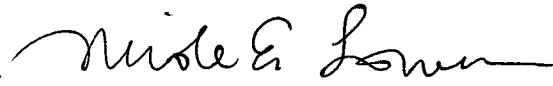
Your Committee has amended this measure by:

- (1) Removing the provision prohibiting the issuance or renewal of permits if testing yields PFAS in sewage sludge or other residual material on certain lands;
- (2) Changing the effective date to July 1, 3000, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Energy & Environmental Protection that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2096, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2096, S.D. 2, H.D. 1, and be referred to your Committee on Water & Land.



Respectfully submitted on
behalf of the members of the
Committee on Energy &
Environmental Protection,



NICOLE E. LOWEN, Chair



Record of Votes of the Committee on Energy & Environmental Protection

Bill/Resolution No.: SB 2096 SD2	Committee Referral: EEP, WAL, JHA	Date: 3/17/26
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The committee is reconsidering its previous decision on the measure.

The recommendation is to: Pass, unamended (as is) Pass, with amendments (HD) Hold
 Pass short form bill with HD to recommit for future public hearing (recommit)

EEP Members	Ayes	Ayes (WR)	Nays	Excused
1. LOWEN, Nicole E. (C)	✓			
2. PERRUSO, Amy A. (VC)	✓			
3. CHUN, Cory M.	✓			
4. KAHALOA, Kirstin	✓			
5. KUSCH, Matthias	✓			
6. QUINLAN, Sean	✓			
7. MATSUMOTO, Lauren	✓			
TOTAL (7)	7			

The recommendation is: Adopted Not Adopted
 If joint referral, _____ did not support recommendation.
committee acronym(s)

Vice Chair's or designee's signature: *Amy Perruso*