



SENATE COMMITTEE ON JUDICIARY

February 26, 2026

10:00 AM

Conference Room 016

In **SUPPORT WITH AMENDMENTS** of **SB2046 SD1**: RELATING TO THE FUEL TANK ADVISORY COMMITTEE

Aloha Chair Rhoads, Vice Chair Gabbard, and Members of Judiciary Committee,

On behalf of our over 20,000 members and supporters, the Sierra Club of Hawai'i **SUPPORTS WITH AMENDMENTS SB2046 SD1**, which seeks to set a standard for remediation of jet fuel released into the environment from an underground storage tank system, including but not limited to the Red Hill Bulk Fuel Underground Storage Facility.

Over four years since the Red Hill catastrophe, the Navy has still provided no meaningful strategy or specific plans for the remediation of the harm it has inflicted upon our water - and that of our children, grandchildren, and future generations. The Red Hill WAI Policy Coordinator has only identified an unpublished, unreviewed study on bacteria found in O'ahu's soil that could biodegrade – but not necessarily bioremediate - JP-5 (and none of the other compounds released from the Red Hill Facility), without any investigation into the continued toxicity of the degraded fuel or strategy for using such bacteria for groundwater remediation; meanwhile, the “soil vapor extraction” pilot program put forward by the Navy will have no effect the contamination plume in O'ahu's sole-source aquifer. It is far past time for the legislature to intervene and take a stand for our 'āina, wai, and people – including generations yet unborn, who may otherwise inherit an aquifer that was contaminated on our generation's watch.

To be clear: there should be no jet fuel in the precious, sacred, and pure (or once pure) wai that our islands have blessed us with. **Unfortunately, the Department of Health's continual resistance to this reasonable expectation has resulted in this measure being amended to the point of being practically unenforceable.** The “as much as practicable” standard in the current SD1 draft of this measure, incorporated at the behest of the Department, is so ambiguous that both the Department of Health and Navy could allow any amount of contamination to remain in our environment, and in our water, for generations – claiming that any further cleanup would be “impracticable” for any number of reasons (lack of funding, failure to invest in remediation research, etc.). **Both this ambiguous and unenforceable standard as well as the removal of the rebuttable presumption in the original draft of this measure would also allow the Navy to hide behind a legal system that has already excused it from true accountability for the physical, emotional, and professional harms suffered by thousands of Red Hill-impacted individuals, including children.**



Accordingly, the Sierra Club urges the Committee to stand with the elected and agency leaders in the Red Hill Water Alliance Initiative, the Hawai'i community as a whole, and our home and 'āina itself, by adopting a clear, simple, and common sense standard for the clean up of the Navy's mess, as described below:

By amending page 3, lines 11-16, to read as follows:

"(b) Restoration of the environment from a release of jet fuel from an underground storage tank or tank system with a storage capacity greater than one million gallons, as described in subsection (a)(3), 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, to levels below the detectable limit of the best available detection technology.

(c) For the purposes of subsection (b), it shall be a rebuttable presumption that the detection of any amount of jet fuel, jet fuel additives, or compounds derived from jet fuel or jet fuel additives in the environment or groundwater in the vicinity of an underground storage tank or tank system, after a confirmed release from an underground storage tank or tank system, is the result of the confirmed release."

Accordingly, the Sierra Club of Hawai'i respectfully but strongly urges the Committee to **PASS SB2046 SD1 WITH THE AMENDMENTS** described above. Mahalo nui for the opportunity to testify.



'Ahahui o nā Kauka

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2025-2026 Advocacy Committee

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Kaohimanu Dang-Akiona, MD
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February 24, 2026

COMMITTEE ON JUDICIARY

Senator Karl Rhoads, Chair

Senator Mike Gabbard, Vice Chair

Group Testimony in Support of

SB2046SD1 RELATING TO UNDERGROUND STORAGE TANKS

Mōhala i ka wai ka maka o ka pua

“Unfolded by the water are the faces of flowers.”

Meaning: Flowers thrive where there is water, as thriving people are found where living conditions are good.

'Ahahui o nā Kauka (the Association of Native Hawaiian Physicians) supports the effort to ensure remediation of the contamination wrought by the United States Navy's Bulk Fuel Storage Facility at Kapūkakī, commonly referred to as “Red Hill” in modern times, by creating an enforceable legal standard. Safe drinking water is the foundation of health for all humans, and in Hawaiian culture carries even more significance as the base for our word for “wealth,” as our ancestors clearly knew people cannot thrive without safe water to nourish our bodies and the land. After over a century of hosting the US Navy's military interests, Hawai'i and its people deserve to be treated as more than military assets left to suffer the harms of infrastructure neglect. As Native Hawaiian physicians, we refuse to turn a blind eye to physical and mental health effects this facility poses to our patients and communities not only by contaminating a large portion of the water supply but also by destroying the faith people had in the safety of our water.

SB-2046-SD-1

Submitted on: 2/24/2026 3:26:45 PM

Testimony for JDC on 2/26/2026 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Janice K T Shiira	Testifying for Shimanchu Wai Protectors	Support	Written Testimony Only

Comments:

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SB-2046-SD-1

Submitted on: 2/24/2026 3:50:29 PM

Testimony for JDC on 2/26/2026 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
John & Rita Shockley	Testifying for Free Access Coalition	Support	Written Testimony Only

Comments:

Aloha!

The Free Access Coalition supports SB2046 because of the importance of free public access to Hawaii's drinking water. This bill needs to have language changes that force the Navy or any other polluter to be responsible for any clean-up of spills.

From the Sierra Club, O'ahu:

"As originally drafted, this bill would have made clear that any jet fuel released from an underground storage tank system - such as the Red Hill Bulk Fuel Storage Facility - must be completely cleaned up.

Unfortunately, Hawai'i Department of Health testimony in the last hearing resulted in amendments that replaced its clear, enforceable, and common sense standard for jet fuel remediation with a vague and practically unenforceable "as much as practicable" standard. This change, combined with the removal of a rebuttable presumption regarding the source of jet fuel surrounding an underground storage tank facility after a confirmed release, all but assures that the Navy will evade true accountability for the Red Hill catastrophe."

Mahalo for your consideration.

SB-2046-SD-1

Submitted on: 2/23/2026 7:22:12 PM

Testimony for JDC on 2/26/2026 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Ellen Carson	Individual	Support	Written Testimony Only

Comments:

I suport this bill. It is essential for our residnets and future generations to be able to rely on clean water in our aquifers, not contaminated by underground storage tanks

SB-2046-SD-1

Submitted on: 2/24/2026 12:32:27 AM

Testimony for JDC on 2/26/2026 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Johnnie-Mae L. Perry	Individual	Support	Written Testimony Only

Comments:

I, Johnnie-Mae L. Perry, Support

2046 SB RELATING TO UNDERGROUND STORAGE TANKS.

INCLUDING BUT NOT LIMITED TO THE U. S. A. MILITARY BRANCHES OF SERVICE

Re: SB 2046 SD 1

Aloha!

While the SECTION 2, subsection (4) (b) wording (see below), makes it clearer what chemicals and sub-compounds need to be cleaned up, the “as much as practicable” term remains vague.

Substituting that phrase with “to the most current and stringent federal EPA or state DOH guideline available” would be clearer and enforceable.

Mahalo,

Melanie Lau, MD

Fuel Tank Advisory Committee (FTAC) public member

(b) Restoration of the environment, as described in subsection (a) (3), 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 much as practicable.**"



Environmental Caucus of The Democratic Party of Hawai'i

Tuesday, February 24, 2026

To: Senator Karl Rhoads, Chair, Senate Judiciary Committee
Senator Mike Gabbard, Vice Chair, Senate Judiciary Committee
Members of the Senate Judiciary Committee

Re: SB 2046 – Underground Storage Tanks
Thursday, February 26, 2026, 10:00 am, Conference Room 016

Position: Support with Amendments

Aloha, Chair Rhoads, Vice Chair Gabbard, and Members of the Senate Judiciary Committee!

The Environmental Caucus of the Democratic Party of Hawai'i has an enrolled membership of approximately 6,680 members of the Democratic Party. We actively participate in monitoring the legislative process and have been highly focused on the US Navy's contamination of O'ahu's groundwater caused by leakage from the massive underground fuel storage tanks (USTs) at Red Hill. The aquifer has been contaminated, and we must actively work on remediation.

Part of that remediation process can be found in SB 2046 if it is enacted into law. However, SB 2046 SD1 needs to be amended back to its original form. Accordingly, the Caucus respectfully requests restoration of the critical protections contained in the original version of the bill.

SB 2046 addresses the ongoing threat posed by underground storage tank releases, particularly jet fuel contamination from the Red Hill facility. The original bill appropriately required that contamination be cleaned up to below detection limits using the best available technology, with the goal of complete remediation, and it established a rebuttable presumption that contamination detected after a confirmed release is attributable to that release.

As reflected in the committee report, SB2046 SD1 significantly weakens these protections. SD1 replaces the strong cleanup requirement with the vague standard of cleanup "as much as practicable," and it removes the rebuttable presumption entirely. These changes undermine the State's commitment that there should be no acceptable level of jet fuel in our *wai*, and they make it harder to ensure full remediation and accountability for contamination events.

For these reasons, the Environmental Caucus respectfully requests the following amendments:



1. Restore the original cleanup standard requiring remediation to below detection limits using the best available technology, with the goal of complete remediation.
2. Reinstate the rebuttable presumption that contamination detected after a confirmed release is attributable to that release unless proven otherwise.

With these amendments, SB 2046 will once again reflect the strong environmental protections necessary to safeguard Hawai'i's drinking water and groundwater resources.

Respectfully,

Alan B. Burdick, Co-Chair, burdick808@gmail.com

Mike Ewall, Co-Chair, mike@energyjustice.net

Melodie Aduja, Co-Chair *Emerita*, legislativepriorities@gmail.com

Respectfully,

Alan B. Burdick, Co-Chair

Mike Ewall, Co-Chair

Melodie Aduja, Co-Chair *Emerita*

SB-2046-SD-1

Submitted on: 2/24/2026 1:31:47 PM

Testimony for JDC on 2/26/2026 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Derek Kamakanaaloha Soong	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Rhoads, Vice Chair Gabbard, and Members of the Senate Judiciary Committee,

My name is Derek Kamakanaaloha Soong and I strongly urge you to PASS, WITH CRITICAL AMENDMENTS, SB2046 SD1.

As originally drafted, this bill would have made clear that any jet fuel released from an underground storage tank system - such as the Red Hill Bulk Fuel Storage Facility - must be completely cleaned up.

Unfortunately, Hawai'i Department of Health testimony in the bill's last hearing resulted in amendments that replaced its clear, enforceable, and common sense standard for jet fuel remediation with a vague and practically unenforceable "as much as practicable" standard. The Health Department was also able to remove a reasonable, rebuttable presumption regarding the source of jet fuel surrounding an underground storage tank facility, after a confirmed release. These changes all but assure that the Navy will evade true accountability for the Red Hill catastrophe.

There should be NO jet fuel in our precious and once-pure drinking water or in our environment, especially when it has been released by the reckless operation of a decrepit underground storage tank facility after years of objections by Hawai'i's residents. Fortunately, setting environmental policy and standing up for our future generations' wai is your - and our - prerogative, not the Health Department's.

Please stand with the elected and agency officials of the Red Hill Water Alliance Initiative, the O'ahu community, and all who care about our precious wai, and ensure that SB2046 SD1 moves forward with the clear and enforceable remediation standard and rebuttable presumption found in the original, common sense draft of this measure. If overbreadth is a concern, I respectfully recommend including a provision that would limit this remediation requirement to underground storage tank systems with a capacity of 1 million gallons or more.

Sincerely,

Derek Kamakanaaloha Soong

SB-2046-SD-1

Submitted on: 2/24/2026 1:32:29 PM

Testimony for JDC on 2/26/2026 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Kealii Pang, Ph.D.	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Rhoads, Vice Chair Gabbard, and Members of the Committee,

My name is Keali‘i Pang. As a water user on O‘ahu, the Red Hill fuel tank leak was a devastating experience for me, causing significant anxiety for my family's health and our future. I have watched the complexities of overlapping jurisdictions between federal, state, and local governments fail to live up to public scrutiny. It is now up to this Legislature to ensure that the best freshwater in the world is protected for future generations.

I strongly urge you to PASS, WITH CRITICAL AMENDMENTS, SB2046 SD1.

While I support the intent of the bill, the current SD1 draft contains language that undermines the safety of our aquifer. Specifically, I am concerned with Section 2, subsection (b) (Page 3, line 19), which requires cleanup only "as much as practicable."

As a resident, "practicable" is a dangerous word. It allows the Navy or any polluter to argue that a full cleanup is too expensive or technically difficult, leaving jet fuel in our source of life. There should be NO jet fuel in our *wai*. We must return to a clear, enforceable standard of full remediation.

Furthermore, the current draft lacks the rebuttable presumption found in the original version. Without this, the burden falls on our local agencies and community to prove the source of contamination, rather than holding the facility operator accountable for the surrounding environment after a confirmed release.

I respectfully request the following amendments to SB2046 SD1:

1. Remove "as much as practicable" from Section 2(b) and restore the requirement for full environmental restoration.
2. Restore the rebuttable presumption language to ensure accountability for facility operators.
3. Capacity Threshold: If the committee is concerned about the bill being too broad, I recommend limiting these strict requirements to underground storage tank systems with a capacity of 1 million gallons or more to ensure it captures massive facilities like Red Hill.

Setting environmental policy and standing up for our *wai* is the prerogative of this body. Please stand with the O‘ahu community and ensure this bill moves forward with the strength originally intended.

Mahalo,

Keali‘i Pang, Ph.D.

Kaimukī, O‘ahu

SB-2046-SD-1

Submitted on: 2/24/2026 1:36:15 PM

Testimony for JDC on 2/26/2026 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Malia Marquez	Individual	Support	Written Testimony Only

Comments:

Aloha Kākou Chair Rhoads, Vice Chair Gabbard, and Members of the Senate Judiciary Committee,

My name is Malia Marquez and I strongly urge you to **PASS, WITH CRITICAL AMENDMENTS**, SB2046 SD1.

As originally drafted, this bill would have made clear that any jet fuel released from an underground storage tank system - such as the Red Hill Bulk Fuel Storage Facility - must be completely cleaned up.

Unfortunately, Hawai‘i Department of Health testimony in the bill's last hearing resulted in amendments that replaced its clear, enforceable, and common sense standard for jet fuel remediation with a vague and practically unenforceable “as much as practicable” standard. The Health Department was also able to remove a reasonable, rebuttable presumption regarding the source of jet fuel surrounding an underground storage tank facility, after a confirmed release. These changes all but assure that the Navy will evade true accountability for the Red Hill catastrophe.

There should be NO jet fuel in our precious and once-pure drinking water or in our environment, especially when it has been released by the reckless operation of a decrepit underground storage tank facility after years of objections by Hawai‘i's residents. Fortunately, setting environmental policy and standing up for our future generations' wai is your - and our - prerogative, not the Health Department's.

Please stand with the elected and agency officials of the Red Hill Water Alliance Initiative, the O‘ahu community, and all who care about our precious wai, and **ensure that SB2046 SD1 moves forward with the clear and enforceable remediation standard and rebuttable presumption found in the original, common sense draft of this measure.** If overbreadth is a concern, I respectfully recommend including a provision that would limit this remediation requirement to underground storage tank systems with a capacity of 1 million gallons or more.

Me ka ha'aha'a,

Malia Marquez

SB-2046-SD-1

Submitted on: 2/24/2026 1:47:13 PM

Testimony for JDC on 2/26/2026 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Madonna Dizon	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Rhoads, Vice Chair Gabbard, and Members of the Senate Judiciary Committee,

My name is Kaleookamahina aka Madonna Dizon. I strongly support SB2046 SD1. I urge you to PASS, WITH CRITICAL AMENDMENTS, SB2046 SD1.

As originally drafted, this bill would have made clear that any jet fuel released from an underground storage tank system - such as the Red Hill Bulk Fuel Storage Facility - must be completely cleaned up.

Unfortunately, Hawai‘i Department of Health testimony in the bill's last hearing resulted in HEWA amendments that replaced its clear, enforceable, and common sense standard for jet fuel remediation with a vague and practically unenforceable “as much as practicable” standard. The Health Department was also able to remove a reasonable, rebuttable presumption regarding the source of jet fuel surrounding an underground storage tank facility, after a confirmed release. These changes all but assure that the Navy will evade true accountability for the Red Hill catastrophe.

There should be NO jet fuel in our precious and once-pure drinking water or in our environment, especially when it has been released by the reckless operation of a decrepit underground storage tank facility after years of objections by Hawai‘i's residents. Fortunately, setting environmental policy and standing up for our future generations' wai is your - and our - prerogative, not the Health Department's.

Please stand with the elected and agency officials of the Red Hill Water Alliance Initiative, the O‘ahu community, and all who care about our precious wai, and ensure that SB2046 SD1 moves forward with the clear and enforceable remediation standard and rebuttable presumption found in the original, common sense draft of this measure. If overbreadth is a concern, I respectfully recommend including a provision that would limit this remediation requirement to underground storage tank systems with a capacity of 1 million gallons or more.

Respectfully submitted,
Kaleookamahina aka Madonna Dizon

SB-2046-SD-1

Submitted on: 2/24/2026 2:04:25 PM

Testimony for JDC on 2/26/2026 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
DIANE CHOY FUJIMURA	Individual	Support	Written Testimony Only

Comments:

/Cmd+V

Aloha Chair Rhoads, Vice Chair Gabbard, and Members of the Senate Judiciary Committee,

My name is Diane Choy Fujimura and I strongly urge you to **PASS, WITH CRITICAL AMENDMENTS**, SB2046 SD1.

The Hawaii Department of Health is proving to be an unreliable steward for clean water, and for continuing to coddle the NAVY, consistently watering down the full responsibility of the Navy to fully remediate the Red Hill debacle for our future generations.

As originally drafted, this bill would have made clear that any jet fuel released from an underground storage tank system - such as the Red Hill Bulk Fuel Storage Facility - must be completely cleaned up.

Unfortunately, Hawai‘i Department of Health testimony in the bill's last hearing resulted in amendments that replaced its clear, enforceable, and common sense standard for jet fuel remediation with a vague and practically unenforceable “as much as practicable” standard. The Health Department was also able to remove a reasonable, rebuttable presumption regarding the source of jet fuel surrounding an underground storage tank facility, after a confirmed release. These changes all but assure that the Navy will evade true accountability for the Red Hill catastrophe.

There should be NO jet fuel in our precious and once-pure drinking water or in our environment, especially when it has been released by the reckless operation of a decrepit underground storage tank facility after years of objections by Hawai‘i's residents. Fortunately, setting environmental policy and standing up for our future generations' wai is your - and our - prerogative, not the Health Department's.

Please stand with the elected and agency officials of the Red Hill Water Alliance Initiative, the O‘ahu community, and all who care about our precious wai, and **ensure that SB2046 SD1 moves forward with the clear and enforceable remediation standard and rebuttable presumption found in the original, common sense draft of this measure.** If overbreadth is a concern, I respectfully recommend including a provision that would limit this remediation requirement to underground storage tank systems with a capacity of 1 million gallons or more.

Sincerely,

Diane Choy Fujimura

SB-2046-SD-1

Submitted on: 2/24/2026 2:54:21 PM

Testimony for JDC on 2/26/2026 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
William Reese Liggett	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Rhoads, Vice Chair Gabbard, and Members of the Senate Judiciary Committee,

My name is William Reese Liggett and I strongly urge you to **PASS, WITH CRITICAL AMENDMENTS**, SB2046 SD1.

As originally drafted, this bill would have made clear that any jet fuel released from an underground storage tank system - such as the Red Hill Bulk Fuel Storage Facility - must be completely cleaned up.

Unfortunately, Hawai'i Department of Health testimony in the bill's last hearing resulted in amendments that replaced its clear, enforceable, and common sense standard for jet fuel remediation with a vague and practically unenforceable "as much as practicable" standard. The Health Department was also able to remove a reasonable, rebuttable presumption regarding the source of jet fuel surrounding an underground storage tank facility, after a confirmed release. These changes all but assure that the Navy will evade true accountability for the Red Hill catastrophe.

There should be NO jet fuel in our precious and once-pure drinking water or in our environment, especially when it has been released by the reckless operation of a decrepit underground storage tank facility after years of objections by Hawai'i's residents. Fortunately, setting environmental policy and standing up for our future generations' wai is your - and our - prerogative, not the Health Department's.

Please stand with the elected and agency officials of the Red Hill Water Alliance Initiative, the O'ahu community, and all who care about our precious wai, and **ensure that SB2046 SD1**

moves forward with the clear and enforceable remediation standard and rebuttable presumption found in the original, common sense draft of this measure. If overbreadth is a concern, I respectfully recommend including a provision that would limit this remediation requirement to underground storage tank systems with a capacity of 1 million gallons or more.

Sincerely,

William Reese Liggett

SB-2046-SD-1

Submitted on: 2/24/2026 3:09:01 PM

Testimony for JDC on 2/26/2026 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Clinton Brewer	Individual	Support	Written Testimony Only

Comments:

For the future generations we must begin now.

SB-2046-SD-1

Submitted on: 2/24/2026 3:20:16 PM

Testimony for JDC on 2/26/2026 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Leah Bremer	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Rhoads, Vice Chair Gabbard, and Members of the Senate Judiciary Committee,

My name is Leah Bremer and I strongly urge you to **PASS, WITH CRITICAL AMENDMENTS**, SB2046 SD1.

As originally drafted, this bill would have made clear that any jet fuel released from an underground storage tank system - such as the Red Hill Bulk Fuel Storage Facility - must be completely cleaned up.

The Hawai'i Department of Health testimony in the last hearing resulted in amendments that replaced its clear, enforceable, and common sense standard for jet fuel remediation with a vague and practically unenforceable "as much as practicable" standard. This change, combined with the removal of a rebuttable presumption regarding the source of jet fuel surrounding an underground storage tank facility after a confirmed release, all but assures that the Navy will evade true accountability for the Red Hill catastrophe.

The Navy must not be allowed to ignore the harms it has inflicted on our land and waters. There should be NO jet fuel in our environment, especially when it has been released by the reckless operation of a decrepit underground storage tank facility after years of objections by Hawai'i's residents.

Please stand with the elected and agency officials of the Red Hill Water Alliance Initiative, the O'ahu community, and all who care about our precious wai, and ensure that SB2046 SD1 moves forward with the clear and enforceable remediation standard and rebuttable presumption found in the original draft of this common sense measure. If overbreadth is a concern, I respectfully recommend including provisions that would limit this requirement to underground storage tank systems with a capacity of 1 million gallons or more.

Sincerely,
Leah Bremer

SB-2046-SD-1

Submitted on: 2/24/2026 3:24:52 PM

Testimony for JDC on 2/26/2026 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Anne Lorenzo	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Rhoads, Vice Chair Gabbard, and Members of the Senate Judiciary Committee,

My name is Anne M. Lorenzo and I strongly urge you to **PASS, WITH CRITICAL AMENDMENTS**, SB2046 SD1.

As originally drafted, this bill would have made clear that any jet fuel released from an underground storage tank system - such as the Red Hill Bulk Fuel Storage Facility - must be completely cleaned up.

Unfortunately, Hawai'i Department of Health testimony in the last hearing resulted in amendments that replaced its clear, enforceable, and common sense standard for jet fuel remediation with a vague and practically unenforceable "as much as practicable" standard. This change, combined with the removal of a rebuttable presumption regarding the source of jet fuel surrounding an underground storage tank facility after a confirmed release, all but assures that the Navy will evade true accountability for the Red Hill catastrophe.

After having ignored years of public outcry, whistleblower complaints, and basic common sense prior to the 2021 catastrophe, the Navy must not be allowed to ignore the harms it has inflicted on our 'āina and wai. There should be NO jet fuel in our precious and once-pure drinking water or in our environment, especially when it has been released by the reckless operation of a decrepit underground storage tank facility after years of objections by Hawai'i's residents.

Please stand with the elected and agency officials of the Red Hill Water Alliance Initiative, the O'ahu community, and all who care about our precious wai, and ensure that SB2046 SD1 moves forward with the clear and enforceable remediation standard and rebuttable presumption found in the original draft of this common sense measure. If overbreadth is a concern, I respectfully recommend including provisions that would limit this requirement to underground storage tank systems with a capacity of 1 million gallons or more.

Sincerely,
Anne M. Lorenzo

SB-2046-SD-1

Submitted on: 2/24/2026 3:28:53 PM

Testimony for JDC on 2/26/2026 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Marshall Hung	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Rhoads, Vice Chair Gabbard, and Members of the Senate Judiciary Committee,

My name is Marshall Hung and I strongly urge you to **PASS, WITH CRITICAL AMENDMENTS**, SB2046 SD1.

As originally drafted, this bill would have made clear that any jet fuel released from an underground storage tank system - such as the Red Hill Bulk Fuel Storage Facility - must be completely cleaned up.

Unfortunately, Hawai‘i Department of Health testimony in the bill's last hearing resulted in amendments that replaced its clear, enforceable, and common sense standard for jet fuel remediation with a vague and practically unenforceable “as much as practicable” standard. The Health Department was also able to remove a reasonable, rebuttable presumption regarding the source of jet fuel surrounding an underground storage tank facility, after a confirmed release. These changes all but assure that the Navy will evade true accountability for the Red Hill catastrophe.

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Sincerely,

Marshall Hung

SB-2046-SD-1

Submitted on: 2/24/2026 3:39:20 PM

Testimony for JDC on 2/26/2026 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
irene kloepfer	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Rhoads, Vice Chair Gabbard, and Members of the Senate Judiciary Committee,

My name is Irene and I strongly urge you to **PASS, WITH CRITICAL AMENDMENTS**, SB2046 SD1.

As originally drafted, this bill would have made clear that any jet fuel released from an underground storage tank system - such as the Red Hill Bulk Fuel Storage Facility - must be completely cleaned up.

Unfortunately, Hawai‘i Department of Health testimony in the last hearing resulted in amendments that replaced its clear, enforceable, and common sense standard for jet fuel remediation with a vague and practically unenforceable “as much as practicable” standard. This change, combined with the removal of a rebuttable presumption regarding the source of jet fuel surrounding an underground storage tank facility after a confirmed release, all but assures that the Navy will evade true accountability for the Red Hill catastrophe.

After having ignored years of public outcry, whistleblower complaints, and basic common sense prior to the 2021 catastrophe, the Navy must not be allowed to ignore the harms it has inflicted on our ‘āina and wai. There should be NO jet fuel in our precious and once-pure drinking water or in our environment, especially when it has been released by the reckless operation of a decrepit underground storage tank facility after years of objections by Hawai‘i’s residents.

Please stand with the elected and agency officials of the Red Hill Water Alliance Initiative, the O‘ahu community, and all who care about our precious wai, and ensure that SB2046 SD1 moves forward with the clear and enforceable remediation standard and rebuttable presumption found in the original draft of this common sense measure. If overbreadth is a concern, I respectfully recommend including provisions that would limit this requirement to underground storage tank systems with a capacity of 1 million gallons or more.

mahalo

SB-2046-SD-1

Submitted on: 2/24/2026 3:42:54 PM

Testimony for JDC on 2/26/2026 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Stephen Canham	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Rhoads, Vice Chair Gabbard, and Members of the Senate Judiciary Committee,

My name is Stephen Canham, I live in Kaneohe, Oahu, and I strongly urge you to **PASS, WITH CRITICAL AMENDMENTS**, SB2046 SD1.

I firmly believe that we should have zero tolerance for jet fuel (or any petroleum/extraneous chemical product) in our water; I also believe that the U.S. Navy should be held to full account for all past "spills." As originally drafted, this bill would have made clear that any jet fuel released from an underground storage tank system - such as the Red Hill Bulk Fuel Storage Facility - must be completely cleaned up.

Unfortunately, Hawai‘i Department of Health testimony in the last hearing resulted in amendments that replaced its clear, enforceable, and common sense standard for jet fuel remediation with a vague and practically unenforceable “as much as practicable” standard. This change, combined with the removal of a rebuttable presumption regarding the source of jet fuel surrounding an underground storage tank facility after a confirmed release, all but assures that the Navy will evade true accountability for the Red Hill catastrophe.

After having ignored years of public outcry, whistleblower complaints, and basic common sense prior to the 2021 catastrophe, the Navy must not be allowed to ignore the harms it has inflicted on our ‘āina and wai. There should be NO jet fuel in our precious and once-pure drinking water or in our environment, especially when it has been released by the reckless operation of a decrepit underground storage tank facility after years of objections by Hawai‘i’s residents.

Please stand with the elected and agency officials of the Red Hill Water Alliance Initiative, the O‘ahu community, and all who care about our precious wai, and ensure that SB2046 SD1 moves forward with the clear and enforceable remediation standard and rebuttable presumption found in the original draft of this common sense measure. If overbreadth is a concern, I respectfully recommend including provisions that would limit this requirement to underground storage tank systems with a capacity of 1 million gallons or more.

Respectfully yours,

Stephen Canham, PhD

Kaneohe, HI

SB-2046-SD-1

Submitted on: 2/24/2026 4:17:09 PM

Testimony for JDC on 2/26/2026 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Patricia Blair	Individual	Support	Written Testimony Only

Comments:

Navy must be held accountable.

SB-2046-SD-1

Submitted on: 2/24/2026 4:23:39 PM

Testimony for JDC on 2/26/2026 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
cheryl burghardt	Individual	Support	Written Testimony Only

Comments:

Aloha Chair and Committee Members,

I support SB 2046 SD 1. That we even have to have a bill to keep jet fuel out of our water is inconceivable, yet here we are. This bill gives us, the citizens of Hawaii, islands trying to sustain with the formidable presence of the US govt. unwilling to take responsibility for clean up and prevention of future issues a voice.

Mahalo for hearing this bill.

Cheryl Burghardt

Nuuanu Oahu

SB-2046-SD-1

Submitted on: 2/24/2026 4:34:21 PM

Testimony for JDC on 2/26/2026 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
William Caron	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Rhoads, Vice Chair Gabbard, and members of the Senate Judiciary Committee,

I am writing in **support of SB2046**, but with a critical concern: the bill's core enforcement standard has been dangerously weakened. As amended at the behest of the Department of Health, this measure now only requires the Navy to clean up jet fuel contamination **"to the extent practicable."** This vague, subjective language must be corrected before this bill moves forward.

The original premise of SB2046 was common sense and moral clarity: jet fuel released from underground storage tanks—including the Red Hill facility—must be fully cleaned up. Period. After the 2021 catastrophe that poisoned the drinking water of thousands of O‘ahu families, after years of Navy delay and denial, and after repeated assurances that contamination would simply "go away naturally" over decades, the state has a responsibility to establish an **enforceable, measurable cleanup standard.**

Unfortunately, the current language does not meet that standard.

"To the extent practicable" is a loophole, not a requirement. It invites delay, dispute, and deflection. It allows the Navy to argue that full remediation is too difficult, too expensive, or simply inconvenient. It leaves the door open for the same kind of inaction we have witnessed for over four years. Meanwhile, our aquifer—the sole source of drinking water for generations of Hawai‘i's families—remains at risk.

We need this bill to keep moving. But we also need the Judiciary Committee to recognize that its current form is now so vague as to be practically unenforceable. The committee should restore language requiring cleanup to **below-detectable levels using the most sensitive technology available**, as originally intended.

Hawai‘i's people cannot afford more studies, more delays, or more corporate loopholes. We cannot afford to let the Navy off the hook with feel-good language that lacks teeth. The state must insist that the ultra-wealthy and powerful interests responsible for this mess—including the U.S. Navy—pay their fair share and clean up their mess fully.

I urge the committee to **advance SB2046, but to revert its enforcement language to a clear, measurable, and enforceable standard.** No more practicability. No more delay. Full cleanup, now.

Mahalo for the opportunity to testify.