

ACT 220

H.B. NO. 2201-86

A Bill for an Act Making an Appropriation for a Groundwater Protection Program.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. It is estimated that ninety per cent of Hawaii's drinking water is from ground water sources. Although several agencies and the private sector are doing ground water monitoring, no public agency has been clearly designated as the lead agency for ground water monitoring and enforcement. It is critical that the State understand the nature and extent of ground water contamination, and establish procedures to prevent future contamination in order to protect Hawaii's existing and future ground water sources of drinking water. The legislature finds that the establishment of a ground water protection program is a matter of compelling state interest, to protect and preserve the health of the people of the State. The department of health already has a broad mandate to protect ground water under chapter 342, Hawaii Revised Statutes. It is also recognized that the office of environmental quality control has been designated by the legislature to coordinate, review, evaluate, and make recommendations relating to pesticides ground water contamination and will be presenting final recommendations to the legislature in 1987. An interim product of the office of environmental quality control's water resources monitoring committee will be a ground water monitoring strategy and a need for health risk assessments.

The purpose of this Act is to provide resources to the department of health to implement this ground water monitoring strategy and to initiate baseline ground water monitoring and to establish a health risk assessment. The department shall also consider a reorganization of the environmental protection and health services division to support the development and implementation of a ground water protection program. The department's ground water protection program will be established within one year of the enactment of this Act in order to be able to implement the recommendations of the office of environmental quality control.

SECTION 2. By January 1987, the director of health shall submit to the legislature a draft groundwater strategy and plan. The plan shall: (1) identify the resources necessary to implement the program, and (2) set program goals and discuss activities to accomplish goals. The plan shall incorporate strategies for conducting program activities developed by the office of environmental quality control as mandated by Act 275, Session Laws of Hawaii 1984.

The department shall begin the development of a risk assessment program to implement the recommendations of the office of environmental quality control's subcommittee on risk.

Within twenty-four months after adoption, the director shall complete the development and implementation of a program for predicting, monitoring, and preventing ground water contamination. The department may adopt rules to implement this program.

SECTION 3. There is appropriated out of the general revenues of the State of Hawaii the sum of \$190,000, or so much thereof as may be necessary for fiscal year 1986-1987, to begin the development and implementation of a groundwater protection and risk assessment program to preserve clean groundwater for drinking and other uses, and to protect the health of the public who may be exposed to contamination.

SECTION 4. The sum appropriated shall be expended by the department of health for the purposes of this Act.

SECTION 5. This Act shall take effect on July 1, 1986.

(Approved May 27, 1986.)