

ACT 148

H.B. NO. 1250

A Bill for an Act Relating to Environmental Response.

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

SECTION 1. The legislature finds that oil and hazardous materials that leak from pipelines, such as the major oil pipeline spill in May 1996, present ever increasing risks to Hawaii's environment. The intent of this Act is to promote an innovative approach in the development of new partnerships among the federal, state, and county governments, and private industry in managing the environmental risks posed by oil and hazardous materials.

Because of the State's limited resources, the legislature finds that the State can no longer afford to take a "business as usual" attitude in managing long-standing environmental risks to the public health and environment. Instead of setting up a regulatory framework which would overburden the taxpayers and industry, the legislature finds that it would be in everyone's best interest for industry to participate in the planning, monitoring, and oversight of pipeline safety without additional costs to the State.

SECTION 2. (a) As used in this Act, unless the context otherwise requires: "Committee" means the pipeline safety committee.

"Hazardous substance" has the same meaning as defined in section 128D-1.

"Pipeline" means all parts of those physical facilities through which hazardous substances move in transmission, including pipes, valves, and other appurtenances attached to pipes, compressor units, metering stations, regulator stations, delivery stations, holders, and fabricated assemblies.

"Pipeline operator" means a person who operates a pipeline that carries hazardous substances.

(b) There is established within the department of health for administrative purposes, a pipeline safety committee consisting of representatives of state and local governments, public service, and industrial or commercial companies with interests in underground pipeline systems. The director of health or a designee of the director and the director of transportation or a designee of the director shall serve as ex officio members.

(c) The department of health shall request the participation of the following organizations to serve on the committee:

- (1) The board of water supply, city and county of Honolulu;
- (2) The department of wastewater management, city and county of Honolulu; and
- (3) Other pipeline operators.

(d) The committee shall elect a chairperson from among its members. Members shall serve without compensation. The committee shall meet at least once every four months.

(e) The committee shall:

- (1) Maintain a central depository of all pipeline maps;
- (2) Facilitate cooperative cathodic protection testing and interference mitigation; and
- (3) Facilitate information and technology sharing.

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(f) The department shall submit to the legislature no later than twenty days prior to the convening of each regular session, a complete and detailed report of its activities for the previous year, including:

- (1) A summary of safety-related reports filed with the federal Office of Pipeline Safety; and
- (2) A summary of cathodic protection reports.

SECTION 3. This Act shall take effect upon its approval and shall be repealed two years from its effective date.

(Approved June 16, 1997.)