

ACT 29

S.B. NO. 3124

A Bill for an Act Making an Emergency Appropriation to the Department of Health for Costs Resulting from the Release of Petroleum from the Red Hill Bulk Fuel Storage Facility.

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

SECTION 1. This Act is recommended by the governor for immediate passage in accordance with section 9 of article VII of the Constitution of the State of Hawaii.

SECTION 2. The purpose of this Act is to make an emergency appropriation to provide funds for the department of health for costs related to emergency response for threats to public health and enforcement activities resulting from release of petroleum from the Red Hill Bulk Fuel Storage Facility. The department of health hazard evaluation and emergency response office opened Navy Water System Incident Case No. 20211128-1848 on November 28, 2021, when the department of health was notified that petroleum product was observed in drinking water by users of the Navy's Joint Base Pearl Harbor-Hickam public water system (PWS 360) and consecutive Army Aliamanu Military Reservation public water system (PWS 337) on Oahu.

The department of health will pursue cost recovery from the United States Navy, but funds are needed in advance of any cost recovery to pay for expenses incurred, including:

- (1) Additional staff to enable thorough sampling and confirmation collection according to State and federal drinking water regulations and procedures;
- (2) Laboratory testing;
- (3) Retention of additional subject matter experts to supplement department staff;
- (4) Additional staff for data management;
- (5) Maintenance and repair for laboratory instruments used for testing of drinking water samples;
- (6) Crisis communications assistance; and
- (7) Overtime costs for the many state employees needed to work on the emergency response.

Response activities needed since the initial report of contaminated water in areas surrounding the Red Hill Bulk Fuel Storage Facility in late November 2021, have included coordination, planning, operations, logistics, and finance tasks that involve collecting, testing, and analyzing water samples; media relations and public messaging; responding to public inquiries and complaints; data management; geographic information systems mapping; procurement; cost accounting; and coordination with government entities, including the United States Navy, Hawaii emergency management agency, United States Environmental Protection Agency, United States Centers for Disease Prevention and Control, Hawaii's congressional delegation, department of education, department of human services, department of land and natural resources, and others.

SECTION 3. There is appropriated out of the general revenues of the State of Hawaii the sum of \$1,500,000, or so much thereof as may be necessary for fiscal year 2021-2022 to carry out the purpose of this Act, including response and enforcement activities of the department of health relating to petroleum leaks at the Red Hill Bulk Fuel Storage Facility.

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

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

(Approved May 27, 2022.)