

Honolulu, Hawaii

Feb 8, 2006

RE: H.B. No. 2039
H.D. 1

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Third State Legislature
Regular Session of 2006
State of Hawaii

Sir:

Your Committee on Energy & Environmental Protection, to which was referred H.B. No. 2039 entitled:

"A BILL FOR AN ACT RELATING TO DECONTAMINATION OF ILLEGAL DRUG MANUFACTURING SITES,"

begs leave to report as follows:

The purpose of this bill is to eliminate the threat to public health posed by toxic chemicals left behind by illegal drug manufacturing by establishing procedures ensuring that these properties are efficiently and promptly decontaminated to make them safe to occupy.

The Honolulu Police Department, Mililani Drug Free, Mililani Town Association, and a concerned individual testified in support of this bill. The Department of Health (DOH) supported the intent of this bill, but suggested that a study should be conducted prior to implementation.

Your Committee has amended this bill by:

- (1) Removing the program under which:
 - (a) Illegal drug manufacturing laboratories are reported to DOH;
 - (b) Illegal drug manufacturing laboratory sites are found unfit for use;



- (c) Sites are decontaminated; and
- (d) Decontamination contractors are certified;
- (2) Requiring the DOH to adopt, without regard to chapter 91, Hawaii Revised Statutes, and within 90 days of enactment of this bill, interim procedures and guidelines for decontamination and cleanup of known illegal methamphetamine laboratories;
- (3) Requiring the DOH to report to the Legislature before the Regular Session of 2007 an evaluation of:
 - (a) The impact of illegal methamphetamine manufacturing on soil and groundwater;
 - (b) Cleanup procedures employed in the past at actual sites in the state;
 - (c) Appropriate protocol for assessment of the danger of the site and to protect first responders and others;
 - (d) Relevant DOH and Hawaii law enforcement records; and
 - (e) Standards and procedures for cleanup currently used by other states and federal agencies;
- (4) Removing the severability clause;
- (5) Changing the effective date to upon approval; and
- (6) Making technical, nonsubstantive amendments for style, clarity, and consistency.

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 H.B. No. 2039, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2039, H.D. 1, and be referred to the Committee on Judiciary.



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

Hermina Morita

HERMINA MORITA, Chair



