

JAN 22 2007

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## A BILL FOR AN ACT

RELATING TO AIR POLLUTION CONTROL.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1       SECTION 1. The legislature finds that coal as a source of  
2 energy is not part of a clean and sustainable energy future for  
3 Hawaii. All of the coal consumed in the State is imported and  
4 shipped for various energy needs; however, the burning of coal  
5 affects the State's air quality and its image as the "health  
6 state."

7       Coal is the most carbon intense of any fossil fuel and it  
8 releases more greenhouse gas emissions per unit of electricity  
9 produced than any other fuel source. If greenhouse emissions  
10 continue to proceed unabated, current scientific studies predict  
11 that Hawaii's future lifestyle and environment will be  
12 drastically different from what its residents and visitors enjoy  
13 today. The Pacific Ocean may inundate most of Waikiki, the  
14 business district in Honolulu, and the coastal resort areas on  
15 neighboring islands. As a result, the State's aquifers may  
16 become increasingly contaminated with the intrusion of salt  
17 water. More frequent and severe storms and hurricanes may



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1 strike the islands, droughts may be prolonged, and subtle shifts  
2 in microclimates may rapidly increase the extinction of  
3 endangered plants and animals. Thus, the legislature further  
4 finds that it is vital for the State to contribute to the  
5 reduction of global warming by decreasing the usage of coal to  
6 generate Hawaii's energy needs.

7 The purpose of this Act is to prohibit the department of  
8 health from issuing permits to any new facilities, which burn or  
9 consume coal or to any existing facilities intending to expand  
10 or modify, which would result in an increase of coal  
11 consumption.

12 SECTION 2. Chapter 342B, Hawaii Revised Statutes, is  
13 amended by adding a new section to be appropriately designated  
14 and to read as follows:

15 "§342B- Permits for coal burning covered sources. (a)  
16 After December 31, 2008, the department shall not issue any  
17 permit for any term to an owner or operator of a covered source  
18 of which construction has not begun that will burn or consume  
19 coal to generate energy.

20 (b) The department shall not issue any permit for any term  
21 to an owner or operator of an existing covered source who  
22 intends to expand, relocate, or modify the covered source, which



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1 will result in an increase in the burning or consumption of coal  
2 for energy."

3 SECTION 3. New statutory material is underscored.

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

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INTRODUCED BY:

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**Report Title:**

Coal Burning; Air Pollution Control

**Description:**

Prohibits the issuing of permits for new covered sources that burn or consume coal for energy needs. Prohibits the issuing of permits for modified existing sources that would increase the burning or consumption of coal for energy needs.

