

Honolulu, Hawaii

March 14, 2008

RE: S.B. No. 3082
S.D. 1
H.D. 1

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Fourth State Legislature
Regular Session of 2008
State of Hawaii

Sir:

Your Committee on Energy & Environmental Protection, to which was referred S.B. No. 3082, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO CRUISE SHIPS,"

begs leave to report as follows:

The purpose of this bill is to make the regulation of air emissions from commercial passenger vessels by the Department of Health (DOH) more effective and less cumbersome by:

- (1) Deleting air pollution provisions from Chapter 342D, Hawaii Revised Statutes (HRS), the water pollution law, that covers water pollution and air pollution from commercial passenger vessels; and
- (2) Incorporating those air pollution provisions and any supporting provisions into a new part of Chapter 342B, HRS, that relates to air pollution control.

DOH supported this bill with amendments.

In light of testimony submitted by DOH during the public hearing on this matter, your Committee has amended this measure by:

- (1) Providing an exception to the prohibition on incinerator operations by large commercial passenger vessels in any

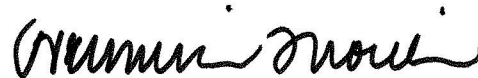


Hawaiian port by allowing incinerator operations for testing purposes as requested by the U.S. Coast Guard or DOH;

- (2) Providing that any violation of the limits on visible emissions due to an equipment failure must be reported to DOH within 72 hours after the equipment failure;
- (3) Repealing existing provisions allowing DOH, through an independent contractor, to monitor the opacity of air emissions of a commercial passenger vessel;
- (4) In lieu of item (3), requiring all commercial passenger vessels' stack exhaust plumes to be monitored by a transmissometer, or by an alternative methodology as approved by the Director of Health;
- (5) Repealing the existing provisions that require DOH, by rule, to establish fines for illegal air emissions; 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 S.B. No. 3082, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3082, S.D. 1, H.D. 1, and be referred to the Committees on Tourism & Culture and Transportation.

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



HERMINA MORITA, Chair



