

LINDA LINGLE
GOVERNOR OF HAWAII



CHIYOME LEINAALA FUKINO, M.D.
DIRECTOR OF HEALTH

STATE OF HAWAII
DEPARTMENT OF HEALTH
P.O. Box 3378
HONOLULU, HAWAII 96801-3378

In reply, please refer to:
File:

COMMITTEE ON HEALTH

H.B. 3150, RELATING TO THE HAWAII EMERGENCY PLANNING AND COMMUNITY RIGHT-TO-KNOW ACT

Testimony of Chiyome Leinaala Fukino, M.D.
Director of Health

February 6, 2008
8:00 A.M.

- 1 **Department's Position:** The Department of Health strongly supports this administration bill.
- 2 **Fiscal Implications:** There will be some facilities that have to pay reporting fees for extremely
3 hazardous substances when they did not do so before.
- 4 **Purpose and Justification:** The bill clarifies section of 128E-6 (a) (2), Hawaii Revised Statutes (HRS),
5 of the Hawaii Emergency Planning and Community Right-To-Know Act (HEPCRA), to eliminate
6 confusion about the reporting requirements for "hazardous substances" and "extremely hazardous
7 substances." The bill separates the different reporting requirements for "hazardous substances" and
8 "extremely hazardous substances" to make sure that businesses file the required chemical inventory
9 reports for "extremely hazardous substances" and pay the fee. There have been some cases where
10 businesses thought the law only required them to report "extremely hazardous substances" when they
11 had 10,000 pounds instead of 500.

12 Protecting and preserving the health and safety of the residents of Hawaii is a primary function
13 of the Department, this bill augments that function by ensuring that emergency responders and the
14 department have complete and accurate information about the location and types of "extremely

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1 hazardous substances" at an emergency site. Affected businesses will be able to fill out and report their
2 appropriate chemical inventories with better accuracy. In turn, this more accurate and broader set of
3 chemical inventory information will provide first responders, such as County fire departments, and other
4 emergency response agencies as well as Local Emergency Planning Committees (LEPCs), with an
5 increased capability to protect public health and safety when they respond to emergencies, such as
6 hurricanes, fires, earthquakes, and prepare response plans.

7 This bill also enhances the Department's mission of protecting and preserving the environment.

8 Thank you for the opportunity to testify on this important measure.

HONOLULU LOCAL EMERGENCY PLANNING COMMITTEE
CITY AND COUNTY OF HONOLULU

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MUFI HANNEMANN
MAYOR



CARTER DAVIS
CHAIR

LELAND NAKAI
COORDINATOR

February 4, 2008

Honorable Josh Green, Chair
Committee on Health
Room 436
Hawaii State Capitol
415 South Beretania Street
Honolulu, Hawaii 96813

Subject: Support for H.B. 3150/S.B. 3072

Dear Representative Green:

The Honolulu Local Emergency Planning Committee strongly supports the proposed amendment to the Hawaii Emergency Planning and Community Right-To-Know Act, HRS 128E.

We have found in the City and County of Honolulu that in a number of instances facilities misinterpret the reporting requirements of HRS Section 128E-6 (a) (2), and do not file the required chemical inventory form. This lack of important chemical information poses potential risks to responders and the community during an emergency situation involving these chemicals.

The clarification of Section 128E-6 (a) (2) will help to further emphasize the different reporting requirements for "hazardous substances" and "extremely hazardous substances" and minimize any confusion that facilities may have on reporting these substances. Better reporting by facilities will allow our emergency responders to better prepare for any emergency involving these hazardous chemicals.

We strongly believe that this bill will enhance the safety of our island community and further protect our citizens and the environment.

Sincerely,

A handwritten signature in black ink, appearing to read "Carter Davis", is written over a printed name and title.

Carter Davis
Chair, Honolulu LEPC

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