

LATE**testimony**

From: Katie and Garrett Johnson [ktngarrett1@hotmail.com]
Sent: Thursday, February 21, 2008 12:36 PM
To: testimony
Subject: Comments on Bill SB2526 (NCL Low Sulfur Bunker Fuel)

Dear Senate Committee,

As a graduate of the United States Merchant Marine Academy and a Deck Officer (Mate) with over 10 years of experience on various US Flag ships I implore you to stop NCL from using high sulfur Bunker fuel in Nawiliwili bay. I fully support Bill SB2526 and any bill that is stringent in protecting the health of the residents of Kauai. I have been a resident of Niumalu for almost 5 years and remember a time before NCL's new ships; when we wouldn't have to close all of our windows or even leave our home for hours in order to avoid the dangerous exhaust from ships. We have a young child and are especially concerned for her safety while NCL is quoted recently in the Garden Island paper saying that their bottom line is more important than people's health. *"NCL anticipates the cost to convert over to this fuel would be significant possibly adding thousands of dollars to each voyage and impacting bottom line,"* (Quote from Feb 11 2008 edition of the Garden Island Newspaper from Alan Yamamoto, vice president of Hawai'i Operations for NCL America Inc.)

I worked on a supertanker for Exxon soon after the Valdez oil spill and remember the intense international press and pressure around that "disaster". As a nature and animal lover, I was also saddened by the death of so many animals/mammals. Yet not one person was hurt from that spill. Waking up in Niumalu with my lungs burning is proof that people are being hurt by NCL. The cavalier attitude NCL has expressed, that the cost to change to a low sulfur bunker fuel isn't cost effective, is absolutely preposterous. This is a situation when Government must step in and legislate what is right for the health of the people of Hawaii and not what is good for a particular business.

Thank you for your time,

Garrett Johnson
Lihue, HI
808-652-3826

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LATE

testimony

From: Tara_Niemeier/KAUAIH/HIDOE@notes.k12.hi.us

Sent: Thursday, February 21, 2008 8:47 AM

To: testimony

RE: SB 2526 - RELATING TO AIR POLLUTION CONTROL

Committee On Energy and Environment (ENE) and Committee On Health (HTH)

From:

DATE: Thursday, February 21, 2008

TIME: 2:45 p.m.

PLACE: Conference Room 414

State Capitol, 415 South Beretania Street

Testimony to support SB2526

Dear Honorable Senate Members:

Please note that on Tuesday, February 19th, 2008, several students in my classroom complained of headaches, and I experienced a burning sensation in my eyes and a sense of dizziness, while the fumes from the ship docked at Nawiliwili Harbor filled the air.

Unsanitary classrooms are bad enough...

Thank you for your time and understanding.

Sincerely,

Tara T. Niemeier

LATE

testimony

From: Linda Harmon [harmonl001@hawaii.rr.com]

Sent: Thursday, February 21, 2008 10:08 AM

To: testimony

Subject: Bunker fuel bill # 2526

I want to thank Gary Hooser for introducing this bill and hope it will expand its scope in providing healthy communities. I believe that if the residents and the visitors industry are to become more compatible the ships should be burning no more than 1000 parts per million of sulfur. That the community should allow 5 times the amount of sulfur first proposed for the sake of ship convenience is not a valid reason for giving way. We are looking at the health of our community after all. I also think the bill should apply to other islands as well.

LATE

Testimony on SB 2526, Relating to Air Pollution Control
February 21, 2008
Joint Senate Committee on Energy & Environment and Health

Chairs Menor and Ige, Vice Chairs Hooser and Fukunaga, Members of the Senate Committees on Energy & Environment and Health:

Thank you for the opportunity to provide comments on SB 2526, Relating to Air Pollution Control, which would prohibit cruise ships from burning bunker fuel within five miles of Nāwiliwili Harbor.

My name is Dale Hahn, representing Princess Cruises and Holland America Line.

Princess and Holland America have been made aware of the Niumalu community's concerns about odor and soot and believe it is important to take meaningful action to begin the process of addressing these concerns. While we believe, and the state's monitoring to date has confirmed, that our emissions do not exceed any established Federal or State air emission standards, we believe it is important to acknowledge the complaints and work together to resolve this problem even if the emissions do not pose an actual health hazard.

Princess and Holland America are unsure to what degree odors and soot can be reduced by a change in fuel. Therefore, rather than mandate a change in fuel that may not address the community's concerns, we believe a reasonable first step in addressing this matter is to get good information about what might be done to reduce odors and soot. To accomplish this, we propose to engage in a test program with the Department of Health and the Niumalu community to monitor stack emissions during our calls while we are using bunker fuel as a baseline followed by a monitoring period when we will switch to .5% sulphur fuel while we are alongside in Nāwiliwili Harbor.

In addition, we propose that the Holland America ship, Zaandam, be allowed to test its seawater scrubber which is designed to reduce stack emissions to a level approximately equivalent to emissions from the proposed low sulphur fuel. Discussions have begun with the State Department of Health to get permission to operate the scrubber in Hawaiian marine waters and we hope we will receive permission in time to conduct the testing this spring.

If the legislature decides to move this measure forward, we ask for your consideration of a couple of amendments to this bill.

1. Proposed §342B(a) be amended to read as follows:

"§342B- Nāwiliwili harbor; bunker fuel emission regulation; alternatives. (a) Beginning December 31, 2008, emissions from a cruise ship resulting directly or indirectly from the burning of fuel oil containing more than five thousand parts per million of sulfur in its main and auxiliary engines shall be prohibited while berthed at Nāwiliwili harbor.

This would allow ships that sail from California ports to use the same fuel in Nāwiliwili that is when we are alongside in California ports. We also ask that any fuel switch be made while the ship is alongside, rather than 5 miles from shore for safety reasons and to avoid any question about the jurisdiction of the state outside of Hawai'i marine waters.

2. Proposed §342B(b) be amended to read as follows:

LATE

The Honorable Ron Menor, Chair
Committee on Energy and Environment Protection
The Honorable David Y. Ige, Chair
Committee on Health
Hawaii State Senate, State of Hawaii
State Capitol
235 South Beretania Street, Room 414
Honolulu, HI 96813

Re: SB2526 (Relating to Air Pollution Control)

Chair Menor and Chair Ige and committee members, I am Alan Yamamoto, vice president of Hawaii Operations for NCL America Inc. I am here today to offer comments on SB2526.

We take seriously the issue of health and safety as it relates to our operations both onboard NCLA vessels and in all local communities where we operate. We are sensitive to the concerns raised by the Niimalu community.

NCLA has been working with the Niimalu community and the State Department of Health, Clean Air Branch since 2006 when we first became aware of odor complaints.

At first the complaints focused on garbage odors and we voluntarily agreed to stop operating the digester onboard the Pride of Hawaii after we concluded that was the source of the odor.

Since then the complaints have centered around issues of air quality.

While we remain responsive to the concerns of the community, we believe that SB2526 as currently drafted is premature and raises a number of issues which must be resolved before the bill can be implemented.

First, the Department of Health, Clean Air Branch has yet to identify the source of the odors and particulate matter. While screening and sampling of sulfur dioxide and volatile organic compounds have taken place, they have not resulted in any significant finding and may in fact originate from a number of sources.

Second, we respectfully request that a fuel availability study be conducted as part of the analysis on the legislation to determine what fuel products are currently produced and available in Hawaii and the cost of these products.

Third, NCLA anticipates the cost to convert over to this fuel would be significant possibly adding thousands of dollars to each voyage and impacting bottom line. The option of converting to other fuels should be evaluated.

Finally, we ask that issues of operational safety for the vessels be considered. We need to do a comprehensive risk assessment because we know fuel shifting underway is a proven safety risk. We want input from the U.S. Coast Guard on this matter as well. We may also want to see how this issue is being addressed at the federal and international levels so we can deal with it in a comprehensive manner.

Please be assured, we are committed to working with the state and regulatory agencies to achieve an equitable, realistic and cost effective solution.

Thank you for this opportunity to testify.