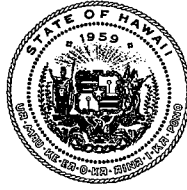


***SB 3072***

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 AND ENERGY AND ENVIRONMENT**  
**SB 3072, RELATING TO THE HAWAII EMERGENCY PLANNING AND**  
**COMMUNITY RIGHT-TO-KNOW ACT**

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

**February 21, 2008**  
**2:45 P.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

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.

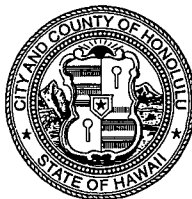
7 This bill also enhances the Department's mission of protecting and preserving the environment.

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

HONOLULU LOCAL EMERGENCY PLANNING COMMITTEE  
**CITY AND COUNTY OF HONOLULU**

650 SOUTH KING STREET • HONOLULU, HAWAII 96813  
TELEPHONE: (808) 523-4121 • FAX: (808) 524-3439 • INTERNET: www.honolulu.gov

MUFI HANNEMANN  
MAYOR



CARTER DAVIS  
CHAIR

LELAND NAKAI  
COORDINATOR

February 19, 2008

The Honorable Ron Menor, Chair  
Committee on Energy & Environment  
Room 208  
Hawaii State Capitol  
415 South Beretania Street  
Honolulu, Hawaii 96813

Subject: **Support for S.B. 3072**

Dear Chair Menor:

The Honolulu Local Emergency Planning Committee strongly supports S.B. 3072, 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".

Carter Davis  
Chair, Honolulu LEPC



February 15, 2008

The Honorable Ron Menor  
Chairman, Senate Committee on Energy & Environment  
State Senate  
State Capitol Building  
415 South Beretania Street  
Honolulu, HI 96813

**SUBJECT: S.B. 3072**

This letter is in support of the Department of Health's Bill to Amend Section 128E-6(a)(2), Hawaii Revised Statutes, of the Hawaii Emergency Planning and Community Right-To-Know Act (HEPCRA), which has caused confusion about the chemical reporting requirements for "hazardous substances" and "extremely hazardous substances".

Campbell Local Emergency Action Network (C.L.E.A.N.) is a non-profit organization with a mission of promoting the safety, health and well-being of the communities in and surrounding the Campbell Industrial Park area. Our member companies include Chevron, HECO, James Campbell Company, Kalaeloa Partners LP, Tesoro, AES, Covanta Energy, The Gas Company, Imperium Renewables, Airgas Gaspro, BEI Hawaii, DSR Logistics, Grace Pacific, Hawaiian Cement, Hawaii Medical Center West, Holomua Elementary School, Occupational Training Inc., and Oahu Gas Services.

Sincerely,

A handwritten signature in black ink that reads "Annie K. Lam".

Annie K. Lam  
President

cc: Chiyome Leinaala Fukino, M.D.  
The Honorable Mike Gabbard  
The Honorable Sharon Har  
The Honorable Todd Apo