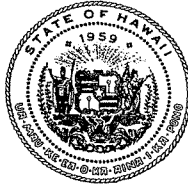


LINDA LINGLE
GOVERNOR OF HAWAII



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

Bill No. HB 763

Support Y N

Date 2/9 CHIYOME LEINAALA FUKINO, M.D.
DIRECTOR OF HEALTH

Time 1630

Cat AF AS AX B C

Type 1 2 WI

In reply, please refer to:
File:

HOUSE COMMITTEE ON ENERGY & ENVIRONMENTAL PROTECTION

H.B. 763, RELATING TO GRAY WATER RECYCLING

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

February 10, 2009
9:00 a.m.

1 **Department's Position:** The Department of Health supports the use of gray water from residences for
2 irrigation but respectfully **opposes** this measure at this time because of a conflict with HRS 107, Part II,
3 "State Building Code and Design Standards."

4 **Fiscal Implications:** Yes, additional manpower may be needed in implementing the program.

5 **Purpose and Justification:** This bill amends Section 342D-70, Hawaii Revised Statutes to establish
6 rules requiring the Department of Health to establish a gray water recycling program for premises not
7 served by a County Wastewater system. The measure also permits counties to establish gray water
8 recycling programs in areas served by a County Wastewater System.

9 Properly done, gray water recycling can save water and energy without endangering health or the
10 environment.

11 This bill will conflict with HRS 107, Part II, "State Building Code and Design Standards," which
12 established the State Building Code Council within the Department of Accounting and General Services
13 to establish the administrative rules for statewide codes, including adoption of Chapter 16 "Gray Water
14 Systems" of the Uniform Plumbing Code (UPC). The statute explicitly mentions the UPC. We are
15 informed that the State Building Code Council is not likely to amend or delete Chapter 16 when it

1 adopts the UPC. We think the State Building Code Council process should be tried before amending the
2 law.

3 We are also informed that the counties do not intend to adopt gray water programs.

4 Thank you for the opportunity to testify on this measure.

Council Chair
Danny A. Mateo

Vice-Chair
Michael J. Molina

Council Members
Gladys C. Baisa
Jo Anne Johnson
Sol P. Kaho'ohalahala
Bill Kauakea Medeiros
Wayne K. Nishiki
Joseph Pontanilla
Michael P. Victorino



COUNTY COUNCIL
COUNTY OF MAUI
200 S. HIGH STREET
WAILUKU, MAUI, HAWAII 96793
www.mauicounty.gov/council

Director of Council Services
Ken Fukuoka

Bill No. 763

Support Y N

Date 2/9/09

Time 5:15p

Cat AF AS B C

Type 1 WI

February 9, 2009

TO: Honorable Hermina M. Morita, Chair
House Committee on Energy & Environmental Protection

FROM: Gladys C. Baisa
Council Member

DATE: February 10, 2009

SUBJECT: **SUPPORT OF HB 763, RELATING TO GRAY WATER RECYCLING**

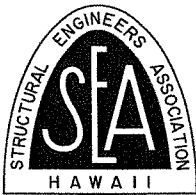
Thank you for the opportunity to testify in support of this important measure. The purpose of this measure requires the Department of Health to establish a gray water recycling program for premises not served by a county wastewater system. This permits counties to establish gray water recycling programs in areas served by a county wastewater system.

I support this measure for the following reasons:

1. The use of gray water for landscape irrigation promotes water conservation by lessening the need to use potable water.
2. I am working on legislation to amend the County of Maui's Plumbing Code to authorize the appropriate use of gray water. Adoption of this measure would be a helpful boost to that effect.
3. Legislation encouraging the use of gray water has been proven economically and environmentally advantageous in other jurisdictions, and I am excited about the potential benefits of similar legislation in Hawaii.

For the foregoing reasons, I support this measure.

GCB:dna



STRUCTURAL ENGINEERS ASSOCIATION OF HAWAII
P.O. Box 3348, Honolulu, Hawaii 96801

February 9, 2009

TO: State of Hawaii – House
COMMITTEE ON ENERGY & ENVIRONMENTAL PROTECTION
State Capitol, Conference Room 325

SUBJECT: **HB 763 RELATING TO GRAY WATER RECYCLING**
Hearing Tuesday, February 10, 2009
TIME: 9 a.m.

Honorable Rep. Hermina M. Morita, Chair
Rep. Denny Coffman, Vice Chair

The Structural Engineers Association of Hawaii (SEAOH) is the local chapter of the National Council of Structural Engineering Associations (NCSEA), and we have over 200 active members in Hawaii. The members of SEAOH have an historic and ongoing role in the development and implementation of building codes, and Gary Chock SEAOH past President, represents our organization as a member of the State Building Code Council established by Act 82 of the 2007 Legislature (HRS 107 Part II). HRS 107 Part II, State Building Code and Design Standards, provides for a comprehensive building code process based on national standards that involves a council comprised of the principal State agencies, county building officials, and engineers and architects.

We would like to express our opposition to HB763, RELATING TO GRAY WATER RECYCLING

Gray water systems are already within the scope of the Uniform Plumbing Code Chapter 16, which has not been amended or deleted by the State Building Code Council. HB604 would be in conflict with HRS107 Part II State Building Code and Design Standards, which established the State Building Code Council within DAGS to adopt administrative rules for statewide codes, specifically including the Uniform Plumbing Code as well as its Appendix K relating to onsite sewage disposal. Therefore, if it is the committee's desire to pass this bill out of committee, it should add a subsection stating: "the department's gray water recycling programs shall not adopt standards conflicting with HRS107 Part II State Building Code and Design Standards."

Thank you very much for an opportunity to express our views. We recommend that this bill be deferred. It is unnecessary. The standards and criteria already exist in the building code being adopted this year by the council.

Structural Engineers Association of Hawaii

Ian Robertson, Ph.D., P.E. Structural Engineer
SEAOH 2008 President

Gary Chock, P.E. Structural Engineer
SEAOH 2007 President 521-4513

Bill No. 763

Support Y N

Date 2/9

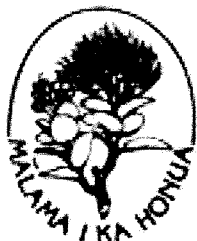
Time 7:05p

Cat AF AS AX B C

Type 1 2 WI

Ian Robertson

Gary Chock



Sierra Club

Hawai'i Chapter

PO Box 2577, Honolulu, HI 96803

808.537.9019 hawaii.chapter@sierraclub.org

Bill No. 763

Support Y N

Date 2/9/09

Time 10:23p

HOUSE COMMITTEE ON ENERGY & ENVIRONMENTAL PROTECTION AS AX C

February 10, 2009, 9 A.M.

Type 1 2 WI

(Testimony is 1 page long)

TESTIMONY IN SUPPORT OF HB 763 WITH AMENDMENTS

Chair Morita and members of the Committee:

The Sierra Club, Hawaii Chapter, with 5500 dues paying members statewide, supports HB 764, requiring the Department of Health to implement standards regarding the use of gray water. The Sierra Club suggests, however, mandating that the counties implement gray water recycling programs rather than simply leaving it up to the counties to take some action "at some point."

Gray water recycling systems conserve water and reduce the burden on the environment and wastewater treatment facilities. Gray water is simply wastewater generated from domestic processes such as washing dishes, laundry and bathing. With growing pressures on Hawaii's limited freshwater aquifers and aging and expensive wastewater collection and treatment facilities on each island, this measure helps to improve Hawaii's sustainability.

The Department of Health has already established rules for the use of gray water recycling systems. This bill clarifies that homes not served by a county wastewater system are entitled to proceed with an appropriate recycling system that is in compliance with the Department's rules. Currently most plumbers will refuse to install such a system because "they are not allowed." This bill would clarify this situation.

Further, the Sierra Club suggests amending this bill on page 3, line 6, to state "Any county shall [may] establish" a gray water recycling program by January 1, 2011. Appropriate rules have already been drafted by the Department of Health. There is no logical reason to allow the counties to delay further in establishing a gray water recycling system.

Please forward this common sense measure to allow more residents to make use of safe gray water systems.

Thank you for the opportunity to testify.