

Honolulu, Hawaii

March 30, 2010

RE: H.C.R. No. 102
H.D. 1

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Fifth State Legislature
Regular Session of 2010
State of Hawaii

Sir:

Your Committee on Economic Revitalization, Business, & Military Affairs, to which was referred H.C.R. No. 102 entitled:

"HOUSE CONCURRENT RESOLUTION EXPRESSING SUPPORT FOR ENFORCEMENT OF EXISTING OSHA REGULATIONS ON THE USE OF HEXAVALENT CHROMIUM AND URGING OSHA TO DEVELOP SAFER ALTERNATIVES AND BAN HEXAVALENT CHROMIUM,"

begs leave to report as follows:

The purpose of this concurrent resolution is to protect Hawaii's citizens from the adverse effects of hexavalent chromium by urging the Occupational Safety and Health Administration (OSHA) to vigorously enforce its regulations on hexavalent chromium, adopt meaningful enforcement mechanisms, and promote the use of safer alternatives.

The American Cancer Society supported this concurrent resolution. The Department of Labor and Industrial Relations opposed this measure.

Your Committee heard testimony that OSHA regulations do contain mechanisms for enforcement of workplace limits on exposure to hexavalent chromium that include citations and monetary fines. In addition, there does not appear to be an industry consensus on whether the trivalent chromium process is a safer alternative to hexavalent chromium, and OSHA's regulatory role does not include the development of safer alternatives.

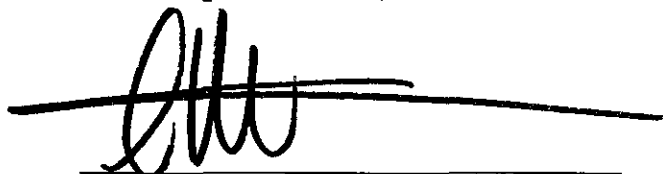


Accordingly, your Committee has amended this concurrent resolution by:

- (1) Removing language implying that OSHA has no meaningful mechanisms to enforce its hexavalent chromium exposure limits;
- (2) Removing the statement that the trivalent chromium process is a safer alternative to hexavalent chromium;
- (3) Removing language urging OSHA to develop safer alternatives to hexavalent chromium;
- (4) Amending the title to read, "EXPRESSING SUPPORT FOR THE VIGOROUS ENFORCEMENT OF EXISTING OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION REGULATIONS ON THE USE OF HEXAVALENT CHROMIUM AND URGING THE OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION TO PROMOTE THE USE OF SAFER ALTERNATIVES WITH THE GOAL OF EVENTUALLY BANNING HEXAVALENT CHROMIUM"; and
- (5) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Economic Revitalization, Business, & Military Affairs that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 102, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 102, H.D. 1.

Respectfully submitted on
behalf of the members of the
Committee on Economic
Revitalization, Business, &
Military Affairs,



ANGUS L.K. MCKELVEY, Chair



