

NEIL ABERCROMBIE  
GOVERNOR OF HAWAII



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In reply, please refer to:  
File:

## COMMITTEE ON ENERGY & ENVIRONMENTAL PROTECTION

### H.B. 1068, RELATING TO GREENHOUSE GAS EMISSION RULES

Testimony of Loretta J. Fuddy, A.C.S.W., M.P.H.  
Acting Director of Health

February 3, 2011  
8:30 a.m.

1 **Department's Position:** The Department of Health strongly supports this bill.

2 **Fiscal Implications:** None

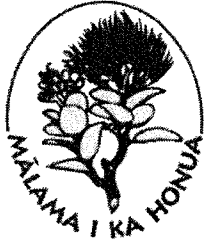
3 **Purpose and Justification:** This bill amends Chapter 342B, Part VI, HRS to remove the  
4 December 31, 2011 deadline date but still allows the Department to adopt rules to establish Greenhouse  
5 Gas (GHG) emission limits and a statewide GHG emission reporting and verification requirement.

6 The Department strongly supports this measure which removes the deadline date for adopting  
7 GHG rules to achieve Hawaii's GHG goal by 2020. Act 234, Session Laws of Hawaii 2007 created the  
8 GHG Emission Reduction Task Force to develop a GHG reduction plan and strategy which the  
9 Department would implement through a regulatory program. Instead, the Task Force adopted the  
10 aggressive energy reduction strategies set forth in the Department of Business, Economic Development,  
11 and Tourism (DBEDT), Hawaii Clean Energy Initiative (HCEI). Since the HCEI-based plan meets the  
12 GHG emission reduction goals of Act 234, while reducing Hawaii's dependence on fossil fuel, the Task  
13 Force had no plan for the Department to implement. Accordingly, the deadline date and the requirement  
14 for expeditious adoption of GHG rules by the Department are unnecessary at this time.

1           The Department does intend to develop and adopt a statewide GHG reporting program for  
2 stationary sources. Removing the rule deadline would allow the Department time to assess and  
3 coordinate efforts with the U.S. Environmental Protection Agency (EPA) which is in the midst of  
4 administering the federal GHG Mandatory Reporting Rule whereby subject facilities must report their  
5 GHG emissions by March 2011. EPA has struggled for the past year to establish the reporting program  
6 including the infrastructure, guidelines, the GHG emission calculators, the database warehouse, and  
7 many, many questions. Establishing a Hawaii stationary source GHG reporting and verification program  
8 is a first step for the Department in regulating and managing Hawaii's contribution to the global  
9 GHG emissions

10           Thank you for the opportunity to testify on this bill.

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# Sierra Club Hawai'i Chapter

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## HOUSE COMMITTEE ON ENERGY & ENVIRONMENTAL PROTECTION

February 3, 2011, 8:30 A.M.  
(Testimony is 1 page long)

### TESTIMONY IN OPPOSITION TO HB 1068

Chair Morita and Members of the Committee:

The Sierra Club, Hawaii Chapter, with 8000 dues paying members and supporters statewide, **opposes** HB 1068. While we appreciate more time may be needed, we believe it a mistake to leave the regulation of greenhouse gas emissions solely upon the discretion of the Department of Health.

Several years ago, this Legislature passed a historic act that appropriately committed Hawai'i to reduce its greenhouse gas emissions. This act was **not** a "goal" to reduce greenhouse gases, it was **not** a study of our greenhouse gas inventory. It was an enforceable limit and a directive to the Department of Health to implement an action plan to achieve it.

This Legislature correctly observed that we had an urgent need to put in place limits on greenhouse gases now. A limit sends a signal and begins the critical transition today.

Hawai'i's commitment to reduce its greenhouse gas emissions should not be weakened by leaving regulation of the emission limits solely up to the Department of Health's discretion. We suggest this HB 1068 be amended to strike the "word "may" and to keep the current language of "shall." While we appreciate we may need to push back the date of December 31, 2011 to allow the new administration time to propose a regulatory framework, we suggest the legislature move it back by one year (December 31, 2012) and give firm guidance that the Department is to proceed forthwith.

Mahalo for the opportunity to testify.