

JAN 17 2013

A BILL FOR AN ACT

RELATING TO AIR POLLUTION.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that coal as an energy
2 source is not part of a clean and sustainable energy future for
3 Hawaii. All of the coal consumed in the State is imported and
4 shipped for various energy needs; however, burning coal
5 detrimentally affects the State's air quality and health.

6 Coal-fired power plants are responsible for seventy per
7 cent of our nation's mercury emissions. After being released
8 into the air, mercury falls into soil and water, where it
9 contaminates food, especially fish. As a result, Hawaii has a
10 fish consumption advisory for unsafe levels of mercury.

11 Mercury from coal-fired power plants is responsible for
12 thousands of premature deaths, heart attacks, and serious
13 respiratory illnesses every year. Mercury is especially
14 threatening to pregnant women and young children. As many as
15 one in six American women have enough mercury in their bodies to
16 place a baby at risk. Mercury is one of the leading causes of
17 preventable birth defects including brain damage and cerebral
18 palsy.



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1 Further, coal is the most carbon intense of any fossil fuel
2 and it releases more greenhouse gas emissions per unit of
3 electricity produced than any other fuel source. If greenhouse
4 emissions continue to proceed unabated, current scientific
5 studies predict that Hawaii's future lifestyle and environment
6 will be drastically different from what its residents and
7 visitors enjoy today. The Pacific ocean may inundate most of
8 Waikiki, the business district in Honolulu, and the coastal
9 resort areas on neighboring islands. As a result, the State's
10 aquifers may become increasingly contaminated with the intrusion
11 of salt water. More frequent and severe storms and hurricanes
12 may strike the islands, droughts may be prolonged, and subtle
13 shifts in microclimates may rapidly increase the rate of
14 extinction of endangered plants and animals. Thus, the
15 legislature further finds that it is vital for the State to
16 contribute to the reduction of global warming by decreasing the
17 usage of coal to generate Hawaii's energy needs.

18 Recognizing that coal was not in Hawaii's best interest,
19 the participating parties to the Hawaii clean energy initiative,
20 including the State of Hawaii and the United States Department
21 of Energy, expressly agreed to oppose any attempts to add new



1 coal-based generation to Hawaii and planned a future to replace
2 this fossil fuel with renewable energy sources.

3 The purpose of this Act is to prohibit the issuance or
4 renewal of any new power purchase agreement or department of
5 health permit to any facilities that burn or consume coal.

6 SECTION 2. Chapter 269, Hawaii Revised Statutes, is
7 amended by adding a new section to be appropriately designated
8 and to read as follows:

9 "§269- Restriction on certain coal power purchase
10 agreements. (a) After December 31, 2014, the public utilities
11 commission shall not approve any new, modified, or renewed power
12 purchase agreements that propose to burn or consume coal that
13 will generate more than fifty megawatts of energy.

14 (b) For purposes of this section, "power purchase
15 agreement" has the same meaning as in section 269-131."

16 SECTION 3. Chapter 342B, Hawaii Revised Statutes, is
17 amended by adding a new section to be appropriately designated
18 and to read as follows:

19 "§342B- Permits for coal burning covered sources. (a)
20 After December 31, 2014, the department shall not issue any
21 permit for any term to an owner or operator of a covered source,



1 of which construction has not begun, that will burn or consume
2 coal to generate energy.

3 (b) The department shall not issue any permit for any term
4 to an owner or operator of an existing covered source who
5 intends to expand, relocate, or modify the covered source in a
6 way that will result in an increase in the burning or
7 consumption of coal for energy."

8 SECTION 4. New statutory material is underscored.

9 SECTION 5. This Act shall take effect upon its approval.

10

INTRODUCED BY: Mike Hubbard



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Report Title:

Coal Permits; Air Pollution; Power Purchase Agreements

Description:

Prohibits the issuance of permits to new and existing covered sources that will increase coal consumption and prohibits the approval of power purchase agreements that propose to burn or consume coal that will generate more than 50 megawatts of energy.

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