
A BILL FOR AN ACT

RELATING TO UNDERGROUND STORAGE TANKS.

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

1 SECTION 1. The legislature finds that climate change is
2 real and that sea level rise poses a threat to our quality of
3 life. Preparation for sea level rise now will protect our
4 natural resources and save money in the long term. Inundation
5 of underground storage tanks poses risks to our aquifers,
6 coastal water quality, and marine ecosystems.

7 The purpose of this Act is to:

- 8 (1) Prohibit the issuance of permits for new underground
9 storage tanks within one hundred yards of the
10 shoreline;
- 11 (2) Allow for permits for existing underground storage
12 tanks for purposes of repair or replacement of the
13 existing underground storage tank;
- 14 (3) Beginning January 1, 2020, require the department of
15 health to assist owners of underground storage tanks
16 located within one hundred yards of the shoreline to
17 relocate or phase out use of those underground storage
18 tanks by 2045; and



1 (4) Beginning January 1, 2045, prohibit operation of and
2 renewal of a permit for an underground storage tank
3 within one hundred yards of the shoreline.

4 SECTION 2. Chapter 342L, Hawaii Revised Statutes, is
5 amended by adding a new section to be appropriately designated
6 and to read as follows:

7 "§342L- Permits near shoreline prohibited; exception.

8 (a) The department shall not issue a permit for a new
9 underground storage tank within one hundred yards of the
10 shoreline; provided that a permit may be issued by the
11 department for purposes of repairing or replacing an existing
12 underground storage tank.

13 (b) The holder of a permit for an existing underground
14 storage tank within one hundred yards of the shoreline may renew
15 the permit.

16 (c) Beginning January 1, 2020, the department shall work
17 with and assist owners of permitted underground storage tanks
18 within one hundred yards of the shoreline to relocate or phase
19 out use of such underground storage tanks by January 1, 2045.

20 (d) Beginning January 1, 2045, no person shall operate an
21 underground storage tank within one hundred yards of the



1 shoreline, and no permit for an underground storage tank within
2 one hundred yards of the shoreline shall be renewed."

3 SECTION 3. Section 342L-1, Hawaii Revised Statutes, is
4 amended by adding a new definition to be appropriately inserted
5 and to read as follows:

6 "Shoreline" means the upper reaches of the wash of the
7 waves, other than storm and seismic waves, at high tide during
8 the season of the year in which the highest wash of the waves
9 occurs, usually evidenced by the edge of vegetation growth, or
10 the upper limit of debris left by the wash of the waves."

11 SECTION 4. New statutory material is underscored.

12 SECTION 5. This Act shall take effect on July 1, 2016.

13



Report Title:

Underground Storage Tanks; Shoreline

Description:

Prohibits the DOH from issuing a permit for a new underground storage tank within 100 yards of the shoreline. Allows DOH to issue a permit to repair or replace existing underground storage tanks. Allows permit holders for existing underground storage tanks located within 100 yards of the shoreline to renew their permits. Beginning January 1, 2020, requires DOH to assist owners of underground storage tanks located within 100 yards of the shoreline to relocate or phase out use of such underground storage tanks by 2045. Prohibits operation of and renewal of a permit for an underground storage tank within one hundred yards of the shoreline, beginning 1/1/2045. (SD2)

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