
A BILL FOR AN ACT

RELATING TO ENVIRONMENTAL PROTECTION.

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

1 SECTION 1. The legislature finds that protecting the
2 environment and underground sources of drinking water is in the
3 best interest of public health and safety and required under
4 article XI, section 7, of the state constitution.

5 The legislature also finds that since 2005, petroleum
6 chemical contaminants have been detected in the groundwater and
7 rocks beneath the United States Department of Navy's Red Hill
8 Bulk Fuel Storage Facility fuel tanks. In January 2014, the
9 facility's tank number five released twenty-seven thousand
10 gallons of fuel into underground rocks and groundwater. The
11 current location of the released fuel is unknown.

12 The Red Hill Bulk Fuel Storage Facility fuel tanks have
13 been corroding for more than seventy years. The corrosion has
14 caused significant thinning of the steel tank walls and, in some
15 cases, has fully penetrated the steel. The ongoing corrosion
16 damages the steel walls of the fuel tanks, as well as the steel
17 reinforcement in the surrounding concrete, and can lead to more



1 frequent and larger fuel releases than have occurred in the
2 past.

3 The legislature further finds that the installation of
4 monitor wells is crucial to test groundwater underneath and
5 surrounding the Red Hill Bulk Fuel Storage Facility to protect
6 Oahu's fresh water supply. While it should be the duty of the
7 United States Navy to fund efforts to monitor and remediate fuel
8 leaking from the Red Hill Bulk Fuel Storage Facility, the
9 protection of Oahu's drinking water supply is of such critical
10 importance to the health and safety of the people of Hawaii that
11 as a first step, the local board of water supply is funding the
12 installation of two test wells in the area. The State is also
13 funding two test wells in the area, and the people of Hawaii are
14 waiting for the United States Navy to provide funding for at
15 least four additional wells.

16 The purpose of this Act is to protect public health by
17 establishing a permanent fuel tank advisory committee.

18 SECTION 2. Chapter 342L, Hawaii Revised Statutes, is
19 amended by adding a new part to be appropriately designated and
20 to read as follows:



1 "PART . FUEL TANK ADVISORY COMMITTEE

2 §342L- Fuel tank advisory committee; established;

3 composition. (a) There is established in the department of

4 health the fuel tank advisory committee, which shall consist of

5 thirteen ex officio members and at least two public members.

6 (b) The ex officio members of the committee shall be:

7 (1) The director of health, who shall serve as the

8 committee's chair;

9 (2) The four members of Hawaii's congressional delegation,

10 or their designees;

11 (3) The Commanding General of the United States Army,

12 Pacific, or the Commanding General's designee;

13 (4) The Commander of the Pacific Fleet of the United

14 States Navy, or the Commander's designee;

15 (5) The Commander of the Pacific Air Forces, or the

16 Commander's designee;

17 (6) A representative from the United States Environmental

18 Protection Agency, or the representative's designee;

19 (7) The president of the senate, or a senator appointed by

20 the senate president;



1 (8) The speaker of the house of representatives, or a
2 representative appointed by the speaker of the house;

3 (9) The chairperson of the board of land and natural
4 resources, or the chairperson's designee; and

5 (10) The chairperson of the board of water supply of a
6 county with a population of five hundred thousand or
7 more, or the chairperson's designee.

8 (c) The governor shall appoint at least two public members
9 from the community at large in accordance with section 26-34;
10 provided that the advice and consent of the senate shall not be
11 necessary.

12 (d) The public members of the advisory committee shall
13 receive no salary, but shall be entitled to reimbursement for
14 necessary expenses, including travel expenses.

15 §342L- Duties. (a) The advisory committee shall study
16 issues related to leaks of underground fuel storage tanks at the
17 Red Hill Bulk Fuel Storage Facility, Kuahua Peninsula, Pacific
18 Missile Range Facility Barking Sands, Hickam Pol Annex, and
19 Schofield Barracks Military Reservation. The advisory committee
20 shall consider:



- 1 (1) The short- and long-term effects of leaks of the fuel
- 2 tanks, including effects relating to the health of
- 3 residents, safe drinking water, and the environment;
- 4 (2) Response strategies to mitigate the effects of leaks
- 5 from fuel tanks;
- 6 (3) Methods to improve communication between the United
- 7 States Navy, Air Force, and Army; the State; any local
- 8 board of water supply; and the public in the event of
- 9 a leak of any fuel tank;
- 10 (4) Groundwater test results in relation to the
- 11 surrounding areas of fuel tank facilities, with a
- 12 particular emphasis on the groundwater near the Red
- 13 Hill Bulk Fuel Storage Facility;
- 14 (5) The implications of shutting down any fuel tank
- 15 facility; and
- 16 (6) Updates on progress toward meeting goals of agreement
- 17 between the State, the affected county, and the
- 18 federal government.
- 19 (b) No later than twenty days before the convening of each
- 20 regular session, the advisory committee shall submit a report of
- 21 its findings, including groundwater test results, and



1 recommendations, including any proposed legislation, to the
2 legislature."

3 SECTION 3. (a) All rights, powers, functions, and duties
4 of the task force to study fuel tank leaks initially created
5 pursuant to senate concurrent resolution no. 73, H.D. 1, regular
6 session of 2014, and expanded by senate concurrent resolution
7 no. 57, H.D. 1, regular session of 2015, are transferred to the
8 fuel tank advisory committee established pursuant to this Act.

9 (b) All records, equipment, machines, files, supplies,
10 contracts, books, papers, documents, maps, and other personal
11 property heretofore made, used, acquired, or held by the task
12 force to study fuel tank leaks relating to the functions
13 transferred to the fuel tank advisory committee established
14 pursuant to this Act shall be transferred with the functions to
15 which they relate.

16 SECTION 4. This Act shall take effect on July 1, 2016.



Report Title:

Red Hill Bulk Fuel Storage Facility; Fuel Tank Advisory
Committee; Monitor Wells

Description:

Creates a permanent fuel tank advisory committee to study and
monitor fuel tank leak issues. (HB2646 HD1)

*The summary description of legislation appearing on this page is for informational purposes only and is
not legislation or evidence of legislative intent.*

