

STAND. COM. REP. NO. 3469

Honolulu, Hawaii

APR 08 2016

RE: H.B. No. 2165
H.D. 2
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Twenty-Eighth State Legislature
Regular Session of 2016
State of Hawaii

Sir:

Your Committee on Ways and Means, to which was referred H.B. No. 2165, H.D. 2, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO PUBLIC HEALTH,"

begs leave to report as follows:

The purpose and intent of this measure is to address the United States Navy's and United States Defense Logistics Agency's compliance with the Administrative Order on Consent to evaluate and remediate environmental damage from the fuel leaks at the Red Hill Bulk Fuel Storage Facility and to implement measures to prevent future leaks.

More specifically, this measure:

- (1) Appropriates moneys for the Department of Health to hire experts to monitor compliance with the Administrative Order on Consent;
- (2) Requires the Department of Health to seek reimbursement from the United States Navy and United States Defense Logistics Agency for the appropriated moneys; and
- (3) Requires the Department of Health to annually report on the United States Navy's and United States Defense Logistics Agency's compliance with the Administrative Order on Consent.



Your Committee received written comments in support of this measure from the Department of Health and the City and County of Honolulu Board of Water Supply.

Your Committee finds that the Red Hill Bulk Fuel Storage Facility is an impressive civil engineering facility that consists of twenty underground fuel storage tanks that are capable of holding over 250,000,000 gallons of fuel. However, some of the storage tanks at this facility have a history of leaking fuel, which can negatively affect the groundwater in the area.

Your Committee further finds that the Environmental Protection Agency and the Department of Health negotiated an Administrative Order on Consent that requires the United States Navy and United States Defense Logistics Agency to evaluate and remediate environmental damage from the fuel leaks and evaluate and implement measures to prevent future leaks. However, the Administrative Order on Consent does not provide a specific timeline for the United States Navy's and the United States Defense Logistics Agency's compliance with the Administrative Order on Consent.

Your Committee believes that the dangers of fuel leaking into the groundwater and the lack of a specific timeline in the Administrative Order on Consent are matters of statewide concern. Accordingly, your Committee finds that measures should be taken to monitor compliance by the United States Navy and the United States Defense Logistics Agency with the Administrative Order on Consent.

Your Committee notes that, as introduced, this measure included appropriations of approximately \$300,000 for staff, and \$800,000 for contract and service procurement. Additionally, your Committee notes that the Department of Health has requested a minimum of three full-time equivalent positions to carry-out the purposes of this measure.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2165, H.D. 2, S.D. 1, and recommends that it pass Third Reading.



Respectfully submitted on
behalf of the members of the
Committee on Ways and Means,

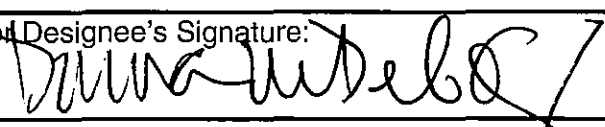


JILL N. TOKUDA, Chair



The Senate
Twenty-Eighth Legislature
State of Hawai'i

Record of Votes
Committee on Ways and Means
WAM

Bill / Resolution No.:*	Committee Referral:	Date:		
HB 2165, HD 2, SD 1	CPH/PSM/EET, WAM	3/30/16		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is:				
<input checked="" type="checkbox"/> Pass, unamended 2312 <input type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
TOKUDA, Jill N. (C)	/			
DELA CRUZ, Donovan M. (VC)	/			
CHUN OAKLAND, Suzanne	/			
ENGLISH, J. Kalani				/
GALUTERIA, Brickwood	/			
HARIMOTO, Breene	/			
INOUYE, Lorraine R.				/
RIVIERE, Gil	/			
TANIGUCHI, Brian T.	/			
WAKAI, Glenn	/			
SLOM, Sam	/			
TOTAL	9			2
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes