

STAND. COM. REP. NO. **2532**

Honolulu, Hawaii

MAR 03 2016

RE: S.B. No. 3108
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 Commerce, Consumer Protection, and Health,
to which was referred S.B. No. 3108 entitled:

"A BILL FOR AN ACT RELATING TO UNDERGROUND STORAGE TANKS,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Ban, as of July 1, 2016, new underground storage tanks within one hundred yards of the shoreline; and
- (2) Prohibit, as of January 1, 2030, operation of and renewal of a permit for an underground storage tank within one hundred yards of the shoreline.

Your Committee received testimony in support of this measure from the Department of Health, Board of Water Supply, Conservation Council for Hawai'i, and two individuals. Your Committee received testimony in opposition to this measure from Hawaii Petroleum, Inc.; Hawaii Petroleum Marketers Association; Par Hawaii; and one individual.

Your Committee finds that climate change is real and that sea level rise poses a threat to Hawaii's quality of life. Immediate preparation for sea level rise will protect natural resources and save money in the long term. The inundation of underground storage tanks poses risks to the aquifer as well as coastal water quality and marine ecosystems.



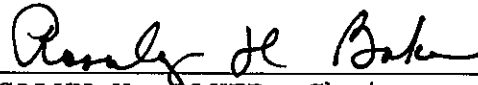
Your Committee further finds that Act 97, Session Laws of Hawaii 2015, updates and extends Hawaii's Clean Energy Initiative by, among other things, establishing benchmarks for renewable portfolio standards for electric utilities, including establishing a benchmark of 100 percent by December 31, 2045. By prohibiting the operation of underground storage tanks within one hundred yards of the shoreline beginning January 1, 2045, this measure may complement the renewable portfolio standards set forth in Act 97, Session Laws of Hawaii 2015, and assure that Hawaii moves beyond its dependence on imported fuels and continues to grow a local renewable energy industry.

Your Committee has amended this measure by:

- (1) Specifying that beginning January 1, 2045, no person shall operate an underground storage tank within one hundred yards of the shoreline;
- (2) Inserting an effective date of July 1, 2050, to encourage further discussion; and
- (3) Making a technical, nonsubstantive amendment for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Commerce, Consumer Protection, and Health that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3108, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 3108, S.D. 1.

Respectfully submitted on
behalf of the members of the
Committee on Commerce, Consumer
Protection, and Health,



ROSALYN H. BAKER, Chair



