

STAND. COM. REP. NO.

192

Honolulu, Hawaii

FEB 14 2017

RE: S.B. No. 1259
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Twenty-Ninth State Legislature
Regular Session of 2017
State of Hawaii

Sir:

Your Committees on Agriculture and Environment and Public Safety, Intergovernmental, and Military Affairs, to which was referred S.B. No. 1259 entitled:

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

beg leave to report as follows:

The purpose and intent of this measure is to require the Department of Health to adopt rules for underground storage tank systems that conform with federal regulations and include additional requirements.

Your Committees received testimony in support of this measure from the City and County of Honolulu Board of Water Supply, Conservation Council for Hawai'i, Hawai'i Alliance for Progressive Action, Sierra Club of Hawai'i, Earthjustice, Ke One O Kākuhihewa Oahu Council of the Association of Hawaiian Civic Clubs, Young Progressives Demanding Action, and twenty-five individuals. Your Committees received testimony in opposition to this measure from the United States Navy and Department of Defense, Department of Health Solid and Hazardous Waste Branch, and Chamber of Commerce Hawaii.

Your Committees find that the leakage of fuel from underground storage tanks is a matter of statewide concern. Fuel that leaks from storage tanks can contaminate groundwater that is used for human consumption and cause significant damage to the environment. Issues surrounding leaking fuel storage tanks are numerous and need to be adequately addressed for the health and

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safety of Hawaii's people and environment. The United States Navy stated to your Committees that there may be equivalent technology or other alternatives to double-walling the storage tanks that would provide an equivalent standard of safety. Your Committees requested that the United States Navy follow up with your Committees with that information.

Your Committees have amended this measure to:

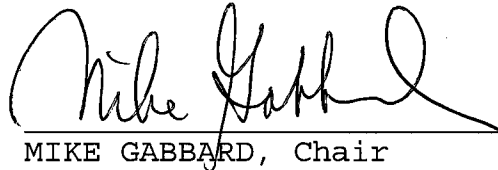
- (1) Require the Department of Health to adopt rules conforming Hawaii's underground storage tank and tank system rules with federal regulations by September 1, 2018; and
- (2) Making a technical, nonsubstantive amendment for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Agriculture and Environment and Public Safety, Intergovernmental, and Military Affairs that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 1259, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 1259, S.D. 1, and be referred to your Committees on Commerce, Consumer Protection, and Health and Ways and Means.

Respectfully submitted on
behalf of the members of the
Committees on Agriculture and
Environment and Public Safety,
Intergovernmental, and Military
Affairs,



CLARENCE K. NISHIHARA, Chair




MIKE GABBARD, Chair



The Senate
Twenty-Ninth Legislature
State of Hawai'i

Record of Votes
Committee on Agriculture and Environment
AEN

Bill / Resolution No.:*	Committee Referral:	Date:		
SB1259	AEN/PSM,CPH,WAM	2/8/17		
<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 type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
GABBARD, Mike (C)	X			
RIVIERE, Gil (VC)	X			
NISHIHARA, Clarence K.		X		
RHOADS, Karl	X			
RUDERMAN, Russell E.				X
TOTAL	3	1	0	1
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <div style="text-align:center; font-family: cursive; font-size: 1.2em;">  </div>				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes

The Senate
 Twenty-Ninth Legislature
 State of Hawai'i

Record of Votes
Committee on Public Safety, Intergovernmental, and Military Affairs
PSM

Bill / Resolution No.:* SB 1259	Committee Referral: AEN/PSM, CPH/wam	Date: 2/8/17		
<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 type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
NISHIHARA, Clarence K. (C)	✓	✓		
WAKAI, Glenn (VC)	✓			
BAKER, Rosalyn H.				✓
IHARA, Jr., Les				✓
THIELEN, Laura H.	✓			
TOTAL	2	1	0	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				

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