



STATE OF HAWAII
DEPARTMENT OF HEALTH
P. O. Box 3378
Honolulu, HI 96801-3378
doh.testimony@doh.hawaii.gov

Testimony in SUPPORT of BILL S.B. 976

**RELATING TO TIER II FILING FEES FOR REPORTING OF HAZARDOUS
SUBSTANCES**

REPRESENTATIVE DELLA AU BELATTI, CHAIR
HOUSE COMMITTEE ON HEALTH

Hearing Date: March 14, 2017
Time: 8:30 A.M.

Room Number: 329

1 **Fiscal Implications:** This measure proposes to increase the annual TIER II Chemical Inventory
2 Reporting Filing Fee from \$100 to \$200.

3 **Department Testimony:** The Department strongly supports this measure to increase the Hawaii
4 Emergency Planning and Community Right-to-Know (HEPCRA) Act Tier II annual filing fee
5 from \$100 to \$200 in order to provide adequate emergency preparedness funding to Local Area
6 Planning Committees (LEPCs) in the face of rising operational and equipment costs. The LEPCs
7 rely on these fees as their primary source of funding to do their part to keep their counties safe.

8 In FY 2014, 889 total facilities (civilian and military) paid a total of \$68,300 in filing fees, which
9 were deposited into the environmental response revolving fund. DOH transferred funds to the
10 LEPCs in FY 2016 in proportion to the number of facilities per county, pursuant to section
11 128E-9, HRS.

12 The Tier II filings fees are used by the county LEPCs to conduct joint emergency planning
13 response training, purchase specialized equipment, and for hazardous materials emergency
14 preparedness activities. The \$100 flat filing fee has not changed since the program began
15 collecting fees in 1993. With inflation rising 70% over the past 27 years, the funding to LEPCs is
16 no longer adequate to cover present day costs of specialized equipment, training and travel
17 required to maintain the emergency preparedness and response capabilities of the county first
18 responders that respond to hazardous materials incidents statewide.

19 Thank you for the opportunity to testify on this measure.



**DEPARTMENT OF BUSINESS,
ECONOMIC DEVELOPMENT & TOURISM**

DAVID Y. IGE
GOVERNOR

LUIS P. SALAVERIA
DIRECTOR

MARY ALICE EVANS
DEPUTY DIRECTOR

No. 1 Capitol District Building, 250 South Hotel Street, 5th Floor, Honolulu, Hawaii 96813
Mailing Address: P.O. Box 2359, Honolulu, Hawaii 96804
Web site: www.hawaii.gov/dbedt

Telephone: (808) 586-2355
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Statement of
LUIS P. SALAVERIA
Director
Department of Business, Economic Development and Tourism
before the
HOUSE COMMITTEE ON HEALTH
Tuesday, March 14, 2017
8:30 AM
State Capitol, Conference Room 329

in consideration of
SB 976
**RELATING TO TIER II FILING FEES FOR REPORTING OF
HAZARDOUS SUBSTANCES.**

Chair Belatti, Vice Chair Kobayashi, and Members of the Committee.

The Department of Business, Economic Development and Tourism (DBEDT) **supports** SB 976, an Administration bill which changes the Hawaii Emergency Planning and Community Right-To-Know Act (HEPCRA) Tier II filing fee from \$100 to \$200, to provide needed preparedness resources to Local Emergency Planning Committees (LEPCs).

The Tier II filings fees are used by the county LEPCs to conduct joint emergency planning response training, purchase specialized equipment, and for hazardous materials emergency preparedness activities. The \$100 flat filing fee has not changed since the program began collecting fees in 1993.

As a member of the Hawaii State Emergency Response Commission which is responsible for implementing HEPCRA provisions within the State, DBEDT appreciates that the LEPCs rely on these fees as their primary source of funding to do their part to keep their counties safe.

Thank you for the opportunity to offer **support** on SB 976.

March 11, 2017

Representative Della Au Belatti
Chair, House Committee on Health
Hawaii State Capitol, room 329
415 South Beretania St.
Honolulu, HI 96813

Chair Au Belatti,

I am a Battalion Chief in the Hawaii Fire Department on the island of Hawaii and I am submitting testimony in support of SB 976 relating to Tier II filing Fees for Reporting of Hazardous Substances. As part of my duties, I oversee the Hazardous Materials emergency response for our county. I am also the Chair of the Local Emergency Planning Committee (LEPC) on the island of Hawaii and a member of the Hawaii State Emergency Response Commission (HSERC).

I strongly support this measure to increase the Hawaii Emergency Planning and Community Right-to-Know (HEPCRA) Act Tier II annual filing fee from \$100 to \$200 in order to provide adequate emergency preparedness funding to Local Area Planning Committees (LEPCs) in the face of rising operational and equipment costs. Our LEPC relies on these fees as the primary source of funding to do our part to keep the county safe.

The Tier II filings fees are used by the county LEPC to conduct joint emergency planning response training, purchase specialized equipment, and for hazardous materials emergency preparedness activities. This is very important for the safety of our first responders and to protect the community and environment.

Sincerely,

Gerald Kosaki, Battalion Chief
Hawaii Fire Department

DEPARTMENT OF EMERGENCY MANAGEMENT
CITY AND COUNTY OF HONOLULU

850 SOUTH KING STREET • HONOLULU, HAWAII 96813
PHONE (808) 723-8960 • FAX: (808) 524-3439



KIRK CALDWELL
MAYOR

MELVIN N. KAKU
DIRECTOR

PETER J.S. HIRAI
DEPUTY DIRECTOR

March 13, 2017

The Honorable Della Au Belatti, Chair
The Honorable Bertrand Kobayashi, Vice Chair
House Committee on Health
State House of Representatives
State Capitol
415 South Beretania Street, Room 329
Honolulu, Hawaii 96813

Dear Chair Au Belatti, Vice Chair Kobayashi, and Members:

**SUBJECT: SUPPORT OF S.B. 976 RELATING TO TIER II FILING FEES FOR
REPORTING OF HAZARDOUS SUBSTANCES**

I am Robert Harter, Emergency Management Staff Officer (Hazardous Materials), Department of Emergency Management, City and County of Honolulu (City) and Coordinator for the Honolulu Local Emergency Planning Committee (LEPC).

The City strongly supports S.B. 976, which increases the annual Tier II filing fee to \$200.00. As part of the emergency management community who collaboratively plan for, respond to, and recover from hazardous materials (HAZMAT) incidents, I understand and concur that the Tier II filing fee should be increased from \$100.00 to \$200.00 to provide more funding to each county LEPC, due to increased operational costs. Each LEPC would use the added funding to secure HAZMAT specific training and specialized equipment for first responders who would utilize this specialized training and equipment for any hazardous material incident (e.g. spill or release). Additional funding would also be used to expand community safety preparedness outreach efforts. The proposed fee increase is reasonable and will enhance community safety preparedness and emergency response capability should a HAZMAT spill or release ever occur.

The City urges your committee to pass S.B. 976. Thank you for the opportunity to testify.

Sincerely,

A handwritten signature in black ink, appearing to read "Robert H-H Harter", is written over a horizontal line.

Robert H-H Harter
Emergency Management Staff Officer
Coordinator, Honolulu LEPC



linda Yee Franklin
Managing Director
Corporate and Government Affairs –
Western Region

Senate Committee on Agriculture and Environment
House Committee on Energy and Environmental Protection

United Airlines
(650) 635-2080

March 14, 2017

In Support of (S.B.774, S.B.976, or H.B.1110) Relating to the Hawaii Emergency Planning and Community Right-To-Know Act

Aloha Chair Gabbard, and members of the Agriculture and Environment Committee

or

Aloha Chair Lee, and members of the Energy and Environmental Protection Committee

On behalf of United Airlines, I am writing in support of S.B. 774 and S.B. 976. This measure increases the annual Tier II filing fee from \$100 to \$200. As part of the regulated community we understand and agree that the Tier II filing fee should be increased from \$100 to \$200 to provide more funding to the Local Emergency Planning Committees (LEPCs), due to increased operational expenses. The LEPCs would use the additional funding to secure training, provide community outreach, and procure specialized equipment for emergency first responders that would be utilized in the event of hazardous materials incident. We believe that the proposed fee increase is reasonable and will promote increased community safety when emergency hazardous materials incidents occur.

Thank you for the opportunity to submit testimony on this very important measure.

With best regards,

A handwritten signature in cursive script that reads "Melinda Yee Franklin".

Melinda Yee Franklin

Address: San Francisco International Airport-SFOGV
642 West Cargo Road, Mezzanine
San Francisco, CA 94128
p) (650) 635-2080
Melinda.franklin@united.com

A STAR ALLIANCE MEMBER The Star Alliance logo, which consists of a stylized four-pointed star shape with a small registered trademark symbol.

From: mailinglist@capitol.hawaii.gov
Sent: Sunday, March 12, 2017 2:42 PM
To: HLTtestimony
Cc: mike@kiheice.com
Subject: Submitted testimony for SB976 on Mar 14, 2017 08:30AM

SB976

Submitted on: 3/12/2017

Testimony for HLT on Mar 14, 2017 08:30AM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
Mike Wildberger	kihei ice inc	Support	No

Comments: Aloha Chair Belatti, and members of the House Committee on Health My name is Mike Wildberger, owner of Kihei Ice Co. on Maui. I am testifying on SB 976 It will move to House PBS and Finance committees over the next couple of weeks. Our organization is testifying in support of this measure to increase the annual Tier II filing fee from \$100 to \$200. As part of the regulated community we understand and agree that the Tier II filing fee should be increased from \$100 to \$200 to provide more funding to the Local Emergency Planning Committees (LEPCs), due to increased operational expenses. The LEPCs would use the additional funding to secure training, provide community outreach, and procure specialized equipment for emergency first responders that would be utilized in the event of hazardous materials incident. We believe that the proposed fee increase is reasonable and will promote increased community safety when emergency hazardous materials incidents occur. Thank you for the opportunity to testify in this measure. Sincerely, Mike Wildberger
Owner Kihei Ice Inc 300 Ohukai Rd B228 Kihei HAWAII 96753 808 874-0101

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

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Meadow Gold Dairies



SB976, Relating to Tier II Filing Fees for Reporting of Hazardous
House HLT Committee

March 14, 2017

8:30 am, Room 329

Written Testimony By: Glenn Muranaka

Position: Support

Chair Belatti and Members of the House HLT Committee:

My name is Glenn Muranaka, President and General Manager of Meadow Gold Dairies. Our company has been in Hawaii since 1897—120 years, providing Hawaii consumers with a variety of milk products and juices. Meadow Gold's long history has not come without effort. We continually adapt to our customers' and consumers' ever-changing needs, and we constantly evolve along with our industry, our community and our market. Over the years, this has required that we struggle, tighten our belts, innovate and work extremely hard, making us a better company in the process. The foundation of this work rests with the 330 employees that are committed to providing superior quality products.

We understand that the annual Tier II filing fee of \$100 paid by covered companies was enacted in 1993. Since then operational expenses for Local Emergency Planning Committees (LEPCs) have increased. The increase from \$100 to \$200 would enable LEPCs to secure training, provide community outreach and procure specialized equipment for emergency first responders in the event of hazardous materials incident.

Your support of this measure is appreciated. Thank you for the opportunity to submit testimony.

From: mailinglist@capitol.hawaii.gov
To: [HLTtestimony](#)
Cc: lho@hawaiipublicpolicy.com
Subject: *Submitted testimony for SB976 on Mar 14, 2017 08:30AM*
Date: Monday, March 13, 2017 2:44:37 PM

SB976

Submitted on: 3/13/2017

Testimony for HLT on Mar 14, 2017 08:30AM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
Albert Chee	Island Energy Services	Support	No

Comments:

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Aloha Chair Belatti, and members of the House Committee on Health

I am Bob Harter of Kaneohe, a community beneficiary of the Honolulu Local Emergency Planning Committee (LEPC), as are all residents of Oahu.

I would like to provide testimony in support of S.B. 976 – Relating to Tier II Filing Fees for Reporting of Hazardous Substances

For years I have known and supported the mission of the Honolulu LEPC (Local Emergency Planning Committee), as a group, a partnership of community-based volunteer representatives who have an interest in hazardous materials (HAZMAT) safety. The members are from the fire department, law enforcement, health care, media, schools, industry, transportation, public health, Voluntary Organization Active in Disasters (VOAD), the public along others. This group of concerned citizens helps identify potential risks to our community from hazardous chemicals / materials stored in and/or transported around our island. The Honolulu LEPC seeks ways to help minimize the risks, prevent accidents, and assist in the development of plans to deal with a chemical / hazardous material emergency. Another core component of our Honolulu LEPC is to provide safety education to the public on awareness, preparedness and response to a HAZMAT spill or release. The Honolulu LEPC provides the public, seeking out information about chemicals in their community, to help them make their families safer.

Increasing the annual Tier II filing fee from \$100 to \$200 will provide more funding to the Honolulu LEPC to conduct its mission of planning and preparing for HAZMAT emergencies. The Honolulu LEPC along with the other counties LEPCs would use the additional funding to secure specialized training, provide community outreach, and procure specialized equipment for emergency first responders that would be utilized in the event of hazardous materials incident. I believe that the proposed fee increase is reasonable and will promote increased community safety when emergency hazardous materials incidents occur.

Thank you for the opportunity to testify in this measure.

Sincerely,

Bob Harter

Kaneohe, Hawaii

(808)840-0551

(If you would like to know why the LEPCs are so important and their history look up the 3 December 1984, Union Carbide, Pesticide Plant, in Bhopal, India that killed over 8000 in 48 hours after an accidental chemical release. The U.S. enactment of the Emergency Planning and Community Right-to-Know Act (EPCRA) so it would happen here.)

From: mailinglist@capitol.hawaii.gov
Sent: Friday, March 10, 2017 8:06 PM
To: HLTtestimony
Cc: 333cory@gmail.com
Subject: Submitted testimony for SB976 on Mar 14, 2017 08:30AM

SB976

Submitted on: 3/10/2017

Testimony for HLT on Mar 14, 2017 08:30AM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
Cory Harden	Individual	Support	No

Comments: Aloha legislators, Please support increased funding to support our emergency responders, who put their lives on the line for the rest of us. Our fees are low compared to other states. Robust emergency response avoids disasters that are bad for our community and for business. mahalo, Cory Harden

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From: mailinglist@capitol.hawaii.gov
Sent: Monday, March 13, 2017 7:43 AM
To: HLTtestimony
Cc: jstubbart@pulamalanai.com
Subject: Submitted testimony for SB976 on Mar 14, 2017 08:30AM

SB976

Submitted on: 3/13/2017

Testimony for HLT on Mar 14, 2017 08:30AM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
John Stubbart	Individual	Support	No

Comments: I am John Stubbart, Director of Utilities for Lanai. This testifying is for (SB 976 on 3/14/17). Lanai Water Company is testifying in support of this measure to increase the annual Tier II filing fee from \$100 to \$200. As a regulated community we understand and agree that the Tier II filing fee should be increased from \$100 to \$200 to provide more funding to the Local Emergency Planning Committees (LEPCs), due to increased operational expenses. We believe that the proposed fee increase is reasonable and will promote increased community safety when emergency hazardous materials incidents occur. Thank you for the opportunity to testify in this measure". Sincerely, John Stubbart, Lanai Water Company

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

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Senate Committee on Agriculture and Environment
House Committee on Energy and Environmental Protection

Your company name
Contact number or address

Day and Date of Hearing

In Support of (S.B.774, S.B.976, or H.B.1110) Relating to the Hawaii Emergency Planning and Community Right-To-Know Act

Aloha Chair Gabbard, and members of the Agriculture and Environment Committee

or

Aloha Chair Lee, and members of the Energy and Environmental Protection Committee

1. Introduce who you are and/or the group or organization that you represent
2. Identify the measure you are testifying on (it will be either S.B.774, S.B.976, or H.B.1110)
3. “Our organization is testifying in support of this measure to increase the annual Tier II filing fee from \$100 to \$200. As part of the regulated community we understand and agree that the Tier II filing fee should be increased from \$100 to \$200 to provide more funding to the Local Emergency Planning Committees (LEPCs), due to increased operational expenses. The LEPCs would use the additional funding to secure training, provide community outreach, and procure specialized equipment for emergency first responders that would be utilized in the event of hazardous materials incident. We believe that the proposed fee increase is reasonable and will promote increased community safety when emergency hazardous materials incidents occur.

Thank you for the opportunity to testify in this measure”.

Sincerely,

Kerry Ko

United Laundry Services, Inc.

808/380-9570



40 Hobron Avenue
Kahului, Hawaii 96732
(808) 877-3144
Fax (808) 877-5030
www.biodiesel.com

March 13, 2017

**TESTIMONY ON SB 976, RELATING TO TIER II FILING FEES FOR REPORTING OF
HAZARDOUS SUBSTANCES**

SUPPORT

Representative Della Au Belatti, Chair
Committee: Health
Hearing March 14 at 8:30 am, Conference Room 329

Chair Belatti, Vice-Chair Kobayashi, and Members of the Committee,

Pacific Biodiesel Technologies (PBT) is testifying in support of this measure to increase the annual Tier II filing fee from \$100 to \$200. As part of the regulated community, we understand and agree that the Tier II filing fee should be increased from \$100 to \$200 to provide more funding to the Local Emergency Planning Committees (LEPCs) due to increased operational expenses. The LEPCs would use the additional funding to secure training, provide community outreach, and procure specialized equipment for emergency first responders that would be utilized in the event of a hazardous materials incident. We believe that the proposed fee increase is reasonable and will promote increased community safety when emergency hazardous materials incidents occur.

Thank you for the opportunity to testify in this measure.

Sincerely,

A handwritten signature in black ink that reads "Jenna Long".

Jenna Long
Director of Operations
Pacific Biodiesel Technologies, LLC

March 14, 2017

**TESTIMONY IN SUPPORT OF SENATE BILL 976, RELATING TO TIER II FILING
FEES FOR REPORTING OF HAZARDOUS SUBSTANCES**

House Committee on Health
The Honorable Della Au Belatti, Chair
The Honorable Bertrand Kobayashi, Vice Chair

Tuesday, March 14, 2017 – 8:30 a.m.
State Capitol, Room 329

Chair Belatti, Vice Chair Kobayashi and members of the Committee,

Thank you for this opportunity to provide written testimony on Senate Bill 976, Relating to Tier II Filing Fees for Reporting of Hazardous Substances. My name is Lance Tanaka, director of government and public affairs for Par Hawaii. Par Hawaii, Inc., formerly Mid Pac Petroleum, and Par Hawaii Refining, LLC, formerly Hawaii Independent Energy, are subsidiaries of Texas-based Par Pacific Holdings, Inc., formerly known as Par Petroleum Corporation. Collectively, we are known as Par Hawaii, the leading supplier of transportation fuels in the Islands.

The purpose of this bill is to raise the Hawaii Emergency Planning and Community Right-to-Know Act (HEPCRA) annual Tier II filing fee from \$100 to \$200, beginning on July 1, 2017.

Par Hawaii supports SB 976.

Funds raised by the filing fee are used by the Local Emergency Planning Committees (LEPC) to hold hazardous materials emergency preparedness activities, to purchase specialized equipment, and to conduct joint emergency planning response training. As part of the regulated community, Par Hawaii supports this increase to provide more funding to the LEPCs due to increased operational expenses.

Par Hawaii takes emergency preparedness very seriously and invests millions of dollars each year to ensure its emergency response teams are trained and prepared in the event of an incident. We believe the fee increase is reasonable and will provide a benefit of increased community safety when emergency hazardous materials incidents occur.

Thank you for this opportunity to provide written testimony on SB 967.