



DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT & TOURISM

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
Fax: (808) 586-2377

DAVID Y. IGE
GOVERNOR

LUIS P. SALAVERIA
DIRECTOR

MARY ALICE EVANS
DEPUTY DIRECTOR

Statement of
LUIS P. SALAVERIA
Director
Department of Business, Economic Development and Tourism
before the
SENATE COMMITTEE ON PUBLIC SAFETY
Thursday, March 23, 2017
10:00 am.
State Capitol, Conference Room 312

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

Chair Takayama, Vice Chair LoPresti, and Members of the Committee.

The Department of Business, Economic Development and Tourism (DBEDT) **supports** SB 976, an Administration measure 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.



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 GREGG TAKAYAMA, CHAIR
HOUSE COMMITTEE ON PUBLIC SAFETY

Hearing Date: March 23, 2017
Time: 10:00 A.M.

Room Number: 312

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.

March 19, 2017

Representative Gregg Takayama
Chair, House Committee on Public Safety
Hawaii State Capitol, room 323
415 South Beretania St.
Honolulu, HI 96813

Chair Takayama;

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



Meadow Gold Dairies



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

March 23, 2017

10:00 am, Room 312

Written Testimony By: Glenn Muranaka

Position: Support

Chair Takayama and Members of the House PBS 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.



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

March 20, 2017

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

SUPPORT

Representative Gregg Takayama, Chair
Committee: Public Safety
Hearing March 23 at 10:00 am, Conference Room 312

Chair Takayama, Vice-Chair LoPresti, 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 support of this measure.

Sincerely,

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

Jenna Long
Director of Operations
Pacific Biodiesel Technologies, LLC

Iopresti1 - Randy

From: mailinglist@capitol.hawaii.gov
Sent: Monday, March 20, 2017 9:49 AM
To: pbstestimony
Cc: lho@hawaiiublicpolicy.com
Subject: *Submitted testimony for SB976 on Mar 23, 2017 10:00AM*

SB976

Submitted on: 3/20/2017

Testimony for PBS on Mar 23, 2017 10:00AM in Conference Room 312

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

Comments:

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Iopresti1 - Randy

From: mailinglist@capitol.hawaii.gov
Sent: Monday, March 20, 2017 1:38 PM
To: pbstestimony
Cc: jstubbart@pulamalanai.com
Subject: Submitted testimony for SB976 on Mar 23, 2017 10:00AM

SB976

Submitted on: 3/20/2017

Testimony for PBS on Mar 23, 2017 10:00AM in Conference Room 312

Submitted By	Organization	Testifier Position	Present at Hearing
John Stubbart	Lanai Water Company	Support	No

Comments: Aloha Chair Gabbard, and members of the Agriculture and Environment Committee I am John Stubbart, Directgor of Utilities for Lanai Water Company on the island of Lanai. I am in support of S.B.976, or H.B.1110) 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, John Stubbart

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

Fantom Materials, Inc.
3038 Aukele St., Lihue, HI 96766
Phone: (808) 245-6465

March 20, 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 Takayama and members of the House Committee on Public Safety,

My name is Fred W. Styer, General Manager and Regulatory Compliance Officer representing Fantom Materials, Inc. This includes Environmental, Safety & Health management responsibilities for CVD silicon carbide manufacturing operations on Kauai. We have (10) years' experience in the State of Hawaii submitting annual EPCRA Tier II reports along with associated Process Safety Management (PSM) and Risk Management Plan (RMP) regulatory compliance oversight as required per respective federal agencies.

I am here in support of SB 976 relating to EPCRA Tier II filing fees.

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 1st 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 awareness when emergency hazardous materials incidents occur.

Thank you for the opportunity to testify in this measure.

Sincerely,

Fred W. Styer, CHMM
General Manager
Fantom Materials, Inc.

Iopresti1 - Randy

From: mailinglist@capitol.hawaii.gov
Sent: Monday, March 20, 2017 9:32 PM
To: pbstestimony
Cc: 333cory@gmail.com
Subject: Submitted testimony for SB976 on Mar 23, 2017 10:00AM

SB976

Submitted on: 3/20/2017

Testimony for PBS on Mar 23, 2017 10:00AM in Conference Room 312

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

Comments: Aloha legislators, This bill is so good, it's even supported by people whose expenses will go up! I'm a citizen who sometimes sits in at Hilo Emergency Planning Committee meetings. These fine people merit the best training and equipment as they put their lives on the line for us. mahalo, Cory Harden

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lopresti1 - Randy

From: mailinglist@capitol.hawaii.gov
Sent: Monday, March 20, 2017 10:27 AM
To: pbstestimony
Cc: dkapua@gmail.com
Subject: Submitted testimony for SB976 on Mar 23, 2017 10:00AM

SB976

Submitted on: 3/20/2017

Testimony for PBS on Mar 23, 2017 10:00AM in Conference Room 312

Submitted By	Organization	Testifier Position	Present at Hearing
Kapua Keliikoa-Kamai	Individual	Oppose	No

Comments: STRONG OPPOSITION TO SB 976 - RELATING TO TIER II FILING FEES FOR REPORTING OF HAZARDOUS SUBSTANCES - Changes the Hawaii Emergency Planning and Community Right-To-Know Act, Tier II filing fee from \$100 to \$200 to provide needed preparedness resources to Local Area Planning Committees. The Hawai'i Emergency Planning and Community Right-to-Know Act (HEPCRA) establishes requirements for State, local and industry regarding emergency planning and "Community Right-to-Know" reporting required on hazardous and toxic chemicals. The Community Right-to-Know provisions help increase the public's awareness of potential chemical hazards present in their communities in order to improve chemical safety and protect human health and the environment. Our environment is in jeopardy of toxins, chemicals, equipment, activities, etc., primarily at the hands of the United States military, corporations and local businesses. If this were not the case, we would not need these services. Recognizing that more finances are necessary to provide adequate emergency preparedness funding to Local Area Planning Committees (LEPCs), I suggest A FEE INCREASE (APPLICATION, VARIATION/MODIFICATION, CITATION AND VIOLATION) FOR HAZARDOUS/TOXIC ENTITIES. Increase the fee upon the entities that are jeopardizing our environment, not those individuals/communities who are trying to ensure that their health and well being are not suffering the effects of those activities. My objection is that the fee increase creates an obstacle that prevents individuals/communities from determining and/or confirming that a HAZARDOUS &/OR TOXIC CHEMICAL VIOLATION HAS OCCURRED. Too often we're seeing that the community is being further distanced and disenfranchised from what they should know based upon the mighty dollar. This fee increase is a complete contradiction to the purpose of the HEPCRA! HEWA!!! Mahalo for allowing me to OPPOSE SB 976 and PLEASE DEFER THIS BILL.

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Iopresti1 - Randy

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, March 21, 2017 4:28 PM
To: pbstestimony
Cc: kerry@unitedlaundry.net
Subject: Submitted testimony for SB976 on Mar 23, 2017 10:00AM

SB976

Submitted on: 3/21/2017

Testimony for PBS on Mar 23, 2017 10:00AM in Conference Room 312

Submitted By	Organization	Testifier Position	Present at Hearing
Kerry Ko	United Laundry Services, Inc.	Support	No

Comments: Aloha Chair Takayama, and members of the House Committee on Public Safety Regarding SB 976 on 3/23/17 "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

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