



STATE OF HAWAII  
DEPARTMENT OF HEALTH  
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**Testimony in SUPPORT of BILL H.B. 1110**

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

REPRESENTATIVE DELLA AU BELATTI, CHAIR  
HOUSE COMMITTEE ON HEALTH

Hearing Date: February 2, 2017  
Time: 8:30 a.m.

Room Number: 329

1           **Fiscal Implications:** This measure proposes to increase the annual TIER II Chemical  
2 Inventory 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 EMERGENCY MANAGEMENT  
**CITY AND COUNTY OF HONOLULU**  
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**LATE**

KIRK CALDWELL  
MAYOR



MELVIN N. KAKU  
DIRECTOR

PETER J.S. HIRAI  
DEPUTY DIRECTOR

February 2, 2017

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

Dear Chair Au Belatti and Members:

**SUBJECT: SUPPORT OF H.B. 1110 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 H.B. 1110, 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 H.B. 1110. Thank you for the opportunity to testify.

Sincerely,

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

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

cc: Roy K. Amemiya, Jr., Managing Director



February 2, 2017

**TESTIMONY IN SUPPORT OF HOUSE BILL 1110, 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

House Committee on Human Services  
The Honorable Dee Morikawa, Chair  
The Honorable Chris Todd, Vice Chair

Thursday, February 2, 2017 – 8:30 a.m.  
State Capitol, Room 329

Chairs Belatti and Morikawa and members of both Committees,

Thank you for providing Par Hawaii with this opportunity to submit written testimony on House Bill 1110, 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 and its companion measure, Senate Bill 976, 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 HB 1110.**

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.

To our understanding, the Tier II fund helps the Honolulu Fire Department to send its people to the annual Continuing Challenge Hazmat Training in Sacramento, California. In addition, LEPC uses the fund to hold ammonia and propane emergency response workshops, U.S. DOT pipeline leak response training, and provide other vitally needed services. Recently, HFD withdrew from participating in joint industrial fire training

Testimony in Support of H.B. 1110, Relating to Tier II Filing Fees for Reporting of Hazardous Substances  
Lance N. Tanaka, Par Hawaii  
Joint Hearing of the Committees on Health and on Human Services  
Hawaii State Capitol, Room 329  
Thursday, February 2, 2017 – 8:30 a.m.  
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with our Kapolei refinery due to lack of funding. With additional funding that is made available through this bill's proposed increase in the Tier II fee, we are hoping that HFD will again be able to train with us.

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. Increased funding from the Tier II filing fee will go towards enabling facilities covered under the HEPSCRA to conduct business safely. This is critically important to ensuring the safety of our employees, the businesses located around our facilities, and the public.

For these reasons, we support House Bill 1110 and ask that your committees find in favor of its passage. Thank you.

A handwritten signature in black ink, appearing to read "Lance N. Tanaka", with a long horizontal flourish extending to the right.

Lance N. Tanaka  
Director, Government & Public Affairs  
Par Hawaii