

HB-2043-HD-1

Submitted on: 2/14/2018 1:39:58 PM

Testimony for JUD on 2/15/2018 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Melodie Aduja	OCC Legislative Priorities Committee, Democratic Party of Hawaii	Support	No

Comments:

**PRESENTATION OF THE
OAHU COUNTY COMMITTEE ON LEGISLATIVE PRIORITIES
DEMOCRATIC PARTY OF HAWAII
TO THE COMMITTEE ON JUDICIARY
THE HOUSE OF REPRESENTATIVES
TWENTY-NINTH LEGISLATURE
REGULAR SESSION OF 2018
Thursday, February 15, 2018
2:00 a.m.**

Hawaii State Capitol, Conference Room 329

RE: Testimony in Support of HB 2043 HD1 RELATING TO WASTEWATER

To the Honorable Scott Y. Nishimoto, Chair; the Honorable Joy A. San Buenaventura, Vice-Chair and the Members of the Committee on Judiciary:

Good afternoon, my name is Melodie Aduja. I serve as Chair of the Oahu County Committee ("OCC") Legislative Priorities Committee of the Democratic Party of Hawaii. Thank you for the opportunity to provide written testimony on House Bill No.2043 HD1, relating to sewer inspections and repairs.

The OCC Legislative Priorities Committee is in favor of House Bill No.2043 HD1 and supports its passage.

House Bill No.2043 HD1 is in alignment with the Platform of the Democratic Party of Hawai'i ("DPH"), 2016, as it authorizes counties to inspect sewer laterals located on private property under certain conditions and authorizes counties to compel property owners to inspect sewer laterals under certain conditions and to make repairs as necessary.

The DPH Platform states that "[t]o handle current and future demands for water, we must assess the current condition of our aquifers and take appropriate actions to secure our freshwater resources. (Platform of the DPH, P. 8, Lines 423-425 (2016)).

Given that House Bill No. 2043 HD1 authorizes counties to inspect sewer laterals located on private property and authorizes counties to compel property owners to inspect sewer laterals and to make repairs as necessary, it is the position of the OCC Legislative Priorities Committee to support this measure.

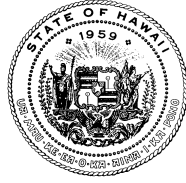
Thank you very much for your kind consideration.

Sincerely yours,

/s/ Melodie Aduja

Melodie Aduja, Chair, OCC Legislative Priorities Committee

Email: legislativepriorities@gmail.com, Tel.: (808) 258-8889



STATE OF HAWAII
DEPARTMENT OF HEALTH
P. O. Box 3378
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WRITTEN
TESTIMONY ONLY

LATE

**Testimony in SUPPORT of HB 2043 HD 1
RELATING TO WASTEWATER**

REPRESENTATIVE SCOTT Y. NISHIMOTO, CHAIR
HOUSE COMMITTEE ON JUDICIARY

Hearing Date: February 15, 2018
Time: 2:00 pm

Room Number: 325

1 **Fiscal Implications:** None.

2 **Department Testimony:** Private and public sewer laterals can have a significant impact on the
3 performance of the county sewer systems and county wastewater treatment plants. Also, the owners
4 of the sewer laterals may be unaware of problems associated with their own sewer lateral or may be
5 unwilling to fix them.

6 The proposed measure is a step in the right direction. However, in addition to saltwater
7 infiltration, leaks from laterals, groundwater/rainwater/saltwater infiltration, and inflow from illegal
8 connections can also significantly impact the county sewer systems and county wastewater
9 treatment plants. Infiltration occurs when groundwater, rainwater, and saltwater enter the county
10 sewer system through cracked, broken, or defective sewer laterals. Inflow occurs when non-sewage
11 enters the county sewer system via inappropriate or illegal connections. Infiltration and inflow can
12 cause problems at the county wastewater treatment plant, increase the cost of treatment, and/or
13 overload the sewers and cause sanitary sewer overflows. Counties need the authority to inspect and
14 control all forms of infiltration, inflow, and leaks from private and public sewer laterals connecting
15 to county sewers.

1 **Offered Amendments:** For these reasons, the DOH recommends the following amendment to
2 §46-1.5(23) (B) and (C): “§46-1.5 General powers and limitation of the counties. Subject to general
3 law, each county shall have the following powers and shall be subject to the following liabilities
4 and limitations:

5 (23) Each county shall have the power to [~~establish~~];

6 (B) Implement a sewer monitoring program that includes the inspection of sewer
7 laterals that connect to county sewers, when those laterals are located on
8 public or private property, after providing a property owner not less than ten
9 calendar days’ written notice, to detect leaks from laterals, infiltration, and
10 inflow, any other law to the contrary notwithstanding (Infiltration means
11 groundwater, rainwater, and saltwater that enters the county sewer system
12 through cracked, broken, or defective sewer laterals. Inflow means non-
13 sewage entering the county sewer system via inappropriate or illegal
14 connections);

15 (C) Compel an owner of private property upon which is located any sewer lateral
16 that connects to a county sewer to inspect that lateral for leaks, infiltration,
17 and inflow and to perform repairs as necessary (Infiltration means
18 groundwater, rainwater, and saltwater that enters the county sewer system
19 through cracked, broken, or defective sewer laterals. Inflow means non-
20 sewage entering the county sewer system via inappropriate or illegal
21 connections);”

22 Thank you for the opportunity to testify.

DEPARTMENT OF ENVIRONMENTAL SERVICES
CITY AND COUNTY OF HONOLULU

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LATE

KIRK CALDWELL
MAYOR



LORI M.K. KAHIKINA, P.E.
DIRECTOR

TIMOTHY A. HOUGHTON
DEPUTY DIRECTOR

ROSS S. TANIMOTO, P.E.
DEPUTY DIRECTOR

IN REPLY REFER TO:
WAS 18-31

February 14, 2018

The Honorable Scott Y. Nishimoto, Chair
and Members of the Committee on Judiciary
House of Representatives
State Capitol
415 South Beretania Street
Honolulu, Hawaii 96813

Dear Chair Nishimoto and Members:

Subject: House Bill 2043 HD1, Relating to Wastewater

The City and County of Honolulu's Department of Environmental Services supports, with a recommended change, HB 2043, HD1, and its proposed provision of authority to the county to implement a sewer monitoring program that includes inspection of sewer laterals connected to county sewers located on private property with proper notice, and to compel an owner to make repairs to such lateral or to make repairs as necessary if the property owner does not.

The Department of Environmental Services recommends that the limitation of the authority to saltwater infiltration should be removed. Infiltration or inflow to the sewer system negatively impacts the capacity of the sewer system and increases potential for spills whether or not it is fresh water or saltwater.

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Lori M.K. Kahikina".

Lori M.K. Kahikina, P.E.
Director