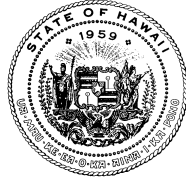


DAVID Y. IGE
GOVERNOR OF HAWAII



VIRGINIA PRESSLER, M.D.
DIRECTOR OF HEALTH

LATE

STATE OF HAWAII
DEPARTMENT OF HEALTH
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WRITTEN
TESTIMONY ONLY

**Testimony in SUPPORT of HB 2043 HD1
RELATING TO WASTEWATER**

SENATOR CLARENCE K. NISHIHARA, CHAIR
SENATE COMMITTEE ON PUBLIC SAFETY, INTERGOVERNMENTAL, AND
MILITARY AFFAIRS
SENATOR MIKE GABBARD, CHAIR
SENATE COMMITTEE ON AGRICULTURE AND ENVIRONMENT

Hearing Date: March 14, 2018
Time: 1:30 pm

Room Number: 224

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

1 control all forms of infiltration, inflow, and leaks from private and public sewer laterals connecting
2 to county sewers.

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

7 (23) Each county shall have the power to [~~establish~~]:

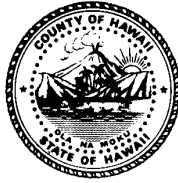
8 (B) Implement a sewer monitoring program that includes the inspection of
9 sewer laterals that connect to county sewers, when those laterals are
10 located on public or private property, after providing a property owner not
11 less than ten calendar days’ written notice, to detect leaks from laterals,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

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

24 Thank you for the opportunity to testify.

Harry Kim
Mayor

Wilfred M. Okabe
Managing Director



William A. Kucharski
Director

Diane A. Noda
Deputy Director

COUNTY OF HAWAI'I

DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

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March 13, 2018

Sen. Clarence K. Nishihara, Chair
Committee on Public Safety, Intergovernmental, and Military Affairs
and
Sen. Mike Gabbard, Chair
Committee on Agriculture and Environment
State of Hawai'i Senate
State Capitol
415 South Beretania Street, Room 224
Honolulu, Hawai'i 96813

Re: Support for HB2043, HD1 (Relating to Wastewater)
Hearing: March 14, 2018, at 1:30 p.m.

Dear Chair Nishihara and Chair Gabbard and Committee Members:

The County of Hawaii (COH) supports HB 2043, HD1. Allowing a county to require facilities that connect to public sewers to inspect and repair their lateral connections is appropriate and consistent with good practices for conveyance of wastewater. As the County of Hawai'i finalizes the treatment of wastewater for reuse (R-1) in Kailua-Kona, the presence of salt water intrusion into our sewers from leaking laterals is a critical issue that requires remedy. This bill grants the County the ability to have this damage corrected by the responsible party. The County of Hawai'i fully supports this grant of authority.

Thank you for your consideration of this testimony.

Sincerely,

William A. Kucharski
Director

cc: Andrew Levin, Executive Assistant to the Mayor
Dora Beck, Wastewater Division Chief

HB-2043-HD-1

Submitted on: 3/13/2018 12:56:18 PM

Testimony for PSM on 3/14/2018 1:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Melodie Aduja	Testifying for OCC Legislative Priorities Committee, Democratic Party of Hawai'i	Support	No

Comments:

To the Honorable Clarence K. Nishihara, Chair; the Honorable Glenn Wakai, Vice-Chair, and Members of the Senate Committee on Public Safety, Intergovernmental and Military Affairs:

To the Honorable Mike Gabbard, Chair; the Honorable Gil Riviere, Vice-Chair, and Members of the Senate Committee on Agriculture and Environment:

Good afternoon, my name is Melodie Aduja. I serve as Chair of the Oahu County Legislative Priorities Committee of the Democratic Party of Hawaii. Thank you for the opportunity to provide written testimony on **HB2043 HD1**, relating to the Counties; Sewers; Laterals; Inspections; and Repairs.

The OCC Legislative Priorities Committee is in favor of **HB2043 HD1** and support its passage.

HB2043 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]he Democratic Party of Hawai'i believes that the preservation and restoration of our natural environment are essential. We support a sustainable society that utilizes the earth in such a way that future generations will benefit from the practices of our generation. We support the restoration, preservation, and protection of our native ecosystems on each island. We believe in integrated approaches, practices, and support public policies that create and maintain a sustainable way of life in Hawai'i.

We believe in supporting best management practices in sustaining our environment and in increased citizen involvement. We support programs that encourage sustainable clean, efficient, creative and environmentally friendly modes of transportation, recycling and waste reduction. . . .

We believe in the vigorous enforcement of our environmental laws and increased public-private stewardships and citizen involvement in protecting our

resources.” (Platform of the DPH, P. 9, Lines 406-415, 432-433 (2016)).

Given that **HB2043 HD1** 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, thereby protecting our natural environment from wastewater pollution and contamination, 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, Text/Tel.: (808) 258-8889