

STAND. COM. REP. NO. **556** -20

Honolulu, Hawaii

FEB 14, 2020

RE: H.B. No. 2579
H.D. 1

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirtieth State Legislature
Regular Session of 2020
State of Hawaii

Sir:

Your Committees on Energy & Environmental Protection and Health, to which was referred H.B. No. 2579 entitled:

"A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF HEALTH,"

beg leave to report as follows:

The purpose of this measure is to require minimum hazard threshold levels, including any environmental cleanup levels, set by the Department of Health to be peer reviewed and approved by an independent technical advisory committee.

Your Committees received testimony in support of this measure from the Board of Water Supply of the City and County of Honolulu, Progressive Democrats of Hawaii, Human Environmental Impacts Committee of the Environmental Caucus of the Democratic Party, Our Revolution Hawaii, and six individuals. Your Committees received testimony in opposition to this measure from the Department of Health and three individuals.

Your Committees find that Environmental Action Levels (EAL) are primarily used to identify the presence of contaminated soil and groundwater that may require management and cleanup. Clear, consistent, and transparent guidance for development and consultation to establish minimum hazard thresholds are essential to protect human health and Hawaii's environment. Your Committees further find that credentialed experts should be included in the



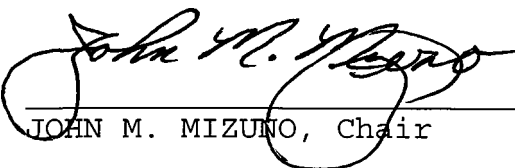
process to evaluate and affirm EALs set by the Department of Health, and notice should be provided to affected agencies.

Your Committees have amended this measure by:


- (1) Removing the peer review requirement for minimum hazard thresholds developed by the Department of Health but retaining an independent technical advisory committee's approval;
- (2) Requiring that the Department of Health provide notice of proposed changes or variances in EALs to the county boards or departments of water supply and other affected agencies;
- (3) Changing its effective date to July 1, 2050, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Energy & Environmental Protection and Health that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 2579, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 2579, H.D. 1, and be referred to your Committee on Finance.

Respectfully submitted on
behalf of the members of the
Committees on Energy &
Environmental Protection and
Health,



JOHN M. MIZUNO, Chair



NICOLE E. LOWEN, Chair



State of Hawaii
House of Representatives
The THIRTIETH Legislature

HSCR 536-20

Record of Votes of the Committee on Energy & Environmental Protection

Bill/Resolution No.: HB 2579	Committee Referral: EEP/HLT, FIN	Date: 2.11.20		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
EEP Members	Ayes	Ayes (WR)	Nays	Excused
1. LOWEN, Nicole E. (C)	✓			
2. WILDBERGER, Tina (VC)	✓			
3. HAR, Sharon E.	✓			
4. TARNAS, David A.	✓			
5. TODD, Chris	✓			
6. YAMANE, Ryan I.				✓
7. THIELEN, Cynthia	✓			
TOTAL (7)	6	0	0	1
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted			If joint referral, _____ did not support recommendation. committee acronym(s)	
Vice Chair's or designee's signature: <u><i>T. Wainyan</i></u>				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				

Record of Votes of the Committee on Health

Bill/Resolution No.: HB 2579	Committee Referral: EEP/HLT, FIN	Date: 2-11-20		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
HLT Members	Ayes	Ayes (WR)	Nays	Excused
1. MIZUNO, John M. (C)	✓			
2. KOBAYASHI, Bertrand (VC)	✓			
3. BELATTI, Della Au	✓			
4. NAKAMURA, Nadine K.	✓			
5. SAN BUENAVENTURA, Joy A.	✓			
6. SAY, Calvin K.Y.				✓
7. TOKIOKA, James Kunane	✓			
8. WARD, Gene	✓			
TOTAL (8)	7	0	0	1
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. committee acronym(s)				
Vice Chair's or designee's signature: <u>Rep. Kobayashi</u>				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				