

STAND. COM. REP. NO.

2601

Honolulu, Hawaii

FEB 13 2020

RE: S.B. No. 2774  
S.D. 1

Honorable Ronald D. Kouchi  
President of the Senate  
Thirtieth State Legislature  
Regular Session of 2020  
State of Hawaii

Sir:

Your Committee on Agriculture and Environment, to which was referred S.B. No. 2774 entitled:

"A BILL FOR AN ACT RELATING TO UNDERGROUND STORAGE TANKS,"

begs leave to report as follows:

The purpose and intent of this measure is to prohibit, beginning January 1, 2028, a person from operating an underground storage system with a capacity of 100,000 gallons or more, mauka of the underground injection control line.

Your Committee received testimony in support of this measure from the Department of Health, City and County of Honolulu Board of Water Supply, Our Revolution Hawaii, Environmental Caucus of the Democratic Party of Hawai'i, Young Progressives Demanding Action, Hawaii Youth Climate Coalition, Pono Hawai'i Initiative, Ke One O Kākuhihewa Oahu Council of the Association of Hawaiian Civic Clubs, Sierra Club of Hawai'i, Hawai'i SEED, IMUAlliance, KEY Project, Faith Action for Community Equity, Seeds of Truth, Hawaii Appleseed Center for Law and Economic Justice, and sixty-five individuals. Your Committee received testimony in opposition to this measure from the Department of the Navy Commander Navy Region Hawaii, University of Hawai'i System, Chamber of Commerce Hawaii, and four individuals.

Your Committee finds that the leakage of fuel from underground storage tanks is a matter of statewide concern. Fuel



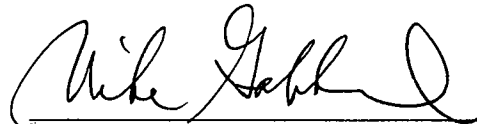
that leaks from storage tanks can contaminate groundwater that is used for human consumption and cause significant damage to the environment. Issues surrounding leaking fuel storage tanks are numerous and need to be adequately addressed for the health and safety of Hawaii's people and environment. Action is needed to protect Hawaii's groundwater from contamination threatened by large capacity underground storage tank systems, specifically, the U.S. Navy's aging Red Hill fuel tanks. This measure seeks to protect Hawaii's precious groundwater by banning large underground storage tanks beginning in the year 2028.

Your Committee has amended this measure by:

- (1) Amending the definition of "underground injection control line" to be consistent with the Underground Injection Control line represented by a dashed line on the "State of Hawaii Department of Health Underground Injection Control Program" maps; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Agriculture and Environment that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2774, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2774, S.D. 1, and be referred to your Committee on Commerce, Consumer Protection, and Health.

Respectfully submitted on  
behalf of the members of the  
Committee on Agriculture and  
Environment,




MIKE GABBARD, Chair



The Senate  
Thirtieth Legislature  
State of Hawai'i

**Record of Votes**  
**Committee on Agriculture and Environment**  
**AEN**

Bill / Resolution No.:* <b>SB 2774</b>	Committee Referral: <b>AEN, CPH</b>	Date: <b>02/10/2020</b>		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
GABBARD, Mike (C)	<del>X</del>			
RUDERMAN, Russell E. (VC)	<del>X</del>			
RHOADS, Karl				X
THIELEN, Laura H.	X			
FEVELLA, Kurt				X
<b>TOTAL</b>	<b>3</b>	<b>0</b>	<b>0</b>	<b>2</b>
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <div style="text-align:center; font-size: 2em; margin-top: 10px;">  </div>				
<b>Distribution:</b> Original                      Yellow                      Pink                      Goldenrod File with Committee Report    Clerk's Office            Drafting Agency        Committee File Copy				

\*Only one measure per Record of Votes