



STATE OF HAWAII
DEPARTMENT OF HEALTH
P. O. Box 3378
Honolulu, HI 96801-3378
doh.testimony@doh.hawaii.gov

**Testimony in SUPPORT of HB2196 HD1
RELATING TO WATER QUALITY**

REPRESENTATIVE SYLVIA LUKE, CHAIR
HOUSE COMMITTEE ON FINANCE

Hearing Date: 2/24/2020

Room Number: CR 308

1 **Fiscal Implications:** This measure may impact the priorities identified in the Governor's
2 Executive Budget Request for the Department of Health's (Department) appropriations and
3 personnel priorities.

4 **Department Testimony:** The Department supports this measure with comments. Under
5 PART II of the measure, the Department is not sure what is the purpose of collecting the
6 information from onsite sewage disposal system servicers. In addition, the Department currently
7 does not have the resources to collect and manage the information that is being required under
8 PART II.

9 Under PART III of this measure, the Department supports the outreach program that will be
10 developed by the University of Hawaii Sea Grant College Program. Act 132, Session Laws of
11 Hawaii (SLH) 2018 established a Cesspool Conversion Working Group (CCWG) that is
12 administered by the Department, to develop a long-range, comprehensive plan for cesspool
13 conversion statewide of all cesspools by 2050. Outreach and education is an important part of
14 the implementation plan.

15 Under PART IV of this measure, the Department supports the University of Hawaii Water
16 Resources Research Center to conduct research on wastewater system technologies to determine
17 the most cost-effective way to upgrade cesspools in the State and reduce the impact of cesspools
18 on drinking water and groundwater.

- 1 **Offered Amendments:** Delete the language under PART II of the measure.
- 2 Thank you for the opportunity to testify on this measure.

Harry Kim
Mayor



Roy Takemoto
Managing Director

Barbara J. Kossow
Deputy Managing Director

County of Hawai'i Office of the Mayor

25 Aupuni Street, Suite 2603 • Hilo, Hawai'i 96720 • (808) 961-8211 • Fax (808) 961-6553
KONA: 74-5044 Ane Keohokālole Hwy., Bldg C • Kailua-Kona, Hawai'i 96740
(808) 323-4444 • Fax (808) 323-4440

February 21, 2020

Representative Sylvia Luke, Chair
Representative Ty J.K. Cullen, Vice Chair
Committee on Finance

Dear Chair Luke, Vice Chair Cullen, and Committee Members:

RE: HB 2196, HD1 Relating to Water Quality

HB 2196, HD1 calls for research, education, and outreach, with respect to the impact of cesspools on Hawai'i's waters. While I applaud this initiative, I would like to ask for one amendment.

HB 2196, HD1 talks about "conducting a two-year, statewide, systematic outreach plan focused on providing education and communication about sewage contamination and the need for statewide conversion of cesspools to protect the coastal and nearshore environment" and "research on the most cost-effective way to upgrade cesspools in the State." My suggestion is that this research could be more objective if one of its tasks was to determine whether there was a scientific basis for forcing the expensive conversion of "all" cesspools.

I realize that present law requires such conversion. But objective research might reveal that geographic exceptions could be made without impacting waters and coral at all, thereby saving millions of dollars and a lot of heartache, with no countervailing negative consequences.

Since you are funding research anyway, wouldn't it make sense to be sure that the premise on which the research is based is scientifically sound?

I hope you will amend HB 2196, HD1 to make this simple but meaningful change. Alternatively, please include language in your Committee report that says the research may explore whether the universal requirement for conversion of cesspools should be modified to be truly cost effective.

Thank you for your consideration.

Respectfully Submitted,

Harry Kim
MAYOR



Environmental Caucus of The Democratic Party of Hawai'i

Monday, February 24, 2020

House Bill 2196, HD 1
Testifying in Strong Support

Aloha Chair Luke; Vice Chair Cullen; and Members of the Committee on Finance:

The Environmental Caucus of the Democratic Party of Hawaii stands in **STRONG SUPPORT** of HB 2196, HD 1. This measure establishes reporting requirements for onsite sewage disposal system (OSDS) servicers; appropriates funds for UH sea grant college program, in collaboration with DOH, to conduct community outreach regarding OSDS; appropriates funds for UH water resources research center, in collaboration with DOH, to research the most cost-effective way to upgrade or convert cesspools; and requires and appropriates funds for the cesspool conversion working group to compile an updated database of OSDS statewide.

This measure is reasonable and justifiable considering the 88,000 existing cesspools within the State of Hawai'i making Hawai'i the number one state in the nation with the greatest number of cesspools per capita than any other state in the Union. This measure is necessary to assist in meeting the legally mandated cesspool conversion requirement by 2050.

In May 5, 2018, at the O`ahu County Democrats Convention, out of dire concern for the continuous environmental damage and immediate future risk to the environment, to human life, and to wildlife and marine life, as already witnessed by the environmental demise of Kane`ohe Bay, and illnesses and sores suffered by individuals who live, swim, play, fish, pick limu, and boat in Kane`ohe Bay through staphylococcus aureus and other bacterial skin infections, and MRSA, the Methicillin-resistant Staphylococcus aureus (resistant to many antibiotics); and in Upcountry Maui, where its drinking water aquifer is at-risk of fecal coliform bacteria contamination from human sewage, the following OCC Resolution was adopted:

OC 2018-5. Urging Cesspool Abatement Measures

Whereas, Thousands of cesspools throughout the islands are threatening drinking water supplies, coral reefs and the health of the people who swim, surf, and consume the marine life in popular places; and

Whereas, This is a serious public safety issue, environmental problem and economic danger that is exacerbated by the effects of climate change; and

Whereas, The impact to coral reefs affects the state's economy, shoreline protection, recreation and habitat for important marine life; and

Whereas, Coral reefs around the state, including Kahalu'u Lagoon and Diamond Head on O'ahu, are threatened as cesspools overload nearby waters with nutrients - nitrogen and phosphorous - that cause algae to smother new growth; and

Whereas, The State Department of Health estimates \$1.75 billion is needed to replace all 88,000 cesspools around Hawai'i, with upgrades required urgently for about half of them; and

Whereas, Approximately 53 million gallons of raw sewage are being discharged each day into cesspools which are basically holes in the ground for wastewater; and

Whereas, One of highest priority area is in upcountry Maui, where 7,400 cesspools have caused nitrate levels in well water to spike dangerously close to safe-drinking limits; and

Whereas, The other area of the highest priority is in Kahalu'u, on the east side of O'ahu, where there have been incidents of skin infections consistent with sewage-contaminated surface water; and

Whereas, The risk of disease is expected to increase as cesspools deteriorate and become more prone to flooding as sea level rises and storms intensify as a result of Climate Change; and

Whereas, Hawai'i depends on wells for more than 90 percent of its drinking water and the vast majority of homes are near the ocean subject to sea level and water table rise causing an increase in wastewater contamination on healthy sources; and

Whereas, Both cesspools and septic tank upgrades still allow for effluent to leach into the ground into groundwater and into the ocean; and

Whereas, Connecting to local wastewater systems is best; and

Whereas, All cesspools are banned by 2050; now, therefore, be it

Resolved, That the O'ahu County Democrats of the Democratic Party of Hawai'i urge the Hawai'i State Legislature, in collaboration with the County of Honolulu, to seek cesspools abatement measures such as connecting to the local wastewater systems to totally eliminate the problem of leaching, coral damage, and wastewater contamination; and be it

Ordered, That copies of this resolution be transmitted to the members of the Hawai'i Congressional Delegation, the Governor of the State of Hawai'i, the Lt. Governor of the State of Hawai'i, Hawai'i Legislators who are members of the Democratic Party; the Mayor of the City and County of Honolulu; and Members of the City Council of the County of Honolulu, and the 2018 convention resolutions committee of the Democratic Party of Hawai'i.

For these reasons, we urge you to vote favorably on this bill which establishes reporting requirements for onsite sewage disposal system (OSDS) servicers; appropriates funds for UH sea grant college program, in collaboration with DOH, to conduct community outreach regarding OSDS; appropriates funds for UH water resources research center, in collaboration with DOH, to research the most cost-effective way to upgrade or convert cesspools; and requires and appropriates funds for the cesspool conversion working group to compile an updated database of OSDS statewide.

Mahalo for the opportunity to testify,

/s/ Melodie Aduja

Environmental Caucus
Democratic Party of Hawai'i



February 23, 2020

To: The Honorable Sylvia Luke, Chair,
The Honorable Ty J.K. Cullen, Vice Chair, and Members
House Committee on Finance

Re: **HB 2196, HD1– relating to onsite sewage disposal systems**

Hearing: Monday, February 24, 2020, 1:00 p.m. Room 308

Position: **Strong Support**

Aloha, Chair Luke, Vice Chair Cullen, and Members of the Committee,

The HAWAI'I REEF AND OCEAN COALITION – HIROC – was formed in 2017 by coral reef scientists, educators, local Hawaii environmental organizations, elected officials, and others to address a crisis facing Hawaii's coral reefs and ocean – namely, the pollution of our near-shore environment by sunscreens that are literally killing our marine life. We are currently asking the Legislature to pass a handful of very important bills to save our coral reefs – they are bills relating to sunscreens, plus bills on cesspools, plastic marine debris, the climate crisis and sea-level rise.

HIROC strongly supports this bill, which would establish reporting requirements for onsite sewage disposal system (OSDS) servicers, provide an appropriation of funds for the Department of Health to conduct outreach regarding OSDS, and a second appropriation of funds for the cesspool conversion working group to compile an updated database of OSDS statewide. These steps are needed to address the serious problem we have in Hawaii with wastewater pollution from on-site disposal systems.

This bill will provide needed funding to investigate and demonstrate new solutions. Please restore a reasonable sum for the appropriation, plus an early effective date, and pass this bill. Thank you for the opportunity to testify.

Alan B. Burdick, for HIROC
Burdick808@gmail.com 486-1018

HB-2196-HD-1

Submitted on: 2/23/2020 2:30:40 PM

Testimony for FIN on 2/24/2020 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Alexandra Kahn	Surfrider Oahu	Support	No

Comments:

HB-2196-HD-1

Submitted on: 2/23/2020 2:32:04 PM

Testimony for FIN on 2/24/2020 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Marvin Heskett	Individual	Support	No

Comments:

Aloha,

Please support this important bill to help improve and protect our coastal water quality.

Thank You,

Marvin Heskett

LATE

HB-2196-HD-1

Submitted on: 2/24/2020 6:46:52 AM

Testimony for FIN on 2/24/2020 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
John Bickel	Americans for Democratic Action	Support	No

Comments:

Given the 88,000 existing cesspools, this measure is necessary to meet the cesspool conversion requirement by 2050.



LATE

Feb. 24, 2020

In Support of **HB2196 HD1** Relating to Environmental Protection
House Committees on Finance (FIN))
Feb. 24, 1:00pm, Room 308

Aloha, Chair Luke, Vice Chair Cullen and Members of the Finance Committee:

On behalf of the non-profit WAI: Wastewater Alternatives & Innovations, I am writing in **support of HB2196 HD1**. This bill would establish reporting requirements for onsite sewage disposal system (OSDS) servicers, provide an appropriation of funds for the Department of Health to conduct outreach regarding OSDS and compile an updated database of OSDS statewide for the Cesspool Conversion Working Group. Hawaii is one of the only states that doesn't monitor how often OSDS are maintained.

I serve on the Cesspool Conversion Working Group, and this bill would help us gain more valuable data about our OSDS in Hawaii and the extent of our serious wastewater management problems. Hawaii has more than 88,000 cesspools across the state, and these substandard systems discharge 53 million gallons of raw sewage each day into Hawaii's waters. That's like a massive sewage spill every day! Although most of us don't see the effects, this sewage pollution poses serious risks to water quality, human health and the resilience of our coral reefs.

Wastewater Alternatives & Innovations (WAI) is dedicated to protecting our waters and near-shore ecosystems by reducing sewage pollution from cesspools and failing septic systems. Our goal is to help communities and homeowners find more innovative, affordable and eco-friendly solutions to wastewater management. Better sanitation systems reduce sewage pollution and make properties more valuable, while also protecting our groundwater, streams and the health of our coral reefs and coastal areas. Without a central database, we won't know the extent of the pollution or how to fix it.

This bill will help DOH to help collect the data from sewage disposal system servicers and educate these disposal operators and the homeowners about the environmental and health threats posed by sewage pollution from cesspools. It will also help collect needed information from these owners about their needs while offering them more innovative and often more affordable solutions. This bill will make it easier to do that and provide critical information to the Dept. Of Health and the Cesspool Conversion Working Group to help us in educating the public about the need for cesspool upgrades, maintenance of their IWS and our efforts to protect our health, water quality, coral reefs and nearshore ecosystems.

This is a complex bill with many moving parts, and I'm not sure about its timeline or estimated costs. But I do know that the Dept. Of Health needs an online database of all OSDS to record the data about how often these systems are pumped and maintained from the service providers. This database will help the Cesspool Conversion Working Group figure out the extent of the problem and which areas to prioritize in the statewide conversion process. Mahalo for your leadership on this issue and consideration of this bill. Please let me know if you have any questions or concerns.

Aloha,
Stuart Coleman
Stuart H. Coleman

LATE

HB-2196-HD-1

Submitted on: 2/24/2020 11:18:19 AM
Testimony for FIN on 2/24/2020 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
J M PEDERSEN	Individual	Support	No

Comments:

As a professional engineer working with wastewater concerns on a daily basis I strongly agree with the general intent of this Bill. These efforts need to be funded and supported. Identifying failing systems should be an immediate concern. Data collection and an updating database are key to this effort. I look forward to reviewing how this Legislature approached this critical concern.