



STATE OF HAWAII
DEPARTMENT OF HEALTH
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**Testimony in SUPPORT of SB2503
RELATING TO INDIVIDUAL WASTEWATER SYSTEMS**

SENATOR MIKE GABBARD, CHAIR
SENATE COMMITTEE ON AGRICULTURE AND ENVIRONMENT

SENATOR ROSALYN H. BAKER, CHAIR
SENATE COMMITTEE ON COMMERCE, CONSUMER PROTECTION, AND HEALTH
Hearing Date: 2/10/2020 Room Number: CR 224

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. The Department would need resources to establish a new program to
4 manage the inspection of individual wastewater systems at the time of sale or transfer of
5 ownership of a property.

6 **Department Testimony:** The Department supports this measure. The United States
7 Environmental Protection Agency and the National Oceanic Atmospheric Administration have
8 indicated that an individual wastewater system inspection program is necessary for Hawaii to
9 receive approval of its coastal nonpoint program pursuant to Section 6217 of the Coastal Zone
10 Act Reauthorization Amendments of 1990. The Department and the Department of Business,
11 Economic Development and Tourism could potentially lose approximately \$1.1 million of
12 federal funds if an inspection program is not implemented. This measure would satisfy the
13 federal requirement of having an inspection program for individual wastewater systems and
14 would decrease the number of failing systems, thereby having a beneficial impact on water
15 quality. Requiring the inspection of the individual wastewater systems at the time of sale of a
16 property will protect a potential buyer. Problems with an individual wastewater system can
17 range from simple repairs to very complex replacement which can cost thousands of dollars. The
18 individual wastewater system is considered an extension of the plumbing of a home. During

1 home inspections at the time of sale, it is common for plumbing and electrical systems to be
2 inspected for deficiencies. It would only make sense to include the inspection of the individual
3 wastewater systems in all home inspections at the time of sale.

4 **Offered Amendments:** None.

5 Thank you for the opportunity to testify on this measure.



February 9, 2020

To: The Honorable Mike Gabbard, Chair
The Honorable Russell E. Ruderman, Vice Chair, and Members of the
SENATE COMMITTEE ON AGRICULTURE AND THE ENVIRONMENT
and
The Honorable Roz Baker, Chair
The Honorable Stanley Chang, Vice Chair, and Members of the
SENATE COMMITTEE ON COMMERCE, CONSUMER PROTECTION
AND HEALTH

Re: SB 2503 – relating to water pollution
Hearing: Monday, February 10, 2020, 1:50 p.m. Room 224
Position: **Strong Support**

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 cesspools, sunscreens, plastic marine debris, the climate crisis and sea level rise.

HIROC supports the establishment, with sufficient funding for DOH to manage, an individual wastewater system inspection program to oversee the inspection and repair of any individual wastewater system (IWS) at the time of the property's sale or transfer, with appropriate exclusion of certain property transfers. IWSs can leak sewage, polluting groundwater, possibly drinking waters, and the environment. Inspections are appropriate upon property transfer, for the new owner should not be sold a leaking system without knowledge. If upgrades are required, property transfer is a good time to learn that.

This bill would help accomplish these goals. Please pass this bill to help protect Hawaii's waters, coral reefs, and public health from leaking IWSs. Thank you for the opportunity to testify!

Alan B. Burdick, on behalf of HIROC, 486-1018
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WAI WASTEWATER
ALTERNATIVES AND
INNOVATIONS

Feb. 9, 2020

In Support of **SB2503** Relating to Individual Wastewater Systems
Senate Committees on Agriculture & Energy (AEN) and Commerce, Consumer Protection & Health (GVO)
Feb. 10, 1:50pm, Room 225

Aloha, Chairs Gabbard & Baker, Vice Chairs Ruderman & Chang and Members of the Committees:

I am writing in strong support of SB2503, which would establish a program to inspect Individual Wastewater Systems (IWS) upon a property's point of sale. Along with other provisions, this bill would protect water quality by making sure that the Dept. Of Health's Wastewater Branch has inspectors who can make sure a failing cesspool or septic system is replaced or repaired by the buyer and/or seller at the time of sale.

Unlike most states, we have no inspection program; so we have insufficient data about homeowners' Individual Wastewater Systems and can't determine whether they are working or how often they are maintained. We have heard from community members in areas like Kahalu'u who have complained that when it rains, untreated sewage pours out of their neighbor's cesspool and flows into nearby roads.

WAI: Wastewater Alternatives & Innovations is a new nonprofit organization 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.

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

SB-2503

Submitted on: 2/5/2020 5:04:04 PM

Testimony for AEN on 2/10/2020 1:50:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Andrea Quinn	Individual	Support	No

Comments:

Dear Honorable Committee Members:

Please support SB2503, which will help protect Hawaii's fragile marine ecosystem as well as our water tables.

Thank you for the opportunity to present my testimony.

Andrea Quinn

Kihei

SB-2503

Submitted on: 2/9/2020 10:12:03 AM

Testimony for AEN on 2/10/2020 1:50:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Dylan P. Armstrong	Individual	Support	No

Comments:

Aloha Chairs Gabbard and Baker, Vice Chairs, and Members of the Committees on Agriculture and Environment, and Commerce, Consumer Protection, and Health:

I write in support of Senate Bill 2503. This measure "establishes the time of transfer individual wastewater system inspection program to oversee the inspection and repair of any individual wastewater system at the time of the property's sale or transfer." Further, it "excludes certain sales or transfers."

This measure is necessary to protect eligibility for existing federal monies made available through the Coastal Zone Act Reauthorization Amendments. This is no small issue in a state with an exceedingly long coastline and small land area, one that is economically dependent on beach-related tourism. Our beaches and marine environment fall victim to every poorly managed wastewater system that sends runoff into the ocean and coastal environments. This measure is not punitive and merely creates an inspection framework to assess that which needs environmental remedy.

I thank Senator Keohokolole for introducing this measure. Please pass SB2503.

Thank you,
Dylan P. Armstrong