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## A BILL FOR AN ACT

MAKING AN EMERGENCY APPROPRIATION TO THE DEPARTMENT OF HEALTH  
FOR COSTS RESULTING FROM THE RELEASE OF PETROLEUM FROM THE  
RED HILL BULK FUEL STORAGE FACILITY.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1       SECTION 1. This Act is recommended by the governor for  
2 immediate passage in accordance with section 9 of article VII of  
3 the Constitution of the State of Hawaii.

4       SECTION 2. The purpose of this Act is to make an emergency  
5 appropriation to provide funds for the department of health for  
6 costs related to emergency response for threats to public health  
7 and enforcement activities resulting from release of petroleum  
8 from the Hill Bulk Fuel Storage Facility. The department of  
9 health hazard evaluation and emergency response office opened  
10 Navy Water System Incident Case No. 20211128-1848 on November  
11 28, 2021, when the department of health was notified that  
12 petroleum product was observed in drinking water by users of the  
13 Navy's Joint Base Pearl Harbor-Hickam public water system (PWS  
14 360) and consecutive Army Aliamanu Military Reservation public  
15 water system (PWS 337) on Oahu.

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1       The department of health will pursue cost recovery from the  
2       United States Navy, but funds are needed in advance of any cost  
3       recovery to pay for expenses incurred, including (1) additional  
4       staff to enable thorough sampling and confirmation collection  
5       according to State and federal drinking water regulations and  
6       procedures, (2) laboratory testing, (3) retention of additional  
7       subject matter experts to supplement department staff,  
8       (4) additional staff for data management, (5) maintenance and  
9       repair for laboratory instruments used for testing of drinking  
10      water samples, (6) crisis communications assistance, and (7)  
11      overtime costs for the many state employees needed to work on  
12      the emergency response.

13       Response activities needed since the initial report of  
14      contaminated water in areas surrounding the Red Hill Bulk Fuel  
15      Storage Facility in late November 2021, have included  
16      coordination, planning, operations, logistics, and finance tasks  
17      that involve collecting, testing, and analyzing water samples,  
18      media relations and public messaging, responding to public  
19      inquiries and complaints, data management, geographic  
20      information systems (GIS) mapping, procurement, cost accounting,  
21      and coordination with government entities including the United  
22      States Navy, Hawaii Emergency Management Agency, United States

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1 Environmental Protection Agency, United States Centers for  
2 Disease Prevention and Control, Hawaii's Congressional  
3 delegation, department of education, department of human  
4 services, department of land and natural resources, and others.

5 SECTION 3. There is appropriated out of the general  
6 revenues of the State of Hawaii the sum of \$\_\_\_\_\_, or so  
7 much thereof as may be necessary for fiscal year 2021-2022 to  
8 carry out the purpose of this Act, including response and  
9 enforcement activities of the department of health relating to  
10 petroleum leaks at the Red Hill Bulk Fuel Storage Facility.

11 The sum appropriated shall be expended by the department of  
12 health.

13 SECTION 4. This Act shall take effect upon its approval.

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INTRODUCED BY: \_\_\_\_\_



16

BY REQUEST

JAN 24 2022

**Report Title:**

Department of Health; Emergency Appropriation; Red Hill Bulk Fuel Storage Facility

**Description:**

Makes an emergency appropriation to the Department of Health for response activities and enforcement relating to the petroleum leaks at the Red Hill Bulk Fuel Storage Facility.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

JUSTIFICATION SHEET

DEPARTMENT: Health

TITLE: MAKING AN EMERGENCY APPROPRIATION TO THE DEPARTMENT OF HEALTH FOR COSTS RESULTING FROM THE RELEASE OF PETROLEUM FROM THE RED HILL BULK FUEL STORAGE FACILITY.

PURPOSE: Make an emergency appropriation to the Department of Health for fiscal year 2021-2022 to support activities related to petroleum leaks from the Red Hill Bulk Fuel Storage Facility.

MEANS: Emergency appropriation.

JUSTIFICATION: Funds are needed to provide adequate cash flow to expend and encumber moneys for emergency response activities related to the Department of Health Navy Water System Incident Case No. 20211128-1848, which began on November 28, 2021, when the Department of Health was notified that petroleum product was observed by users of the Navy's Joint Base Pearl Harbor-Hickam (JBPHH) water system (PWS 360) and consecutive Army Aliamanu Military Reservation public water system (PWS 337).

The Department of Health will pursue cost recovery from the United States Navy, but funds are needed in advance of any cost recovery to pay for expenses incurred, including (1) additional staff to enable thorough sampling and confirmation collection according to State and federal drinking water regulations and procedures, (2) laboratory testing, (3) retention of additional subject matter experts to supplement Department of Health staff, (4) additional staff for data management, (5) maintenance and repair for laboratory instruments used for testing of drinking

water samples, (6) crisis communications assistance, (7) regulatory enforcement, and (8) overtime costs for the many state employees needed to work on the emergency response.

Response activities needed since the initial report of contaminated water in areas surrounding the Red Hill Bulk Fuel Storage Facility in late November, 2021, have included coordination, planning, operations, logistics, and finance tasks that involve collecting, testing, and analyzing water samples, media relations and public messaging, responding to public inquiries and complaints, data management, geographic information systems (GIS) mapping, procurement, cost accounting, coordination with the United States Navy, Hawaii Emergency Management Agency, United States Environmental Protection Agency, United States Centers for Disease Prevention and Control, Hawaii's Congressional delegation, Department of Education, Department of Human Services, Department of Land and Natural Resources, and others.

Impact on the public: Resources are required to assure safe drinking water and prevent environmental contamination in residential areas as the United States Navy develops and implements its remediation and recovery plans. Area residents have already been exposed to contaminated drinking water and negative health effects have been documented.

Impact on the department and other agencies: Additional funds are required to assure cash flow and operational continuity for the ongoing emergency response and regulatory oversight. Lack of an emergency appropriation due to fuel the release of petroleum into the aquifer and drinking water system may hamper the scope and speed of the Department of Health's response.

GENERAL FUND: \$\_\_\_\_\_.

OTHER FUNDS: None.

PPBS PROGRAM  
DESIGNATION: HTH-849.

OTHER AFFECTED  
AGENCIES: Department of Budget and Finance, Department  
of Education, Department of Land and Natural  
Resources.

EFFECTIVE DATE: Upon approval.