

STAND. COM. REP. NO. **2562**

Honolulu, Hawaii

FEB 18 2022

RE: S.B. No. 2601
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirty-First State Legislature
Regular Session of 2022
State of Hawaii

Sir:

Your Committees on Health and Agriculture and Environment, to which was referred S.B. No. 2601 entitled:

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

beg leave to report as follows:

The purpose and intent of this measure is to:

- (1) Require applications for underground storage tank permits to be accompanied by plans, specifications, and other necessary information;
- (2) Remove the provision allowing for the automatic grant of permits for underground storage tanks;
- (3) Require the Director of Health to modify, suspend, or revoke a permit if there is a violation of the permit, the permit was obtained by misrepresentation, or if there was a release of regulated substances.

Your Committees received testimony in support of this measure from the City and County of Honolulu Board of Water Supply, Hawai'i Nurses' Association, Livable Hawaii Kai Hui, Hawai'i Alliance for Progressive Action, and eight individuals. Your Committees received comments on this measure from the Department of Health.



Your Committees find that the Hawaii State Constitution requires the State to "protect, control and regulate the use of Hawaii's water resources for the benefit of its people." Article XI, section 7, Hawaii State Constitution. Aging underground storage tanks pose a significant threat of leaking hazardous substances into the ground, contaminating the State's drinking water. Such a leak and contamination occurred in November of 2021, when the Navy confirmed that petroleum leaked from its Red Hill Underground Bulk Fuel Storage Facility into Oahu's drinking water. This measure requires all applications for underground storage tank permits to be accompanied by specified information, removes automatic grants of permits, and requires the Director of Health to take certain action on any permit violation.

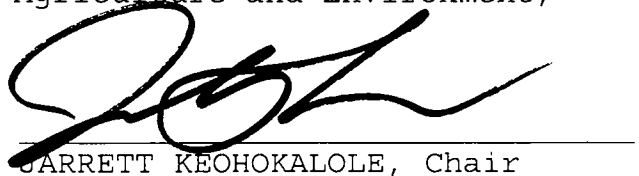
Your Committees have amended this measure by:

- (1) Inserting an effective date of January 1, 2050, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Health and Agriculture and Environment that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2601, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2601, S.D. 1, and be referred to your Committees on Judiciary and Ways and Means.

Respectfully submitted on
behalf of the members of the
Committees on Health and
Agriculture and Environment,


MIKE GABBARD, Chair


JARRETT KEOHOKALOOLE, Chair



The Senate
 Thirty-First Legislature
 State of Hawai'i

**Record of Votes
 Committee on Health
 HTH**

Bill / Resolution No.:* SB 2601	Committee Referral: HTH/AEN, JDC/WAM	Date: 2-11-2022
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The Committee is reconsidering its previous decision on this measure.
 If so, then the previous decision was to: _____

The Recommendation is:

Pass, unamended 2312
 Pass, with amendments 2311
 Hold 2310
 Recommit 2313

Members	Aye	Aye (WR)	Nay	Excused
KEOHOKALOLE, Jarrett (C)	✓			
BAKER, Rosalyn H. (VC)	✓			
MORIWAKI, Sharon Y.	✓			
SAN BUENAVENTURA, Joy A.	✓			✓
FEVELLA, Kurt	✓			
TOTAL	5	—	—	—

Recommendation:
 Adopted
 Not Adopted

Chair's or Designee's Signature:
Rosalyn H Baker

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***Only one measure per Record of Votes**

