

**STATE OF HAWAII
OFFICE OF PLANNING
& SUSTAINABLE DEVELOPMENT**

DAVID Y. IGE
GOVERNOR

MARY ALICE EVANS
DIRECTOR

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Statement of
MARY ALICE EVANS
Director, Office of Planning and Sustainable Development
before the
HOUSE COMMITTEE ON CONSUMER PROTECTION AND COMMERCE
Thursday, February 24, 2022
2:00 pm
State Capitol, Conference Room 329
on
HB 2514, HD 1
RELATING TO UNDERGROUND STORAGE TANKS

Chair Johanson, Vice Chair Kitagawa, and Members of the Committee:

The Office of Planning and Sustainable Development (OPSD) **supports the intent of this measure and offers comments** on HB 2514, HD 1, which prohibits the operation of underground storage tanks with a capacity greater than 100,000 gallons.

The Office of Planning and Sustainable Development prepares and coordinates climate change adaptation actions for the State; and recognizes the value of all of Hawai'i's water in both the natural and built environments, including freshwater, wastewater, and stormwater resources for their best sustainable use, and to preserve the water's quality and quantity.

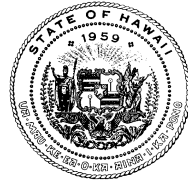
Hawai'i's changing climate includes scientific data that generally, rainfall throughout the state has decreased by 18% over a 30-year period from 1978-2007.¹ The access to clean and safe drinking water is vital for Hawai'i's climate resilience and sustainability. This is imperative for the Island of O'ahu since the island contains the majority of the state's population.

Measures like this bill seeking to prohibit the operation of underground storage tanks with a capacity greater than 100,000 gallons can reduce the risk of potentially contaminating the State of Hawai'i's potable drinking water sources.

The Office of Planning and Sustainable Development is committed the sustainable development and climate adaptation of the state to meet the needs of the present without compromising the ability of future generations of Hawai'i to meet their own needs.

Thank you for the opportunity to testify on this measure.

¹ Thomas W. Giambelluca et al., "2013: Online Rainfall Atlas of Hawai'i." Bull. Amer. Meteor. Soc. 94, 313-316, doi: 10.1175/BAMS-D-11-00228.1. <http://rainfall.geography.hawaii.edu/rainfall.html>.



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

**Testimony in SUPPORT of HB2514 HD1
RELATING TO UNDERGROUND STORAGE TANKS**

REPRESENTATIVE AARON LING JOHANSON, CHAIR
HOUSE COMMITTEE ON CONSUMER PROTECTION & COMMERCE

Hearing Date: 2/24/2022

Room Number: 329/Videoconference

1 **Fiscal Implications:** The fiscal implications of this measure are unknown at this time.

2 **Department Testimony:** The Department of Health supports the intent of this measure, to
3 protect the precious freshwater resources of our pae ‘āina.

4 We note that the bill will not only affect the 20 underground storage tanks (USTs) at Red
5 Hill Ridge, each with an approximate capacity of 12.5 million gallons, but also four other USTs,
6 each with an approximate capacity of 400,000 gallons (“surge tanks”), that are part of the Red
7 Hill UST system and are located makai of the underground injection control (UIC) line

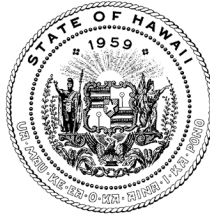
8 An alternative is the language in HB2274 HD1, establishing a date after which large
9 capacity UST systems located mauka of the UIC line may no longer operate.

10 We defer to the legislature on selecting the appropriate date.

11 **Offered Amendments:** None.

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

DAVID Y. IGE
GOVERNOR OF
HAWAII



**STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES**

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

SUZANNE D. CASE
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

ROBERT K. MASUDA
FIRST DEPUTY

M. KALEO MANUEL
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES
BOATING AND OCEAN RECREATION
BUREAU OF CONVEYANCES
COMMISSION ON WATER RESOURCE MANAGEMENT
CONSERVATION AND COASTAL LANDS
CONSERVATION AND RESOURCES ENFORCEMENT
ENGINEERING
FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

**Testimony of
SUZANNE D. CASE
Chairperson**

**Before the House Committee on
CONSUMER PROTECTION & COMMERCE**

**Thursday, February 24, 2022
2:00 PM**

State Capitol, Conference Room 329, Via Videoconference

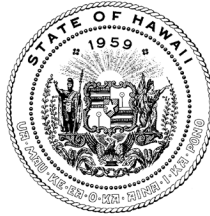
**In consideration of
HOUSE BILL 2514, HOUSE DRAFT 1
RELATING TO UNDERGROUND STORAGE TANKS**

House Bill 2514, House Draft 1 proposes to amend Chapter 342L, Hawaii Revised Statutes, by adding a new section prohibiting the operation of underground storage tanks with a capacity greater than 100,000 gallons. **The Department of Land and Natural Resources (Department) offers the following comments.**

The Department recognizes the risks of underground storage tanks containing hazardous material leaking and contaminating the surrounding area and possibly any underlying aquifer. Larger capacity underground storage tanks present a higher potential for larger leakage events. The risk of underground storage tanks must be balanced with the benefits provided, through regulatory measures.

Thank you for the opportunity to comment on this measure.

DAVID Y. IGE
GOVERNOR OF
HAWAII



**STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES**

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

SUZANNE D. CASE
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

ROBERT K. MASUDA
FIRST DEPUTY

M. KALEO MANUEL
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES
BOATING AND OCEAN RECREATION
BUREAU OF CONVEYANCES
COMMISSION ON WATER RESOURCE MANAGEMENT
CONSERVATION AND COASTAL LANDS
CONSERVATION AND RESOURCES ENFORCEMENT
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**Testimony of
SUZANNE D. CASE
Chairperson**

**Before the House Committee on
CONSUMER PROTECTION & COMMERCE**

**Thursday, February 24, 2022
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State Capitol, Conference Room 329, Via Videoconference

**In consideration of
HOUSE BILL 2514, HOUSE DRAFT 1
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The Department recognizes the risks of underground storage tanks containing hazardous material leaking and contaminating the surrounding area and possibly any underlying aquifer. Larger capacity underground storage tanks present a higher potential for larger leakage events. The risk of underground storage tanks must be balanced with the benefits provided, through regulatory measures.

Thank you for the opportunity to comment on this measure.

BOARD OF WATER SUPPLY

CITY AND COUNTY OF HONOLULU
630 SOUTH BERETANIA STREET
HONOLULU, HI 96843
www.boardofwatersupply.com



February 24, 2022

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ERNEST Y. W. LAU, P.E.
Manager and Chief Engineer

ELLEN E. KITAMURA, P.E.
Deputy Manager and Chief Engineer

The Honorable Aaron Ling Johanson, Chair
and Members
House Committee on Consumer Protection and Commerce
Conference Room 329 & Videoconference
Honolulu, Hawaii 96813

Dear Chair Johanson and Members:

Subject: House Bill 2514 HD1: Relating to Underground Storage Tanks

The Honolulu Board of Water Supply (BWS) supports the intent of House Bill (HB) 2514 HD1.

This bill proposes to amend Hawaii Revised Statutes chapter 342L by adding a new section that prohibits underground storage tanks (USTs) greater than 100,000 gallons to operate from a date that is shown as blank in the bill. The BWS supports an effective date of January 1, 2023.

Thank you for your consideration of our testimony concerning HB 2514 HD1

Very truly yours,



ERNEST Y. W. LAU, P.E.
Manager and Chief Engineer



2/24/2022

CPC Committees
Hawai'i State Capitol
Honolulu, Hawai'i 96813

Dear Chair Aaron Ling Johanson, Vice Chair Lisa Kitagawa and members of the House Committee on Consumer Protection and Commerce,

Position: Support HB2514 with proposed amendment.

The Surfrider Foundation is a national nonprofit organization dedicated to the protection and enjoyment of our ocean, waves, and beaches. Surfrider maintains a network of over 150 chapters and academic clubs nationwide, including 4 chapters in the Hawaiian Islands. The Surfrider Foundation focuses on many aspects of the environment such as coastal protection, plastic pollution, and water quality.

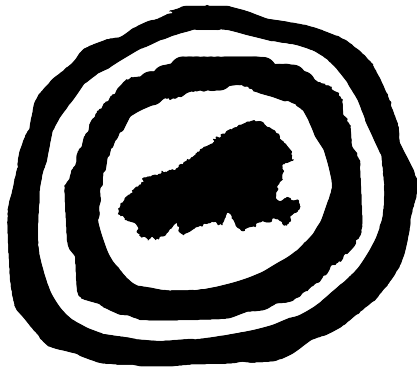
The Surfrider Foundation Hawai'i Region supports HB2514, which seeks to protect our islands' most precious resource from fuel contamination. Our water is precious and we all have a duty to protect our islands' source of life for present and future generations. The threat to our water is imminent and we can wait no longer to know that our water is truly safe from any further contamination, therefore we urge you to amend the measure by implementing July 1, 2022 as the date after which no underground storage tank can be operated, except to defuel and decommission.

We have already seen the devastating impacts that water contamination from leaky underground storage tanks may have on people and the environment, with additional effects likely to ripple across our island over the summer and into the foreseeable future. The legislature must do all that it can to remove the threat of something far worse happening to our water supply, both now and for future generations to come.

Thank you for your consideration of this testimony in support of HB2514 with the above amendment, submitted on the behalf of the Surfrider Foundation's 4 Chapters in Hawai'i and all of our members who live in the state and visit to enjoy the many coastal recreational opportunities offered by all of the islands' coastlines.

Sincerely,

Camile Cleveland
Volunteer Policy Coordinator
Surfrider Foundation, O'ahu Chapter



Protect Kaho'olawe 'Ohana

aloha 'āina

**Statement of the Protect Kaho'olawe 'Ohana
Regarding the Kapūkakī Fuel Storage Tank Facility
Calling for the immediate decommissioning and removal of the fuel tanks**

E ui aku ana au iā 'oe:

Aia i hea ka wai a Kāne?

Aia i lalo, i ka honua, i ka wai hū,

I ka wai kau a Kāne me Kanaloa —

He wai puna, he wai e inu,

He wai e mana, he wai e ola.

E ola nō, e-a!

One question I ask of you:

Where flows the water of Kāne?

Deep in the ground, in the gushing spring,

In the ducts of Kāne and Kanaloa,

A well-spring of water, to quaff,

A water of magic power, the water of life!

Life! O give us this life!

Source: He Mele No Kāne. Emerson, Nathaniel B. Unwritten Literature of Hawaii. Washington: Government Printing Office. 1909.

The lines quoted above comprise the last stanza of “He Mele No Kāne,” a composition that masterfully describes all of the places that water may be found. From the zenith of the heavens to the depths of the Earth, from the rising to the setting of the sun, water is everywhere. This water is a physical manifestation of the deity Kāne. It is sacred. It is life giving.

In recent weeks, a threat to our life-giving water has reared its menacing head. Officials and activists warned of this potential hazard for years. True to character, the United States Navy is attempting to downplay the seriousness of the issue at hand, just as it did for many years when we fought to stop the bombing of Kaho'olawe. The Navy's lack of integrity and absence of transparency prove that it once again cannot be trusted. The careless abuse of Kaho'olawe and lackadaisical cleanup of the island established precedence of their negligence. We again witness their carelessness and mismanagement of Hawai'i's precious resources.

The fuel storage tanks at Kapūkakī (Red Hill) are a known threat to O'ahu's aquifer. For many years, community groups such as the Sierra Club of Hawai'i and individuals such as Ernest Lau, Board of Water Supply Chief Engineer, cautioned of imminent discharge from the aging fuel tanks that sit over O'ahu's natural volcanic dikes. Yet the Navy continues to deny the

presence of such risk and chooses, instead, to evade the fact that we are on the brink of a devastating environmental disaster. At a December 2, 2021 Facebook Live town hall meeting, 25th Infantry Division Cmdr. Maj. Gen. Joseph Ryan told attendees, “Our readiness posture here in the Pacific is predicated, the foundation of it, is the life, health and safety of our service members and their families.” Is that not telling? It’s not about the island, the environment, and the people of Hawai‘i, it’s about the military families and their assets. And, tragically, the service members and families have been the first to be impacted.

The Protect Kaho‘olawe ‘Ohana supports the efforts of the Sierra Club Hawai‘i, the O‘ahu Water Protectors, Ka‘ohewai, and all other environmental advocacy groups that are calling for the **immediate** shut down and decommissioning of the Kapūkakī (Red Hill) Storage Tank Facility. Our water is too precious a resource to wait any longer to take action.

Of course, this is not the first example of a lack of concern for the source of life, our environment, and our well being. In 1965, the U.S. Navy carried out an “experiment” known as “[Operation Sailor Hat](#)” on Kaho‘olawe. Three 500-ton blasts of explosives created a crater on Kaho‘olawe that, in addition to other long lasting effects, may have cracked the water table, diminishing the island’s ability to support flora and fauna for generations. Was that “experiment” a foreshadowing of things to come? This cannot happen again, yet leaking fuel tanks and a possible explosion within the crater are a reality and may be probable should conditions such as this be allowed to continue.

The PKO strongly urges our members and our supporters to call upon Honolulu City Council members, State Senators and Representatives, and Hawai‘i’s congressional delegation to intervene and call for urgent action regarding the Kapūkakī (Red Hill) Fuel Storage Facility. The U.S. Navy must be held accountable for their blatant disregard for the purity of O‘ahu’s drinking water resources and the safety of O‘ahu’s communities. We cannot allow history to repeat itself and let the Navy get away with their reckless actions. E ola ka wai, e ola ka ‘āina, e ola kākou. Let the water live so that the land may live and so that we may live.

The PKO stands in support of HB2514 and HB2274 which seeks to protect our islands' most precious resource from fuel contamination. Our water is precious and we all have a duty to protect our islands' source of life for present and future generations. We request that the measure be amended by: 1) removing reference to the Red Hill Bulk Fuel Storage Facility in the preamble, to avoid potential federal preemption challenges; 2) amending the proposed new definition of "underground fuel storage tank" to apply to facilities with field-constructed tanks, or with a capacity over 100,000 gallons; and 3) ensuring that no permit may be issued or renewed for an underground fuel storage tank, and that no underground fuel storage tank may be operated after the end of this year, for a facility located mauka of the underground injection control.

Thank you for your consideration.

Aloha ‘Āina,
Protect Kaho‘olawe ‘Ohana



SIERRA CLUB OF HAWAI'I

House Committee on Consumer Protection & Commerce

February 24, 2022

2:00 PM

Via Videoconference

In **SUPPORT WITH AMENDMENTS** of HB2514 HD1: Relating to Underground Storage Tanks

Aloha Chair Johanson, Vice Chair Kitagawa, and members of the Consumer Protection & Commerce Committee,

The Sierra Club of Hawai'i **supports with amendments** HB2514 HD1, which has the potential to help prevent the catastrophic contamination of our groundwater aquifers from extremely large-capacity underground storage tank facilities.

The concept of “ola i ka wai” – that water is life – has been understood by the people of Hawai'i since time immemorial. Unfortunately, this concept has not been fully appreciated in historical decisions that have allowed for the installation of large underground storage tank facilities in close proximity to the groundwater aquifer that our environment and people have always depended upon. Tragically, due to these historic decisions, we have already witnessed the contamination of our islands' precious wai.

Accordingly, the Sierra Club supports this bill as a means to ensure that we do not repeat the mistakes of the past, in prohibiting the operation of massive underground fuel storage tanks and facilities that may pose an inherent risk to our water and our ways of life here in Hawai'i.

To ensure that the protections of this measure are put in place in a timely manner and before any further contamination occurs, the Sierra Club respectfully urges amending the language found on page 1, lines 5-7, to read as follows:

“**prohibited.** Beginning on July 1, 2022, the operation of an underground storage tank or storage tank system with a capacity greater than 100,000 gallons other than for the defueling and decommissioning of such system shall be prohibited.”

Therefore, the Sierra Club of Hawai'i respectfully urges the Committee to **PASS WITH AMENDMENTS** HB2514 HD1. Thank you very much for this opportunity to testify.



Board Members

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Jason Okuhama
Managing Partner,
Commercial & Business Lending

Secretary
Marcus Kawatachi
Deputy Director,
Hawai'i Civil Rights Commission

Trina Orimoto
Clinical & Research Psychologist

Derrick Kiyabu
Hawai'i Island Resident

Miwa Tamanaha
O'ahu Resident

Philip Garboden
Assistant Professor,
University of Hawai'i at Mānoa

HACBED Staff

Brent N. Kakesako
Executive Director

Merri Keli'ikuli
*Office Manager & Program
Support*

Corin Thornberg
Project Associate

Date: February 23, 2022

To: Representative Aaron Ling Johanson, Chair, Representative Lisa Kitagawa,
Vice-Chair and Members of the Committee on Consumer Protection &
Commerce

From: Brent Kakesako, Hawai'i Alliance for Community-Based Economic
Development (HACBED)

Re: Support for HB 2514 HD 1 with amendments

Aloha e Chair Johanson, Vice-Chair Kitagawa, and Committee Members,

The Hawai'i Alliance for Community-Based Economic Development (HACBED) supports HB 2514 HD 1, with amendments, which prohibits the operation of underground storage tanks with a capacity greater than 100,000 gallons. We ask that the bill be amended with July 1, 2022, as the date after which no underground storage tank can be operated, except to defuel and decommission given the urgency of the situation and need to protect our water.

HACBED was established in 1992 as a nonprofit statewide intermediary to address social, economic, and environmental justice concerns through community-based economic development and asset building strategies. It advances its mission with core competencies in the areas of community and organizational capacity building, community and economic development planning, and asset policy development and advocacy. Water is life and core to livelihoods of families who call this place home and by extension broader place-based economic development. As such, HACBED supports the proposed bill with the previously mentioned amendments.

HB 2514 HD 1 and the requested amendments would protect what is remaining of our precious water and watersheds for this generation and the many future generations.

Mahalo for this opportunity to testify,

Brent N. Kakesako
Executive Director



To: The House Committee on Consumer Protection & Commerce Committee
From: Sherry Pollack, Co-Founder, 350Hawaii.org
Date: Thursday, February 24, 2022, 2:00pm

In strong support of HB2514 HD1

Aloha Chair Johanson, Vice Chair Kitigawa, and Consumer Protection & Commerce Committee members,

I am Co-Founder of the Hawaii chapter of 350.org, the largest international organization dedicated to fighting climate change. 350Hawaii.org **strongly supports** this measure which prohibits the operation of underground storage tanks with a capacity greater than 100,000 gallons.

Hawaii's drinking water supply is already at risk due to the effects of climate change. All the more reason to ensure we take great care in protecting our aquifer from fuel contamination, or any other source of pollution, keeping it safe for current and future generations. With recent tragic events, we have had a glimpse into what it means to lack access to safe, fresh drinking water as we have witnessed the tragic suffering of families who are users of the Navy's Red Hill drinking water well and who are now struggling with a water contamination crisis.

To be clear, the threat to our water is imminent and we can no longer wait to take decisive action to protect our sole-source aquifer from further contamination. Therefore, we urge you to amend the measure by implementing July 1, 2022 as the date after which no underground storage tank can be operated, except to defuel and decommission.

Our water is precious and we all have a duty to protect our islands' source of life for present and future generations. It's passed time to remove the threat of something far worse happening to our water supply.

Please **PASS** HB2514 HD1 with the above amendment.

Thank you for the opportunity to testify on this very important bill.
Sherry Pollack
Co-Founder, 350Hawaii.org



Aloha 'Āina Legal Group, LLC

Elwen A. Freitas, Esq.
Sharde K.M. Freitas, Esq., MPH

(808) 594-8274
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HB2514 HD1

Relating to Underground Storage Tanks
House Committee on Consumer Protection & Commerce

February 24, 2022

2:00 PM

Room 329

Aloha 'Āina Legal Group **STRONGLY SUPPORTS HB2514 HD1**, which seeks to protect our islands' most precious resource from fuel contamination. Our water is precious and we all have a duty to protect our islands' source of life for present and future generations.

The threat to our water is imminent and we can wait no longer to know that our water is truly safe from any further contamination, therefore **we urge you to amend the measure by implementing July 1, 2022 as the date after which no underground storage tank can be operated, except to defuel and decommission.**

We have already seen the devastating impacts that water contamination from leaky underground storage tanks may have on people and the environment, with additional effects likely to ripple across our island over the summer and into the foreseeable future. The legislature must do all that it can to remove the threat of something far worse happening to our water supply, both now and for future generations to come.

Accordingly, we urge the Committee to **PASS** HB2514 HD1. Mahalo for the opportunity to testify.



'Ahahui o nā Kauka

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Kim Ku'ulei Birnie

February 23, 2022

COMMITTEE ON CONSUMER PROTECTION & COMMERCE

Rep. Aaron Ling Johanson, Chair

Rep. Lisa Kitagawa, Vice Chair

Group Testimony in Support of HB2514HD1 RELATING TO UNDERGROUND STORAGE TANKS.

Mōhala i ka wai ka maka o ka pua

“Unfolded by the water are the faces of flowers.”

Meaning: Flowers thrive where there is water, as thriving people are found where living conditions are good.

'Ahahui o nā Kauka (the Association of Native Hawaiian Physicians) calls for the urgent and permanent removal of the United States Navy's Bulk Fuel Storage Facility at Kapūkakī, commonly referred to as “Red Hill” in modern times. Safe drinking water is the foundation of health for all humans, and in Hawaiian culture carries even more significance as the base for our word for “wealth,” as our ancestors clearly knew people cannot thrive without safe water to nourish our bodies and the land. After decades of warnings about the danger posed by these leaking fuel tanks to sources of drinking water providing for an approximate 400,000 residents of by far the most populous of our islands, we are dismayed to see that this threat has been allowed to progress to this fulminant crisis where both people and the

land are being acutely poisoned by the Navy's persistent contamination at Kapūkakī.

The fuel storage facility at Kapūkakī was constructed by the United States Navy, at the time of the crisis of World War II, when its close proximity to a priceless aquifer could have been regarded as insignificant. Some of the liberties taken by the Navy in Hawai'i during this era may have been justified, but the ongoing disregard for our islands and people as little more than military assets since then has presented threats to our health that persist to this day. We are reminded of the 1965 detonation on Kaho'olawe meant to simulate a nuclear blast that cracked the cap rock and permanently destroyed a significant portion of the fresh water to the island, not to mention the continued threat of unexploded ordnance left by the Navy. More than 80 years after construction, it is time for the Navy to acknowledge the extraordinary threat its outdated, dilapidated fuel storage facility at Kapūkakī poses to our people, land, and ocean.

After over a century of hosting the US Navy's military interests, Hawai'i and its people deserve to be treated as more than military assets left to suffer the harms of infrastructure neglect. As Native Hawaiian physicians, we can no longer turn a blind eye to physical and mental health effects this facility poses to our patients and communities not only by contaminating a large portion of the water supply but also by destroying the faith people had in the safety of our water. We applaud the legislative efforts to address this imminent threat, and prevent the development of future dangerous fuel storage facilities, but we urge the legislature to encourage swift action by setting the effective end of operations at existing facilities to July 1, 2022 except for defueling and decommissioning.

HB-2514-HD-1

Submitted on: 2/23/2022 1:09:14 PM

Testimony for CPC on 2/24/2022 2:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Dave Mulinix	Our Revolution Hawaii	Support	Yes

Comments:

Aloha Chair [Johanson](#) , Vice Chair [Kitagawa](#), and Committee Members [Aquino](#), [Morikawa](#), [Har](#), [Onishi](#), [Hashem](#), [Tarnas](#), [Kong](#), [Matsumoto](#), [Mizuno](#);

My name is David Mulinix, Co-founder & Hawaii State Organizer for Our Revolution Hawaii. On behalf of our 5,000 members and supporters statewide we stand in STRONG SUPPORT of **HB2514 HD1** that prohibits the operation of underground storage tanks with a capacity greater than 100,000 gallons, with the following amendment:

“The threat to our water is imminent and we can wait no longer to know that our water is truly safe from any further contamination, therefore we urge you to amend the measure by implementing July 1, 2022 as the date after which no underground storage tank can be operated, except to defuel and decommission.”

Please pass **HB2514 HD1** to protect our precious water.

Mahalo for your kind attention,

David Mulinix, Cofounder & Hawaii State Organizer

Our Revolution Hawaii.



2022
Board of
Directors

February 23, 2022

Elizabeth Reilly
President

Hawaii House of Representatives
Committee on Consumer Protection & Commerce
Meeting on February 24, 2022 at 2 p.m.
Conference Room 329 & Videoconference

Allen Tateishi
Vice President

Dianne Gleib
Secretary

Marian Grey
Treasurer

RE: **Strong support for HB2514**

Dean Takebayashi
Director

Aloha Chair Johanson, Vice Chair Kitagawa, and CPC Committee Members,

Gary Weller
Director

As you can glean from our name, Livable Hawaii Kai Hui is deeply concerned with the continuous threat posed by the Red Hill fuel tanks to our shared aquifer. This is why we **strongly support** HB2514 regarding such underground storage tanks (UST).

Kendrick Chang
Community Outreach
Coordinator

It is of utmost importance that we pass this Bill as part of a series of measures at all levels of government to address the Red Hill water crisis and prevent others like it.

Dylan Ramos
Communications &
Operations

We would like to send a big mahalo to this Committee and the many legislators behind this Bill for providing the public an opportunity to address this issue on a Hawai'i-wide level.

Website

www.hawaiikaihui.org
www.kaiwicoast.org

The events of the past few months – let alone the 74 years since the first *documented* leak at Red Hill – have opened our eyes to the ever-clearer threat to our precious water resources. What does it say about our situation when the poisoning of nearly 100,000 people's water isn't even close to the worst case scenario? Every second that we don't do anything brings us closer to certain catastrophic failure. This is not hyperbole, it is what the Navy's own studies have indicated.

Like us on Facebook
Livable Hawaii Kai Hui
Aloha Aina O Kamilo Nui
Ka Iwi Coast

So once more, thank you for hearing this Bill, strengthening it, and passing it on for House approval. While it may not be a cure-all, this and other efforts on the County and Federal level will be critical for ensuring a livable future for all living things on this island, and hopefully set a worldwide precedent.

Livable Hawaii Kai Hui is a 501(c)(3) non-profit, community organization serving East Honolulu since 2004. We strive to promote sensible growth, respect for cultural & natural resources, and upholding the integrity of the East Honolulu Sustainable Communities Plan.

Mahalo,

Elizabeth Reilly
Founder/President

Dylan Ramos
Communications & Operations



House Committee on Consumer Protection & Commerce

Thursday, February 24th, 2022, 2p.m. Conference Room 329

Hawai'i Alliance for Progressive Action Supports: HB2514 HD1

Aloha Chairs Johanson, Vice Chair Kitagawa and Members of the Committee,

On behalf of the Hawai'i Alliance for Progressive Action (HAPA) I am submitting testimony in strong **support of HB2514 HD1**. HAPA is a state-wide organization that engages approximately 10,000 local residents annually.

Mahalo for hearing HB2514 HD1 to require the Department of Health to adopt the standard that all underground storage tanks not exceed a maximum capacity of 100,000 gallons.

HB2514 HD1 seeks to protect our islands' most precious resource from fuel contamination. The presence of leaky fuel tanks at Red Hill and the Navy's mismanagement of this crisis directly impacts the health and quality of life of Oahu's residents, and will continue to for generations to come. Some of our staff and many of our supporters are directly affected by this crisis. Our water is precious and we all have a duty to protect our islands' source of life for present and future generations.

Please amend the date of implementation of July 1, 2022 as the date after which no underground storage tank can be operated except to defuel and decommission.

The legislature must do all that it can to remove the threat of something far worse happening to our water supply, both now and for future generations to come. O'ahu's residents are facing a serious crisis which will continue for years. Board of Water Supply's Ernie Lau said that the Hālawa shaft – which was shut down as a precaution following the Navy's Red Hill well contamination – could be shut down for years, even permanently.

We cannot allow 80-year-old underground storage tanks that store up to 187 million gallons of fuel per day and that pose such an immense threat of leaking and contaminating our environment and water supply to operate 100 feet above O'ahu's sole-source drinking water aquifer.

Navy officials cannot be trusted to protect our water. They have lied time and time again. The following reasons explain why the legislature must act since the Navy has failed to:

- The Navy lied about an active leak at Pearl Harbor for months, discovering the leak in January 2021 but not informing Health Department officials until May. This was revealed in whistleblower emails and documents in October.
- A whistleblower also told the Department of Health in September that Navy officials provided false testimony and withheld information about the full extent of the Facility's infrastructure, including connected pipelines, as well as "historical records of corrosion issues, including holes in tanks" at its Red Hill fuel facility during legal proceedings.

- The Navy suspended use of its Red Hill water shaft on November 28, but the public only found out on December 1. The Navy continues to confuse and gaslight community members.
- Hundreds of community members reported chemical smells in their water on November 28 and then health issues on November 29, which the Navy refused to acknowledge as a potential health concern until the state Department of Health advised residents to not drink the clearly contaminated water.
- A day after the Navy said it had detected diesel in its 'Aiea Hālawā well at levels more than double the DOH safety limit, the military backtracked, saying the contaminated sample "did not come directly" from the well and the Navy does not believe the result proves the well is contaminated.
- They continue to not be transparent despite agreeing to the Administrative Order of Consent, which requires them to be more forthcoming about operations at the Red Hill facility.
- The BWS Hālawā shaft will be shut down until fuel is removed from the tanks and may not reopen for years to come. This shaft was a source of water for South O'ahu from Hālawā to Maunāluā. The BWS has advised that mandatory water conservation measures will now need to be in place in the summer of 2022.
- The Navy "flushed" Red Hill contaminants for days in violation of Department of Health requirements despite repeated warnings. This risked long-lasting effects on birds, plants, fish, and other aquatic life from petroleum contamination

The Department of Health has agreed that the situation is inherently dangerous. DOH said that a water sample taken from the Red Hill drinking water shaft on December 5 confirmed the water is contaminated with "high levels" of petroleum and gasoline. The sample detected total petroleum hydrocarbons diesel range organics levels 350 times above the DOH Environmental Action Level (EAL) for drinking water, and gasoline range organics more than 66 times the DOH EAL.

The Red Hill facility – the fragile, antiquated fuel tanks and supporting systems – has a long history of leaking fuel into the surrounding environment and has already contaminated O'ahu's primary drinking water aquifer. Shutting down Red Hill immediately and entirely is the only way to guarantee the safety of our water and our people.

The Facility's tanks, each with a 12.5 million-gallon capacity, had a quarter-inch thick steel liner when first constructed nearly 80 years ago. They are encased in aging concrete and the steel liners have been corroding to the point where many through-wall holes have been found and in some areas they are one-third of their original thickness.

These tanks have leaked 180,000 gallons of fuel since they were constructed and the Navy's own risk assessment from 2018 concluded that the probability of an acute leak of between 1,000 and 30,000 gallons (independent of any earthquake risk) over the next ten years is 96%. The Navy cannot prove that the tank or tank system will not leak regulated substances into the environment.

Approximately 93,000 people living in military housing have been unable to use their water for over two months. If the Navy water system is further compromised, our housing crisis will mushroom.

Lower levels of petroleum products were also found in samples collected from the Aliamanu Child Development Center as well as homes located on the Navy's water system.

It's absolutely critical that the State Legislature take action immediately to address this major threat to Honolulu's water supply.

Please pass HB2514 HD1 with an amended date of implementation of July 1, 2022 as the date after which no underground storage tank can be operated except to defuel and decommission.

Mahalo for your consideration,

A handwritten signature in black ink, appearing to read "Anne Frederick", written in a cursive style.

Anne Frederick
Executive Director



HIPHI Board

Kilikina Mahi, MBA
Chair
KM Consulting LLC

JoAnn Tsark, MPH
Secretary
John A. Burns School of Medicine,
Native Hawaiian Research Office

Debbie Erskine
Treasurer

Keshia Adolpho, LCSW
Molokai Community Health Center

Camonia Graham - Tutt, PhD
University of Hawai'i - West O'ahu

Carissa Holley, MEd
Hale Makua Health Services

May Okihiro, MD, MS
John A. Burns School of Medicine,
Department of Pediatrics

Misty Pacheco, DrPH
University of Hawai'i at Hilo

Michael Robinson, MBA, MA
Hawai'i Pacific Health

Kathleen Roche, MS, RN, CENP
Kaiser Permanente

Dina Shek, JD
Medical-Legal Partnership
For Children in Hawai'i

Garret Sugai
Pharmacare Hawai'i

Titiiimaea Ta'ase, JD
State of Hawai'i, Deputy Public
Defender

HIPHI Initiatives

Coalition for a
Tobacco-Free Hawai'i

Community Health
Worker Initiative

COVID-19 Response

Hawai'i Drug & Alcohol Free
Coalitions

Hawai'i Farm to School Hui

Hawai'i Oral Health Coalition

Hawai'i Public Health Training
Hui

Healthy Eating + Active Living

Kūpuna Food Security Coalition

Date: February 23, 2022

To: Representative Aaron Ling Johanson, Chair
Representative Lisa Kitagawa, Vice Chair
Members of the Committee on Consumer Protection &
Commerce

Re: Support with amendments for HB 2514, Relating to
Underground Storage Tanks

Hrg: February 24 at 2:00 PM, via Videoconference

The Hawai'i Public Health Instituteⁱ is in **support of HB2514 and offers an amendment**. HB 2514 would protect public health and O'ahu's clean drinking water supply by prohibiting the operation of underground storage tanks with a capacity greater than 100,000 gallons.

HIPHI is alarmed by the recent events surrounding Red Hill and the confirmation of petroleum in our water supply. Fresh, clean drinking water is a precious resource, with access to clean drinking water being a basic human right that is "essential for the enjoyment of life and all human rights."ⁱⁱ

For years, advocates and organizations like the Sierra Club have warned about the need to protect our drinking water, as the Red Hill Fuel Tank facility sits only 100 feet above the aquifer that supplies water to over 400,000 people, from Hālawā to Hawai'i Kai. The Red Hill facility has a long history of leaking fuel into the surrounding environment and has already contaminated O'ahu's primary drinking water aquifer. Ending operations of the Red Hill facility immediately and preventing future large underground storage tanks from being constructed is necessary to guarantee the safety of our water and our people.

HIPHI respectfully requests the committee to amend this measure by implementing July 1, 2022 as the date after which no underground storage tank can be operated, except to defuel and decommission.

This public health crisis was preventable, and we urge the Federal and State governments to take swift action to protect our water supply. Clean water is essential for life, and access to clean, safe drinking water is a basic human right.

Mahalo,

A handwritten signature in black ink, appearing to read "Amanda Fernandes". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Amanda Fernandes, JD
Policy and Advocacy Director

ⁱ Hawai'i Public Health Institute is a hub for building healthy communities, providing issue-based advocacy, education, and technical assistance through partnerships with government, academia, foundations, business, and community-based organizations.

ⁱⁱ Resolution A/RES/64/292. United Nations General Assembly, July 2010.

HB-2514-HD-1

Submitted on: 2/22/2022 7:46:25 PM

Testimony for CPC on 2/24/2022 2:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Susan Pcola_Davis	Individual	Support	Yes

Comments:

Comments:

I support this bill

I agree with the BWS that Hawaii Revised Statutes Section 342L-32 add a new section entitled providing that:

(1) "No person shall operate an Junderground storage tank or tank system with a maximum capacity that exceeds one hundred thousand gallons."

Another version

(2) Large capacity underground storage tanks prohibited. Beginning _____, the operation of an underground storage tank with a capacity greater than 100,000 gallons shall be prohibited."

Other Comments:

A. During the Senate hearing, testifiers were concerned that businesses that required underground storage tanks, like gas stations, would be affected.

B. The average size gas station tanks are 12,000.

C. Is there a better threshold lower than 100,000 gallons?

HB-2514-HD-1

Submitted on: 2/22/2022 6:27:51 PM

Testimony for CPC on 2/24/2022 2:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Mara Davis	Individual	Support	No

Comments:

HB2514 —

Dear Chair Aaron Ling Johanson, Vice Chair Lisa Kitagawa and members of the House Committee on Consumer Protection and Commerce,

***I SUPPORT HB2514**, which seeks to protect our islands' most precious resource from fuel contamination. Our water is precious and we all have a duty to protect our islands' source of life for present and future generations.*

The threat to our water is imminent and we can wait no longer to know that our water is truly safe from any further contamination, therefore I urge you to amend the measure by implementing July 1, 2022 as the date after which no underground storage tank can be operated, except to defuel and decommission.

*We have already seen the devastating impacts that water contamination from leaky underground storage tanks may have on people and the environment, with additional effects likely to ripple across our island over the summer and into the foreseeable future. The legislature must do all that it can to remove the threat of something far worse happening to our water supply, both now and for future generations to come. Accordingly, I respectfully urge you to **PASS HB2514** with the above amendment.*

Mara Davis

HB-2514-HD-1

Submitted on: 2/22/2022 7:48:29 PM

Testimony for CPC on 2/24/2022 2:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
lynne matusow	Individual	Support	No

Comments:

I am in full support. The Navy (which I call SNAFU) is disrespectful, doesn't care about us, and whatever the legislature can do to fix the Red Hill mess is needed.

HB-2514-HD-1

Submitted on: 2/23/2022 1:40:44 AM

Testimony for CPC on 2/24/2022 2:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Nancy & Zeb Jones	Individual	Support	No

Comments:

Aloha Chair Ling Johanson, Vice Chair Kitagawa, and Committee on Consumer Affairs & Commerce Members:

As farmers, access to clean, non-petroleum-tainted water is vital and so we submit this testimony in **STRONG SUPPORT** of HB2514, HD1 to further protect O`ahu’s shrinking aquifer. Hawai`i – and more specifically, O`ahu – can ill-afford to risk contamination of its precious water resources by hazardous materials that could potentially leak into our underlying fresh water lens. We agree that larger underground storage tanks pose a greater likelihood for large leakage events. To prevent any such future catastrophes, we support amending Section 342L-32 of the Hawaii Revised Statutes (HRS) “prohibiting the operation of underground fuel storage tanks with a capacity greater than one hundred thousand gallons, after an unspecified date, rather than requiring the Department of Health to adopt a standard that all underground fuel storage tanks not exceed a maximum capacity of one hundred thousand (100,000) gallons.” However, note that we believe that the term “underground storage tanks” should correctly read “underground fuel storage tanks.”

For the above reasons, we urge your honorable committee to please pass HB2514, HD1 out of your committee. Mahalo again for this opportunity to present this testimony supporting HB2514, HD1.

Warm aloha,

Nancy & Zeb Jones

Hydroponics Alternatives LLC

HB-2514-HD-1

Submitted on: 2/23/2022 4:50:58 AM

Testimony for CPC on 2/24/2022 2:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Kristen Young	Individual	Support	No

Comments:

Dear Chair Aaron Ling Johanson, Vice Chair Lisa Kitagawa and members of the House Committee on Consumer Protection and Commerce,

I SUPPORT HB2514, which seeks to protect our islands' most precious resource from fuel contamination. Our water is precious and we all have a duty to protect our islands' source of life for present and future generations.

The threat to our water is imminent and we can wait no longer to know that our water is truly safe from any further contamination, therefore I urge you to amend the measure by implementing July 1, 2022 as the date after which no underground storage tank can be operated, except to defuel and decommission.

We have already seen the devastating impacts that water contamination from leaky underground storage tanks may have on people and the environment, with additional effects likely to ripple across our island over the summer and into the foreseeable future. The legislature must do all that it can to remove the threat of something far worse happening to our water supply, both now and for future generations to come. Accordingly, I respectfully urge you to **PASS HB2514** with the above amendment.

Mahalo nui for the opportunity to testify,

Kristen Young
House District 25

HB-2514-HD-1

Submitted on: 2/23/2022 8:58:33 AM

Testimony for CPC on 2/24/2022 2:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Laura Ramirez	Individual	Support	No

Comments:

Aloha Chair Aaron Ling Johanson, Vice Chair Lisa Kitagawa and members of the House Committee on Consumer Protection and Commerce,

I strongly support HB2514 in order to protect our islands' most important natural resource from fuel contamination. Our water is precious and we all have a duty to protect our islands' source of life for present and future generations.

The threat to our water is imminent and we can wait no longer to know that our water is truly safe from any further contamination, therefore I urge you to amend the measure by implementing July 1, 2022 as the date after which no underground storage tank can be operated, except to defuel and decommission.

We have already seen the devastating impacts that water contamination from leaky underground storage tanks have had on people and the environment. We are likely to see long term side effects and health problems in the families and children of those affected, including those who have not yet shown symptoms, for many years into the future. The legislature must do all that it can to remove the threat of something far worse happening to our water supply that could affect us for many generations. I urge you to PASS HB2514 with the above amendment.

Mahalo,

Laura Ramirez

HB-2514-HD-1

Submitted on: 2/23/2022 8:13:56 AM

Testimony for CPC on 2/24/2022 2:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Brissa Christophersen	Individual	Support	No

Comments:

Dear Chair Aaron Ling Johanson, Vice Chair Lisa Kitagawa and members of the House Committee on Consumer Protection and Commerce,

I am Brissa Christophersen, a native Hawaiian student from the island of Maui and currently a resident of O'ahu for graduate school. **I SUPPORT HB2514**, which seeks to protect our islands' most precious resource from fuel contamination. Our water is precious and we all have a duty to protect our islands' source of life for present and future generations.

The threat to our water is imminent and we can wait no longer to know that our water is truly safe from any further contamination, therefore I urge you to amend the measure by implementing July 1, 2022 as the date after which no underground storage tank can be operated, except to defuel and decommission.

We have already seen the devastating impacts that water contamination from leaky underground storage tanks may have on people and the environment, with additional effects likely to ripple across our island over the summer and into the foreseeable future. The legislature must do all that it can to remove the threat of something far worse happening to our water supply, both now and for future generations to come. Accordingly, I respectfully urge you to **PASS HB2514** with the above amendment.

Mahalo nui for the opportunity to testify,

Brissa

HB-2514-HD-1

Submitted on: 2/23/2022 9:11:02 AM

Testimony for CPC on 2/24/2022 2:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Christian Christophersen	Individual	Support	No

Comments:

Dear Chair Aaron Ling Johanson, Vice Chair Lisa Kitagawa and members of the House Committee on Consumer Protection and Commerce,

***I SUPPORT HB2514**, which seeks to protect our islands' most precious resource from fuel contamination. Our water is precious and we all have a duty to protect our islands' source of life for present and future generations.*

The threat to our water is imminent and we can wait no longer to know that our water is truly safe from any further contamination, therefore I urge you to amend the measure by implementing July 1, 2022 as the date after which no underground storage tank can be operated, except to defuel and decommission.

*We have already seen the devastating impacts that water contamination from leaky underground storage tanks may have on people and the environment, with additional effects likely to ripple across our island over the summer and into the foreseeable future. The legislature must do all that it can to remove the threat of something far worse happening to our water supply, both now and for future generations to come. Accordingly, I respectfully urge you to **PASS HB2514** with the above amendment.*

Mahalo nui for the opportunity to testify,

Christian Christophersen

The House of Representatives
Committee On Consumer Protection & Commerce
Thursday, February 24, 2022
2:00 PM VIA Videoconference

Testimony in Support for HB2514

Aloha Chair Johanson, Vice Chair Kitagawa, and Members of the Committee,

My name is Kailee Lefebvre and I am **in support of HB2514**, *Relating to Underground Storage Tanks* which would prohibit the operation of underground storage tanks with a capacity greater than 100,000 gallons.

For the past several years, I have heard of the issues surrounding leaks at the Red Hill tanks. I never looked into the details myself but never would've thought that a major leak into our drinking water system would happen. Now I know that not only can it happen, but it would cause such harm to so many families and hit close to home- literally. I currently live in Halawa Heights with one-year old twins. When hearing about the leaks, I was afraid that it would affect our water system and my babies. I have been hearing the stories of the families sick and or still displaced from their homes months later and I just feel such sadness for them.

This bill would help to prevent this kind of event from happening and also help to gain back some support of government from the public. Thank you for your consideration in passing this bill and helping to protect the people of Hawai'i. Mahalo.

Aloha,
Kailee Lefebvre

HB-2514-HD-1

Submitted on: 2/23/2022 11:10:40 AM

Testimony for CPC on 2/24/2022 2:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Brandin Shim	Individual	Support	No

Comments:

Dear Chair Aaron Ling Johanson, Vice Chair Lisa Kitagawa and members of the House Committee on Consumer Protection and Commerce,

I SUPPORT HB2514 HD1, seeking to protect our islands' most precious resource—water—from fuel contamination. Ola I Ka Wai (Water is Life) is more than just a phrase, it is an indisputable fact. We cannot survive without the fresh water our islands have provided for centuries. Nothing is more important.

Because our groundwater is already under imminent threat by the U.S. Navy, immediate action needs to take place so there is no further contamination. For this reason, **I urge you to amend the measure by implementing July 1, 2022**, as the date after which no large capacity underground storage tank can be operated, with the exception to defuel and decommission.

The legislature must take action on behalf of the people of Hawai‘i because this issue affects each and every one of us. The devastating impacts of water contamination from leaky underground storage tanks has already negatively affected our environment and our people, and it’s very likely we don’t know the full extent of the damage that has already been done. I respectfully urge you to **PASS HB2514 HD1** with the above amendment.

Mahalo nui for the opportunity to share my testimony.

Best regards,

Brandin Shim

February 24, 2022

Rep. Aaron Ling Johanson, Chair
Rep. Lisa Kitagawa, Vice Chair
House Committee on Consumer Protection and Commerce

RE: HB2514, HD1, Relating to Underground Storage Tanks

Dear Chair Johanson, Vice Chair Kitagawa, and Members of the House Committee on Consumer Protection and Commerce,

I SUPPORT HB2514, HD1 which would now prohibit the operation of underground storage tank with a capacity greater than one hundred thousand gallons. While this measure is a step in the right direction, there are other viable means for storage that should be explored and would more effectively protect our islands' most precious resource from fuel contamination now and in the future. In our fragile island ecosystem, water is an especially valuable resource. We all have the responsibility to protect our islands' source of life for present and future generations.

Please PASS HB2514, HD1.

Thank you for the opportunity to testify.

Therese M. Argoud, MPH
3314 Woodlawn Dr.
Honolulu, HI 96822

HB-2514-HD-1

Submitted on: 2/23/2022 12:27:55 PM

Testimony for CPC on 2/24/2022 2:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Nanea Lo	Individual	Support	No

Comments:

Dear Chair Aaron Ling Johanson, Vice Chair Lisa Kitagawa and members of the House Committee on Consumer Protection and Commerce,

I SUPPORT HB2514, which seeks to protect our islands' most precious resource from fuel contamination. Our water is precious and we all have a duty to protect our islands' source of life for present and future generations.

The threat to our water is imminent and we can wait no longer to know that our water is truly safe from any further contamination, therefore I urge you to amend the measure by implementing July 1, 2022 as the date after which no underground storage tank can be operated, except to defuel and decommission.

We have already seen the devastating impacts that water contamination from leaky underground storage tanks may have on people and the environment, with additional effects likely to ripple across our island over the summer and into the foreseeable future. The legislature must do all that it can to remove the threat of something far worse happening to our water supply, both now and for future generations to come. Accordingly, I respectfully urge you to **PASS HB2514** with the above amendment.

me ke aloha ‘āina,

Nanea Lo

HB-2514-HD-1

Submitted on: 2/23/2022 1:09:17 PM

Testimony for CPC on 2/24/2022 2:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Rosa Waters	Individual	Support	No

Comments:

Dear Chair Aaron Ling Johanson, Vice Chair Lisa Kitagawa, and members of the House Committee on Consumer Protection and Commerce,

I SUPPORT HB2514, which seeks to protect our islands' most precious resource from future fuel contamination. We all have a duty to protect clean water for present and future generations, as well as the health and vitality of the environment.

I babysit two young children who live in the area affected by recent water contamination. No family—the world over—should have to worry that their drinking water or children’s bathwater might be contaminated by toxic fuel. The two working parents are still having to take their children to a hotel daily to bathe.

We cannot undo the devastating impacts that water contamination from the leaky storage tanks has already caused and will continue to cause to people and the environment. What we can do is act now to protect this or far worse from happening in the future.

I urge you to amend the measure by implementing July 1, 2022 as the date after which no underground storage tank can be operated, except to defuel and decommission. The legislature must do all that it can to remove the threat of any future contamination happening to our water supply. As such, I respectfully urge you to PASS HB2514 with the above amendment.

Mahalo nui loa for the opportunity to testify,

Rosa Waters

Master of Social Work Student, University of Hawai'i at Mānoa

HB-2514-HD-1

Submitted on: 2/23/2022 1:57:40 PM

Testimony for CPC on 2/24/2022 2:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
david rice	Individual	Support	No

Comments:

Dear Chair Aaron Ling Johanson, Vice Chair Lisa Kitagawa and members of the House Committee on Consumer Protection and Commerce,

***I SUPPORT HB2514**, which seeks to protect our islands' most precious resource from fuel contamination. Our water is precious and we all have a duty to protect our islands' source of life for present and future generations.*

The threat to our water is imminent and we can wait no longer to know that our water is truly safe from any further contamination, therefore I urge you to amend the measure by implementing July 1, 2022 as the date after which no underground storage tank can be operated, except to defuel and decommission.

*We have already seen the devastating impacts that water contamination from leaky underground storage tanks may have on people and the environment, with additional effects likely to ripple across our island over the summer and into the foreseeable future. The legislature must do all that it can to remove the threat of something far worse happening to our water supply, both now and for future generations to come. Accordingly, I respectfully urge you to **PASS HB2514** with the above amendment.*

Mahalo nui for the opportunity to testify,

David Rice

LATE



Environmental Caucus of The Democratic Party of Hawai'i

To: The Honorable Aaron Ling Johanson, Chair
The Honorable Lisa Kitagawa, Vice Chair
Committee on Consumer Protection and Commerce

Re: **HB 2514 HD 1– RELATING TO UNDERGROUND STORAGE TANKS**
Hearing: Thursday, February 24, 2022, 11:00 a.m., Room 329 & videoconference

Position: **Strong support**

Aloha, Chair Johanson, Vice Chair Kitagawa, and Members of the Committees on Consumer Protection and Commerce:

The Environmental Caucus of the Democratic Party of Hawai'i stands in strong support of HB 2514 HD 1. This measure would prohibit the operation of underground storage tanks with a capacity greater than 100,000 gallons.

In 2018, nearly four years ago, the O'ahu County Democrats, out of dire concern over the risk to the Moanalua-Waimalu Aquifer, our major drinking water source for Moanalua to Hawai'i Kai, affecting hundreds of thousands of residents, businesses and visitors of the City and County of Honolulu, adopted a resolution, OC 2018-11, urging the Navy to retrofit its tanks or move them away from the aquifer. The Navy has taken no such action, and the situation has now become, in the words of your former colleague, U.S. Rep. Kai Kahele, "a crisis of astronomical proportions." Further, DOH Hearings Officer David D. Day called the Facility a "ticking time bomb." In addition, on January 8, 2022, the State Central Committee of the Democratic Party of Hawaii passed a "Resolution Urging the Immediate Draining of the U.S. Navy Red Hill Fuel Storage Tanks and Closure of the Facility." The passage of this bill would effectively serve to close the Facility. We request that the date to be inserted be January 1, 2023.

For these reasons, the Environmental Caucus of the Democratic Party of Hawai'i supports HB 2514 HD 1 as it will prohibit ALL underground tanks, not just petroleum tanks, with a holding capacity exceeding 100,000 gallons. Mahalo for the opportunity to testify,

Melodie Adyja

Alan Burdick

Co-Chairs, Environmental Caucus of the
Democratic Party of Hawai'i

Email: legislativepriorities@gmail.com



LATE

Our kuleana is to protect Hawai'i's natural resources, mitigating and adapting to climate change and ensuring justice for ka pae 'āina Hawai'i. Kuleana has many meanings including responsible or to be responsible for. Ka pae 'āina Hawai'i as it is directly translated refers to the Hawaiian archipelago. In a deeper sense it refers to the Hawaiian Islands as a collective people who also have a responsibility to each other and to the 'āina of Hawai'i and all of its natural resources.

Consumer Protection & Commerce Committee
February 24th, 2022, 2:00 pm Videoconference

HB 2514 HD1- RELATING TO UNDERGROUND STORAGE TANKS

Environmental Justice Task Force, Faith Action for Community Equity

POSITION: Support

Aloha Chair Johanson, Vice Chair Hitigawa , and members of the Consumer Protection & Commerce Committee,

The Environmental Justice Task Force **SUPPORTS HB2514 HD1**, which seeks to protect our islands' most precious resource from fuel contamination.

We all have a sacred duty to protect our islands' source of life for present and future generations. We have already seen the devastating impacts that water contamination from leaky underground storage tanks has had on people and the environment, with additional effects likely to ripple across our island over the summer and into the foreseeable future.

We implore the legislature to do all that it can to remove the threat of something far worse happening to our water supply, both now and for future generations to come. Accordingly, I respectfully urge you to PASS HB2514 HD1.

Mahalo nui for the opportunity to testify,

Susan Gorman-Chang
Chair, Environmental Justice Task Force
Faith Action for Community Equity

LATE

HB-2514-HD-1

Submitted on: 2/24/2022 1:45:22 PM

Testimony for CPC on 2/24/2022 2:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Hanaloa Helela	Ka'ohewai	Support	No

Comments:

Dear Chair Aaron Ling Johanson, Vice Chair Lisa Kitagawa and members of the House Committee on Consumer Protection and Commerce,

***I SUPPORT HB2514** in an effort to protect our once pristine aquifers from further contamination from the Navy Red Hill underground fuel storage tanks. As a direct descendant of Nā Kānaka Maoli who cared for these lands and waters from time immemorial, I am duty bound to take the strongest stand possible to end this threat to our aquifer.*

The continued existence of the Navy's Red Hill facility is a clear and present danger that threatens to irreparable damage our aquifer. As public servants, I demand that you fulfill your oath to protect the people and resources of O'ahu and amend the measure by implementing July 1, 2022 as the date after which no underground storage tank can be operated, except to defuel and decommission the facility.

*This water crisis has already affected nearly a hundred thousand people and continues to threaten almost a half a million more, the entire population of Honolulu proper, if you don't take decisive action now. The legislature must act now to remove this existential threat to our critical aquifer. Therefore, I call on your humanity as well as your sworn duty to **PASS HB2514** with the above amendment.*

Mahalo nui,

Hanaloa Helelā

LATE

HB-2514-HD-1

Submitted on: 2/23/2022 2:49:37 PM

Testimony for CPC on 2/24/2022 2:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Sam Ikehara	Individual	Support	No

Comments:

Dear Chair Aaron Ling Johanson, Vice Chair Lisa Kitagawa and members of the House Committee on Consumer Protection and Commerce,

I SUPPORT HB2514, which seeks to protect our islands' most precious resource from fuel contamination. Our water is precious and we all have a duty to protect our islands' source of life for present and future generations.

The threat to our water is imminent and we can wait no longer to know that our water is truly safe from any further contamination, therefore I urge you to amend the measure by implementing July 1, 2022 as the date after which no underground storage tank can be operated, except to defuel and decommission.

We have already seen the devastating impacts that water contamination from leaky underground storage tanks may have on people and the environment, with additional effects likely to ripple across our island over the summer and into the foreseeable future. The legislature must do all that it can to remove the threat of something far worse happening to our water supply, both now and for future generations to come. Accordingly, I respectfully urge you to **PASS HB2514** with the above amendment.

Mahalo nui for the opportunity to testify,

Sam Ikehara

LATE

HB-2514-HD-1

Submitted on: 2/23/2022 3:03:32 PM

Testimony for CPC on 2/24/2022 2:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Peter Koulogeorge	Individual	Support	Yes

Comments:

Dear Chair Johanson, Vice Chair Kitagawa and members of the House Committee on Consumer Protection and Commerce,

I am writing today to signal my strong support for HB2514 which is necessary to protect our islands' most precious resource from fuel contamination. This water does not belong to the military, it doesn't belong to us, it belongs to the Earth and all its rightful inhabitants now and in the future. Water is life, and we cannot squander this precious resource.

The urgent water crisis demands immediate and action until our water is truly safe from any further contamination. Therefore, I urge you to amend the measure by implementing July 1, 2022 as the date after which no underground storage tank can be operated, except to defuel and decommission.

We have already seen the devastating impacts that water contamination from leaky underground storage tanks may have on people and the environment, with additional effects likely to ripple across our island over the summer and into the foreseeable future. The legislature must do all that it can to remove the threat of something far worse happening to our water supply, both now and for future generations to come. Accordingly, I respectfully urge you to **PASS HB2514** with the above amendment.

Mahalo nui for the opportunity to testify,

Peter Koulogeorge

LATE

HB-2514-HD-1

Submitted on: 2/23/2022 6:22:54 PM

Testimony for CPC on 2/24/2022 2:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Raul Nohea Goodness	Individual	Support	No

Comments:

Red Hill fuel tanks have been leaking thousands of gallons of fuel for decades, and can never be fixed. Neither can a polluted aquifer. I support this bill.

LATE

HB-2514-HD-1

Submitted on: 2/23/2022 5:50:26 PM

Testimony for CPC on 2/24/2022 2:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Chantell Cambia	Individual	Support	No

Comments:

Dear Chair Aaron Ling Johanson, Vice Chair Lisa Kitagawa and members of the House Committee on Consumer Protection and Commerce,

***I SUPPORT HB2514**, which seeks to protect our islands' most precious resource from fuel contamination. Our water is precious and we all have a duty to protect our islands' source of life for present and future generations.*

The threat to our water is imminent and we can wait no longer to know that our water is truly safe from any further contamination, therefore I urge you to amend the measure by implementing July 1, 2022 as the date after which no underground storage tank can be operated, except to defuel and decommission.

*We have already seen the devastating impacts that water contamination from leaky underground storage tanks may have on people and the environment, with additional effects likely to ripple across our island over the summer and into the foreseeable future. The legislature must do all that it can to remove the threat of something far worse happening to our water supply, both now and for future generations to come. Accordingly, I respectfully urge you to **PASS HB2514** with the above amendment.*

Mahalo nui for the opportunity to testify,

Chantell Cambia

LATE

HB-2514-HD-1

Submitted on: 2/23/2022 8:52:30 PM

Testimony for CPC on 2/24/2022 2:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Diliaur Tellei	Individual	Support	No

Comments:

Dear Chair Aaron Ling Johanson, Vice Chair Lisa Kitagawa and members of the House Committee on Consumer Protection and Commerce,

***I SUPPORT HB2514**, which seeks to protect our islands' most precious resource from fuel contamination. Our water is precious and we all have a duty to protect our islands' source of life for present and future generations.*

The threat to our water is imminent and we can wait no longer to know that our water is truly safe from any further contamination, therefore I urge you to amend the measure by implementing July 1, 2022 as the date after which no underground storage tank can be operated, except to defuel and decommission.

*We have already seen the devastating impacts that water contamination from leaky underground storage tanks may have on people and the environment, with additional effects likely to ripple across our island over the summer and into the foreseeable future. The legislature must do all that it can to remove the threat of something far worse happening to our water supply, both now and for future generations to come. Accordingly, I respectfully urge you to **PASS HB2514** with the above amendment.*

Mahalo nui for the opportunity to testify,

Diliaur

LATE

HB-2514-HD-1

Submitted on: 2/24/2022 8:12:44 AM

Testimony for CPC on 2/24/2022 2:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Noel Morin	Individual	Support	No

Comments:

Dear Chair Johanson, Vice-Chair Kitagawa, and members of the Consumer Protection and Commerce Committee,

I am in strong support of HB2514 HD1. Let's protect our water resources and secure a safe environment for our residents and our future generations.

Thank you for this opportunity.

Noel Morin

LATE

HB-2514-HD-1

Submitted on: 2/24/2022 9:38:21 AM

Testimony for CPC on 2/24/2022 2:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Kyle K Kajihiro	Individual	Support	No

Comments:

Dear Chair Aaron Ling Johanson, Vice Chair Lisa Kitagawa and members of the House Committee on Consumer Protection and Commerce,

***I SUPPORT HB2514** which seeks to protect our islands' most precious resource from fuel contamination. Our water is precious and we all have a duty to protect our islands' source of life for present and future generations.*

The threat to our water is imminent and we can wait no longer to know that our water is truly safe from any further contamination, therefore I urge you to amend the measure by implementing July 1, 2022 as the date after which no underground storage tank can be operated, except to defuel and decommission.

I live in an area served by the Hālawā Shaft, which could be affected by the Navy's leaking fuel.

We have already seen the devastating impacts that water contamination from leaky underground storage tanks may have on people and the environment, with additional effects likely to ripple across our island over the summer and into the foreseeable future. Unlike the emergency housing measures implemented for affected military families, as inadequate as they may be, there will be no safe harbor for the rest of Honolulu if our aquifer were to be contaminated.

*The Navy has shown contempt for the health and safety of the people of O'ahu by opposing the emergency order to defuel Red Hill. The legislature must do all that it can to remove the threat of something far worse happening to our water supply, both now and for future generations to come. Accordingly, I respectfully urge you to **PASS HB2514** with the above amendment.*

Mahalo nui for the opportunity to testify,

Kyle Kajihiro

LATE

HB-2514-HD-1

Submitted on: 2/24/2022 11:29:59 AM

Testimony for CPC on 2/24/2022 2:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Matthew Geyer	Individual	Support	Yes

Comments:

Shut down Red Hill jet fuel storage tanks now!