

MAR 10 2023

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# SENATE CONCURRENT RESOLUTION

REQUESTING THE LEGISLATURE TO CONVENE A WORKING GROUP WITH REPRESENTATION FROM ALL LEVELS OF GOVERNMENT TO DEVELOP A PROGRAM TO PHASE OUT THE USE OF PERFLUOROALKYL AND POLYFLUOROALKYL SUBSTANCES (PFAS) IN THE STATE.

1           WHEREAS, perfluoroalkyl and polyfluoroalkyl substances  
2 (PFAS) are a group of chemicals used to make fluoropolymer  
3 coatings and products that resist heat, oil, stains, grease, and  
4 water; and

5  
6           WHEREAS, according to the federal Centers for Disease  
7 Control and Prevention, PFAS have been used for decades and can  
8 be found in a variety of products, including clothing,  
9 furniture, food packaging, heat-resistant non-stick cooking  
10 surfaces, and the insulation of electrical wire, to make them  
11 fire-retardant, stain-resistant, and water-repellent; and

12  
13           WHEREAS, PFAS are known as "forever chemicals" that do not  
14 break down in the environment, can move through soils and  
15 contaminate drinking water sources, and can bioaccumulate in  
16 fish and wildlife and move up the food chain; and

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18           WHEREAS, PFAS persist in the environment and exposure in  
19 people can occur by consuming PFAS-contaminated water or food;  
20 and

21  
22           WHEREAS, PFAS are ubiquitously detected in the general  
23 population and most people in the United States have PFAS in  
24 their blood, especially two types of PFAS known as  
25 perfluorooctanoic acid (PFOA) and perfluorooctane sulfonic acid  
26 (PFOS); and

27  
28           WHEREAS, trace amounts of PFAS have been detected in  
29 Honolulu's drinking water; and  
30



1           WHEREAS, studies of laboratory animals given large amounts  
2 of PFAS indicate that some PFAS may impede growth and  
3 development; negatively impact reproduction, thyroid function,  
4 the immune system, fetal development, and the liver; and cause  
5 cancer; and

6  
7           WHEREAS, the United States Environmental Protection Agency  
8 (EPA) recently issued interim drinking water health advisory  
9 levels for PFAS, identifying that a lifetime exposure of 0.0004  
10 parts per trillion (ppt) of PFAS and 0.02 ppt of PFOS in  
11 drinking water may cause adverse health effects; and

12  
13           WHEREAS, PFAS are also used in aqueous film forming foams  
14 (AFFF), a firefighting foam designed for flammable liquid fires,  
15 used by fire departments, airports, and the military; and

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17           WHEREAS, numerous leakages from the Red Hill Bulk Fuel  
18 Storage Facility (Red Hill Facility), managed by the United  
19 State Department of Navy (Navy) and Defense Logistics Agency  
20 (DLA) within the United States Department of Defense, contained  
21 fire suppressant foams that used AFFF, including a leakage of  
22 approximately one thousand three hundred gallons of AFFF on  
23 November 29, 2022; and

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25           WHEREAS, according to the EPA and Hawaii Department of  
26 Health, the final laboratory report submitted by the Navy and  
27 DLA dated January 17, 2022, in response to the leakage of fuel  
28 and other substances at the Red Hill Facility on May 6 and  
29 November 20, 2021, indicated that groundwater samples collected  
30 from a well within the facility on December 20 and 27, 2021,  
31 included 2.76 ppt and 3.49 ppt of PFOA, and 6.72 ppt and 4.35  
32 ppt of PFOS, on the two sampling dates respectively, which  
33 significantly exceeds the EPA interim health advisory levels;  
34 and

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36           WHEREAS, pursuant to the 2020 National Defense  
37 Authorization Act, the Department of Defense is required to  
38 phase out AFFF at all military installations by October 1, 2024;  
39 and

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41           WHEREAS, the United States Air Force (Air Force), in  
42 acknowledging that removal of AFFF fire suppression systems



1 reduces the risk of cancer and mission-related impacts on  
2 drinking water, has shut down AFFF firefighting systems at  
3 nearly all of its facilities that were equipped with AFFF; and  
4

5 WHEREAS, the Air Force is also shutting down AFFF fire-  
6 suppression systems at all its hangars except four "mission  
7 critical" facilities that support the presidential aircraft  
8 fleet Air Force One and United States Marine Corps helicopters  
9 and converting them to water-only sprinkler systems; and  
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11 WHEREAS, the Air Force Innovation Lab at Tyndall Air Force  
12 Base in Florida is researching alternatives for future fire  
13 suppression systems and firefighting vehicles; and  
14

15 WHEREAS, the State's efforts to minimize exposure to PFAS  
16 has been focused on locations where PFAS may be concentrated,  
17 including military bases, airports, landfills, and wastewater  
18 systems, however, it is critical to the health and safety of the  
19 residents of Hawaii that the focus be expanded to gradually  
20 phase out the use of PFAS in all areas the State; now,  
21 therefore,  
22

23 BE IT RESOLVED by the Senate of the Thirty-second  
24 Legislature of the State of Hawaii, Regular Session of 2023, the  
25 House of Representatives concurring, that a PFAS Working Group  
26 be formed with representation from all levels of government,  
27 including but not limited to the Department of Health,  
28 Department of Budget and Finance, Hawaii State Energy Office,  
29 and each of the counties, to develop a program to phase out the  
30 use of PFAS in the State; and  
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32 BE IT FURTHER RESOLVED that the PFAS Working Group is  
33 requested to submit an initial report of its findings and  
34 recommendations, including any proposed legislation, to the  
35 Legislature no later than twenty days prior to the convening of  
36 the Regular Session of 2024, and a final report no later than  
37 twenty days prior to the convening of the Regular Session of  
38 2025; and  
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40 BE IT FURTHER RESOLVED that certified copies of this  
41 Concurrent Resolution be transmitted to the Governor, Director  
42 of Health, Director of Finance, Chief Energy Officer of the

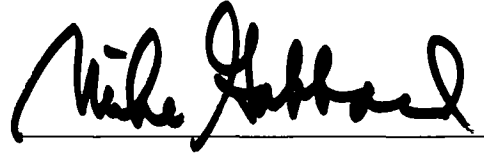


# S.C.R. NO. 135

1 Hawaii State Energy Office, Mayor of the County of Kauai, Mayor  
2 of the County of Maui, Mayor of the County of Hawaii, Mayor of  
3 the City and County of Honolulu, Chair of Kauai County Council,  
4 Chair of the Maui County Council, Chair of the Hawaii County  
5 Council, and Chair of the Honolulu City Council.

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OFFERED BY:

  
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