



WRITTEN
TESTIMONY

In reply, please refer to:
File:

STATE OF HAWAII
DEPARTMENT OF HEALTH
KA 'OIHANA OLAKINO
P. O. BOX 3378
HONOLULU, HI 96801-3378

Testimony COMMENTING on SCR0135

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.

REPRESENTATIVE NICOLE E. LOWEN, CHAIR
HOUSE COMMITTEE ON ENERGY & ENVIRONMENTAL PROTECTION

Hearing Date: 4/13/2023

Room Number: 325

- 1 **Fiscal Implications:** This resolution will not significantly impact the priorities identified in the
- 2 Governor's Executive Budget Request for the Department of Health's (Department)
- 3 appropriations and personnel priorities but may have other fiscal impacts in the community.
- 4 **Department Testimony:** The Department of Health recognizes the hazards posed by
- 5 perfluoroalkyl and polyfluoroalkyl substances (PFAS) and supports efforts to decrease overall
- 6 PFAS use in Hawaii. A working group to address PFAS must recognize that completely phasing
- 7 out PFAS in Hawaii is not possible but that systematic steps will help decrease the overall
- 8 amount used and decrease environmental contamination and human health impacts. A
- 9 multidisciplinary working group to develop a statewide plan to decrease PFAS usage can provide
- 10 a strategic plan towards decreasing the burden of PFAS in Hawaii and the Department of Health
- 11 would be happy to participate as long as it does not take away from other departmental priorities.
- 12 The Department suggests clarification of roles and responsibilities for working group
- 13 participants.
- 14
- 15
- 16 Thank you for the opportunity to testify on this resolution.



MAKAKILO/KAPOLEI/HONOKAI HALE NEIGHBORHOOD BOARD NO. 34

c/o NEIGHBORHOOD COMMISSION • 925 DILLINGHAM BLVD SUITE 160 • HONOLULU, HAWAII, 96817
PHONE (808) 768-3710 • FAX (808) 768-3711 • INTERNET: <http://www.honolulu.gov>

RESOLUTION

SUPPORTING THE PROTECTION OF O‘AHU’S WAI (DRINKING WATER) FROM PFAS

WHEREAS PFAS, or perfluoroalkyl and polyfluoroalkyl substances, are widely used, long lasting chemicals, components of which break down very slowly over time and are commonly referred to as “forever chemicals”; and

WHEREAS PFAS are persistent, toxic substances that can contaminate drinking water, bioaccumulate in fish and wildlife, and have multiple adverse health effects on humans; and

WHEREAS PFAS are utilized in a broad range of products, including firefighting foam, clothing, textiles, food packaging, and cosmetic products such as lotions, nail polish, shaving cream, and mascara; and

WHEREAS recently low levels of perfluoropentanoic acid (PFPeA) a type of PFAS has been detected at Makakilo Well, low levels of perfluorohexanoic acid (PFHxA) a type of PFAS has been detected at the Waipahu Wells II Granular Activated Carbon (GAC) Treatment Facility, and low levels of PFAS has been detected at the Kunia Village water system’s Del Monte Kunia 3 well; and

WHEREAS a spill of approximately one thousand three hundred gallons of toxic PFAS-containing firefighting foam occurred at Kapūkakī (Red Hill) in September and November of 2022; and

WHEREAS PFAS is not a regulated drinking water contaminant in Honolulu; and

WHEREAS scientific studies have shown that exposure to some PFAS in the environment may be linked to harmful health effects in humans and animals including kidney and testicular cancer, liver problems, high cholesterol, endocrine disruption, fertility problems, and decreased birth weight and immunosuppression; and

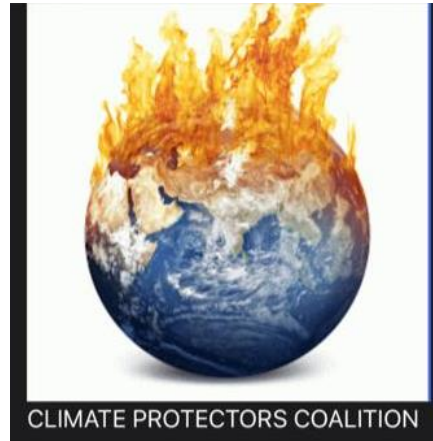
WHEREAS the Hawaii State Legislature passed in 2022, Act 152, which prohibits by the end of 2024, PFAS in certain types of food packaging and firefighting foam and this is a great step towards protecting our wai from PFAS but does not go far enough; now, therefore,

BE IT RESOLVED that the Makakilo/Kapolei/Honokai Hale Neighborhood Board No. 34 supports the protection of Oahu’s wai (drinking water) from PFAS; and

BE IT RESOLVED that the Makakilo/Kapolei/Honokai Hale Neighborhood Board No. 34 urges the Hawaii State Legislature to pass SB504 (2022) – Relating to Environmental Protection whose purpose is to prohibit the manufacture, sale, offer for sale, distribution for sale, and distribution for use of any food packaging, food service ware, cosmetic, or personal care product that contains PFAS, or similar such legislation to protect Oahu’s wai (drinking water) from PFAS.

Adopted by Makakilo/Kapolei/Honokai Hale Neighborhood Board No. 34 at its Wednesday, February 22, 2022, Regular Board Meeting; 5-0-1.





To: The Honorable Chair Nicole Lowen, the Honorable Vice Chair Elle Cochran, and Members of the Committee on Energy and Environment

From: Hawai'i Reef and Ocean Coalition and Climate Protectors Hawai'i (by Ted Bohlen)

Hearing: Thursday April 13, 2023, 9:15 a.m., room 325

Aloha Chairs Lowen, Vice Chair Cochran, and Members of the Committee on Energy and Environment:

The Hawai'i Reef and Ocean Coalition (HIROC) is a group of scientists, educators, filmmakers and environmental advocates who have been working since 2017 to protect Hawaii's coral reefs and ocean. HIROC is deeply concerned about PFAS "forever chemicals" in the marine environment.

The Climate Protectors Hawai'i seek to educate and engage the local community in climate change action, to help Hawai'i show the world the way back to a safe and stable climate. Climate Protectors Hawai'i is deeply concerned about PFAS "forever chemicals" in the environment.

The Hawai'i Reef and Ocean Coalition and Climate Protectors Hawai'i **STRONGLY SUPPORT SCR135!**

Perfluoroalkyl and polyfluoroalkyl substances (PFAS) are persistent, toxic substances. PFAS are often called "**forever chemicals**" because they do not naturally break down in the environment and **can continue to pollute the**

environment for thousands of years. PFAS can contaminate drinking water and bioaccumulate in fish and wildlife. **PFAS may have multiple adverse health effects on animal and human populations including cancer, reproductive and developmental harm, thyroid disruption, impaired immune function, increased cholesterol levels, bone variations, behavioral changes, and vital organ damage.**

PFAS are utilized in a broad range of products, including **clothing, textiles, food packaging, and cosmetic products such as lotions, nail polish, shaving cream, and mascara.** PFAS can enter the human body when consumed in food or water, applied directly on skin, and after eating food packaged in materials that contain PFAS. **Some of the highest levels of PFAS have been found around military bases, in large part because of the military's longtime reliance on the firefighting foam known as aqueous film-forming foam (AFFF), a product containing PFAS.**

EPA recently established maximum contaminant levels (MCLs) of only four parts per trillion in drinking water for six types of PFAS at the lowest detection level, because **even minute levels of certain PFAS can be harmful.** Much more study is needed to determine the impacts on human health of thousands of other PFAS chemicals.

As an island state, when **these forever chemicals** are brought in the State, they **never leave.** Instead, they make their way into residents' bodies and the State's wastewater, landfills, and eventually groundwater and the drinking water supply. Hawai'i can no longer afford to risk residents' health.

This concurrent resolution SCR 135 would ask the Legislature to convene a **working group with representation from all levels of government to develop a program to phase out the use of PFAS in the State. This is an important measure to protect human health and the environment in Hawai'i.**

The Hawai'i Reef and Ocean Coalition and Climate Protectors Hawai'i **STRONGLY SUPPORT** this concurrent resolution to reduce the presence of PFAS "forever chemicals" in Hawai'i.

Please pass this concurrent resolution! Mahalo!

Hawai'i Reef and Ocean Coalition and Climate Protectors Hawai'i (by Ted Bohlen)



April 13, 2023

**COMMENTS TO SCR 135
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.**

House Committee on Energy & Environmental Protection
The Honorable Nicole Lowen, Chair
The Honorable Elle Cochran, Vice Chair
Wednesday, April 13, 9:15 am VIA VIDEOCONFERENCE
Conference Room 325 State Capitol
415 South Beretania Street

Chair Lowen, Vice Chair Cochran and members of the Committee,

Island Energy Services, LLC (“IES”) would like to offer the following comments on SCR 135. IES operates petroleum storage and distribution facilities on Oahu, Hawaii Is., Kauai and Maui. To ensure the safety of our employees, first responders and the general public, it is imperative that effective fire suppression chemicals and equipment be available for use if needed.

Act 152 signed into law in June 2022. It will prohibit as of July 1, 2024 the manufacture, sale, distribution, and use of class B firefighting foams that contain PFAS, unless the use is necessary for effective suppression of a petroleum fire. Further restrictions without an adequate substitute would compromise IES’s ability to conduct safe and effective fire suppression should it be needed.

IES respectfully requests that a local petroleum distribution and logistics company be included as a member of the PFAS Working Group proposed by SCR 135.

Albert D.K. Chee, Jr.
Vice President
Island Energy Services, LLC



Environmental Caucus of
The Democratic Party of Hawai'i

To: The Honorable Nicole E. Lowen, Chair
The Honorable Elle Cochran, Vice Chair
Members of the Committee on Energy & Environmental Protection

Re: **SCR 135 – WORKING GROUP TO PHASE OUT PFAS**

Hearing: Thursday, April 13, 2023, 9:15 a.m., Conference Room 325 & Videoconference

Position: **Strong support**

Aloha, Chair Lowen, Vice Chair Cochran and Members of the Committee on Energy and Environmental Protection:

The Environmental Caucus of the Democratic Party of Hawai'i and its 7,500 members strongly support SCR 135. This measure requests the Legislature to convene a working group to develop a program to phase out the use of perfluoroalkyl and polyfluoroalkyl substances (PFAS) in the State.

PFAS is a carcinogenic toxin that goes beyond our deepest understanding of what is safe drinking water. The EPA has set an interim maximum contaminate level (MCL) at 4 parts per TRILLION because this is the lowest amount measurable by qualified laboratories, not because of scientific evidence that show that 4 parts per TRILLION is in fact a safe amount of PFAS to consume. There is no safe amount!

PFAS is known to cause **CANCER, IMMUNE DISRUPTION and FERTILITY PROBLEMS.**

PFAS has been detected in Kunia, Waipio, Honolulu and Kahului airports, and eight Hawaii military sites, including the Navy's Pearl Harbor drinking water.

This poison goes beyond the general public's comprehension as it has been used in everyday products for nearly a century and yet we are only now learning about it thanks to Red Hill. It has been used since the 1940's in many consumer products: Teflon pans, Scotchguard, food packaging, raincoats, furniture, cosmetics, clothing, and dental floss, in addition to the AFFF with PFAS used at firefighting training areas at airports and military installations. The resent spill of AFFF with PFAS concentrate at Adit 6 at the Red Hill Facility released 1,300 gallons in November 29, 2022. This is an unconscionable amount where 4 parts per TRILLION is the maximum contaminant level of PFAS for safe drinking water. As a visual, this MCL amount is equivalent to 4 drops of food coloring in 18 million gallons of water or put in another way, 4 drops in 20 Olympic-sized swimming pools, each holding 660,000 gallons of water.



April 13, 2023
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We clearly need a Working Group to set goals, prepare and plan for the PFAS phase-out, its clean-up and remediation, and plans for risk-prevention, including filtration. This known carcinogen passes through our life cycle by the water we drink, air that we breathe, fish and wildlife we consume, wastewater we cause, and reclaimed wastewater and biosolids used on the agricultural produce we eat. Furthermore, PFAS bioaccumulates as it is known as “Forever Chemicals.” It will not biodegrade for 700-1000 years. It can pass from mother to fetus through her bloodstream and from mother to child through breastmilk. Its multigenerational and bioaccumulative properties compound the toxicity of the PFAS in the human body.

It is important and necessary that this Committee adopt and pass SCR135. This Resolution calls the Legislature to convene a working group to develop a program to phase out the use of perfluoroalkyl and polyfluoroalkyl substances (PFAS) in the State and to report its findings and recommendations, including any proposed legislation, to the Legislature 20-days prior to the convening of the 2024 Regular Session; and its final report submitted 20-days prior to the convening of the 2025 Regular Session.

This proposed PFAS working group should also include planning for PFAS clean-up, remediation, and risk-prevention including water-filtration.

Mahalo nui loa,

/s/ Melodie Aduja and Alan Burdick
Co-chairs, Environmental Caucus
Democratic Party of Hawaii

SCR-135

Submitted on: 4/11/2023 10:17:32 AM

Testimony for EEP on 4/13/2023 9:15:00 AM

Submitted By	Organization	Testifier Position	Testify
Douglas Perrine	Individual	Comments	Written Testimony Only

Comments:

This bill has been significantly watered down since its introduction. I support the original version of Rep. Lowen's bill to ban most PFAS-containing products. I'm not sure that creating a committee to study the problem will solve anything. In the meantime, these deadly carcinogens are accumulating in the bodies and bloodstreams of every resident of Hawaii.

SCR-135

Submitted on: 4/11/2023 10:33:19 AM

Testimony for EEP on 4/13/2023 9:15:00 AM

Submitted By	Organization	Testifier Position	Testify
Regina Gregory	Individual	Support	Written Testimony Only

Comments:

Support

SCR-135

Submitted on: 4/11/2023 12:08:01 PM

Testimony for EEP on 4/13/2023 9:15:00 AM

Submitted By	Organization	Testifier Position	Testify
Dana Keawe	Individual	Support	Written Testimony Only

Comments:

Strong Support

SCR-135

Submitted on: 4/11/2023 3:54:04 PM

Testimony for EEP on 4/13/2023 9:15:00 AM

Submitted By	Organization	Testifier Position	Testify
B.A. McClintock	Individual	Support	Written Testimony Only

Comments:

Please support this bill. Mahalo.

SCR-135

Submitted on: 4/11/2023 10:02:11 PM

Testimony for EEP on 4/13/2023 9:15:00 AM

Submitted By	Organization	Testifier Position	Testify
Sherry Pollack	Individual	Support	Written Testimony Only

Comments:

I support SR217/SCR135 requesting the legislature 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.

I agree that in addition to the State's efforts to minimize exposure to PFAS in locations where PFAS may be concentrated, including military bases, airports, landfills, and wastewater systems, it is critical to the health and safety of the residents of Hawaii that the focus be expanded to gradually phase out the use of PFAS **in all areas the State**.

I respectfully offer an amendment to this resolution. Currently the PFAS Working Group representation is stated to be from all levels of government, including but not limited to the Department of Health, Department of Budget and Finance, Hawaii State Energy Office, and each of the counties. However, there are important voices missing from this working group, specifically missing are voices from the community. Therefore, I suggest that at the least a representative from a community organization whose mission statement or purpose is dedicated to the protection and restoration of the environment be included on this working group. This would allow for an important perspective to this critical issue to be included at the table.

Mahalo for the opportunity to testify and for your consideration of this amendment.

SCR-135

Submitted on: 4/11/2023 11:45:56 PM

Testimony for EEP on 4/13/2023 9:15:00 AM

Submitted By	Organization	Testifier Position	Testify
Dylan Ramos	Individual	Support	Written Testimony Only

Comments:

Aloha,

I am testifying in SUPPORT of SCR135. The AFFF leak at Red Hill is simply a catalyst opening people's eyes to a problem much older and a threat that will continue even with Red Hill defueled. There must be a coordinated effort at all levels of government to get PFAS under control.

Mahalo,
Dylan Ramos
96816