

MAR 08 2024

SENATE CONCURRENT RESOLUTION

REQUESTING HAWAII'S CONGRESSIONAL DELEGATION TO URGE CONGRESS TO
FUND CONSTRUCTION OF A LABORATORY CERTIFIED BY THE
ENVIRONMENTAL PROTECTION AGENCY TO PROVIDE INFORMATION TO
THE PUBLIC ON ENVIRONMENTAL TOXINS IN THE STATE.

1 WHEREAS, for decades, the State has been subjected to
2 environmental degradation caused by multiple entities that have
3 deposited materials that are toxic to human health and the
4 natural environment; and

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6 WHEREAS, the State continues to lack a testing laboratory
7 certified by the Environmental Protection Agency that is capable
8 of identifying diseases and toxins present in the State's air,
9 water, soil, and biological specimens; and

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11 WHEREAS, Hawaii residents often rely on data relating to
12 environmental toxins that are provided by the very same entities
13 that have caused the toxins to be present in the State's natural
14 environment; and

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16 WHEREAS, the State's ability to evaluate the presence of
17 environmental toxins is often delayed due to the need to send
18 samples to laboratories located in the continental United States
19 and the results from sample analyses may be withheld by the
20 agencies that control the supply of the samples to those
21 laboratories; and

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23 WHEREAS, the presence of environmental toxins caused by
24 pollutants has notably increased, particularly with the rapid
25 expansion of the use of per- and polyfluoroalkyl substances
26 "PFAS", a group of three synthetic organofluorine chemical
27 compounds, which have been found to be highly toxic; and

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29 WHEREAS, a laboratory certified by the Environmental
30 Protection Agency should be constructed in the State to address
31 these issues and to facilitate the prompt and transparent



1 disclosure of the results of testing samples taken from the
2 State; and

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4 WHEREAS, the laboratory would need to comply with all
5 applicable standards enumerated in the Clinical Laboratories
6 Improvement Amendments of 1988, title 42 United States Code,
7 section 263a; and

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9 WHEREAS, the present lack of a laboratory negates the
10 State's responsibility to evaluate and, as appropriate, confirm
11 or reject contentions by federal government departments and
12 agencies, including the Department of Defense, Environmental
13 Protection Agency; state agencies such as the Department of
14 Health; and other private entities, relating to environmental
15 toxic chemicals such as TPH-D, TPH-O, TPH-G, petroleum
16 constituents, PFAS, PFAS-related substances, and many other
17 toxins found throughout the State's natural environment; and

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19 WHEREAS, the cost of construction of the laboratory is
20 likely in the range of \$100,000,000, and the annual operational
21 cost, including staffing, exceeds \$200,000; and

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23 WHEREAS, these costs are currently beyond the State's means
24 as Hawaii endeavors to respond adequately to the catastrophe of
25 the August 2023 Maui wildfires that destroyed Lahaina and
26 damaged Upper Kula, Pulehu, Kihei, and Kaanapali; now,
27 therefore,

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29 BE IT RESOLVED by the Senate of the Thirty-second
30 Legislature of the State of Hawaii, Regular Session of 2024, the
31 House of Representatives concurring, that Hawaii's congressional
32 delegation is urged to take all action necessary and proper to
33 cause congress to appropriate sufficient funds for the benefit
34 of the State to construct and commence operation of a laboratory
35 certified by the Environmental Protection Agency to provide
36 analysis of environmental toxins in the State; and

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38 BE IT FURTHER RESOLVED that the laboratory is urged to
39 publish the results of its analyses to the public; and

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41 BE IT FURTHER RESOLVED that the Governor, Department of
42 Health, and other relevant governmental agencies are urged to



1 support the construction and the commencement of the operations
2 of the laboratory; and

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BE IT FURTHER RESOLVED that certified copies of this
Concurrent Resolution be transmitted to Hawaii's congressional
delegation, the Governor, and Director of Health.

OFFERED BY:



