

MAR 08 2024

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# SENATE CONCURRENT RESOLUTION

REQUESTING THE OFFICE OF THE GOVERNOR TO CONVENE A WORKING GROUP  
TO PLAN FOR THE REMEDIATION OF PERFLUOROALKYL AND  
POLYFLUOROALKYL SUBSTANCES (PFAS) IN THE STATE.

1           WHEREAS, perfluoroalkyl and polyfluoroalkyl substances  
2 (PFAS) are a group of synthetic organofluorine chemical  
3 compounds that have multiple fluorine atoms attached to an alkyl  
4 chain that are increasingly becoming understood to pose serious  
5 toxicity to humans and other organisms in the environment; and  
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7           WHEREAS, in 2021, the Organization for Economic Co-  
8 operation and Development (OECD) identified at least 4,730  
9 distinct PFAS chemicals; and  
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11           WHEREAS, the United States Environmental Protection  
12 Agency's toxicity database (DSSTox) lists 14,735 unique PFAS,  
13 while PubChem lists more than 6,000,000 that fit under the 2021  
14 revised definition of PFAS by the OECD; and  
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16           WHEREAS, DSSTox also includes perfluorosulfonic acids, such  
17 as perfluorooctanesulfonic acid (PFOS) and perfluorocarboxylic  
18 acids, such as perfluorooctanoic acid (PFOA); and  
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20           WHEREAS, many PFAS chemicals were used in the mid-twentieth  
21 century in products and on materials due to their enhanced  
22 water-resistant and oil-resistant properties, like Teflon or  
23 aqueous film forming foam, before the environmental impact and  
24 toxicity to human and mammalian life had been studied; and  
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26           WHEREAS, PFOS, PFOA, and other PFAS chemicals are commonly  
27 described as persistent organic pollutants or "forever  
28 chemicals" because they remain in the environment for long  
29 periods of time; and  
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31           WHEREAS, residues have been detected in humans and  
32 wildlife, prompting concern about impacts on health; and



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2 WHEREAS, according to the National Academies of Sciences,  
3 Engineering, and Medicine, PFAS exposure is linked to increased  
4 risk of dyslipidemia (abnormally high cholesterol), suboptimal  
5 antibody response, reduced infant and fetal growth, and higher  
6 rates of kidney cancer; and

7  
8 WHEREAS, health concerns related to PFAS have resulted in  
9 numerous lawsuits involving PFAS producers 3M, Chemours, DuPont,  
10 and Corteva where billion-dollar settlements have been reached  
11 and the use of PFAS has been regulated in several parts of the  
12 world, some with plans to phase PFAS out entirely from products;  
13 and

14  
15 WHEREAS, chemical corporations that produce PFAS generate  
16 approximately \$4,000,000,000 in annual profits from the  
17 production of these chemicals in the United States, but they  
18 impose monumental costs on taxpayers and the health of global  
19 human and animal populations; and

20  
21 WHEREAS, of these costs, the most expensive are remediation  
22 efforts to fight PFAS soil and water contamination, followed by  
23 the health care costs to treat cancer, thyroid disease, kidney  
24 dysfunction, birth defects, and other major medical conditions  
25 that have been linked to even low levels of exposure to PFAS,  
26 and followed by the costs of monitoring of PFAS pollution in  
27 human and other life forms; and

28  
29 WHEREAS, the International Chemical Secretariat has  
30 estimated that PFAS costs approximately \$17,500,000,000,000  
31 annually; and

32  
33 WHEREAS, PFAS have been frequently documented in marine  
34 species that are commonly consumed by humans, posing substantial  
35 health risks because of bioaccumulation and biomagnification in  
36 certain species that exceeds tolerable limits for human  
37 consumption posing potential health risks and causing local  
38 communities to face economic and food source consequences due to  
39 potential future advisories, fishing limits, or closures for  
40 certain species due to their PFAS content; and

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1 WHEREAS, as of August 2023, twenty-five states have  
2 established enforceable drinking water standards related to PFAS  
3 and the United States Environmental Protection Agency is  
4 conducting a study from 2023 to 2025 to collect data on PFAS and  
5 develop additional regulations; now, therefore,  
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7 BE IT RESOLVED by the Senate of the Thirty-second  
8 Legislature of the State of Hawaii, Regular Session of 2024, the  
9 House of Representatives concurring, that the Office of the  
10 Governor is requested to convene a PFAS working group; and  
11

12 BE IT FURTHER RESOLVED that the working group is requested  
13 to include the following members:  
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- 15 (1) The Chairs of the House of Representatives and Senate  
16 Standing Committees with subject matter jurisdiction  
17 encompassing environmental protection and restoration;  
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- 19 (2) The Director of Health;  
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- 21 (3) A representative from the City and County of Honolulu;  
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- 23 (4) A representative of the County of Hawaii;  
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- 25 (5) A representative of the County of Maui;  
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- 27 (6) A representative of the County of Kauai;  
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- 29 (7) Two representatives from established Hawaii  
30 organizations whose mission statements or purposes are  
31 dedicated to environmental protection, including  
32 protection against contaminations by environmental  
33 toxins, as selected and invited by the Governor; and  
34
- 35 (8) Two representatives of the business community that  
36 manufacture or sell products containing PFAS, as  
37 selected and invited by the Governor; and  
38

39 BE IT FURTHER RESOLVED that the mayors of each county are  
40 requested to select a representative from their county to serve  
41 on the working group; and  
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1 BE IT FURTHER RESOLVED that the Chairs of the House of  
2 Representatives and Senate Standing Committees with subject  
3 matter jurisdiction encompassing environmental protection and  
4 restoration are requested to serve as co-chairpersons of the  
5 working group; and  
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7 BE IT FURTHER RESOLVED that the working group is requested  
8 to proactively plan for the remediation of PFAS contamination  
9 throughout the State and to accomplish this objective the  
10 working group is requested to:

- 11 (1) Identify the presence, character, location, and  
12 controlling authority of all major accumulations of  
13 PFAS and related chemicals, or both, within the State;  
14
- 15 (2) Propose plans of action, including but not limited to  
16 proposals for legislation and litigation, remediation,  
17 or elimination of all major accumulations of PFAS and  
18 related chemicals within the State;  
19
- 20 (3) Identify any known contaminants or environmental  
21 hazards associated with the inventoried lands, any  
22 environmental studies performed in connection with the  
23 lands, and any required remediation;  
24
- 25 (4) Affirmatively engage in a public information campaign  
26 to advise the public of the dangers of PFAS and  
27 related chemicals, and actions that the public may  
28 undertake to limit their exposure to these chemicals;  
29
- 30 (5) Encourage the business community to become more aware  
31 of the presence of PFAS and related chemicals in  
32 products and product packaging, make the community  
33 aware of the dangers of such chemicals, and encourage  
34 members of the community to adopt practices to  
35 eliminate or at least reduce the presence of these  
36 chemicals in the products that they use and sell; and  
37
- 38 (6) Work on any other objectives deemed necessary by the  
39 working group; and  
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S.C.R. NO. 132

1 BE IT FURTHER RESOLVED that the working group is requested  
2 to report to the Legislature by:

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4 (1) Submitting a preliminary report of its findings and  
5 recommendations, including any proposed legislation,  
6 to the Legislature no later than twenty days prior to  
7 the convening of the Regular Session of 2025; and

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9 (2) Submitting subsequent reports on its findings and  
10 recommendations, including any proposed legislation,  
11 to the Legislature no later than twenty days prior to  
12 the convening of each Regular Session thereafter; and  
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14 BE IT FURTHER RESOLVED that certified copies of this  
15 Concurrent Resolution be transmitted to the Governor, President  
16 of the Senate, Speaker of the House of Representatives, Director  
17 of Health, and Mayor of each county.  
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20 OFFERED BY: Mike G. Miller

