

STAND. COM. REP. NO. **2493**

Honolulu, Hawaii

FEB 16 2024

RE: S.B. No. 2101
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirty-Second State Legislature
Regular Session of 2024
State of Hawaii

Sir:

Your Committees on Health and Human Services and Agriculture and Environment, to which was referred S.B. No. 2101 entitled:

"A BILL FOR AN ACT RELATING TO HEALTH,"

beg leave to report as follows:

The purpose and intent of this measure is to:

- (1) Require waste combustion facility owners to implement continuous monitoring and sampling technologies for the purposes of collecting data regarding emissions;
- (2) Establish a publicly available website hosted by the Department of Health that will track and display data collected on emissions;
- (3) Require the Department of Health to adjust permit limits for air contaminants based on emissions data collected;
- (4) Require reports to the Legislature; and
- (5) Make an appropriation.

Your Committees received testimony in support of this measure from Greenpeace Hawaii, Energy Justice Network, Environmental Caucus of the Democratic Party of Hawai'i, Chamber of Sustainable Commerce, and three individuals.



Your Committees received testimony in opposition to this measure from Covanta Honolulu Resource Recovery Venture, LLC.

Your Committees received comments on this measure from the Department of Health.

Your Committees find that waste combustion facility owners implement monitoring and sampling technologies to collect data regarding emissions only once a year and only when conditions are optimal. Further, your Committees find that technological advances in methods to monitor pollutants are available, and that Hawaii's methods should be updated. Accordingly, this measure will implement continuous monitoring and sampling technologies verified by the United States Environmental Protection Agency to ensure waste combustion facility owners continuously monitor, sample, and report contaminant emissions.

Your Committees have amended this measure by:

- (1) Inserting into the appropriation to the Department of Health unspecified amounts for the purchase of continuous emissions monitoring system units, construction and maintenance of a website to disseminate reported data to the public, and the establishment of an unspecified number of full-time equivalent positions to enforce the monitoring provisions of this measure and gather data;
- (2) Inserting an effective date of December 31, 2050, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

Your Committees note the testimony offered by the Department of Health at the public hearing held on this measure that the equipment costs for the continuous emissions monitoring system units are estimated to be in excess of \$11,000,000, in addition to the costs for the website and the establishment of an unspecified number of full-time equivalent positions necessary to implement this measure. Should your Committee on Ways and Means choose to

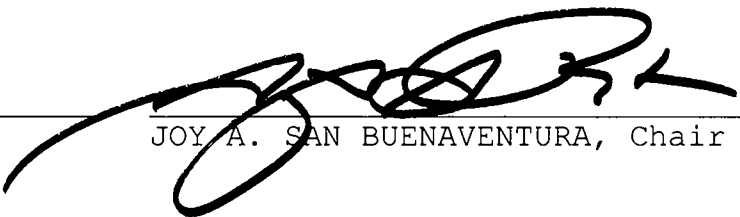


deliberate on this measure, your Committees respectfully request that these issues be considered.

As affirmed by the records of votes of the members of your Committees on Health and Human Services and Agriculture and Environment that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2101, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2101, S.D. 1, and be referred to your Committee on Ways and Means.

Respectfully submitted on behalf of the members of the Committees on Health and Human Services and Agriculture and Environment,


MIKE GABBARD, Chair


JOY A. SAN BUENAVENTURA, Chair



The Senate
 Thirty-Second Legislature
 State of Hawai'i

Record of Votes
Committee on Health and Human Services
HHS

Bill / Resolution No.:* SB 2101	Committee Referral: HHS/AEN, WAM	Date: 2/9/24
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The Committee is reconsidering its previous decision on this measure.
 If so, then the previous decision was to: _____

The Recommendation is:

Pass, unamended 2312
 Pass, with amendments 2311
 Hold 2310
 Recommit 2313

Members	Aye	Aye (WR)	Nay	Excused
SAN BUENAVENTURA, Joy A. (C)	/			
AQUINO, Henry J.C. (VC)	/			
KEOHOKALOOLE, Jarrett	/			
SHIMABUKURO, Maile S.L.	/			
AWA, Brenton	/			
TOTAL	5			

Recommendation:
 Adopted
 Not Adopted

Chair's or Designee's Signature:

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***Only one measure per Record of Votes**

The Senate
 Thirty-Second Legislature
 State of Hawai'i

Record of Votes
Committee on Agriculture and Environment
AEN

Bill / Resolution No.:* SB 2101	Committee Referral: HHS/AEN, WAM	Date: 2/9/24		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
GABBARD, Mike (C)	✓			
RICHARDS, III, Herbert M. "Tim" (VC)				✓
DECOITE, Lynn				✓
RHOADS, Karl	✓			
AWA, Brenton	✓			
TOTAL	3	0	0	2
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <i>Karl Rhoads</i>				
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***Only one measure per Record of Votes**