



# SIERRA CLUB OF HAWAI‘I

## SENATE COMMITTEE ON GOVERNMENT OPERATIONS SENATE COMMITTEE ON AGRICULTURE AND ENVIRONMENT

March 28, 2024

3:30 PM

Conference Room 225

**In SUPPORT of SCR131/SR113:** 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.

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Aloha Chair McKelvey, Chair Gabbard, Vice Chair Richards, and Members of the Committees,

On behalf of our over 20,000 members and supporters, the Sierra Club of Hawai‘i **SUPPORTS SCR131/SR113**, which seeks to provide Hawai‘i residents and communities across the Pacific with a local water testing laboratory, in order to better understand and manage our exposure to toxic compounds including but not limited to jet fuel and per- and poly-fluoroalkyl substances (“PFAS”), in a meaningful and timely manner.

As we continue to navigate water contamination crises on O‘ahu and Maui, and as we begin to grapple with the implications of PFAS being found in ever more local water sources, it has become abundantly clear that our islands are in need of a local water testing laboratory that can provide timely, meaningful data on our residents’ potential exposure to toxic compounds.

For example, the water contamination crisis resulting from the U.S. Navy’s Red Hill Facility has required and will continue to require continual analyses of monitoring well, sentinel well, and drinking source samples. Currently, this in turn requires the storage and transshipment of potentially volatile contaminants across thousands of miles to backlogged laboratories on the U.S. continent. As a result, water quality results have taken and continue to take months to be returned, leaving our agencies and residents in limbo as we await water test results. A local water testing facility will ensure that we have more sound and timely data to prevent the potentially catastrophic contamination of our municipal water supply, and protect the health of Hawai‘i residents.

A water testing facility will also serve critical needs in circumstances beyond Red Hill. For example, citizens in Waiawa have had to wait for months, simply to know if their drinking water sources were contaminated by PFAS due to military firefighting training at the Waiawa Army National Guard Armory. Given the extent of past training exercises and the persistence of PFAS “forever chemicals” in the environment, ongoing and timely testing will also be required to ensure that these citizens are not exposed to these



# SIERRA CLUB OF HAWAI'I

contaminants in the future, as PFAS percolate and migrate in soil, streams, and groundwater for decades and centuries to come.

Similar water testing needs will also be necessary for impacted water systems and water sources in Lāhainā and Kula, where the 2023 wildfires may have resulted in the release of a wide range of toxic, environmentally persistent compounds including PFAS, dioxins, furans, PCBs, and others.

Notably, our local testing needs will only increase over time, as more contamination issues come to light, or are created by future climate-related disasters. Meanwhile, the demand on testing laboratories on the continent is anticipated to significantly increase in the very near future, as maximum contaminant levels are set for PFAS and potentially other compounds by the Environmental Protection Agency. As a result, we may have less and less access to meaningful and timely water testing data, while our need for such data continuously increases.

In addition, the Sierra Club notes that a local water testing laboratory would assist other communities wrestling with water contamination issues, including places such as Guåhan, Okinawa, the Philippines, and other locations across the U.S.-occupied Pacific.

Accordingly, the Sierra Club of Hawai'i respectfully but strongly urges the Committees to **PASS** this resolution. Mahalo nui for the opportunity to testify.



**TESTIMONY FROM THE DEMOCRATIC PARTY OF HAWAI'I**  
**SENATE COMMITTEES ON GOVERNMENT OPERATIONS AND ON AGRICULTURE**  
**AND ENVIRONMENT**

**MARCH 28, 2024**

SR113/SCR131 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.

**POSITION: SUPPORT**

Aloha Chairs, Vice Chairs and esteemed Members of the Committees,

The Democratic Party of Hawai'i is in support of SR113/SCR131.

Our Party Platform states under "Environment and Energy":

*"We believe that all people have the right to live in a clean, healthy and safe environment. We believe that the preservation of our natural environment and its ecological well being is essential to ensuring a safe, healthy, bountiful life for future generations in Hawai'i. We support policies that create a more sustainable society. We support the restoration, preservation, and protection of native ecosystems."*

For decades, Hawai'i has been subjected to environmental degradation caused by multiple entities that have deposited materials that are toxic to human health and the natural environment; but Hawai'i continues to lack a testing laboratory certified by the Environmental Protection Agency that can identify diseases and toxins present in Hawaii's air, water, soil, and biological specimens. The Hawai'i public has had to rely on data relating to environmental toxins that are

often provided by the very entities that may have caused such toxins to be present in Hawaii's environment. We cannot rely on them to provide full and accurate information about testing results.

Please support this measure.

Mahalo nui loa for your time and consideration.

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KA 'OIHANA WAI  
CITY AND COUNTY OF HONOLULU**

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**LATE**

RICK BLANGIARDI  
MAYOR  
MEIA

ERNEST Y. W. LAU, P.E.  
MANAGER AND CHIEF ENGINEER  
MANAKIA A ME KAHU WILIKI

ERWIN KAWATA  
DEPUTY MANAGER  
HOPE MANAKIA



NĀ'ĀLEHU ANTHONY, Chair  
KAPUA SPROAT, Vice Chair  
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JONATHAN KANESHIRO  
EDWIN H. SNIFFEN, Ex-Officio  
GENE C. ALBANO, P.E., Ex-Officio

March 28, 2024

The Honorable Angus L.K. McKelvey, Chair  
and Members  
Senate Committee on Government Operations

The Honorable Mike Gabbard, Chair  
and Members  
Senate Committee on Agriculture and Environment  
Hawaii State Capitol, Room 225  
Honolulu, Hawaii 96813

Dear Chair McKelvey, Chair Gabbard and Members:

Subject: SCR 131/ SR 113: 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

The Honolulu Board of Water Supply (BWS) supports Senate Concurrent Resolution (SCR) 131, Senate Resolution (SR) 113, requesting Hawaii's Congressional Delegation to urge Congress to fund construction of a laboratory certified by the Environmental Protection Agency (EPA) to provide information to the public on environmental toxins in the State.

Given the November 2021 fuel release that contaminated O'ahu's sole source aquifer and the Joint Base Pearl Harbor Hickam (JBPHH) water system that affected almost 100,000 people, including the November 29, 2022 release of 1,300 gallons of per- and polyfluoroalkyl substance (PFAS) containing aqueous film forming foam (AFFF) at the U.S. Navy's Red Hill Bulk Fuel Storage Facility (RHBFSF), the State of Hawaii had to wait for nearly a month to determine the level of toxicity these people were exposed to because the Department of Health's (DOH) laboratory did not have the capability to evaluate the presence of toxins.

As a result of the fuel contamination and the release of AFFF into the environment, the State of Hawaii was impeded in responding to those harmed in an expeditious way

The Honorable Angus L.K. McKelvey, Chair  
The Honorable Mike Gabbard, Chair  
and Members  
March 28, 2024  
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because the DOH lacked a testing laboratory certified by the EPA to identify the toxins or pollutants present in the environment.

PFAS have been known to cause harmful effects in humans and animals as PFAS “binds to proteins in human blood.”<sup>1</sup> PFAS known as the “forever chemicals” never break down once released and they build up in our bodies.”<sup>2</sup> In 1998, “the U.S. Environmental Protection Agency (EPA) was first alerted to the risks”<sup>3</sup> of PFAS in which they did not immediately classify PFAS as a hazardous substance until August 26, 2022, when they issued a proposal to designate two of the most widely used PFAS as hazardous substances under CERCLA, or Superfund.<sup>4</sup>

What occurred at JBPHH was tragic to the people who were poisoned and the continued threat it poses to the environment. This SCR 131 / SR 113 aligns with the shared mission of the signatories of the Red Hill Water Alliance Initiative to preserve access to safe, pure water and protect the environment and O’ahu’s aquifer. It is important that collaboration continues at all levels of government to ensure Hawai’i has the resources it needs and that the federal government, working with the state and local governments in Hawai’i, meets its obligation to keep our communities and environment safe.<sup>5</sup>

Thank you for the opportunity to testify in support of SCR 131 / SR 113.

Very truly yours,

  
ERNEST Y. W. LAU, P.E.  
Manager and Chief Engineer

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<sup>1</sup> Gordon I. Norby and J. Murray Luck at Stanford University. “Perfluorooctanoic acid interactions with human serum albumin.” Journal of Biological Chemistry. August 1, 1955.

<sup>2</sup> Ayala, Christine. “EPA on ‘forever chemicals’ Let them drink polluted water” The Hill, October 1, 2019. See also” Timeline of events related to per- and polyfluoroalkyl substances. Wikipedia, The Free Encyclopedia.

<sup>3</sup> Ibid.

<sup>4</sup> U.S. Environmental Protection Agency. EPA Proposes Designating Certain PFAS Chemicals as Hazardous Substances Under Superfund to Protect People’s Health. Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA). August 26, 2022.

<sup>5</sup> Schatz, Brian. “Hawai’i Delegation Statement on Red Hill WAI Report” Press Release, November 28, 2023.



*Restore the Commons*

Thursday, March 28, 2024, 3:30 pm

Senate Committees on Government Operations and on Agriculture and Environment  
SENATE CONCURRENT RESOLUTION 131 – FEDERAL FUNDING FOR CERTIFIED ENVIRONMENTAL LAB

Position: **Strong Support**

Me ke Aloha, Chairs McKelvey and Gabbard, Vice-Chairs Richards and Gabbard, and Members of the Senate Committees on Government Operations and on Agriculture and Environment.

SCR131 Requests Hawaii’s Congressional delegation to seek federal funding to construct a certified environmental lab to provide analysis of environmental toxins in Hawaii.

Please support this timely call for engaging federal funding for a long overdue construction of an EPA-certified environmental lab to provide analysis of environmental toxins in Hawaii. This has been on Hawaii’s wishlist for years, as the current Department of Health lab is outdated and the structure is deteriorating.

Hawaii has an increasing number of environmental toxic hazards, from unexploded ordnance and wastewater spills to petroleum-derivative and firefighting contaminants. Most of these are produced by the military, which occupies large tracts of land, many located in population centers. The military has not shown responsible stewardship in using Hawaii lands, and it is altogether fitting that the military budget begin to respond to its created hazards.

Hawaii is a fragile environment, small in scale, in the most isolated location on the planet, and cannot long survive the continuing onslaught of regular accidents posed by the military. Short of responsibly preventing these contamination episodes or cleaning them up once occurred, the very least they can do is provide us with reliable information about continuous threats to our health. It is the public’s right to know about these hazards.

Because Hawaii is limited in resources available for projects like these, it is appropriate that the federal government assume responsibility at least for identifying how we might defend ourselves against our “defenders”.

Mahalo for the opportunity to address this issue,  
/s/ Charley Ice

Planner, Department of Hawaiian Home Lands and liaison to the Water Commission (10 years) and Hydrologist, Commission on Water Resource Management (25 years) (retired)

**Building the new normal with People and Land: Food Security Health Care Public Banking  
Regenerating Soils Cutting Waste Eliminating GHG emissions**

**SCR-131**

Submitted on: 3/26/2024 5:06:50 PM

Testimony for GVO on 3/28/2024 3:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Jacqueline S. Ambrose	Individual	Support	Written Testimony Only

Comments:

Aloha,

Yes to:- 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



**LATE**

**SCR-131**

Submitted on: 3/28/2024 2:02:03 PM

Testimony for GVO on 3/28/2024 3:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Melodie Aduja	Testifying for Environmental Caucus of the Democratic Party of Hawai`i	Support	Written Testimony Only

Comments:

The Environmental Caucus of the Democratic Party of Hawaii supports this resolution.