

TESTIMONY OF
LEODOLOFF R. ASUNCION, JR.
CHAIR, PUBLIC UTILITIES COMMISSION
STATE OF HAWAII

TO THE
HOUSE COMMITTEE ON
ENERGY & ENVIRONMENTAL PROTECTION

March 21, 2023
9:30 a.m.

Chair Lowen, Vice Chair Cochran, and Members of the Committee:

MEASURE: S.B. No. 506, SD1

TITLE: RELATING TO CONSUMER PROTECTION.

DESCRIPTION: Requires self-service stations to put labels on gas dispensing equipment that advise consumers on the effects of fossil fuel consumption to human health and the environment..

POSITION:

The Public Utilities Commission (“Commission”) offers the following comments for consideration.

COMMENTS:

The Commission appreciates the intent of this measure to inform users of self-service gas pump dispensing equipment in a retail service station of the human health and environmental impacts of fossil fuel consumption.

The Commission notes that there may already be requirements for signage on self-service gas pump dispensing equipment in Hawaii State law, county ordinances, and private contracts outside Commission jurisdiction and that those with jurisdiction over any existing signage may be better suited to administer, implement and/or enforce the intent of this bill.

The Commission also notes that other agencies may have more relevant expertise on the human health and environmental impacts associated with burning gasoline, diesel, and ethanol, and therefore may be better suited to carry out the duties established in this measure.

S.B. No. 506, SD1
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However, should the Legislature continue with the measure as currently proposed, the Commission observes that additional information on implementing such a program would be helpful, such as clarity on timing requirements and enforcement mechanisms.

Thank you for the opportunity to testify on this measure.



HAWAII STATE ENERGY OFFICE STATE OF HAWAII

JOSH GREEN, M.D.
GOVERNOR

MARK B. GLICK
CHIEF ENERGY OFFICER

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Testimony of
MARK B. GLICK, Chief Energy Officer

before the
HOUSE COMMITTEE ON ENERGY & ENVIRONMENTAL PROTECTION

Tuesday, March 21, 2023
9:30 AM
State Capitol, Conference Room 325 and Videoconference

Provides COMMENTS on
SB 506, SD1

RELATING TO CONSUMER PROTECTION.

Chair Lowen, Vice Chair Cochran, and Members of the Committee, the Hawai'i State Energy Office (HSEO) offers comments on SB 506, SD1, which requires self-service stations to put labels on gas dispensing equipment that advise consumers on the effects of fossil fuel consumption to human health and the environment.

HSEO appreciates increasing public awareness of the harmful effects of the burning of fossil fuels on human health and the environment with a desired outcome of decreased fossil fuel usage which supports the State's clean energy goals. HSEO would note, however, that standing up a new program that requires uniform standards and ensures widespread compliance would most effectively be administered by an independent third party with adequate resources and a nexus to retail gas dispensing, and health and environmental oversight, education and enforcement, or some combination thereof.

Thank you for the opportunity to testify.

SB-506-SD-1

Submitted on: 3/17/2023 1:32:01 PM

Testimony for EEP on 3/21/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
francisca martinez	USC Schwarzenegger Institute	Support	Written Testimony Only

Comments:

Aloha e House Committee on Energy and Environmental Protection,

Please vote yes on SB 506. This will make a difference for consumers by protecting health and the environment from the invisible impacts from fossil fuel burning.

Consumers have poor understanding of the effects of gas burning on public health and climate. Burning fossil fuels is the leading cause of air pollution and climate change that adversely affects the most vulnerable populations.

Consumers need to better understand the effects of burning fossil fuels. Climate warning labels are a timely and urgent way to better inform consumers. Hawaiian legislators have the opportunity to create a new global pathway for consumer protection for others to follow. The USC Schwarzenegger Institute looks forward to the passage of this bill to make it part of our Digital Environmental Legislative Handbook for other state legislators to follow.

Mahalo,

Francisca Martinez

USC Schwarzenegger Institute



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Testimony of Eric Wright

President of the Hawaii Energy Marketers Association (HEMA)

SB 506, SD1 - RELATING TO CONSUMER PROTECTION – In Opposition

The Honorable Nicole E. Lowen, Chair
The Honorable Elle Cochran, Vice Chair
House Committee on Energy & Environmental Protection

Tuesday, March 21, 2023 @ 9:30 AM
Conference Room 325 & Videoconference

Aloha Chair Lowen, Vice Chair Cochran, and Members of the Committee:

I am Eric Wright, president of the Hawaii Energy Marketers Association (HEMA). HEMA is a nonprofit trade association comprised of members who market motor fuel products and operate convenience stores across the Hawaiian Islands.

SB 506, SD1 would require services stations to affix, bear or attach an environmental warning label at each dispensing gas pump subject to Public Utility Commission approval.

While HEMA understand the intent of this measure, but we believe **this bill is unnecessary** because we already have adequate warning labels at dispensing gas pumps. **Foremost warning has been the safety of life and property.**

Hawaii Administrative Rules: §12-45.5-104 Fuel dispensing signs. Section 42.7.2.6.4 requires warning signs to be conspicuously posted in the dispensing area and incorporate the following or equivalent wording:

WARNING:

It is unlawful and dangerous to dispense gasoline into unapproved containers.

No smoking.

Stop motor.

No filling of portable containers in or on a motor vehicle.

Place container on ground before filling.

Discharge your static electricity before fueling by touching a metal surface away from the nozzle.

Do not re-enter your vehicle while gasoline is pumping.

If a fire starts, do not remove nozzle — back away immediately.

Do not allow individuals under licensed age to use the pump.

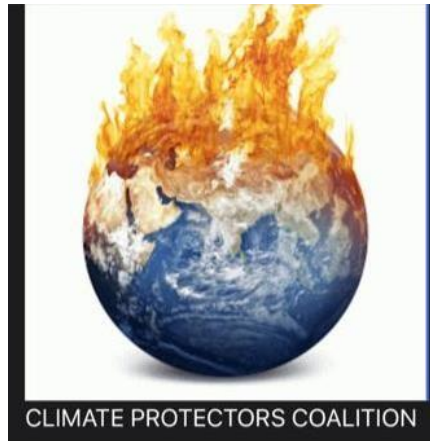
The placement of a foreign object(s), that allows the fuel dispensing lever to remain in the open position, is prohibited at all times.

(Auth: HRS §132-3) (Imp: HRS §132-3)

Additionally, we believe this measure unfairly targets a specific industry when many other every day decisions consumers make have an impact on the environment. In fact, given that 70% of power generation in the State of Hawaii is produced from oil, an equal argument could be made to affix the same warning labels to EV charging stations; especially considering that the fuels used to produce that power generate both CO₂ as well as significantly higher levels of sulfur dioxide air pollution than fuels used in traditional motor vehicles.

We believe this measure is unnecessary and has the potential to distract from the more urgent safety warning information already posted on fuel dispensers.

Thank you for allowing HEMA the opportunity to submit testimony on this bill.



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

From: Climate Protectors Hawai'i (by Ted Bohlen)

Re: Hearing **SB506 SD1 RELATING TO CONSUMER PROTECTION**

Hearing: Tuesday, March 21, 2023, 9:30 a.m., room 325

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

The mission of the Climate Protectors Hawai'i is 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.

The Climate Protectors Hawai'i STRONGLY SUPPORTS SB506 SD1!

SB506 would require retail self-service gas stations to have warning labels on gas dispensing equipment, which would advise consumers that burning gasoline,

diesel, and ethanol has major consequences on human health and the environment, including its contribution to climate change.

Gasoline often includes toxic additives such as benzene , toluene and xylene. Burning gasoline, diesel, and ethanol can lead to early death, heart attacks, respiratory disorders including damage to lungs, stroke, and asthma. EPA has classified benzene as a known human carcinogen, based on convincing evidence in humans supported by evidence from animal studies.

Burning these fossil fuels releases pollutants that are warming the planet, resulting in more intense storms, sea level rise, coastal erosion, floods, droughts, and fires, among numerous dire consequences. Hawaii is particularly vulnerable to these climate impacts and so it is appropriate that Hawaii consumers be warned.

Consumers should be warned at the pump of these risks: that burning gasoline, diesel, and ethanol has major consequences on human health and the environment, particularly by contributing to the climate crisis we are facing. Warning at the pump will not only help protect consumers from health risks, it will raise awareness of the climate crisis and help consumers to connect their individual behavior with the health, environmental, and climate impacts of their individual choices. It will educate consumers in a non-coercive way.

Please protect consumers and the environment by passing this important bill!

Mahalo!

Climate Protectors Hawai'i (by Ted Bohlen)



Testimony in support of bill SB506

From: *Green Mobilists Sweden*

To: *House Committee on Energy & Environmental Protection (EEP)*

Hearing Tuesday, March 21, 2023, 9:30 AM

Dear Representatives,

We urge you to pass SB506.

Green Mobilists Sweden is an NGO that tries to pave the way for a sustainable mobility for everyone, regardless place of residence or economic situation.

We campaign for eco-labels with climate impact rating on fuel pumps and charging stations. In fall 2021, such eco-labels [became mandatory](#) all across Sweden. A few months before that, climate and health warning labels [were placed](#) on all gas pumps in Cambridge, MA. These are the world's first labelling schemes of this kind.

To help shift attitudes to fossil fuels, and contribute to behaviour change, these labels must be disseminated widely.

Placing climate and health warning labels on gas pumps across Hawai'i according to bill SB506 would be a major step forward. As the first mandatory such labels at state level, they would attract considerable attention, which would increase the odds of this idea spreading to other states – and to more countries.

Information and warnings relating to climate and health at the point of sale of fossil fuels will help breaking the normality of filling our cars with gasoline or diesel, just like information and warnings on cigarette packages helped breaking the normality of smoking.

Seeing warnings or alarming information at the gas pump also helps bridging the gap between abstract long-term threats and the choices we make here and now. That may catalyse behaviour changes.

Of course, many measures are needed to end the fossil fuel era besides warning labels or eco-labels. They are small pieces of the puzzle. However, as renowned public health professors and environmental psychologists wrote in an [op-ed in BMJ](#) about the matter:

“Although individual action alone is insufficient to achieve the aims of the Paris Agreement, it is critical.”

Best regards,
Per Östborn

Campaign Manager, [Green Mobilists Sweden](#) (The Swedish Association of Green Motorists)
+46 (0)73 819 61 54, per.ostborn@gronamobilister.se

References

The BMJ, March 31, 2020: *We need health warning labels on points of sale of fossil fuels*
<https://blogs.bmj.com/bmj/2020/03/31/we-need-health-warning-labels-on-points-of-sale-of-fossil-fuels/>

The Guardian, December 25, 2020: *Massachusetts city to post climate change warning stickers at gas stations*
<https://www.theguardian.com/us-news/2020/dec/25/massachusetts-city-to-post-climate-change-warning-stickers-at-gas-stations>

The Guardian, October 1, 2021: *Swedish fuel retailers required to display eco-labels at pumps*
<https://www.theguardian.com/world/2021/oct/01/swedish-fuel-retailers-required-to-display-eco-labels-at-pumps>

SB-506-SD-1

Submitted on: 3/13/2023 7:34:20 PM

Testimony for EEP on 3/21/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Andrew Crossland	Individual	Oppose	Written Testimony Only

Comments:

I **strongly oppose** this silly and useless waste of taxpayer money to spread climate change propaganda at gas stations across the State.

SB-506-SD-1

Submitted on: 3/13/2023 8:29:00 PM

Testimony for EEP on 3/21/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Gerard Silva	Individual	Oppose	Written Testimony Only

Comments:

Fossil Fuels were made up by the Ellits. This is all Bull SHIT and you Idiots need to Go and Look this up. We have just as much Oil as we have Water on this planet!!!!!!

SB-506-SD-1

Submitted on: 3/15/2023 11:18:18 PM

Testimony for EEP on 3/21/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Cards Pintor	Individual	Support	Written Testimony Only

Comments:

Aloha,

I support this bill.

Mahalo nui,

Cards Pintor

SB-506-SD-1

Submitted on: 3/16/2023 7:58:38 AM

Testimony for EEP on 3/21/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Caroline Azelski	Individual	Support	Written Testimony Only

Comments:

In support of SD1. Thank you.

SB-506-SD-1

Submitted on: 3/19/2023 2:51:39 PM

Testimony for EEP on 3/21/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Hye-ryeon Lee	Individual	Support	Written Testimony Only

Comments:

My name is Hye-ryeon Lee and I live at 3094 Kaloaluiki Street in Manoa valley. I am a health communication researcher and on the faculty at the University of Hawaii at Manoa. I strongly support SB506, climate-health warning labels on gas pumps.

We all understand that public awareness about the role of gasoline and other fossil fuels in contributing to climate change is crucial in addressing this global issue. Increased public awareness can help individuals become more active in reducing their carbon footprint and consider shifting towards cleaner energy source. An important way to achieve increased public awareness is through putting warning labels on gasoline pumps, which can inform consumers about the negative impact of gasoline consumption on both environment and human health.

Some people may argue that citizens already know this, and the warning label may not be needed. However, years of health communication research provides strong evidence that repetition is necessary and important to influence individual's behavior. Knowledge alone does not prompt action and repeated cues and messages are imperative if we want to motivate people to act. Everyone knows that consuming food that is high in sugar is detrimental to one's health, yet often we will reach out for such food because that thought was not on top of our mind at that time. Marketing research also provide many evidence about the importance of repeated cues and messages. Well placed cues and messages are critically important in influencing people's cognition as well as their behaviors.

Likewise, properly placed warning messages at the right time and right place that reminds the linkage between gasoline consumption and environment and health will go a long way to keep providing necessary reminders to citizens to be mindful about how consumption of gasoline negatively impacts environment and health. While I recognize that a continued educational efforts as well as other policy efforts to slow down climate change and to protect our environment and health, warning labels on gas pumps is an important component to keep the issue salient in citizens' minds.

The great state of Hawaii is known for our strong commitment for sustainable environment. SB 506 is a good policy that reflects Hawaii's commitment to protect our environment and health. I strongly urge you to support SB 506.

Sincerely,

Hye-ryeon Lee

SB-506-SD-1

Submitted on: 3/20/2023 3:59:15 AM

Testimony for EEP on 3/21/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Patricia Nolan	Individual	Support	Remotely Via Zoom

Comments:

I am proud to serve on the Cambridge City Council which unanimously passed a local ordinance requiring gas pump labels in January of 2020. The labels are on every gas pump in the city. I was excited to vote for the ordinance, and to watch the first labels be distributed. I am excited that Hawaii is poised to become the first state to have gas pump labels. We pioneered this policy as a city, and hope that Hawaii will be the first state. I will continue to work to have our state follow you!

Several important items to note related to this bill. When we first contemplated a local ordinance, an opinion was sought from our legal counsel to ensure that the ordinance was appropriate from a legal perspective. The opinion was unequivocal that the city could inform consumers of the impact of using gas. Our ordinance is based on consumer education - it is important that consumers have information related to products they buy. As the country did with cigarette warning labels, now we should do with gas pump labels. The science on the impact of emission pollution is clear and solid: using fossil fuels creates emission pollution which has adverse consequences for our air, our health and our environment. We have a responsibility as policymakers to inform the public of the harms caused by products they buy. When we proposed the ordinance, there was considered discussion on why it was an important public policy benefit. We thoroughly deliberated, and passed the ordinance unanimously. since the placement of labels, we have only had positive feedback.

There has been no pushback from gas station operators. There has been support from the community, and I have heard no negative reaction from residents. The labels have been on pumps for almost three years, and are seen as a positive way that our city is working to ensure consumers know more and are informed. We owe it to our residents to be truthful, clear and direct. I urge the legislature to pass this bill and lead the way for the country.

TO: Members of the Committee on Energy & Environmental Protection

FROM: Natalie Iwasa
808-395-3233

HEARING: 9:30 a.m. Thursday, March 21, 2023

SUBJECT: SB 506, CD1 -Requiring Labels on Fuel Pumps - **OPPOSED**

Aloha Chair Lowen and Committee Members,

Thank you for allowing the opportunity to provide testimony on SB 506, CD1, which would require self-service stations to put labels on their fuel pumps specifying the impact of “fuel consumption.”

If you’re going to require labels on gas pumps, you should require labels on EV charging stations. Charging station labels could include any one or more of the following concerns.

- Transition to electric vehicles is estimated to require an 87,000% increase in supply of specific metals by 2060 that need to be mined initially According to IEA 2021 study, mineral supplies need to increase from 400 kilotonnes in 2020 to 11,800 kilotonnes in 2040 in order to cover the demand by EV. This increase creates a number of key challenges, from supply chain (as 60% of production is concentrated in China) to **significant impact on climate and environment** as result of such a large increase in mining operations.¹ (*Emphasis added.*)
- The manufacturing processes of lithium . . . **presents significant environmental and health hazards**. Lithium extraction **can be fatal to aquatic life due to [water pollution](#)**. It is known to cause **surface water contamination, drinking water contamination, respiratory problems, ecosystem degradation and landscape damage**. It also leads to unsustainable water consumption in arid regions (1.9 million liters per ton of lithium). Massive byproduct generation of lithium extraction also presents unsolved problems, such as large amounts of [magnesium](#) and [lime](#) waste.

In the United States, there is active competition between environmentally catastrophic [open-pit mining](#), [mountaintop removal mining](#) and less damaging [brine extraction mining](#) in an effort to drastically expand domestic lithium mining capacity. **Environmental concerns** include wildlife habitat degradation, potable water pollution including [arsenic](#) and [antimony](#) contamination, unsustainable [water table](#) reduction, and massive [mining waste](#), including radioactive [uranium](#) byproduct and [sulfuric acid](#) discharge.² (*Emphasis added.*)

Please vote “no” on SB 506, CD1.

¹ Wikipedia.org, https://en.wikipedia.org/wiki/Electric_vehicle_battery

² Wikipedia.org, <https://en.wikipedia.org/wiki/Lithium>