
A BILL FOR AN ACT

RELATING TO ENERGY.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that the protection of
2 the State's natural environment is of paramount importance. Act
3 246, Session Laws of Hawaii 1974, established environmental
4 requirements for certain types of projects. Subsequently, the
5 legislature passed Act 55, Session Laws of Hawaii 2004, which
6 amended the law regarding environmental requirements to include
7 power-generating facilities. However, Act 55 limited affected
8 power-generating facilities to those that generate electricity
9 using fossil fuel. After the passage of Act 55, further
10 research determined that the combustion of any type of fuel
11 creates air pollution that harms the natural environment and
12 human health. Therefore, addressing all types of fuel
13 combustion, rather than solely fossil fuel combustion, will
14 further protect the State's natural resources and overall public
15 health.



1 Accordingly, the purpose of this Act is to amend the types
2 of power-generating facilities that trigger an environmental
3 assessment.

4 SECTION 2. Section 343-2, Hawaii Revised Statutes, is
5 amended by amending the definition of "power-generating
6 facility" to read as follows:

7 ""Power-generating facility" means:

- 8 (1) A new~~[, fossil-fueled,]~~ combustion electricity-
9 generating facility, where the electrical output
10 rating of the new equipment exceeds 5.0 megawatts~~[+]~~,
11 including facilities not in commercial operation as of
12 January 1, 2024, that plan to operate commercially
13 after January 1, 2024; or
- 14 (2) An expansion in generating capacity of an existing~~[,~~
15 ~~fossil-fueled,]~~ combustion electricity-generating
16 facility, where the incremental electrical output
17 rating of the new equipment exceeds 5.0 megawatts~~[-]~~
18 and the additional capacity being added exceeds 5.0
19 megawatts."

20 SECTION 3. Statutory material to be repealed is bracketed
21 and stricken. New statutory material is underscored.



1 SECTION 4. This Act shall take effect on July 1, 3000.



Report Title:

Environmental Impact Assessments; Power-generating Facilities;
Combustion; Electricity

Description:

Amends the types of proposed power-generating facilities that trigger an environmental assessment to include new combustion electricity-generating facilities operating commercially after 1/1/2024 that were not previously operational and certain expansions in generating capacity of existing combustion electricity-generating facilities. Effective 7/1/3000. (HD1)

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