



COMMENTS ON SB2046 SD1
RELATING TO UNDERGROUND STORAGE TANKS

Ke Kōmike ‘Aha Kenekoa o ka Ho‘okolokolo
Ke Kapikala o Hawai‘i

Pepeluali 26, 2026

10:00AM

Lumi 016

Aloha e Chair Rhoads, Vice Chair Gabbard, and Members of the Senate Committee on Judiciary:

The Office of Hawaiian Affairs (OHA) offers **COMMENTS** on **SB2046 SD1**, which sets environmental restoration standards for the release of jet fuel from underground storage tanks. This measure is critical to safeguarding wai, our most vital natural and cultural resource, from contamination by jet fuel.

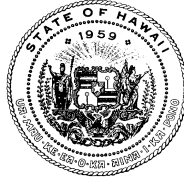
Since time immemorial, Native Hawaiians have understood wai as the foundation of life and wellbeing. The Hawai‘i State Constitution’s public trust doctrine enshrines and advances this principle by mandating the state manage Hawai‘i’s water resources for the benefit of present and *future* generations. See Art. XI, § 1.

The catastrophic November 2021 Red Hill fuel leak demonstrated the devastating consequences of regulatory failures that have allowed numerous fuel leaks to threaten O‘ahu’s precious sole-source aquifer. The Navy’s water system, which serves over 93,000 residents on O‘ahu, was contaminated by jet fuel that poisoned thousands of families—including Native Hawaiian households. To this day, families who drink from the contaminated water or who live in homes on the Navy’s water system experience severe health effects ranging from skin rashes and nausea to chronic illnesses.

These types of dire health effects threaten to extend across the island if contaminated water spreads throughout O‘ahu’s sole source aquifer. It is for this reason that the original version of SB2046 required complete clean up of contamination; to protect present and future generations from the harmful effects of drinking jet fuel and related contaminants.

Accordingly, OHA is concerned by amendments made to subsection (b), removing language that required the cleanup and removal of jet fuel “to levels below the detection limits of the best and most sensitive technology and methods available, with the goal of complete remediation.” Surrendering a commitment to restore our precious, irreplaceable wai is an unacceptable compromise that shirks the state’s duty to protect wai as a public trust resource, and uphold the principle of mālama ‘āina that reflects our kuleana to future generations.

Mahalo nui for the opportunity to testify on this critical issue. For the reasons stated above, OHA respectfully urges this committee to consider our concerns and pass the original version of **SB2046**.



STATE OF HAWAII
DEPARTMENT OF HEALTH
KA 'OIHANA OLAKINO
P. O. Box 3378
Honolulu, HI 96801-3378
doh.testimony@doh.hawaii.gov

WRITTEN
TESTIMONY ONLY

LATE

**Testimony COMMENTING on SB2046 SD1
RELATING TO UNDERGROUND STORAGE TANKS**

SENATOR KARL RHOADS, CHAIR
SENATE COMMITTEE ON JUDICIARY

Hearing Date, Time and Room Number: 02/26/2026, 10:00 am, 016

1 **Fiscal Implications:** Undetermined

2 **Department Position:** The Department of Health (Department) offers comments.

3 **Department Testimony:** The Environmental Management Division, Solid and Hazardous Waste
4 Branch (EMD-SHWB) provides the following testimony on behalf of the Department.

5 The Department works every day to protect public health and the environment. This
6 work includes holding parties responsible for pollution accountable to complete site
7 remediation, based on science and regulatory standards.

8 The Department appreciates the amendments adopted by the Committees on Health
9 and Human Services and Agriculture and Environment. These amendments would allow the
10 Department to require cleanup, "as much as practicable," instead of relying on laboratory
11 detection limits, which can vary by laboratory or test method. The adopted amendments will
12 allow the Department to require parties responsible to jet fuel releases to remediate the
13 releases beyond current risk-based criteria.

14 Please note that should this bill be enacted, jet fuel releases from underground storage
15 tanks would be treated differently than other petroleum releases from underground storage
16 tanks, or differently than jet fuel releases from non-underground storage tanks. Currently,

1 petroleum releases are remediated to risk-based clean-up criteria with consideration of
2 potential routes of exposure.

3 This measure will affect the Red Hill Bulk Fuel Storage Facility, at least one state facility,
4 one private facility, and three other military facilities if releases occur at those locations.

5 **Offered Amendments:** None

6 Thank you for the opportunity to testify on this measure.

**BOARD OF WATER SUPPLY
KA 'OIHANA WAI
CITY AND COUNTY OF HONOLULU**

630 SOUTH BERETANIA STREET • HONOLULU, HAWAII 96843
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RICK BLANGIARDI
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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
JONATHAN KANESHIRO, Vice Chair
LANCE WILHELM
JEFFREY LAUPOLA
EDWIN H. SNIFFEN, Ex-Officio
GENE C. ALBANO, P.E., Ex-Officio

February 26, 2026

The Honorable Karl Rhoads, Chair
and Members
Senate Committee on Judiciary
Hawaii State Capitol, Room 016
Honolulu, Hawaii 96813

Dear Chair Rhoads and Members:

Subject: Senate Bill 2046, SD 1: Relating to Underground Storage Tanks

The Board of Water Supply (BWS) strongly opposes the amendments made to Senate Bill (SB) 2046, Senate Draft (SD) 1, relating to underground storage tanks (UST). The BWS favors the original SB2046.

The SD1 version walks back the accountability and the levels of remediation needed to restore the environment. Replacing language that would have required the cleanup and removal of jet fuel, including jet fuel additives and compounds resulting from the degradation of jet fuel or jet fuel additives, etc. with language that requires the cleanup and removal to be done "as much as practicable" would allow a UST operator and the regulators to exercise subjective judgement.

The original version of this measure clarifies the level of environmental restoration that owners and operators of underground storage tanks or tanks systems must satisfy in the event of a confirmed release of jet fuel. Fuel and its additives are not a naturally occurring substance in our environment and should never be left in the environment just because current technology may not be available to achieve 100% removal. Stronger language regarding restoration will ensure UST owners and operators upkeep their facilities and assets to prevent contaminant releases.

The SD1 version does not include "rebuttable presumption" language. It is necessary to ensure accountability and timely restoration should a release happen again. With the rebuttable presumption, it ensures a sense of responsibility on all UST owners and operators to immediately implement clean up and investigate the leaks and potential causes. Whereas, without rebuttable presumption, additional time is required to sort through potential UST owners and operators in the area, investigate who is at fault, and then implement clean up and remediation. With each passing day that the contaminant is in the environment, it increases the potential spread of the contamination plume via soil, water ways, and air, and therefore ultimately increases the size and cost of remediation and restoration.

The Honorable Karl Rhoads, Chair
February 26, 2026
Page 2

Past releases of jet fuel and hazardous chemicals, from the Red Hill Bulk Fuel Storage Facility have not yet been fully recovered to date. The unrecovered contaminants will continue to pose a serious health and safety threat to the future of our environment, ecosystem, and sole-source aquifer that provides potable drinking water to our people across the island. The Red Hill Water Alliance Initiative (WAI) Report dated November 2023, supported by Governor Josh Green, State elected officials, Mayor Rick Blangiardi, City Council and subject matter experts on Red Hill, emphasized that contamination must not be present in our water resources and be fully remediated.

The original version of this measure will ensure Red Hill WAI mission are met through cleanup and removal of jet fuel, including jet fuel additives and compounds resulting from the degradation of jet fuel or jet fuel additives, or the reaction of jet fuel or jet fuel additives with water or other chemicals, as soon as practicable, with the goal of complete removal.

Thank you for the opportunity to testify in strong opposition of SB 2046, SD 1.

Very truly yours,



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



SENATE COMMITTEE ON JUDICIARY

February 26, 2026

10:00 AM

Conference Room 016

In **SUPPORT WITH AMENDMENTS** of **SB2046 SD1**: RELATING TO THE FUEL TANK ADVISORY COMMITTEE

Aloha Chair Rhoads, Vice Chair Gabbard, and Members of Judiciary Committee,

On behalf of our over 20,000 members and supporters, the Sierra Club of Hawai'i **SUPPORTS WITH AMENDMENTS SB2046 SD1**, which seeks to set a standard for remediation of jet fuel released into the environment from an underground storage tank system, including but not limited to the Red Hill Bulk Fuel Underground Storage Facility.

Over four years since the Red Hill catastrophe, the Navy has still provided no meaningful strategy or specific plans for the remediation of the harm it has inflicted upon our water - and that of our children, grandchildren, and future generations. The Red Hill WAI Policy Coordinator has only identified an unpublished, unreviewed study on bacteria found in O'ahu's soil that could biodegrade – but not necessarily bioremediate - JP-5 (and none of the other compounds released from the Red Hill Facility), without any investigation into the continued toxicity of the degraded fuel or strategy for using such bacteria for groundwater remediation; meanwhile, the “soil vapor extraction” pilot program put forward by the Navy will have no effect the contamination plume in O'ahu's sole-source aquifer. It is far past time for the legislature to intervene and take a stand for our 'āina, wai, and people – including generations yet unborn, who may otherwise inherit an aquifer that was contaminated on our generation's watch.

To be clear: there should be no jet fuel in the precious, sacred, and pure (or once pure) wai that our islands have blessed us with. **Unfortunately, the Department of Health's continual resistance to this reasonable expectation has resulted in this measure being amended to the point of being practically unenforceable.** The “as much as practicable” standard in the current SD1 draft of this measure, incorporated at the behest of the Department, is so ambiguous that both the Department of Health and Navy could allow any amount of contamination to remain in our environment, and in our water, for generations – claiming that any further cleanup would be “impracticable” for any number of reasons (lack of funding, failure to invest in remediation research, etc.). **Both this ambiguous and unenforceable standard as well as the removal of the rebuttable presumption in the original draft of this measure would also allow the Navy to hide behind a legal system that has already excused it from true accountability for the physical, emotional, and professional harms suffered by thousands of Red Hill-impacted individuals, including children.**



Accordingly, the Sierra Club urges the Committee to stand with the elected and agency leaders in the Red Hill Water Alliance Initiative, the Hawai'i community as a whole, and our home and 'āina itself, by adopting a clear, simple, and common sense standard for the clean up of the Navy's mess, as described below:

By amending page 3, lines 11-16, to read as follows:

"(b) Restoration of the environment from a release of jet fuel from an underground storage tank or tank system with a storage capacity greater than one million gallons, as described in subsection (a)(3), shall require the cleanup and removal of jet fuel, including jet fuel additives and compounds resulting from the degradation of jet fuel or jet fuel additives, or the reaction of jet fuel or jet fuel additives with water or other chemicals, to levels below the detectable limit of the best available detection technology.

(c) For the purposes of subsection (b), it shall be a rebuttable presumption that the detection of any amount of jet fuel, jet fuel additives, or compounds derived from jet fuel or jet fuel additives in the environment or groundwater in the vicinity of an underground storage tank or tank system, after a confirmed release from an underground storage tank or tank system, is the result of the confirmed release."

Accordingly, the Sierra Club of Hawai'i respectfully but strongly urges the Committee to **PASS SB2046 SD1 WITH THE AMENDMENTS** described above. Mahalo nui for the opportunity to testify.



‘Ahahui o nā Kauka

677 Ala Moana Blvd., Suite 1015

Honolulu HI 96813

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E-mail huikauka@gmail.com

2025-2026 Advocacy Committee

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President*

*Kapono Chong-Hanssen, MD
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Natalie Young-Albanese, MD

Jordan Lee, MD

February 24, 2026

COMMITTEE ON JUDICIARY

Senator Karl Rhoads, Chair

Senator Mike Gabbard, Vice Chair

Group Testimony in Support of

SB2046SD1 RELATING TO UNDERGROUND STORAGE TANKS

Mōhala i ka wai ka maka o ka pua

“Unfolded by the water are the faces of flowers.”

Meaning: Flowers thrive where there is water, as thriving people are found where living conditions are good.

‘Ahahui o nā Kauka (the Association of Native Hawaiian Physicians) supports the effort to ensure remediation of the contamination wrought by the United States Navy’s Bulk Fuel Storage Facility at Kapūkakī, commonly referred to as “Red Hill” in modern times, by creating an enforceable legal standard. Safe drinking water is the foundation of health for all humans, and in Hawaiian culture carries even more significance as the base for our word for “wealth,” as our ancestors clearly knew people cannot thrive without safe water to nourish our bodies and the land. After over a century of hosting the US Navy’s military interests, Hawai’i and its people deserve to be treated as more than military assets left to suffer the harms of infrastructure neglect. As Native Hawaiian physicians, we refuse to turn a blind eye to physical and mental health effects this facility poses to our patients and communities not only by contaminating a large portion of the water supply but also by destroying the faith people had in the safety of our water.

SB-2046-SD-1

Submitted on: 2/24/2026 3:26:45 PM

Testimony for JDC on 2/26/2026 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Janice K T Shiira	Testifying for Shimanchu Wai Protectors	Support	Written Testimony Only

Comments:

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SB-2046-SD-1

Submitted on: 2/24/2026 3:50:29 PM

Testimony for JDC on 2/26/2026 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
John & Rita Shockley	Testifying for Free Access Coalition	Support	Written Testimony Only

Comments:

Aloha!

The Free Access Coalition supports SB2046 because of the importance of free public access to Hawaii's drinking water. This bill needs to have language changes that force the Navy or any other polluter to be responsible for any clean-up of spills.

From the Sierra Club, O'ahu:

"As originally drafted, this bill would have made clear that any jet fuel released from an underground storage tank system - such as the Red Hill Bulk Fuel Storage Facility - must be completely cleaned up.

Unfortunately, Hawai'i Department of Health testimony in the last hearing resulted in amendments that replaced its clear, enforceable, and common sense standard for jet fuel remediation with a vague and practically unenforceable "as much as practicable" standard. This change, combined with the removal of a rebuttable presumption regarding the source of jet fuel surrounding an underground storage tank facility after a confirmed release, all but assures that the Navy will evade true accountability for the Red Hill catastrophe."

Mahalo for your consideration.



Hawaii Legislative Council Members

Joell Edwards
Wainiha Country Market
Hanalei

Russell Ruderman
Island Naturals
Hilo/Kona

Dr. Andrew Johnson
Niko Niko Family Dentistry
Honolulu

Robert H. Pahia
Hawaii Taro Farm
Wailuku

Maile Meyer
Honolulu

Tina Wildberger
Kihei Ice
Kihei

L. Malu Shizue Miki
Abundant Life Natural Foods
Hilo

Senator Karl Rhoads, Chair
Senator Mike Gabbard, Vice Chair
Committee on Judiciary

Thursday, February 26, 2026
10:00AM Conference Room 016

RE: SB2046 SD1 - No Jet Fuel in Water - Support

Dear Chair Rhoads, Vice Chair Gabbard, and Members of the Committee,

The Chamber of Sustainable Commerce respectfully submits support for SB2046 SD1, with amendments. The Chamber of Sustainable Commerce represents more than 580 small businesses, sole proprietors and entrepreneurs across Hawai'i committed to a triple bottom line: people, planet and prosperity.

Four years after the Red Hill catastrophe, Hawai'i still lacks a clear, enforceable remediation standard for the jet fuel released into our environment and our sole-source aquifer. For a state that depends on clean water for public health, food systems, tourism, and local enterprise, this absence of accountability is deeply concerning.

Small businesses cannot thrive in a contaminated economy. Our farmers, food producers, hospitality workers, healthcare providers, and families all depend on clean, abundant wai.

The current "as much as practicable" language in SD1 is too vague to ensure real restoration. An ambiguous standard creates room for delay, underinvestment in remediation research, and the normalization of residual contamination.

A regenerative economy requires clear boundaries and measurable standards. We therefore urge the Committee to restore strong cleanup language requiring remediation to below detectable limits using the best available technology, and to reinstate the rebuttable presumption tying detected contamination to confirmed releases.

Chamber of
Sustainable Commerce
808.445.7606
P.O. Box 22394
Honolulu, HI 96823

www.ChamberofSustainableCommerce.org

If we fail to set a clear standard now, we risk leaving future generations an aquifer compromised on our watch.

Clean water is not negotiable. It is foundational infrastructure – ecological, economic, and moral.

The Chamber of Sustainable Commerce respectfully urges you to *PASS SB2046 SD1 with the proposed amendments.*

www.ChamberOfSustainableCommerce.org

SB-2046-SD-1

Submitted on: 2/24/2026 7:28:24 PM

Testimony for JDC on 2/26/2026 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Nako?olani Warrington	Testifying for Kupuna for the Moopuna	Comments	Written Testimony Only

Comments:

SB 2046 SD1 – PLEASE PASS WITH CRITICAL AMENDMENTS

We, Kūpuna for the Mo‘opuna, a hui of Hawaiian Homes Commission Act kūpuna beneficiary farmers from Pana‘ewa, Hawai‘i, **strongly urge you to PASS, WITH CRITICAL AMENDMENTS, SB 2046 SD 1.**

Please move this bill forward with original language in SB 2046 to ensure NO jet fuel will be in our drinking water! Mahalo.

LATE



Hawaii's Thousand Friends

335 Hahani Street #342132 * Kailua, HI 96734 * Phone/Fax (808) 262-0682 E-Mail: htf3000@gmail.com

February 26, 2026

COMMITTEE ON JUDICIARY

Senator Karl Rhoads, Chair

Senator or Mike Gabbard, Vice Chair

Members of the Committee

SB 2046 SD1

RELATING TO UNDERGROUND STORAGE TANKS

Hawaii's Thousand Friends, a statewide non-profit water and land use planning organization dedicated to protecting the environment, human health, and cultural and natural resources supports the original SB 2046, which was clear that the criteria were to completely clean up oil spills released from underground storage tanks.

Amendments in SD1 have weakened the criterion such as the removal of the clear "goal of complete remediation" in section (b) and replaced with "as much as practicable. "

The Red Hill underground tanks spill was a shock. Residents have come to believe in and rely on the purity of our drinking water. After this experience we are aware of how precious and vulnerable our island's drinking water is. We can't and won't go back to ignorance of what can happen in the future. Thus, any law passed must have clear and enforceable remediation standards.

We urge the committee to help ensure that our islands vulnerable drinking water and Hawaii's residents are protected from jet fuel contamination by reinstating sections (b) and (c) into SB 2046 SD2.

SB-2046-SD-1

Submitted on: 2/25/2026 1:48:22 PM

Testimony for JDC on 2/26/2026 10:00:00 AM

LATE

Submitted By	Organization	Testifier Position	Testify
Angela Chon	Testifying for SIERRA	Support	Written Testimony Only

Comments:

Aloha Chair Rhoads, Vice Chair Gabbard, and Members of the Senate Judiciary Committee,

My name is Angela Chon and I strongly urge you to PASS, WITH CRITICAL AMENDMENTS, SB2046 SD1.

As originally drafted, this bill would have made clear that any jet fuel released from an underground storage tank system - such as the Red Hill Bulk Fuel Storage Facility - must be completely cleaned up.

Unfortunately, Hawai'i Department of Health testimony in the bill's last hearing resulted in amendments that replaced its clear, enforceable, and common sense standard for jet fuel remediation with a vague and practically unenforceable "as much as practicable" standard. The Health Department was also able to remove a reasonable, rebuttable presumption regarding the source of jet fuel surrounding an underground storage tank facility, after a confirmed release. These changes all but assure that the Navy will evade true accountability for the Red Hill catastrophe.

There should be NO jet fuel in our precious and once-pure drinking water or in our environment, especially when it has been released by the reckless operation of a decrepit underground storage tank facility after years of objections by Hawai'i's residents. Fortunately, setting environmental policy and standing up for our future generations' wai is your - and our - prerogative, not the Health Department's.

Please stand with the elected and agency officials of the Red Hill Water Alliance Initiative, the O'ahu community, and all who care about our precious wai, and ensure that SB2046 SD1 moves

forward with the clear and enforceable remediation standard and rebuttable presumption found in the original, common sense draft of this measure. If overbreadth is a concern, I respectfully recommend including a provision that would limit this remediation requirement to underground storage tank systems with a capacity of 1 million gallons or more.

Sincerely,
Angela Chon



LATE

Senate Committee on Judiciary

Hawai'i Alliance for Progressive Action (HAPA) Support: SB2046

Thursday, February 26, 2026 10:00 a.m. Conference Room 016

Aloha Chair Rhoads, Vice Chair Gabbard and Members of the Committee,

HAPA submits testimony in **support of SB2046 SD1** which requires an owner or operator of an underground storage tank or tank system with a confirmed release to meet certain standards for the restoration of the environment. We agree with the legislature in that the contamination of local groundwater and drinking water sources with jet fuel from underground storage tanks must not be tolerated.

The legislature also found that the State's freshwater resources have been recognized as sacred and essential to all life, and "the protection and careful stewardship of Hawaii's wai has been a priority of kānaka 'ōiwi culture and governance since time immemorial." This is supported by the Hawai'i State constitution's public trust doctrine which mandates Hawai'i's resources be preserved and protected.

The release of jet fuel and fire suppressant chemicals from the Red Hill bulk fuel facility resulted in detection of chemical contaminants in local groundwater and drinking water sources is unacceptable and has resulted in degradation of natural environment and resources. Community, organizations, and officials emphasized that this contamination must not be present in water. Hawai'i Department of Health testimony in the last hearing resulted in amendments that replaced clear, enforceable, and common sense standard for jet fuel remediation with a vague and practically unenforceable "as much as practicable" standard.

Standing in support of the elected agency officials of the Red Hill Water Alliance Initiative, concerned organizations, our community members on O'ahu, and all other concerned individuals, we urge the committee to amend the current version of this bill to amend the bill to restore the clear and enforceable remediation standard and rebuttable presumption found in the original draft of this measure with aforementioned amendment if more appropriate.

Thank you for your consideration.

Respectfully,

A handwritten signature in black ink, appearing to read 'Anne Frederick', is written over a light blue horizontal line.

Anne Frederick, Executive Director

SB-2046-SD-1

Submitted on: 2/23/2026 7:22:12 PM

Testimony for JDC on 2/26/2026 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Ellen Carson	Individual	Support	Written Testimony Only

Comments:

I suport this bill. It is essential for our residnets and future generations to be able to rely on clean water in our aquifers, not contaminated by underground storage tanks

SB-2046-SD-1

Submitted on: 2/24/2026 12:32:27 AM

Testimony for JDC on 2/26/2026 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Johnnie-Mae L. Perry	Individual	Support	Written Testimony Only

Comments:

I, Johnnie-Mae L. Perry, Support

2046 SB RELATING TO UNDERGROUND STORAGE TANKS.

INCLUDING BUT NOT LIMITED TO THE U. S. A. MILITARY BRANCHES OF SERVICE

Re: SB 2046 SD 1

Aloha!

While the SECTION 2, subsection (4) (b) wording (see below), makes it clearer what chemicals and sub-compounds need to be cleaned up, the “as much as practicable” term remains vague.

Substituting that phrase with “to the most current and stringent federal EPA or state DOH guideline available” would be clearer and enforceable.

Mahalo,

Melanie Lau, MD

Fuel Tank Advisory Committee (FTAC) public member

(b) Restoration of the environment, as described in subsection (a) (3), shall require the cleanup and removal of jet fuel, including jet fuel additives and compounds resulting from the degradation of jet fuel or jet fuel additives, or the reaction of jet fuel or jet fuel additives with water or other chemicals, **as much as practicable.**"



Environmental Caucus of The Democratic Party of Hawai'i

Tuesday, February 24, 2026

To: Senator Karl Rhoads, Chair, Senate Judiciary Committee
Senator Mike Gabbard, Vice Chair, Senate Judiciary Committee
Members of the Senate Judiciary Committee

Re: SB 2046 – Underground Storage Tanks
Thursday, February 26, 2026, 10:00 am, Conference Room 016

Position: Support with Amendments

Aloha, Chair Rhoads, Vice Chair Gabbard, and Members of the Senate Judiciary Committee!

The Environmental Caucus of the Democratic Party of Hawai'i has an enrolled membership of approximately 6,680 members of the Democratic Party. We actively participate in monitoring the legislative process and have been highly focused on the US Navy's contamination of O'ahu's groundwater caused by leakage from the massive underground fuel storage tanks (USTs) at Red Hill. The aquifer has been contaminated, and we must actively work on remediation.

Part of that remediation process can be found in SB 2046 if it is enacted into law. However, SB 2046 SD1 needs to be amended back to its original form. Accordingly, the Caucus respectfully requests restoration of the critical protections contained in the original version of the bill.

SB 2046 addresses the ongoing threat posed by underground storage tank releases, particularly jet fuel contamination from the Red Hill facility. The original bill appropriately required that contamination be cleaned up to below detection limits using the best available technology, with the goal of complete remediation, and it established a rebuttable presumption that contamination detected after a confirmed release is attributable to that release.

As reflected in the committee report, SB2046 SD1 significantly weakens these protections. SD1 replaces the strong cleanup requirement with the vague standard of cleanup "as much as practicable," and it removes the rebuttable presumption entirely. These changes undermine the State's commitment that there should be no acceptable level of jet fuel in our *wai*, and they make it harder to ensure full remediation and accountability for contamination events.

For these reasons, the Environmental Caucus respectfully requests the following amendments:



Senate Judiciary Committee

Re: SB 2046 – Underground Storage Tanks

Feb. 24, 2026 for Decision-making Feb. 26, 2026

Page 2

1. Restore the original cleanup standard requiring remediation to below detection limits using the best available technology, with the goal of complete remediation.
2. Reinstate the rebuttable presumption that contamination detected after a confirmed release is attributable to that release unless proven otherwise.

With these amendments, SB 2046 will once again reflect the strong environmental protections necessary to safeguard Hawai'i's drinking water and groundwater resources.

Respectfully,

Alan B. Burdick, Co-Chair, burdick808@gmail.com

Mike Ewall, Co-Chair, mike@energyjustice.net

Melodie Aduja, Co-Chair *Emerita*, legislativepriorities@gmail.com

Respectfully,

Alan B. Burdick, Co-Chair

Mike Ewall, Co-Chair

Melodie Aduja, Co-Chair *Emerita*

SB-2046-SD-1

Submitted on: 2/24/2026 1:31:47 PM

Testimony for JDC on 2/26/2026 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Derek Kamakanaaloha Soong	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Rhoads, Vice Chair Gabbard, and Members of the Senate Judiciary Committee,

My name is Derek Kamakanaaloha Soong and I strongly urge you to PASS, WITH CRITICAL AMENDMENTS, SB2046 SD1.

As originally drafted, this bill would have made clear that any jet fuel released from an underground storage tank system - such as the Red Hill Bulk Fuel Storage Facility - must be completely cleaned up.

Unfortunately, Hawai‘i Department of Health testimony in the bill's last hearing resulted in amendments that replaced its clear, enforceable, and common sense standard for jet fuel remediation with a vague and practically unenforceable “as much as practicable” standard. The Health Department was also able to remove a reasonable, rebuttable presumption regarding the source of jet fuel surrounding an underground storage tank facility, after a confirmed release. These changes all but assure that the Navy will evade true accountability for the Red Hill catastrophe.

There should be NO jet fuel in our precious and once-pure drinking water or in our environment, especially when it has been released by the reckless operation of a decrepit underground storage tank facility after years of objections by Hawai‘i's residents. Fortunately, setting environmental policy and standing up for our future generations' wai is your - and our - prerogative, not the Health Department's.

Please stand with the elected and agency officials of the Red Hill Water Alliance Initiative, the O‘ahu community, and all who care about our precious wai, and ensure that SB2046 SD1 moves forward with the clear and enforceable remediation standard and rebuttable presumption found in the original, common sense draft of this measure. If overbreadth is a concern, I respectfully recommend including a provision that would limit this remediation requirement to underground storage tank systems with a capacity of 1 million gallons or more.

Sincerely,

Derek Kamakanaaloha Soong

SB-2046-SD-1

Submitted on: 2/24/2026 1:32:29 PM

Testimony for JDC on 2/26/2026 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Kealii Pang, Ph.D.	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Rhoads, Vice Chair Gabbard, and Members of the Committee,

My name is Keali‘i Pang. As a water user on O‘ahu, the Red Hill fuel tank leak was a devastating experience for me, causing significant anxiety for my family's health and our future. I have watched the complexities of overlapping jurisdictions between federal, state, and local governments fail to live up to public scrutiny. It is now up to this Legislature to ensure that the best freshwater in the world is protected for future generations.

I strongly urge you to PASS, WITH CRITICAL AMENDMENTS, SB2046 SD1.

While I support the intent of the bill, the current SD1 draft contains language that undermines the safety of our aquifer. Specifically, I am concerned with Section 2, subsection (b) (Page 3, line 19), which requires cleanup only "as much as practicable."

As a resident, "practicable" is a dangerous word. It allows the Navy or any polluter to argue that a full cleanup is too expensive or technically difficult, leaving jet fuel in our source of life. There should be NO jet fuel in our *wai*. We must return to a clear, enforceable standard of full remediation.

Furthermore, the current draft lacks the rebuttable presumption found in the original version. Without this, the burden falls on our local agencies and community to prove the source of contamination, rather than holding the facility operator accountable for the surrounding environment after a confirmed release.

I respectfully request the following amendments to SB2046 SD1:

1. Remove "as much as practicable" from Section 2(b) and restore the requirement for full environmental restoration.
2. Restore the rebuttable presumption language to ensure accountability for facility operators.
3. Capacity Threshold: If the committee is concerned about the bill being too broad, I recommend limiting these strict requirements to underground storage tank systems with a capacity of 1 million gallons or more to ensure it captures massive facilities like Red Hill.

Setting environmental policy and standing up for our *wai* is the prerogative of this body. Please stand with the O‘ahu community and ensure this bill moves forward with the strength originally intended.

Mahalo,

Keali‘i Pang, Ph.D.

Kaimukī, O‘ahu

SB-2046-SD-1

Submitted on: 2/24/2026 1:36:15 PM

Testimony for JDC on 2/26/2026 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Malia Marquez	Individual	Support	Written Testimony Only

Comments:

Aloha Kākou Chair Rhoads, Vice Chair Gabbard, and Members of the Senate Judiciary Committee,

My name is Malia Marquez and I strongly urge you to **PASS, WITH CRITICAL AMENDMENTS**, SB2046 SD1.

As originally drafted, this bill would have made clear that any jet fuel released from an underground storage tank system - such as the Red Hill Bulk Fuel Storage Facility - must be completely cleaned up.

Unfortunately, Hawai‘i Department of Health testimony in the bill's last hearing resulted in amendments that replaced its clear, enforceable, and common sense standard for jet fuel remediation with a vague and practically unenforceable “as much as practicable” standard. The Health Department was also able to remove a reasonable, rebuttable presumption regarding the source of jet fuel surrounding an underground storage tank facility, after a confirmed release. These changes all but assure that the Navy will evade true accountability for the Red Hill catastrophe.

There should be NO jet fuel in our precious and once-pure drinking water or in our environment, especially when it has been released by the reckless operation of a decrepit underground storage tank facility after years of objections by Hawai‘i's residents. Fortunately, setting environmental policy and standing up for our future generations' wai is your - and our - prerogative, not the Health Department's.

Please stand with the elected and agency officials of the Red Hill Water Alliance Initiative, the O‘ahu community, and all who care about our precious wai, and **ensure that SB2046 SD1 moves forward with the clear and enforceable remediation standard and rebuttable presumption found in the original, common sense draft of this measure.** If overbreadth is a concern, I respectfully recommend including a provision that would limit this remediation requirement to underground storage tank systems with a capacity of 1 million gallons or more.

Me ka ha'aha'a,

Malia Marquez

SB-2046-SD-1

Submitted on: 2/24/2026 1:47:13 PM

Testimony for JDC on 2/26/2026 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Madonna Dizon	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Rhoads, Vice Chair Gabbard, and Members of the Senate Judiciary Committee,

My name is Kaleookamahina aka Madonna Dizon. I strongly support SB2046 SD1. I urge you to PASS, WITH CRITICAL AMENDMENTS, SB2046 SD1.

As originally drafted, this bill would have made clear that any jet fuel released from an underground storage tank system - such as the Red Hill Bulk Fuel Storage Facility - must be completely cleaned up.

Unfortunately, Hawai'i Department of Health testimony in the bill's last hearing resulted in HEWA amendments that replaced its clear, enforceable, and common sense standard for jet fuel remediation with a vague and practically unenforceable "as much as practicable" standard. The Health Department was also able to remove a reasonable, rebuttable presumption regarding the source of jet fuel surrounding an underground storage tank facility, after a confirmed release. These changes all but assure that the Navy will evade true accountability for the Red Hill catastrophe.

There should be NO jet fuel in our precious and once-pure drinking water or in our environment, especially when it has been released by the reckless operation of a decrepit underground storage tank facility after years of objections by Hawai'i's residents. Fortunately, setting environmental policy and standing up for our future generations' wai is your - and our - prerogative, not the Health Department's.

Please stand with the elected and agency officials of the Red Hill Water Alliance Initiative, the O'ahu community, and all who care about our precious wai, and ensure that SB2046 SD1 moves forward with the clear and enforceable remediation standard and rebuttable presumption found in the original, common sense draft of this measure. If overbreadth is a concern, I respectfully recommend including a provision that would limit this remediation requirement to underground storage tank systems with a capacity of 1 million gallons or more.

Respectfully submitted,
Kaleookamahina aka Madonna Dizon

SB-2046-SD-1

Submitted on: 2/24/2026 2:04:25 PM

Testimony for JDC on 2/26/2026 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
DIANE CHOY FUJIMURA	Individual	Support	Written Testimony Only

Comments:

/Cmd+V

Aloha Chair Rhoads, Vice Chair Gabbard, and Members of the Senate Judiciary Committee,

My name is Diane Choy Fujimura and I strongly urge you to **PASS, WITH CRITICAL AMENDMENTS**, SB2046 SD1.

The Hawaii Department of Health is proving to be an unreliable steward for clean water, and for continuing to coddle the NAVY, consistently watering down the full responsibility of the Navy to fully remediate the Red Hill debacle for our future generations.

As originally drafted, this bill would have made clear that any jet fuel released from an underground storage tank system - such as the Red Hill Bulk Fuel Storage Facility - must be completely cleaned up.

Unfortunately, Hawai‘i Department of Health testimony in the bill's last hearing resulted in amendments that replaced its clear, enforceable, and common sense standard for jet fuel remediation with a vague and practically unenforceable “as much as practicable” standard. The Health Department was also able to remove a reasonable, rebuttable presumption regarding the source of jet fuel surrounding an underground storage tank facility, after a confirmed release. These changes all but assure that the Navy will evade true accountability for the Red Hill catastrophe.

There should be NO jet fuel in our precious and once-pure drinking water or in our environment, especially when it has been released by the reckless operation of a decrepit underground storage tank facility after years of objections by Hawai‘i's residents. Fortunately, setting environmental policy and standing up for our future generations' wai is your - and our - prerogative, not the Health Department's.

Please stand with the elected and agency officials of the Red Hill Water Alliance Initiative, the O‘ahu community, and all who care about our precious wai, and **ensure that SB2046 SD1 moves forward with the clear and enforceable remediation standard and rebuttable presumption found in the original, common sense draft of this measure.** If overbreadth is a concern, I respectfully recommend including a provision that would limit this remediation requirement to underground storage tank systems with a capacity of 1 million gallons or more.

Sincerely,

Diane Choy Fujimura

SB-2046-SD-1

Submitted on: 2/24/2026 2:54:21 PM

Testimony for JDC on 2/26/2026 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
William Reese Liggett	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Rhoads, Vice Chair Gabbard, and Members of the Senate Judiciary Committee,

My name is William Reese Liggett and I strongly urge you to **PASS, WITH CRITICAL AMENDMENTS**, SB2046 SD1.

As originally drafted, this bill would have made clear that any jet fuel released from an underground storage tank system - such as the Red Hill Bulk Fuel Storage Facility - must be completely cleaned up.

Unfortunately, Hawai'i Department of Health testimony in the bill's last hearing resulted in amendments that replaced its clear, enforceable, and common sense standard for jet fuel remediation with a vague and practically unenforceable "as much as practicable" standard. The Health Department was also able to remove a reasonable, rebuttable presumption regarding the source of jet fuel surrounding an underground storage tank facility, after a confirmed release. These changes all but assure that the Navy will evade true accountability for the Red Hill catastrophe.

There should be NO jet fuel in our precious and once-pure drinking water or in our environment, especially when it has been released by the reckless operation of a decrepit underground storage tank facility after years of objections by Hawai'i's residents. Fortunately, setting environmental policy and standing up for our future generations' wai is your - and our - prerogative, not the Health Department's.

Please stand with the elected and agency officials of the Red Hill Water Alliance Initiative, the O'ahu community, and all who care about our precious wai, and **ensure that SB2046 SD1**

moves forward with the clear and enforceable remediation standard and rebuttable presumption found in the original, common sense draft of this measure. If overbreadth is a concern, I respectfully recommend including a provision that would limit this remediation requirement to underground storage tank systems with a capacity of 1 million gallons or more.

Sincerely,

William Reese Liggett

SB-2046-SD-1

Submitted on: 2/24/2026 3:09:01 PM

Testimony for JDC on 2/26/2026 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Clinton Brewer	Individual	Support	Written Testimony Only

Comments:

For the future generations we must begin now.

SB-2046-SD-1

Submitted on: 2/24/2026 3:20:16 PM

Testimony for JDC on 2/26/2026 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Leah Bremer	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Rhoads, Vice Chair Gabbard, and Members of the Senate Judiciary Committee,

My name is Leah Bremer and I strongly urge you to **PASS, WITH CRITICAL AMENDMENTS**, SB2046 SD1.

As originally drafted, this bill would have made clear that any jet fuel released from an underground storage tank system - such as the Red Hill Bulk Fuel Storage Facility - must be completely cleaned up.

The Hawai'i Department of Health testimony in the last hearing resulted in amendments that replaced its clear, enforceable, and common sense standard for jet fuel remediation with a vague and practically unenforceable "as much as practicable" standard. This change, combined with the removal of a rebuttable presumption regarding the source of jet fuel surrounding an underground storage tank facility after a confirmed release, all but assures that the Navy will evade true accountability for the Red Hill catastrophe.

The Navy must not be allowed to ignore the harms it has inflicted on our land and waters. There should be NO jet fuel in our environment, especially when it has been released by the reckless operation of a decrepit underground storage tank facility after years of objections by Hawai'i's residents.

Please stand with the elected and agency officials of the Red Hill Water Alliance Initiative, the O'ahu community, and all who care about our precious wai, and ensure that SB2046 SD1 moves forward with the clear and enforceable remediation standard and rebuttable presumption found in the original draft of this common sense measure. If overbreadth is a concern, I respectfully recommend including provisions that would limit this requirement to underground storage tank systems with a capacity of 1 million gallons or more.

Sincerely,
Leah Bremer

SB-2046-SD-1

Submitted on: 2/24/2026 3:24:52 PM

Testimony for JDC on 2/26/2026 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Anne Lorenzo	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Rhoads, Vice Chair Gabbard, and Members of the Senate Judiciary Committee,

My name is Anne M. Lorenzo and I strongly urge you to **PASS, WITH CRITICAL AMENDMENTS**, SB2046 SD1.

As originally drafted, this bill would have made clear that any jet fuel released from an underground storage tank system - such as the Red Hill Bulk Fuel Storage Facility - must be completely cleaned up.

Unfortunately, Hawai‘i Department of Health testimony in the last hearing resulted in amendments that replaced its clear, enforceable, and common sense standard for jet fuel remediation with a vague and practically unenforceable “as much as practicable” standard. This change, combined with the removal of a rebuttable presumption regarding the source of jet fuel surrounding an underground storage tank facility after a confirmed release, all but assures that the Navy will evade true accountability for the Red Hill catastrophe.

After having ignored years of public outcry, whistleblower complaints, and basic common sense prior to the 2021 catastrophe, the Navy must not be allowed to ignore the harms it has inflicted on our ‘āina and wai. There should be NO jet fuel in our precious and once-pure drinking water or in our environment, especially when it has been released by the reckless operation of a decrepit underground storage tank facility after years of objections by Hawai‘i’s residents.

Please stand with the elected and agency officials of the Red Hill Water Alliance Initiative, the O‘ahu community, and all who care about our precious wai, and ensure that SB2046 SD1 moves forward with the clear and enforceable remediation standard and rebuttable presumption found in the original draft of this common sense measure. If overbreadth is a concern, I respectfully recommend including provisions that would limit this requirement to underground storage tank systems with a capacity of 1 million gallons or more.

Sincerely,
Anne M. Lorenzo

SB-2046-SD-1

Submitted on: 2/24/2026 3:28:53 PM

Testimony for JDC on 2/26/2026 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Marshall Hung	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Rhoads, Vice Chair Gabbard, and Members of the Senate Judiciary Committee,

My name is Marshall Hung and I strongly urge you to **PASS, WITH CRITICAL AMENDMENTS**, SB2046 SD1.

As originally drafted, this bill would have made clear that any jet fuel released from an underground storage tank system - such as the Red Hill Bulk Fuel Storage Facility - must be completely cleaned up.

Unfortunately, Hawai‘i Department of Health testimony in the bill's last hearing resulted in amendments that replaced its clear, enforceable, and common sense standard for jet fuel remediation with a vague and practically unenforceable “as much as practicable” standard. The Health Department was also able to remove a reasonable, rebuttable presumption regarding the source of jet fuel surrounding an underground storage tank facility, after a confirmed release. These changes all but assure that the Navy will evade true accountability for the Red Hill catastrophe.

There should be NO jet fuel in our precious and once-pure drinking water or in our environment, especially when it has been released by the reckless operation of a decrepit underground storage tank facility after years of objections by Hawai‘i's residents. Fortunately, setting environmental policy and standing up for our future generations' wai is your - and our - prerogative, not the Health Department's.

Please stand with the elected and agency officials of the Red Hill Water Alliance Initiative, the O‘ahu community, and all who care about our precious wai, and **ensure that SB2046 SD1 moves forward with the clear and enforceable remediation standard and rebuttable presumption found in the original, common sense draft of this measure**. If overbreadth is a concern, I respectfully recommend including a provision that would limit this remediation requirement to underground storage tank systems with a capacity of 1 million gallons or more.

Sincerely,

Marshall Hung

SB-2046-SD-1

Submitted on: 2/24/2026 3:39:20 PM

Testimony for JDC on 2/26/2026 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
irene kloepfer	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Rhoads, Vice Chair Gabbard, and Members of the Senate Judiciary Committee,

My name is Irene and I strongly urge you to **PASS, WITH CRITICAL AMENDMENTS**, SB2046 SD1.

As originally drafted, this bill would have made clear that any jet fuel released from an underground storage tank system - such as the Red Hill Bulk Fuel Storage Facility - must be completely cleaned up.

Unfortunately, Hawai‘i Department of Health testimony in the last hearing resulted in amendments that replaced its clear, enforceable, and common sense standard for jet fuel remediation with a vague and practically unenforceable “as much as practicable” standard. This change, combined with the removal of a rebuttable presumption regarding the source of jet fuel surrounding an underground storage tank facility after a confirmed release, all but assures that the Navy will evade true accountability for the Red Hill catastrophe.

After having ignored years of public outcry, whistleblower complaints, and basic common sense prior to the 2021 catastrophe, the Navy must not be allowed to ignore the harms it has inflicted on our ‘āina and wai. There should be NO jet fuel in our precious and once-pure drinking water or in our environment, especially when it has been released by the reckless operation of a decrepit underground storage tank facility after years of objections by Hawai‘i’s residents.

Please stand with the elected and agency officials of the Red Hill Water Alliance Initiative, the O‘ahu community, and all who care about our precious wai, and ensure that SB2046 SD1 moves forward with the clear and enforceable remediation standard and rebuttable presumption found in the original draft of this common sense measure. If overbreadth is a concern, I respectfully recommend including provisions that would limit this requirement to underground storage tank systems with a capacity of 1 million gallons or more.
mahalo

SB-2046-SD-1

Submitted on: 2/24/2026 3:42:54 PM

Testimony for JDC on 2/26/2026 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Stephen Canham	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Rhoads, Vice Chair Gabbard, and Members of the Senate Judiciary Committee,

My name is Stephen Canham, I live in Kaneohe, Oahu, and I strongly urge you to **PASS, WITH CRITICAL AMENDMENTS**, SB2046 SD1.

I firmly believe that we should have zero tolerance for jet fuel (or any petroleum/extraneous chemical product) in our water; I also believe that the U.S. Navy should be held to full account for all past "spills." As originally drafted, this bill would have made clear that any jet fuel released from an underground storage tank system - such as the Red Hill Bulk Fuel Storage Facility - must be completely cleaned up.

Unfortunately, Hawai‘i Department of Health testimony in the last hearing resulted in amendments that replaced its clear, enforceable, and common sense standard for jet fuel remediation with a vague and practically unenforceable “as much as practicable” standard. This change, combined with the removal of a rebuttable presumption regarding the source of jet fuel surrounding an underground storage tank facility after a confirmed release, all but assures that the Navy will evade true accountability for the Red Hill catastrophe.

After having ignored years of public outcry, whistleblower complaints, and basic common sense prior to the 2021 catastrophe, the Navy must not be allowed to ignore the harms it has inflicted on our ‘āina and wai. There should be NO jet fuel in our precious and once-pure drinking water or in our environment, especially when it has been released by the reckless operation of a decrepit underground storage tank facility after years of objections by Hawai‘i’s residents.

Please stand with the elected and agency officials of the Red Hill Water Alliance Initiative, the O‘ahu community, and all who care about our precious wai, and ensure that SB2046 SD1 moves forward with the clear and enforceable remediation standard and rebuttable presumption found in the original draft of this common sense measure. If overbreadth is a concern, I respectfully recommend including provisions that would limit this requirement to underground storage tank systems with a capacity of 1 million gallons or more.

Respectfully yours,

Stephen Canham, PhD

Kaneohe, HI

SB-2046-SD-1

Submitted on: 2/24/2026 4:17:09 PM

Testimony for JDC on 2/26/2026 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Patricia Blair	Individual	Support	Written Testimony Only

Comments:

Navy must be held accountable.

SB-2046-SD-1

Submitted on: 2/24/2026 4:23:39 PM

Testimony for JDC on 2/26/2026 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
cheryl burghardt	Individual	Support	Written Testimony Only

Comments:

Aloha Chair and Committee Members,

I support SB 2046 SD 1. That we even have to have a bill to keep jet fuel out of our water is inconceivable, yet here we are. This bill gives us, the citizens of Hawaii, islands trying to sustain with the formidable presence of the US govt. unwilling to take responsibility for clean up and prevention of future issues a voice.

Mahalo for hearing this bill.

Cheryl Burghardt

Nuuanu Oahu

SB-2046-SD-1

Submitted on: 2/24/2026 4:34:21 PM

Testimony for JDC on 2/26/2026 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
William Caron	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Rhoads, Vice Chair Gabbard, and members of the Senate Judiciary Committee,

I am writing in **support of SB2046**, but with a critical concern: the bill's core enforcement standard has been dangerously weakened. As amended at the behest of the Department of Health, this measure now only requires the Navy to clean up jet fuel contamination "**to the extent practicable**." This vague, subjective language must be corrected before this bill moves forward.

The original premise of SB2046 was common sense and moral clarity: jet fuel released from underground storage tanks—including the Red Hill facility—must be fully cleaned up. Period. After the 2021 catastrophe that poisoned the drinking water of thousands of O‘ahu families, after years of Navy delay and denial, and after repeated assurances that contamination would simply "go away naturally" over decades, the state has a responsibility to establish an **enforceable, measurable cleanup standard**.

Unfortunately, the current language does not meet that standard.

"To the extent practicable" is a loophole, not a requirement. It invites delay, dispute, and deflection. It allows the Navy to argue that full remediation is too difficult, too expensive, or simply inconvenient. It leaves the door open for the same kind of inaction we have witnessed for over four years. Meanwhile, our aquifer—the sole source of drinking water for generations of Hawai‘i's families—remains at risk.

We need this bill to keep moving. But we also need the Judiciary Committee to recognize that its current form is now so vague as to be practically unenforceable. The committee should restore language requiring cleanup to **below-detectable levels using the most sensitive technology available**, as originally intended.

Hawai‘i's people cannot afford more studies, more delays, or more corporate loopholes. We cannot afford to let the Navy off the hook with feel-good language that lacks teeth. The state must insist that the ultra-wealthy and powerful interests responsible for this mess—including the U.S. Navy—pay their fair share and clean up their mess fully.

I urge the committee to **advance SB2046, but to revert its enforcement language to a clear, measurable, and enforceable standard**. No more practicability. No more delay. Full cleanup, now.

Mahalo for the opportunity to testify.



To: The Senate Committee on Judiciary (JDC)
From: Sherry Pollack, Co-Founder, 350Hawaii.org
Date: Thursday, February 26, 2026, 10am

In support of SB2046 SD1 if amended

Aloha Chair Rhoads, Vice Chair Gabbard, and members of the JDC committee,

I am Co-Founder of the Hawaii chapter of 350.org, the largest international organization dedicated to fighting climate change. 350Hawaii.org **was** in **strong support** of this measure that required an owner or operator of an underground storage tank or tank system with a confirmed release to meet certain standards for the restoration of the environment. The SD1 version of this measure, based on recommendations by the Department of Health (DOH), seriously weakens the intent of this critical legislation, and as such, this measure should be amended back to its original form.

It is very disappointing that the DOH, whose mission is to “protect and improve the health and environment for all people in Hawai‘i” would suggest such a vague and practically unenforceable “as much as practicable” standard for the remediation of our precious wai. The irony is not lost that it was the DOH that issued the permit to the Navy to begin with, allowing them to store jet fuel 100 feet above our sole-source aquifer until the inevitable spill occurred.

It’s been over four years now since that catastrophic spill from the fuel storage tanks at Red Hill. In all this time, the Navy has failed to make any meaningful investments in remediation efforts. This is unacceptable.

Passage of this measure in its original language is essential as it would finally establish a common-sense legal standard that will also be binding on the federal government. Hawai‘i **had** been blessed with some of the purest water on Earth, until the Navy, by their criminal recklessness and negligence, contaminated our sole source aquifer with jet fuel, PFAS, simple green, and we don’t know what else. Bottom line: there should be NO jet fuel or any other contaminant in our precious drinking water or in our environment. Period.

Hawai‘i's drinking water supply was already at risk because of climate change. All the more reason to ensure we take great care in protecting our aquifer, keeping it safe for current and future generations. We welcome legislation that will lead to the complete and full remediation of our aquifer. Nothing less should be acceptable.

We urge you to **amend SB2046 back to its original form.**

Thank you for the opportunity to testify on this very important bill.
Sherry Pollack
Co-Founder, 350Hawaii.org

TO: Committee on Judiciary
RE: SB2046 SD1
February 26, 2026; 10:00am

Aloha Chair, Vice Chair, and members of the committee

Mahalo for the opportunity to submit testimony in **strong support of SB2046 SD1.**

Water—wai—is not merely a resource in Hawai‘i. It is the foundation of life itself. The word waiwai, meaning wealth, reflects the deep understanding of our kūpuna that abundance, health, and prosperity flow directly from the careful stewardship of water. To protect wai is to protect the people, the ‘āina, and future generations.

SB2046 advances this responsibility by strengthening protections for Hawai‘i’s water resources at a time when climate change, over-extraction by the military, and land-use pressures increasingly threaten our aquifers, streams, and nearshore ecosystems. As stewards of these islands, we carry a kuleana to mālama i ka wai not only for human use, but for the ecosystems and cultural practices that depend on it.

Environmental organizations such as the Sierra Club have detailed amendments for this bill. I urge you to consider them. In supporting SB2046, the Legislature has the opportunity to reaffirm Hawai‘i’s leadership in environmental stewardship and Indigenous-informed governance. This measure reflects a holistic approach—one that recognizes water as a living system, honors cultural knowledge, and ensures that decision-making today does not compromise the needs of tomorrow.

For these reasons, I respectfully urge you to pass SB2046 and continue Hawai‘i’s commitment to protecting wai, our most precious resource.

Mahalo nui loa for your time and consideration,

Mai Hall

SB-2046-SD-1

Submitted on: 2/24/2026 5:07:09 PM

Testimony for JDC on 2/26/2026 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Shannon Rudolph	Individual	Support	Written Testimony Only

Comments:

As the bill itself says, "that the contamination of local groundwater and drinking water sources with jet fuel from underground storage tanks must not be tolerated... any contamination must be fully remediated; there should be no acceptable level of jet fuel..."

This sentence in the bill SHOULD preclude ANY 'watering down' of this bill.

There is NOTHING more precious than pure water to all Hawai'i island residents.

SB-2046-SD-1

Submitted on: 2/24/2026 5:12:30 PM

Testimony for JDC on 2/26/2026 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Christy Shaver	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Rhoads, Vice Chair Gabbard, and Members of the Senate Judiciary Committee,

My name is Christy Shaver and I strongly urge you to PASS, WITH CRITICAL AMENDMENTS, SB2046 SD1.

As originally drafted, this bill would have made clear that any jet fuel released from an underground storage tank system - such as the Red Hill Bulk Fuel Storage Facility - must be completely cleaned up.

Unfortunately, Hawai‘i Department of Health testimony in the bill's last hearing resulted in amendments that replaced its clear, enforceable, and common sense standard for jet fuel remediation with a vague and practically unenforceable “as much as practicable” standard. The Health Department was also able to remove a reasonable, rebuttable presumption regarding the source of jet fuel surrounding an underground storage tank facility, after a confirmed release. These changes all but assure that the Navy will evade true accountability for the Red Hill catastrophe.

There should be NO jet fuel in our precious and once-pure drinking water or in our environment, especially when it has been released by the reckless operation of a decrepit underground storage tank facility after years of objections by Hawai‘i's residents. Fortunately, setting environmental policy and standing up for our future generations' wai is your - and our - prerogative, not the Health Department's.

Please stand with the elected and agency officials of the Red Hill Water Alliance Initiative, the O‘ahu community, and all who care about our precious wai, and ensure that SB2046 SD1 moves forward with the clear and enforceable remediation standard and rebuttable presumption found in the original, common sense draft of this measure. If overbreadth is a concern, I respectfully recommend including a provision that would limit this remediation requirement to underground storage tank systems with a capacity of 1 million gallons or more.

Sincerely,

Christy

SB-2046-SD-1

Submitted on: 2/24/2026 5:59:29 PM

Testimony for JDC on 2/26/2026 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Jamie Simic	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Rhoads, Vice Chair Gabbard, and Members of the Senate Judiciary Committee,

My name is Jamie Simic and I strongly urge you to PASS, WITH CRITICAL AMENDMENTS, SB2046 SD1.

As originally drafted, this bill would have made clear that any jet fuel released from an underground storage tank system - such as the Red Hill Bulk Fuel Storage Facility - must be completely cleaned up.

Unfortunately, Hawai‘i Department of Health testimony in the bill's last hearing resulted in amendments that replaced its clear, enforceable, and common sense standard for jet fuel remediation with a vague and practically unenforceable “as much as practicable” standard. The Health Department was also able to remove a reasonable, rebuttable presumption regarding the source of jet fuel surrounding an underground storage tank facility, after a confirmed release. These changes all but assure that the Navy will evade true accountability for the Red Hill catastrophe.

There should be NO jet fuel in our precious and once-pure drinking water or in our environment, especially when it has been released by the reckless operation of a decrepit underground storage tank facility after years of objections by Hawai‘i's residents. Fortunately, setting environmental policy and standing up for our future generations' wai is your - and our - prerogative, not the Health Department's.

Please stand with the elected and agency officials of the Red Hill Water Alliance Initiative, the O‘ahu community, and all who care about our precious wai, and ensure that SB2046 SD1 moves forward with the clear and enforceable remediation standard and rebuttable presumption found in the original, common sense draft of this measure. If overbreadth is a concern, I respectfully recommend including a provision that would limit this remediation requirement to underground storage tank systems with a capacity of 1 million gallons or more.

Sincerely,

Jamie Simic

Affected family member

CRI Representative

SB-2046-SD-1

Submitted on: 2/24/2026 6:10:56 PM

Testimony for JDC on 2/26/2026 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
pahnelopi mckenzie	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Rhoads, Vice Chair Gabbard, and Members of the Senate Judiciary Committee, I strongly urge you to **PASS, WITH CRITICAL AMENDMENTS**, SB2046 SD1.

As originally drafted, this bill would have made clear that any jet fuel released from an underground storage tank system - such as the Red Hill Bulk Fuel Storage Facility - must be completely cleaned up.

Unfortunately, Hawai‘i Department of Health testimony in the last hearing resulted in amendments that replaced its clear, enforceable, and common sense standard for jet fuel remediation with a vague and practically unenforceable “as much as practicable” standard. This change, combined with the removal of a rebuttable presumption regarding the source of jet fuel surrounding an underground storage tank facility after a confirmed release, all but assures that the Navy will evade true accountability for the Red Hill catastrophe.

After having ignored years of public outcry, whistleblower complaints, and basic common sense prior to the 2021 catastrophe, the Navy must not be allowed to ignore the harms it has inflicted on our ‘āina and wai. There should be NO jet fuel in our precious and once-pure drinking water or in our environment, especially when it has been released by the reckless operation of a decrepit underground storage tank facility after years of objections by Hawai‘i's residents.

Please stand with the elected and agency officials of the Red Hill Water Alliance Initiative, the O‘ahu community, and all who care about our precious wai, and ensure that SB2046 SD1 moves forward with the clear and enforceable remediation standard and rebuttable presumption found in the original draft of this common sense measure. If overbreadth is a concern, I respectfully recommend including provisions that would limit this requirement to underground storage tank systems with a capacity of 1 million gallons or more.

Thank you Pahnelopi McKenzie

SB-2046-SD-1

Submitted on: 2/24/2026 6:26:06 PM

Testimony for JDC on 2/26/2026 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Mavis Oliveira-Medeiros	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Rhoads, Vice Chair Gabbard, and Members of the Senate Judiciary Committee,

My name is Mavis Oliveira-Medeiros and I strongly urge you to **PASS, WITH CRITICAL AMENDMENTS**, SB2046 SD1.

As originally drafted, this bill would have made clear that any jet fuel released from an underground storage tank system - such as the Red Hill Bulk Fuel Storage Facility - must be completely cleaned up.

Unfortunately, Hawai‘i Department of Health testimony in the last hearing resulted in amendments that replaced its clear, enforceable, and common sense standard for jet fuel remediation with a vague and practically unenforceable “as much as practicable” standard. This change, combined with the removal of a rebuttable presumption regarding the source of jet fuel surrounding an underground storage tank facility after a confirmed release, all but assures that the Navy will evade true accountability for the Red Hill catastrophe.

After having ignored years of public outcry, whistleblower complaints, and basic common sense prior to the 2021 catastrophe, the Navy must not be allowed to ignore the harms it has inflicted on our ‘āina and wai. There should be NO jet fuel in our precious and once-pure drinking water or in our environment, especially when it has been released by the reckless operation of a decrepit underground storage tank facility after years of objections by Hawai‘i’s residents.

Please stand with the elected and agency officials of the Red Hill Water Alliance Initiative, the O‘ahu community, and all who care about our precious wai, and **ensure that SB2046 SD1 moves forward with the clear and enforceable remediation standard and rebuttable presumption found in the original draft of this common sense measure**. If overbreadth is a concern, I respectfully recommend including provisions that would limit this requirement to underground storage tank systems with a capacity of 1 million gallons or more.

Sincerely,
Mavis Oliveira-Medeiros,

Resident

(808)866-7409

SB-2046-SD-1

Submitted on: 2/24/2026 6:35:05 PM

Testimony for JDC on 2/26/2026 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Georgia L Hoopes	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Rhoads, Vice Chair Gabbard, and Members of the Senate Judiciary Committee,

My name is Georgia Hoopes, and I strongly urge you to PASS, WITH CRITICAL AMENDMENTS, SB2046 SD1.

As originally drafted, this bill would have made clear that any jet fuel released from an underground storage tank system - such as the Red Hill Bulk Fuel Storage Facility - must be completely cleaned up.

Unfortunately, Hawai'i Department of Health testimony in the bill's last hearing resulted in amendments that replaced its clear, enforceable, and common sense standard for jet fuel remediation with a vague and practically unenforceable "as much as practicable" standard. The Health Department was also able to remove a reasonable, rebuttable presumption regarding the source of jet fuel surrounding an underground storage tank facility, after a confirmed release. These changes all but assure that the Navy will evade true accountability for the Red Hill catastrophe.

There should be NO jet fuel in our precious and once-pure drinking water or in our environment, especially when it has been released by the reckless operation of a decrepit underground storage tank facility after years of objections by Hawai'i's residents. Fortunately, setting environmental policy and standing up for our future generations' wai is your - and our - prerogative, not the Health Department's.

Please stand with the elected and agency officials of the Red Hill Water Alliance Initiative, the O'ahu community, and all who care about our precious wai, and ensure that SB2046 SD1 moves

forward with the clear and enforceable remediation standard and rebuttable presumption found in the original, common sense draft of this measure. If overbreadth is a concern, I respectfully recommend including a provision that would limit this remediation requirement to underground storage tank systems with a capacity of 1 million gallons or more.

Sincerely,

Georgia Hoopes, Kalaheo

SB-2046-SD-1

Submitted on: 2/24/2026 6:43:01 PM

Testimony for JDC on 2/26/2026 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Lory Ono	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Rhoads, Vice Chair Gabbard, and Members of the Senate Judiciary Committee,

My name is Lory Ono, and I strongly urge you to **PASS, WITH CRITICAL AMENDMENTS**, SB2046 SD1.

As originally drafted, this bill would have made clear that any jet fuel released from an underground storage tank system - such as the Red Hill Bulk Fuel Storage Facility - must be completely cleaned up.

Unfortunately, Hawai‘i Department of Health testimony in the last hearing resulted in amendments that replaced its clear, enforceable, and common sense standard for jet fuel remediation with a vague and practically unenforceable “as much as practicable” standard. This change, combined with the removal of a rebuttable presumption regarding the source of jet fuel surrounding an underground storage tank facility after a confirmed release, all but assures that the Navy will evade true accountability for the Red Hill catastrophe.

After having ignored years of public outcry, whistleblower complaints, and basic common sense prior to the 2021 catastrophe, the Navy must not be allowed to ignore the harms it has inflicted on our ‘āina and wai. There should be NO jet fuel in our precious and once-pure drinking water or in our environment, especially when it has been released by the reckless operation of a decrepit underground storage tank facility after years of objections by Hawai‘i’s residents.

Please stand with the elected and agency officials of the Red Hill Water Alliance Initiative, the O‘ahu community, and all who care about our precious wai, and ensure that SB2046 SD1 moves forward with the clear and enforceable remediation standard and rebuttable presumption found in the original draft of this common sense measure. If overbreadth is a concern, I respectfully recommend including provisions that would limit this requirement to underground storage tank systems with a capacity of 1 million gallons or more.

Sincerely,
Lory Ono

SB-2046-SD-1

Submitted on: 2/24/2026 6:53:40 PM

Testimony for JDC on 2/26/2026 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Kahea Lahui	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Rhoads, Vice Chair Gabbard, and Members of the Senate Judiciary Committee,

My name is Kahea and I strongly urge you to **PASS, WITH CRITICAL AMENDMENTS, SB2046 SD1.**

As originally drafted, this bill would have made clear that any jet fuel released from an underground storage tank system - such as the Red Hill Bulk Fuel Storage Facility - must be completely cleaned up.

Unfortunately, Hawai‘i Department of Health testimony in the last hearing resulted in amendments that replaced its clear, enforceable, and common sense standard for jet fuel remediation with a vague and practically unenforceable “as much as practicable” standard. This change, combined with the removal of a rebuttable presumption regarding the source of jet fuel surrounding an underground storage tank facility after a confirmed release, all but assures that the Navy will evade true accountability for the Red Hill catastrophe.

After having ignored years of public outcry, whistleblower complaints, and basic common sense prior to the 2021 catastrophe, the Navy must not be allowed to ignore the harms it has inflicted on our ‘āina and wai. There should be NO jet fuel in our precious and once-pure drinking water or in our environment, especially when it has been released by the reckless operation of a decrepit underground storage tank facility after years of objections by Hawai‘i’s residents.

Please stand with the elected and agency officials of the Red Hill Water Alliance Initiative, the O‘ahu community, and all who care about our precious wai, and **ensure that SB2046 SD1 moves forward with the clear and enforceable remediation standard and rebuttable presumption found in the original draft of this common sense measure.** If overbreadth is a concern, I respectfully recommend including provisions that would limit this requirement to underground storage tank systems with a capacity of 1 million gallons or more.

Sincerely,

Kahea

SB-2046-SD-1

Submitted on: 2/24/2026 7:06:58 PM

Testimony for JDC on 2/26/2026 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
malcolm mackey	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair Rhoads, Vice Chair Gabbard, and Members of the Senate Judiciary Committee,

My name is Malcolm Mackey and I strongly urge you to **PASS, WITH CRITICAL AMENDMENTS**, SB2046 SD1.

As originally drafted, this bill would have made clear that any jet fuel released from an underground storage tank system - such as the Red Hill Bulk Fuel Storage Facility - must be completely cleaned up.

Unfortunately, Hawai‘i Department of Health testimony in the last hearing resulted in amendments that replaced its clear, enforceable, and common sense standard for jet fuel remediation with a vague and practically unenforceable “as much as practicable” standard. This change, combined with the removal of a rebuttable presumption regarding the source of jet fuel surrounding an underground storage tank facility after a confirmed release, all but assures that the Navy will evade true accountability for the Red Hill catastrophe.

After having ignored years of public outcry, whistleblower complaints, and basic common sense prior to the 2021 catastrophe, the Navy must not be allowed to ignore the harms it has inflicted on our ‘āina and wai. There should be NO jet fuel in our precious and once-pure drinking water or in our environment, especially when it has been released by the reckless operation of a decrepit underground storage tank facility after years of objections by Hawai‘i’s residents.

Please stand with the elected and agency officials of the Red Hill Water Alliance Initiative, the O‘ahu community, and all who care about our precious wai, and ensure that SB2046 SD1 moves forward with the clear and enforceable remediation standard and rebuttable presumption found in the original draft of this common sense measure. If overbreadth is a concern, I respectfully recommend including provisions that would limit this requirement to underground storage tank systems with a capacity of 1 million gallons or more.

Malcolm Mackey

Aloha Chair Rhoads, Vice Chair Gabbard, and Members of the Senate Judiciary Committee,

My name is Elizabeth Wiggans, and like many other constituents, I respectfully urge you to amend, and pass, SB2046.

As originally drafted, this bill would have made clear that any jet fuel released from an underground storage tank system – such as the Red Hill Bulk Fuel Storage Facility – must be completely cleaned up.

Unfortunately, Hawai‘i Department of Health testimony in the bill's last hearing resulted in amendments that replaced its clear, enforceable, and common sense standard for jet fuel remediation with a vague and practically unenforceable “as much as practicable” standard. The Health Department was also able to remove a reasonable, rebuttable presumption regarding the source of jet fuel surrounding an underground storage tank facility, after a confirmed release. These changes all but assure that the Navy will evade true accountability for the Red Hill catastrophe.

Expecting residents to cope with contaminants in their water supply, out of deference to the Navy’s perpetual pollution with impunity, is not reasonable. There should be NO jet fuel in our precious and once-pure drinking water or in our environment, especially when it has been released by the reckless operation of a decrepit underground storage tank facility after years of objections by Hawai‘i’s residents. Fortunately, setting environmental policy and standing up for our future generations' wai is your – and our – prerogative, not the Health Department's.

Please stand with the elected and agency officials of the Red Hill Water Alliance Initiative, the O‘ahu community, and all who care about our precious wai, and **ensure that SB2046 SD1 moves forward with the clear and enforceable remediation standard and rebuttable presumption found in the original, common sense draft of this measure.** If overbreadth is a concern, I respectfully recommend including a provision that would limit this remediation requirement to underground storage tank systems with a capacity of 1 million gallons or more.

Sincerely,

Elizabeth Wiggans

SB-2046-SD-1

Submitted on: 2/24/2026 7:12:00 PM

Testimony for JDC on 2/26/2026 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Stacey Alapai	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Rhoads, Vice Chair Gabbard, and Members of the Senate Judiciary Committee,

My name is Stacey and I strongly urge you to **PASS, WITH CRITICAL AMENDMENTS, SB2046 SD1.**

As originally drafted, this bill would have made clear that any jet fuel released from an underground storage tank system - such as the Red Hill Bulk Fuel Storage Facility - must be completely cleaned up.

Unfortunately, Hawai‘i Department of Health testimony in the last hearing resulted in amendments that replaced its clear, enforceable, and common sense standard for jet fuel remediation with a vague and practically unenforceable “as much as practicable” standard. This change, combined with the removal of a rebuttable presumption regarding the source of jet fuel surrounding an underground storage tank facility after a confirmed release, all but assures that the Navy will evade true accountability for the Red Hill catastrophe.

After having ignored years of public outcry, whistleblower complaints, and basic common sense prior to the 2021 catastrophe, the Navy must not be allowed to ignore the harms it has inflicted on our ‘āina and wai. There should be NO jet fuel in our precious and once-pure drinking water or in our environment, especially when it has been released by the reckless operation of a decrepit underground storage tank facility after years of objections by Hawai‘i’s residents.

Please stand with the elected and agency officials of the Red Hill Water Alliance Initiative, the O‘ahu community, and all who care about our precious wai, and **ensure that SB2046 SD1 moves forward with the clear and enforceable remediation standard and rebuttable presumption found in the original draft of this common sense measure.** If overbreadth is a concern, I respectfully recommend including provisions that would limit this requirement to underground storage tank systems with a capacity of 1 million gallons or more.

Sincerely,
Stacey Alapai, Maui

SB-2046-SD-1

Submitted on: 2/24/2026 7:34:39 PM

Testimony for JDC on 2/26/2026 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Hi'ilani Nalua'i	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Rhoads, Vice Chair Gabbard, and Members of the Senate Judiciary Committee,

My name is Hi'ilani Nalua'i and I strongly urge you to **PASS, WITH CRITICAL AMENDMENTS**, SB2046 SD1.

As originally drafted, this bill would have made clear that any jet fuel released from an underground storage tank system - such as the Red Hill Bulk Fuel Storage Facility - must be completely cleaned up.

Unfortunately, Hawai'i Department of Health testimony in the last hearing resulted in amendments that replaced its clear, enforceable, and common sense standard for jet fuel remediation with a vague and practically unenforceable "as much as practicable" standard. This change, combined with the removal of a rebuttable presumption regarding the source of jet fuel surrounding an underground storage tank facility after a confirmed release, all but assures that the Navy will evade true accountability for the Red Hill catastrophe.

After having ignored years of public outcry, whistleblower complaints, and basic common sense prior to the 2021 catastrophe, the Navy must not be allowed to ignore the harms it has inflicted on our 'āina and wai. There should be NO jet fuel in our precious and once-pure drinking water or in our environment, especially when it has been released by the reckless operation of a decrepit underground storage tank facility after years of objections by Hawai'i's residents.

Please stand with the elected and agency officials of the Red Hill Water Alliance Initiative, the O'ahu community, and all who care about our precious wai, and **ensure that SB2046 SD1 moves forward with the clear and enforceable remediation standard and rebuttable presumption found in the original draft of this common sense measure**. If overbreadth is a concern, I respectfully recommend including provisions that would limit this requirement to underground storage tank systems with a capacity of 1 million gallons or more.

Sincerely,
Hi'ilani Nalua'i

SB-2046-SD-1

Submitted on: 2/24/2026 9:15:26 PM

Testimony for JDC on 2/26/2026 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
ANDREW ISODA	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Rhoads, Vice Chair Gabbard, and Members of the Senate Judiciary Committee,

My name is Andrew Isoda and I strongly urge you to **PASS, WITH CRITICAL AMENDMENTS**, SB2046 SD1.

As originally drafted, this bill would have made clear that any jet fuel released from an underground storage tank system - such as the Red Hill Bulk Fuel Storage Facility - must be completely cleaned up.

Unfortunately, Hawai‘i Department of Health testimony in the last hearing resulted in amendments that replaced its clear, enforceable, and common sense standard for jet fuel remediation with a vague and practically unenforceable “as much as practicable” standard. This change, combined with the removal of a rebuttable presumption regarding the source of jet fuel surrounding an underground storage tank facility after a confirmed release, all but assures that the Navy will evade true accountability for the Red Hill catastrophe.

After having ignored years of public outcry, whistleblower complaints, and basic common sense prior to the 2021 catastrophe, the Navy must not be allowed to ignore the harms it has inflicted on our ‘āina and wai. There should be NO jet fuel in our precious and once-pure drinking water or in our environment, especially when it has been released by the reckless operation of a decrepit underground storage tank facility after years of objections by Hawai‘i’s residents.

Please stand with the elected and agency officials of the Red Hill Water Alliance Initiative, the O‘ahu community, and all who care about our precious wai, and ensure that SB2046 SD1 moves forward with the clear and enforceable remediation standard and rebuttable presumption found in the original draft of this common sense measure. If overbreadth is a concern, I respectfully recommend including provisions that would limit this requirement to underground storage tank systems with a capacity of 1 million gallons or more.

Sincerely,
Andrew Isoda
Lahaina, Mau‘i

SB-2046-SD-1

Submitted on: 2/24/2026 10:06:02 PM

Testimony for JDC on 2/26/2026 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Johanna Stone	Individual	Support	Written Testimony Only

Comments:

Aloha mai kakou!

O vau no keia o Kapomaikai, he ahe Malanai no Kailua, Koolaupoko.

PASS, WITH CRITICAL AMENDMENTS, SB2046 SD1.

As originally drafted, this bill would have made clear that any jet fuel released from an underground storage tank system - such as the Red Hill Bulk Fuel Storage Facility - must be completely cleaned up.

Unfortunately, Hawai‘i Department of Health testimony in the last hearing resulted in amendments that replaced its clear, enforceable, and common sense standard for jet fuel remediation with a vague and practically unenforceable “as much as practicable” standard. This change, combined with the removal of a rebuttable presumption regarding the source of jet fuel surrounding an underground storage tank facility after a confirmed release, all but assures that the Navy will evade true accountability for the Red Hill catastrophe.

After having ignored years of public outcry, whistleblower complaints, and basic common sense prior to the 2021 catastrophe, the Navy must not be allowed to ignore the harms it has inflicted on our ‘āina and wai. There should be NO jet fuel in our precious and once-pure drinking water or in our environment, especially when it has been released by the reckless operation of a decrepit underground storage tank facility after years of objections by Hawai‘i's residents.

Please stand with the elected and agency officials of the Red Hill Water Alliance Initiative, the O‘ahu community, and all who care about our precious wai, and ensure that SB2046 SD1 moves forward with the clear and enforceable remediation standard and rebuttable presumption found in the original draft of this common sense measure. If overbreadth is a concern, I respectfully recommend including provisions that would limit this requirement to underground storage tank systems with a capacity of 1 million gallons or more.

Its crazy that the DEPARTMENT OF HEALTH replaced its clear, enforceable, and common sense standard for jet fuel remediation with a vague and practically unenforceable “as much as practicable” standard.

The fact that we even HAVE TO testify for rigorous stewardship of WAI is clearly showing us THE PERVERSION that some are actually CHOOSING to uphold. As if we dont all depend on WAI to LIVE.

na‘u no me ke aloha nui

johanna kapomaikai stone

SB-2046-SD-1

Submitted on: 2/24/2026 10:11:26 PM

Testimony for JDC on 2/26/2026 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Noel Shaw	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Rhoads, Vice Chair Gabbard, and Members of the Senate Judiciary Committee,

My name is Noel Shaw and I strongly urge you to **PASS, WITH CRITICAL AMENDMENTS**, SB2046 SD1.

As originally drafted, this bill would have made clear that any jet fuel released from an underground storage tank system - such as the Red Hill Bulk Fuel Storage Facility - must be completely cleaned up.

Unfortunately, Hawai‘i Department of Health testimony in the last hearing resulted in amendments that replaced its clear, enforceable, and common sense standard for jet fuel remediation with a vague and practically unenforceable “as much as practicable” standard. This change, combined with the removal of a rebuttable presumption regarding the source of jet fuel surrounding an underground storage tank facility after a confirmed release, all but assures that the Navy will evade true accountability for the Red Hill catastrophe.

After having ignored years of public outcry, whistleblower complaints, and basic common sense prior to the 2021 catastrophe, the Navy must not be allowed to ignore the harms it has inflicted on our ‘āina and wai. There should be NO jet fuel in our precious and once-pure drinking water or in our environment, especially when it has been released by the reckless operation of a decrepit underground storage tank facility after years of objections by Hawai‘i’s residents.

Please stand with the elected and agency officials of the Red Hill Water Alliance Initiative, the O‘ahu community, and all who care about our precious wai, and ensure that SB2046 SD1 moves forward with the clear and enforceable remediation standard and rebuttable presumption found in the original draft of this common sense measure. If overbreadth is a concern, I respectfully recommend including provisions that would limit this requirement to underground storage tank systems with a capacity of 1 million gallons or more.

Sincerely,
Noel Shaw

SB-2046-SD-1

Submitted on: 2/24/2026 10:45:50 PM

Testimony for JDC on 2/26/2026 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Katherine Fryer	Individual	Support	Written Testimony Only

Comments:

I strongly urge you to **PASS, WITH CRITICAL AMENDMENTS**, SB2046 SD1.

As originally drafted, this bill would have made clear that any jet fuel released from an underground storage tank system - such as the Red Hill Bulk Fuel Storage Facility - must be completely cleaned up.

Unfortunately, Hawai‘i Department of Health testimony in the last hearing resulted in amendments that replaced its clear, enforceable, and common sense standard for jet fuel remediation with a vague and practically unenforceable “as much as practicable” standard. This change, combined with the removal of a rebuttable presumption regarding the source of jet fuel surrounding an underground storage tank facility after a confirmed release, all but assures that the Navy will evade true accountability for the Red Hill catastrophe.

After having ignored years of public outcry, whistleblower complaints, and basic common sense prior to the 2021 catastrophe, the Navy must not be allowed to ignore the harms it has inflicted on our ‘āina and wai. There should be NO jet fuel in our precious and once-pure drinking water or in our environment, especially when it has been released by the reckless operation of a decrepit underground storage tank facility after years of objections by Hawai‘i’s residents.

Please stand with the elected and agency officials of the Red Hill Water Alliance Initiative, the O‘ahu community, and all who care about our precious wai, and ensure that SB2046 SD1 moves forward with the clear and enforceable remediation standard and rebuttable presumption found in the original draft of this common sense measure. If overbreadth is a concern, I respectfully recommend including provisions that would limit this requirement to underground storage tank systems with a capacity of 1 million gallons or more.

SB-2046-SD-1

Submitted on: 2/24/2026 11:49:58 PM

Testimony for JDC on 2/26/2026 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
emily gambino	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Rhoads, Vice Chair Gabbard, and Members of the Senate Judiciary Committee,

My name is Emily Gambino and I strongly urge you to **PASS, WITH CRITICAL AMENDMENTS**, SB2046 SD1.

As originally drafted, this bill would have made clear that any jet fuel released from an underground storage tank system - such as the Red Hill Bulk Fuel Storage Facility - must be completely cleaned up.

Unfortunately, Hawai‘i Department of Health testimony in the last hearing resulted in amendments that replaced its clear, enforceable, and common sense standard for jet fuel remediation with a vague and practically unenforceable “as much as practicable” standard. This change, combined with the removal of a rebuttable presumption regarding the source of jet fuel surrounding an underground storage tank facility after a confirmed release, all but assures that the Navy will evade true accountability for the Red Hill catastrophe.

After having ignored years of public outcry, whistleblower complaints, and basic common sense prior to the 2021 catastrophe, the Navy must not be allowed to ignore the harms it has inflicted on our ‘āina and wai. There should be NO jet fuel in our precious and once-pure drinking water or in our environment, especially when it has been released by the reckless operation of a decrepit underground storage tank facility after years of objections by Hawai‘i’s residents.

Please stand with the elected and agency officials of the Red Hill Water Alliance Initiative, the O‘ahu community, and all who care about our precious wai, and ensure that SB2046 SD1 moves forward with the clear and enforceable remediation standard and rebuttable presumption found in the original draft of this common sense measure. If overbreadth is a concern, I respectfully recommend including provisions that would limit this requirement to underground storage tank systems with a capacity of 1 million gallons or more.

Sincerely,
Emily Gambino

SB-2046-SD-1

Submitted on: 2/25/2026 4:31:35 AM

Testimony for JDC on 2/26/2026 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Jodi Rodar	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Rhoads, Vice Chair Gabbard, and Members of the Senate Judiciary Committee,

My name is Jodi Rodar and I strongly urge you to **PASS, WITH CRITICAL AMENDMENTS**, SB2046 SD1.

As originally drafted, this bill would have made clear that any jet fuel released from an underground storage tank system - such as the Red Hill Bulk Fuel Storage Facility - must be completely cleaned up.

Unfortunately, Hawai‘i Department of Health testimony in the last hearing resulted in amendments that replaced its clear, enforceable, and common sense standard for jet fuel remediation with a vague and practically unenforceable “as much as practicable” standard. This change, combined with the removal of a rebuttable presumption regarding the source of jet fuel surrounding an underground storage tank facility after a confirmed release, all but assures that the Navy will evade true accountability for the Red Hill catastrophe.

After having ignored years of public outcry, whistleblower complaints, and basic common sense prior to the 2021 catastrophe, the Navy must not be allowed to ignore the harms it has inflicted on our ‘āina and wai. There should be NO jet fuel in our precious and once-pure drinking water or in our environment, especially when it has been released by the reckless operation of a decrepit underground storage tank facility after years of objections by Hawai‘i’s residents.

Please stand with the elected and agency officials of the Red Hill Water Alliance Initiative, the O‘ahu community, and all who care about our precious wai, and ensure that SB2046 SD1 moves forward with the clear and enforceable remediation standard and rebuttable presumption found in the original draft of this common sense measure. If overbreadth is a concern, I respectfully recommend including provisions that would limit this requirement to underground storage tank systems with a capacity of 1 million gallons or more.

Thank you.

Sincerely,

Dr. Jodi Rodar

Meredith Wilson – 2/25/2026 Written Testimony
Pass with Amendments SB2046 SD1 – No Jet Fuel in Water

Aloha Chair Rhoads, Vice Chair Gabbard, and Members of the Senate Judiciary Committee,

My name is Meredith Wilson and I strongly urge you to **PASS, WITH CRITICAL AMENDMENTS**, SB2046 SD1.

The Hawai'i Department of Health's testimony in the bill's last hearing resulted in amendments that, no pun intended, WATERED DOWN its previous clear, enforceable, and common-sense standard for jet fuel remediation.

Instead, there is now a vague and practically unenforceable "*as much as practicable*" standard. As the Oahu community has experienced time and time again, even WITH enforceable standards, the Navy in particular has gotten away with being unclear about their testing methods (i.e. instrumentation with varying Minimum Detection Limits/Minimum Reporting Limits).

The Health Department also removed a completely reasonable, rebuttable presumption regarding the source of jet fuel surrounding an underground storage tank facility, after a confirmed release. These changes all but assure that the Navy will evade true accountability for the Red Hill catastrophe YET AGAIN.

There should be NO jet fuel, jet fuel additives, or degradation byproducts (which can be more toxic than their parent compounds) in our precious and once-pure drinking water or in our environment. We cannot accept this "new normal."

The Navy has admitted negligence in running a reckless operation of a decrepit underground storage tank facility after years of objections by Hawai'i's residents. The HDOH has not done nearly enough to protect and enforce environmental policy, so they cannot be the only voice considered here.

Please stand with the elected and agency officials of the Red Hill Water Alliance Initiative, the O'ahu community, and all who care about our precious wai, and **ensure that SB2046 SD1 moves forward with the clear and enforceable remediation standard and rebuttable presumption found in the original draft of this measure.**

Sincerely,
Meredith Wilson

SB-2046-SD-1

Submitted on: 2/25/2026 7:09:25 AM

Testimony for JDC on 2/26/2026 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Diane Ware	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Rhoads, Vice Chair Gabbard, and Members of the Senate Judiciary Committee,

My name is Diane Ware and I strongly urge you to PASS, WITH CRITICAL AMENDMENTS, SB2046 SD1.

As originally drafted, this bill would have made clear that any jet fuel released from an underground storage tank system - such as the Red Hill Bulk Fuel Storage Facility - must be completely cleaned up.

Unfortunately, Hawai‘i Department of Health testimony in the bill's last hearing resulted in amendments that replaced its clear, enforceable, and common sense standard for jet fuel remediation with a vague and practically unenforceable “as much as practicable” standard. The Health Department was also able to remove a reasonable, rebuttable presumption regarding the source of jet fuel surrounding an underground storage tank facility, after a confirmed release. These changes all but assure that the Navy will evade true accountability for the Red Hill catastrophe.

There should be NO jet fuel in our precious and once-pure drinking water or in our environment, especially when it has been released by the reckless operation of a decrepit underground storage tank facility after years of objections by Hawai‘i's residents. Fortunately, setting environmental policy and standing up for our future generations' wai is your - and our - prerogative, not the Health Department's.

Please stand with the elected and agency officials of the Red Hill Water Alliance Initiative, the O‘ahu community, and all who care about our precious wai, and ensure that SB2046 SD1 moves forward with the clear and enforceable remediation standard and rebuttable presumption found in the original, common sense draft of this measure. If overbreadth is a concern, I respectfully recommend including a provision that would limit this remediation requirement to underground storage tank systems with a capacity of 1 million gallons or more.

Sincerely

Diane Ware Volcano Hi 96785,

SB-2046-SD-1

Submitted on: 2/25/2026 7:16:00 AM

Testimony for JDC on 2/26/2026 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Noelle Lindenmann	Individual	Support	Written Testimony Only

Comments:

Aloha Chair, Vice Chair, and Members of the Senate Judiciary Committee,

I am submitting testimony today to strongly urge you to **PASS, WITH CRITICAL AMENDMENTS**, SB2046 SD1.

As originally drafted, this bill would have made clear that any jet fuel released from an underground storage tank system - such as the Red Hill Bulk Fuel Storage Facility - must be completely cleaned up.

Unfortunately, Hawai‘i Department of Health testimony in the last hearing resulted in amendments that replaced its clear, enforceable, and common sense standard for jet fuel remediation with a vague and practically unenforceable “as much as practicable” standard. This change, combined with the removal of a rebuttable presumption regarding the source of jet fuel surrounding an underground storage tank facility after a confirmed release, all but assures that the Navy will evade true accountability for the Red Hill catastrophe.

After having ignored years of public outcry, whistleblower complaints, and basic common sense prior to the 2021 catastrophe, the Navy must not be allowed to ignore the harms it has inflicted on our ‘āina and wai. There should be NO jet fuel in our precious and once-pure drinking water or in our environment, especially when it has been released by the reckless operation of a decrepit underground storage tank facility after years of objections by Hawai‘i’s residents.

Please stand with the elected and agency officials of the Red Hill Water Alliance Initiative, the O‘ahu community, and all who care about our precious wai, and ensure that SB2046 SD1 moves forward with the clear and enforceable remediation standard and rebuttable presumption found in the original draft of this common sense measure. If overbreadth is a concern, I respectfully recommend including provisions that would limit this requirement to underground storage tank systems with a capacity of 1 million gallons or more.

Mahalo for this opportunity to provide testimony,

Noelle Lindenmann, Kailua-Kona

SB-2046-SD-1

Submitted on: 2/25/2026 7:18:30 AM

Testimony for JDC on 2/26/2026 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Denise Boisvert	Individual	Support	Written Testimony Only

Comments:

This bill was supposed to get us cleaner water, but instead, the since-revised text has watered down the Navy's accountability!

The Navy lied to us for decades:

- by omission, not immediately disclosing all the leaks; and more often, denying that they existed;**
- during their testimonies at State and City & County hearings; and**
- at Fuel Tank Advisory Committee meetings.**

Based on its dubious history with the truth, we know the Navy will not 'do its best' to clean up their mess; but, like the oily water they created, will take the path of least resistance.

This bill needs to go forward, BUT with stronger text to hold them accountable for a thorough cleanup of the mess they caused with deceit, denial and neglect.

SB-2046-SD-1

Submitted on: 2/25/2026 7:23:26 AM

Testimony for JDC on 2/26/2026 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Kim Jorgensen	Individual	Support	Written Testimony Only

Comments:

I SUPPORT this bill, but with the original text that held the Navy responsible for a very thorough cleanup of their mess. Not the 'free pass' they are getting with the revised text.

The Navy needs to clean up every drop of fuel they put in our island's water. Why on Earth would the Department of Health want otherwise?

SB-2046-SD-1

Submitted on: 2/25/2026 8:20:29 AM

Testimony for JDC on 2/26/2026 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Keri Zacher	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Rhoads, Vice Chair Gabbard, and Members of the Senate Judiciary Committee,

My name is Keri Zacher and I strongly urge you to **PASS, WITH CRITICAL AMENDMENTS**, SB2046 SD1.

As originally drafted, this bill would have made clear that any jet fuel released from an underground storage tank system - such as the Red Hill Bulk Fuel Storage Facility - must be completely cleaned up.

Unfortunately, Hawai‘i Department of Health testimony in the last hearing resulted in amendments that replaced its clear, enforceable, and common sense standard for jet fuel remediation with a vague and practically unenforceable “as much as practicable” standard. This change, combined with the removal of a rebuttable presumption regarding the source of jet fuel surrounding an underground storage tank facility after a confirmed release, all but assures that the Navy will evade true accountability for the Red Hill catastrophe.

After having ignored years of public outcry, whistleblower complaints, and basic common sense prior to the 2021 catastrophe, the Navy must not be allowed to ignore the harms it has inflicted on our ‘āina and wai. There should be NO jet fuel in our precious and once-pure drinking water or in our environment, especially when it has been released by the reckless operation of a decrepit underground storage tank facility after years of objections by Hawai‘i’s residents.

Please stand with the elected and agency officials of the Red Hill Water Alliance Initiative, the O‘ahu community, and all who care about our precious wai, and ensure that SB2046 SD1 moves forward with the clear and enforceable remediation standard and rebuttable presumption found in the original draft of this common sense measure. If overbreadth is a concern, I respectfully recommend including provisions that would limit this requirement to underground storage tank systems with a capacity of 1 million gallons or more.

Sincerely,
Keri Zacher

SB-2046-SD-1

Submitted on: 2/25/2026 8:58:09 AM

Testimony for JDC on 2/26/2026 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Maki Morinoue	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Rhoads, Vice Chair Gabbard, and Members of the Senate Judiciary Committee,

My name is Maki Morinoue and I strongly urge you to **PASS, WITH CRITICAL AMENDMENTS, SB2046 SD1.**

As originally drafted, this bill would have made clear that any jet fuel released from an underground storage tank system - such as the Red Hill Bulk Fuel Storage Facility - must be completely cleaned up.

Unfortunately, Hawai‘i Department of Health testimony in the bill's last hearing resulted in amendments that replaced its clear, enforceable, and common sense standard for jet fuel remediation with a vague and practically unenforceable “as much as practicable” standard. The Health Department was also able to remove a reasonable, rebuttable presumption regarding the source of jet fuel surrounding an underground storage tank facility, after a confirmed release. These changes all but assure that the Navy will evade true accountability for the Red Hill catastrophe.

There should be NO jet fuel in our precious and once-pure drinking water or in our environment, especially when it has been released by the reckless operation of a decrepit underground storage tank facility after years of objections by Hawai‘i's residents. Fortunately, setting environmental policy and standing up for our future generations' wai is your - and our - prerogative, not the Health Department's.

Please stand with the elected and agency officials of the Red Hill Water Alliance Initiative, the O‘ahu community, and all who care about our precious wai, and ensure that SB2046 SD1 moves forward with the clear and enforceable remediation standard and rebuttable presumption found in the original, common sense draft of this measure. If overbreadth is a concern, I respectfully recommend including a provision that would limit this remediation requirement to underground storage tank systems with a capacity of 1 million gallons or more.

Sincerely,

Maki Morinoue, Hawai‘i Island

SB-2046-SD-1

Submitted on: 2/25/2026 9:16:59 AM

Testimony for JDC on 2/26/2026 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Tate Maglinti	Individual	Support	Written Testimony Only

Comments:

Aloha,

I strongly urge you to PASS, WITH CRITICAL AMENDMENTS, SB2046 SD1.

As originally drafted, this bill would have made clear that any jet fuel released from an underground storage tank system - such as the Red Hill Bulk Fuel Storage Facility - must be completely cleaned up.

Unfortunately, Hawai‘i Department of Health testimony in the bill's last hearing resulted in amendments that replaced its clear, enforceable, and common sense standard for jet fuel remediation with a vague and practically unenforceable “as much as practicable” standard. The Health Department was also able to remove a reasonable, rebuttable presumption regarding the source of jet fuel surrounding an underground storage tank facility, after a confirmed release. These changes all but assure that the Navy will evade true accountability for the Red Hill catastrophe. Auwe!

There should be NO jet fuel in our drinking water or in our environment, especially when it has been released by the reckless operation of a decrepit underground storage tank facility after years of objections by Hawai‘i's residents. Fortunately, setting environmental policy and standing up for our future generations' wai is your - and our - prerogative, not the Health Department's.

Please stand with the elected and agency officials of the Red Hill Water Alliance Initiative, the O‘ahu community, and all who care about our precious wai, and ensure that SB2046 SD1 moves forward with the clear and enforceable remediation standard and rebuttable presumption found in the original, common sense draft of this measure. If overbreadth is a concern, I respectfully recommend including a provision that would limit this remediation requirement to underground storage tank systems with a capacity of 1 million gallons or more.

Mahalo,

Na‘e (Tate) Maglinti

SB-2046-SD-1

Submitted on: 2/25/2026 9:26:08 AM

Testimony for JDC on 2/26/2026 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
C.Yamamoto	Individual	Support	Written Testimony Only

Comments:

I strongly urge you to PASS, WITH CRITICAL AMENDMENTS, SB2046 SD1.

As originally drafted, this bill would have made clear that any jet fuel released from an underground storage tank system - such as the Red Hill Bulk Fuel Storage Facility - must be completely cleaned up.

Unfortunately, Hawai‘i Department of Health testimony in the bill's last hearing resulted in amendments that replaced its clear, enforceable, and common sense standard for jet fuel remediation with a vague and practically unenforceable “as much as practicable” standard. The Health Department was also able to remove a reasonable, rebuttable presumption regarding the source of jet fuel surrounding an underground storage tank facility, after a confirmed release. These changes all but assure that the Navy will evade true accountability for the Red Hill catastrophe.

There should be NO jet fuel in our precious and once-pure drinking water or in our environment, especially when it has been released by the reckless operation of a decrepit underground storage tank facility after years of objections by Hawai‘i's residents. Fortunately, setting environmental policy and standing up for our future generations' wai is your - and our - prerogative, not the Health Department's.

Please stand with the elected and agency officials of the Red Hill Water Alliance Initiative, the O‘ahu community, and all who care about our precious wai, and ensure that SB2046 SD1 moves forward with the clear and enforceable remediation standard and rebuttable presumption found in the original, common sense draft of this measure. If overbreadth is a concern, I respectfully recommend including a provision that would limit this remediation requirement to underground storage tank systems with a capacity of 1 million gallons or more.

SB-2046-SD-1

Submitted on: 2/25/2026 10:02:00 AM

Testimony for JDC on 2/26/2026 10:00:00 AM

LATE

Submitted By	Organization	Testifier Position	Testify
Elizabeth Nelson	Individual	Support	Written Testimony Only

Comments:

Aloha,

My name is Elizabeth Nelson and I strongly urge you to PASS, WITH CRITICAL AMENDMENTS, SB2046 SD1

There should be NO jet fuel in our precious and once-pure drinking water or in our environment. Please stand with the elected and agency officials of the Red Hill Water Alliance Initiative, the O'ahu community and all who care about our precious wai, and ensure that **SB2046 SD1 moves forward with the clear and enforceable remediation standard and rebuttable presumption found in the original, common sense draft of this measure.**

Thank you,

Elizabeth Nelson

Kaneohe

LATE

SB-2046-SD-1

Submitted on: 2/25/2026 10:57:32 AM

Testimony for JDC on 2/26/2026 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Madison Owens	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Rhoads, Vice Chair Gabbard, and Members of the Senate Judiciary Committee,

My name is Madison Owens and I strongly urge you to PASS, WITH CRITICAL AMENDMENTS, SB2046 SD1.

As originally drafted, this bill would have made clear that any jet fuel released from an underground storage tank system - such as the Red Hill Bulk Fuel Storage Facility - must be completely cleaned up.

Unfortunately, Hawai'i Department of Health testimony in the bill's last hearing resulted in amendments that replaced its clear, enforceable, and common sense standard for jet fuel remediation with a vague and practically unenforceable "as much as practicable" standard. The Health Department was also able to remove a reasonable, rebuttable presumption regarding the source of jet fuel surrounding an underground storage tank facility, after a confirmed release. These changes all but assure that the Navy will evade true accountability for the Red Hill catastrophe.

There should be NO jet fuel in our precious and once-pure drinking water or in our environment, especially when it has been released by the reckless operation of a decrepit underground storage tank facility after years of objections by Hawai'i's residents. Fortunately, setting environmental policy and standing up for our future generations' wai is your - and our - prerogative, not the Health Department's.

Please stand with the elected and agency officials of the Red Hill Water Alliance Initiative, the O'ahu community, and all who care about our precious wai, and ensure that SB2046 SD1 moves

forward with the clear and enforceable remediation standard and rebuttable presumption found in the original, common sense draft of this measure. If overbreadth is a concern, I respectfully recommend including a provision that would limit this remediation requirement to underground storage tank systems with a capacity of 1 million gallons or more.

Sincerely,

Madison Owens

LATE

SB-2046-SD-1

Submitted on: 2/25/2026 11:13:27 AM

Testimony for JDC on 2/26/2026 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Irene Zane	Individual	Support	Written Testimony Only

Comments:

Aloha Chairman Rhoads, Vice Chair Gabbard, and Members of the Senate Judiciary Committee.

My name is Irene Zane, a life time resident of Hawaii, currently living in Nuuanu, Oahu.

i strongly urge you to Pass, with critical amendments, SB2046 SD1, the "No Jet Fuel in Water Bill."

I support the bill's original intent and OPPOSE any changes that, I believe, weakens the bill ...for example the Hawaii Department of Health's amendment language "...as much as practicable." I believe this language creates loopholes that could reduce accountability.

Thank You for Your Attention.

Respectfully,

Irene Zane

LATE

SB-2046-SD-1

Submitted on: 2/25/2026 12:26:16 PM

Testimony for JDC on 2/26/2026 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Ellen Godbey Carson	Individual	Support	Written Testimony Only

Comments:

I support this bill but hope it can be strengthened with more rigid standards instead of the current vague "to the extent practicable". The Navy would be left with such discretion in determining what is practicable from its standpoint, that we may not have a means of enforcing such lax language. As originally drafted, this bill would have made clear that any jet fuel released from an underground storage tank system - such as the Red Hill Bulk Fuel Storage Facility - must be completely cleaned up. Let's return to a clear and enforceable standard for clean-up.

LATE

SB-2046-SD-1

Submitted on: 2/25/2026 1:19:18 PM

Testimony for JDC on 2/26/2026 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Alexander McNicoll	Individual	Support	Written Testimony Only

Comments:

I am in strong support of **SB2046 SD1**.

LATE

SB-2046-SD-1

Submitted on: 2/25/2026 4:53:30 PM

Testimony for JDC on 2/26/2026 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Kapulei Flores	Individual	Support	Written Testimony Only

Comments:

Aloha,

I am writing in support of SB2046 SD1 with critical amendments. As originally drafted this bill would have made clear that any jet fuel released from an underground storage tank system must be completely cleaned up. In the last hearing there were amendments that replaced these statements with a vague and unenforcable "as much as practicable" standard. This helping the Navy get away with what happened at Red Hill and fails to leave them to clean up their mess and take accountability for their actions and the damage they have caused. We have seen throughout the process the Navy's failure to take accountability, clean up their mess, and do something to help the people they have caused harm to through leaking jet fuel into our drinking water. Our natural resources and our community deserve to be treated better and taken better care of. Please ensure that SB2046 SD1 moves foward with clear and enforceable remediation standard and rebuttable presumption found in the original draft of this measure.

Mahalo, Kapulei

SB-2046-SD-1

Submitted on: 2/25/2026 5:52:42 PM

Testimony for JDC on 2/26/2026 10:00:00 AM

LATE

Submitted By	Organization	Testifier Position	Testify
Sydney Chung	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Rhoads, Vice Chair Gabbard, and Members of the Senate Judiciary Committee,

My name is Sydney Chung and I strongly urge you to PASS, WITH CRITICAL AMENDMENTS, SB2046 SD1.

As originally drafted, this bill would have made clear that any jet fuel released from an underground storage tank system - such as the Red Hill Bulk Fuel Storage Facility - must be completely cleaned up.

Unfortunately, Hawai'i Department of Health testimony in the bill's last hearing resulted in amendments that replaced its clear, enforceable, and common sense standard for jet fuel remediation with a vague and practically unenforceable "as much as practicable" standard. The Health Department was also able to remove a reasonable, rebuttable presumption regarding the source of jet fuel surrounding an underground storage tank facility, after a confirmed release. These changes all but assure that the Navy will evade true accountability for the Red Hill catastrophe.

There should be NO jet fuel in our precious and once-pure drinking water or in our environment, especially when it has been released by the reckless operation of a decrepit underground storage tank facility after years of objections by Hawai'i's residents. Fortunately, setting environmental policy and standing up for our future generations' wai is your - and our - prerogative, not the Health Department's.

Please stand with the elected and agency officials of the Red Hill Water Alliance Initiative, the O'ahu community, and all who care about our precious wai, and ensure that SB2046 SD1 moves

forward with the clear and enforceable remediation standard and rebuttable presumption found in the original, common sense draft of this measure. If overbreadth is a concern, I respectfully recommend including a provision that would limit this remediation requirement to underground storage tank systems with a capacity of 1 million gallons or more.

As a high school junior who envisions Hawaii as a place for my future, and that of my children and grandchildren, it is imperative that we all have access to a basic right- clean water.

Sincerely,

Sydney Chung

LATE

SB-2046-SD-1

Submitted on: 2/25/2026 11:37:30 PM

Testimony for JDC on 2/26/2026 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Patti Choy	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Rhoads, Vice Chair Gabbard, and Members of the Senate Judiciary Committee,

I strongly urge you to PASS, WITH CRITICAL AMENDMENTS, SB2046 SD1.

Our Hawaii Department of Health is not on the side of the community who rightly knows there should be no jet fuel in our water! Period.

Please stand with the elected and agency officials of the Red Hill Water Alliance Initiative, the O‘ahu community, and all who care about our precious wai, and ensure that SB2046 SD1 moves forward with the clear and enforceable remediation standard and rebuttable presumption found in the original, common sense draft of this measure. If overbreadth is a concern, I respectfully recommend including a provision that would limit this remediation requirement to underground storage tank systems with a capacity of 1 million gallons or more.

Thank you.

LATE

SB-2046-SD-1

Submitted on: 2/25/2026 11:51:07 PM

Testimony for JDC on 2/26/2026 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Guy Kudo	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Rhoads, Vice Chair Gabbard, and Members of the Senate Judiciary Committee,

I strongly urge you to **PASS, WITH CRITICAL AMENDMENTS**, SB2046 SD1.

As originally drafted, this bill would have made clear that any jet fuel released from an underground storage tank system - such as the Red Hill Bulk Fuel Storage Facility - must be completely cleaned up.

Unfortunately, Hawai‘i Department of Health testimony in the bill's last hearing resulted in amendments that replaced its clear, enforceable, and common sense standard for jet fuel remediation with a vague and practically unenforceable “as much as practicable” standard. The Health Department was also able to remove a reasonable, rebuttable presumption regarding the source of jet fuel surrounding an underground storage tank facility, after a confirmed release. These changes all but assure that the Navy will evade true accountability for the Red Hill catastrophe.

There should be NO jet fuel in our precious and once-pure drinking water or in our environment, especially when it has been released by the reckless operation of a decrepit underground storage tank facility after years of objections by Hawai‘i's residents. Fortunately, setting environmental policy and standing up for our future generations' wai is your - and our - prerogative, not the Health Department's.

Please stand with the elected and agency officials of the Red Hill Water Alliance Initiative, the O‘ahu community, and all who care about our precious wai, and **ensure that SB2046 SD1 moves forward with the clear and enforceable remediation standard and rebuttable presumption found in the original, common sense draft of this measure**. If overbreadth is a concern, I respectfully recommend including a provision that would limit this remediation requirement to underground storage tank systems with a capacity of 1 million gallons or more.

Thank you.

LATE

SB-2046-SD-1

Submitted on: 2/26/2026 4:55:40 AM

Testimony for JDC on 2/26/2026 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Ashley Nishihara	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Rhoads, Vice Chair Gabbard, and Members of the Senate Judiciary Committee,

My name is Ashley Nishihara and I strongly urge you to PASS, WITH CRITICAL AMENDMENTS, SB2046 SD1.

As originally drafted, this bill would have made clear that any jet fuel released from an underground storage tank system - such as the Red Hill Bulk Fuel Storage Facility - must be completely cleaned up.

Unfortunately, Hawai'i Department of Health testimony in the bill's last hearing resulted in amendments that replaced its clear, enforceable, and common sense standard for jet fuel remediation with a vague and practically unenforceable "as much as practicable" standard. The Health Department was also able to remove a reasonable, rebuttable presumption regarding the source of jet fuel surrounding an underground storage tank facility, after a confirmed release. These changes all but assure that the Navy will evade true accountability for the Red Hill catastrophe.

There should be NO jet fuel in our precious and once-pure drinking water or in our environment, especially when it has been released by the reckless operation of a decrepit underground storage tank facility after years of objections by Hawai'i's residents. Fortunately, setting environmental policy and standing up for our future generations' wai is your - and our - prerogative, not the Health Department's.

Please stand with the elected and agency officials of the Red Hill Water Alliance Initiative, the O'ahu community, and all who care about our precious wai, and ensure that SB2046 SD1 moves

forward with the clear and enforceable remediation standard and rebuttable presumption found in the original, common sense draft of this measure. If overbreadth is a concern, I respectfully recommend including a provision that would limit this remediation requirement to underground storage tank systems with a capacity of 1 million gallons or more.

Sincerely,

Ashley Nishihara

LATE

SB-2046-SD-1

Submitted on: 2/26/2026 5:12:32 AM

Testimony for JDC on 2/26/2026 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Lynda Nishihara	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Rhoads, Vice Chair Gabbard, and Members of the Senate Judiciary Committee,

My name is Lynda Nishihara and I strongly urge you to PASS, WITH CRITICAL AMENDMENTS, SB2046 SD1.

As originally drafted, this bill would have made clear that any jet fuel released from an underground storage tank system - such as the Red Hill Bulk Fuel Storage Facility - must be completely cleaned up.

Unfortunately, Hawai'i Department of Health testimony in the bill's last hearing resulted in amendments that replaced its clear, enforceable, and common sense standard for jet fuel remediation with a vague and practically unenforceable "as much as practicable" standard. The Health Department was also able to remove a reasonable, rebuttable presumption regarding the source of jet fuel surrounding an underground storage tank facility, after a confirmed release. These changes all but assure that the Navy will evade true accountability for the Red Hill catastrophe.

There should be NO jet fuel in our precious and once-pure drinking water or in our environment, especially when it has been released by the reckless operation of a decrepit underground storage tank facility after years of objections by Hawai'i's residents. Fortunately, setting environmental policy and standing up for our future generations' wai is your - and our - prerogative, not the Health Department's.

Please stand with the elected and agency officials of the Red Hill Water Alliance Initiative, the O'ahu community, and all who care about our precious wai, and ensure that SB2046 SD1 moves

forward with the clear and enforceable remediation standard and rebuttable presumption found in the original, common sense draft of this measure. If overbreadth is a concern, I respectfully recommend including a provision that would limit this remediation requirement to underground storage tank systems with a capacity of 1 million gallons or more.

Sincerely,

Lynda Nishihara

LATE

SB-2046-SD-1

Submitted on: 2/26/2026 6:05:42 AM

Testimony for JDC on 2/26/2026 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Katherine McClanahan	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Rhoads, Vice Chair Gabbard, and Members of the Senate Judiciary Committee,

My name is Katherine McClanahan and I strongly urge you to **PASS, WITH CRITICAL AMENDMENTS, SB2046 SD1.**

As originally drafted, this bill would have made clear that any jet fuel released from an underground storage tank system - such as the Red Hill Bulk Fuel Storage Facility - must be completely cleaned up.

Sadly, the Hawai'i Department of Health testimony in the last hearing resulted in amendments that replaced its clear, enforceable, and common sense standard for jet fuel remediation with a vague and practically unenforceable "as much as practicable" standard. This change, combined with the removal of a rebuttable presumption regarding the source of jet fuel surrounding an underground storage tank facility after a confirmed release, all but assures that the Navy will evade true accountability for the Red Hill catastrophe.

After having ignored years of regulatory requirements (delayed release of water test results to Hawaii DOH including "exceedences" or test results showing unsafe levels of jet fuel in drinking water/levels above allowed levels of jet fuel in drinking water), public outcry, whistleblower complaints before and after the catastrophic May and Nov 2021 jet fuel releases, and basic common sense prior to the 2021 catastrophes, the Navy *must not be allowed* to ignore the harms it has inflicted on Oahu's 'āina and wai. There should be NO jet fuel in Oahu's precious and once-pure drinking water or in the environment, especially when it has been released by the reckless operation of a decrepit underground storage tank facility. History must not continue repeating itself and the original draft legislation will best protect Oahu and generations of those living there.

Please stand with the elected and agency officials of the Red Hill Water Alliance Initiative, the O'ahu community, and all who care about our precious wai, and ensure that SB2046 SD1 *moves forward* with the clear and *enforceable remediation standard* and rebuttable presumption found in the *original draft* of this common sense measure. If overbreadth is a concern, I respectfully recommend including provisions that would limit this requirement to underground storage tank systems with a capacity of 1 million gallons or more.

Sincerely,
Katherine McClanahan

kmac101197@gmail.com

LATE

SB-2046-SD-1

Submitted on: 2/26/2026 11:00:50 AM

Testimony for JDC on 2/26/2026 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Regina Gregory	Individual	Support	Written Testimony Only

Comments:

support