



STATE OF HAWAII
DEPARTMENT OF HEALTH
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WRITTEN
TESTIMONY ONLY

**Testimony in SUPPORT of HB 1934, HD 1
RELATING TO ENVIRONMENTAL PROTECTION**

SENATOR MIKE GABBARD, CHAIR
SENATE COMMITTEE ON AGRICULTURE AND ENVIRONMENT

Hearing Date: March 12, 2018
Time: 1:15 pm

Room Number: 224

- 1 **Fiscal Implications:** None.
- 2 **Department Testimony:** The purpose of this bill is to prohibit the construction of sewage
- 3 wastewater injection wells, unless there is no feasible alternative. The Department of Health
- 4 (Department) issues underground injection control permits for the discharge of sewage
- 5 wastewater, treated or untreated stormwater, industrial wastewater, cooling water, aquaculture
- 6 water, and geothermal fluids.
- 7 The Department supports this bill which no longer impacts permitted discharges to
- 8 injection wells other than sewage wastewater. The bill's proposed definition of an injection well
- 9 is consistent with the Hawaii Administrative Rules, Section 11-23-03.
- 10 Thank you for the opportunity to testify on this measure.



HB1934 HD1
RELATING TO ENVIRONMENTAL PROTECTION
Senate Committee on Agriculture and Environment

March 12, 2018

1:15 p.m.

Room 224

The Office of Hawaiian Affairs (OHA) **SUPPORTS** HB1934 HD1, which would prohibit the installation of wastewater injection wells that pose a substantial threat to our nearshore environment and natural and cultural resources.

For decades now, the use and proliferation of injection wells along our islands' coastlines have raised significant concerns regarding their potential environmental and public health impacts.¹ These concerns have heightened in recent years, as the State has gained a greater awareness of the broad and long-term threats that injection wells pose on our nearshore waters. Notably, OHA understands that injection wells are currently only permitted in coastal areas, due to their potential impact on inland groundwater sources; such placement, combined with the highly porous nature of our islands' lava and limestone bedrock, can result in significant and direct impacts to our nearshore ecosystems and members of the public – including Native Hawaiians – who subsist from and recreate in our ocean waters. Recent litigation has also demonstrated the threat of legal liability and substantial financial costs that may be incurred from the reliance on injection wells for wastewater disposal purposes.²

Accordingly, OHA believes that this measure is an important step towards ensuring that our communities and marine environment are not unduly impacted by inappropriate wastewater disposal approaches. OHA does understand that certain injection well applications, when combined with other wastewater treatment and reuse technologies and sustained maintenance activities, may not pose as high a threat of the significant impacts documented in areas such as West Maui. **However, given the substantial development planned to occur throughout the state, along with the foreseeable and unknown impacts of climate change and sea level rise on our islands' hydrogeology, a prohibition on injection wells pending the establishment of clear requirements, best management practices, and remediation techniques would appear to be the most prudent strategy to take.**

Therefore, OHA urges the Committee to **PASS** HB1934 HD1. Mahalo nui for the opportunity to testify on this measure.

¹ See, e.g., Frank L. Peterson and June A. Oberdorfer, *Uses and Abuses of Wastewater Injection Wells in Hawaii*, 39 PACIFIC SCI. 2, 230 (1985); Parsons, et. al., *A multivariate assessment of the coral ecosystem health of two embayments in the lee of the island of Hawai'i*, 56 MARINE POLLUTION BULLETIN 6 (2008); *Injection Wells: Unproven link in completing geothermal cycle*, ENVIRONMENT HAWAII'I, October 29, 2014, available at <http://www.environment-hawaii.org/?p=3853>; Chris Sugidono, *Study: Injection wells fouling Maui bays, reefs*, THE MAUI NEWS, November 20, 2016.

² Brian Perry, *County loses injection well appeal*, THE MAUI NEWS, February 2, 2018.

DEPARTMENT OF ENVIRONMENTAL SERVICES
CITY AND COUNTY OF HONOLULU

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IN REPLY REFER TO:
WAS 18-94

March 8, 2018

The Honorable Mike Gabbard, Chair
and Members of the Committee on
Agriculture and Environment
State Senate
State Capitol
415 South Beretania Street
Honolulu, Hawaii 96813

Dear Chair Nishihara, Chair Inouye, and Members:

Subject: House Bill 1934, HD1
Prohibiting the Construction of Wastewater Injection Wells

The City and County of Honolulu's (City) Department of Environmental Services (ENV) opposes HB1934, HD1, in its current form, which would prohibit future construction of sewage wastewater injection wells throughout the state unless alternative wastewater disposal options are not available, feasible, or practical.

We fully support proper science being used in determining if a permit should be issued for any injection wells to include sewage wastewater injection wells to insure that such injection wells do not negatively impact our island environment. Science, technology, engineering design, the permitting process, and the associated issued discharge permit are the elements applied to protection the environment and public health against deleterious impacts related to the discharge into injection wells. Injection wells provide a feasible disposal option among the finite disposal options. Elimination of this mode of disposal, does not necessarily address the issue this measure intends to resolve.

However, injection wells can be a useful method of disposing of properly treated wastewater and should be allowed when science determines they would not negatively impact our environment. This also has a significant impact when an already approved wastewater injection well, as part of a system of injection wells, reaches the end of its useful life and would not be allowed to be replaced even though the system still remains.

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March 9, 2017
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A flat ban does not necessarily serve the overall best interests of the communities.

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Lori M.K. Kahikina". The signature is stylized with loops and flourishes.

Lori M.K. Kahikina, P.E.
Director

HB-1934-HD-1

Submitted on: 3/10/2018 1:18:07 PM

Testimony for AEN on 3/12/2018 1:15:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Melodie Aduja	Testifying for OCC Legislative Priorities Committee, Democratic Party of Hawai'i	Support	No

Comments:

PRESENTATION OF THE
OAHU COUNTY COMMITTEE ON LEGISLATIVE PRIORITIES
DEMOCRATIC PARTY OF HAWAII
TO THE COMMITTEE OF AGRICULTURE AND ENVIRONMENT
THE SENATE
TWENTY-NINTH LEGISLATURE
REGULAR SESSION OF 2018
Monday, March 12, 2018
1:15 p.m.
Hawaii State Capitol, Conference Room 224

RE: Testimony in Support of **HB1934 HD1**: RELATING TO ENVIRONMENTAL PROTECTION

To the Honorable Mike Gabbard, Chair; the Honorable Gil Riviere, Vice-Chair and Members of the Committee on Agriculture and Environment:

Good afternoon. My name is Melodie Aduja. I serve as Chair of the Oahu County Committee ("OCC") Legislative Priorities Committee of the Democratic Party of Hawaii. Thank you for the opportunity to provide written testimony on **HB1934 HD1** relating to Environmental Protection; Injection Wells; and its Prohibition.

The OCC Legislative Priorities Committee is in favor of **HB1934 HD1** and supports its passage.

The Environmental Protection Agency recognizes an injection well as a method to place fluid underground into porous geologic formations and that it has a wide range of uses, including storing carbon dioxide and disposing of waste. Injection wells can be hazardous to the environment and pose a risk to the health and safety of the public.

HB1934 HD1 is in accord with the Platform of the Democratic Party of Hawai'i ("DPH"), 2016, as it prohibits the construction of sewage wastewater injection wells.

We believe in supporting best management practices in sustaining our environment and in increased citizen involvement. We support programs that encourage sustainable clean, efficient, creative and environmentally friendly modes of transportation, recycling, and waste reduction. (Platform of DPH, P. 8, Line 413-415

(2016)).

Given that **HB1934 HD1** prohibits the construction of sewage wastewater injection wells, it is the position of the OCC Legislative Priorities Committee to support this measure.

Thank you very much for your kind consideration.

Sincerely yours,

/s/ Melodie Aduja

Melodie Aduja, Chair, OCC Legislative Priorities Committee

Email: legislativepriorities@gmail.com, Text/Tel.: (808) 258-8889

HB-1934-HD-1

Submitted on: 3/10/2018 8:24:59 AM

Testimony for AEN on 3/12/2018 1:15:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Andrea Quinn	Individual	Oppose	No

Comments:

Please do not subsidize private business with taxpayer dollars.

HB-1934-HD-1

Submitted on: 3/8/2018 10:56:32 PM

Testimony for AEN on 3/12/2018 1:15:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
DONNIE BECKER	Individual	Support	No

Comments:

STOP POLUTING OUR SHORES WITH SHIT...~!!!