



STATE OF HAWAII
DEPARTMENT OF HEALTH
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Testimony in OPPOSITION to HB0155
RELATING TO AIR QUALITY

REPRESENTATIVE/SENATOR FULL NAME, CHAIR
HOUSE COMMITTEE ON HEALTH

Hearing Date: February 7, 2019

Room Number: 329

1 **Fiscal Implications:** Increase in neighbor island travel and overtime.

2 **Department Testimony:** The Department of Health (Department) opposes this bill because it is
3 unnecessary, increases travel costs, and needlessly obligates staff time.

4 The Department already has the authority to investigate any actual or suspected source of
5 air pollution per Hawaii Revised Statutes (HRS) Section 342B-41 and is required to take
6 enforcement action per HRS Section 342B-42 upon discovery of any violation/noncompliance.
7 The Clean Air Branch (CAB) staff already respond, either in person or over the phone, to every
8 complaint it receives, and a complaint investigation report is written for each incident. CAB
9 currently responds to hundreds of complaints each year. In calendar year 2018, CAB staff
10 investigated approximately 300 complaints.

11 In addition, because the bill requires the Department to “promptly dispatch personnel” to a
12 site upon receipt of a complaint, it would create an undue burden on staff and funding and remove
13 discretion to determine when a site visit is warranted. Oahu staff would have to fly out whenever
14 neighbor island staff are unavailable. If a complaint were to be submitted in the morning, and a
15 neighbor called in the afternoon for the same incident, staff would be required to go out twice
16 without a valid reason. Staff and the respondent company or individual could also end up having
17 their time consumed by someone maliciously calling in a repeated, baseless complaint or by a
18 legitimate community dispute that is not resolvable by CAB. Being required to respond in this
19 manner would result in an ineffective use of staff time and detract from other work being
20 accomplished.

1 Finally, there are times when the amount of complaints received would make it
2 impossible to have staff dispatched for each complaint. With our current resources, CAB would
3 not be able to comply with this proposed requirement.

4 **Offered Amendments:** None.

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

HB-155

Submitted on: 2/6/2019 7:47:49 AM

Testimony for HLT on 2/7/2019 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Melodie Aduja	O`ahu County Committee on Legislative Priorities of the Democratic Party of Hawai`i	Support	No

Comments:

HB-155

Submitted on: 2/6/2019 12:20:45 PM

Testimony for HLT on 2/7/2019 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Javier Mendez-Alvarez	Individual	Support	No

Comments:

LATE

HB-155

Submitted on: 2/6/2019 7:33:41 PM

Testimony for HLT on 2/7/2019 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Dylan P. Armstrong	Individual	Support	No

Comments:

Aloha Chair Mizuno, and members of the Health Committee,

I am writing in support of the intent of HB155. My professional understanding, as a former DOH employee, is that the bill appears to require a monitoring scientist from the Department of Health (DOH) to respond to reports of air emissions.

However, I will say that I am not sure that this measure is necessary. In the sense that the Hawaii Hazard Evaluation and Emergency Response (HEER) Office already responds to gaseous pollutants, such as vaporous intrusions caused by hydrocarbon releases, and does so routinely. HEER is contacted by means of an emergency reporting number for pollution releases.

Because strict evaluation and reporting of environmental releases is a vital for our health and longevity, I have no substantive issues with this legislation. I simply wish the committee and the DOH to discuss whatever regulatory, policy, or process gaps exist between this measure and existing practice at HEER, or the Clean Air Branch (CAB), both part of the Environmental Health Administration of the DOH.

Aloha pumehana,
Dylan P. Armstrong