

STAND. COM. REP. NO.

1190

Honolulu, Hawaii

APR 09 2009

RE: H.B. No. 834
H.D. 2
S.D. 1

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fifth State Legislature
Regular Session of 2009
State of Hawaii

Madam:

Your Committees on Health and Energy and Environment, to which was referred H.B. No. 834, H.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO WATER QUALITY STANDARDS,"

beg leave to report as follows:

The purpose of this measure is to revise certain state water quality standards for inland and marine waters on an interim basis to conform to levels recommended by the State of Hawaii and United States Environmental Protection Agency, until the state Department of Health proposes, and the United States Environmental Protection Agency approves, standards for the pollutants and indicator organism identified in this measure, pursuant to the review of state water quality standards mandated under Section 303(c) of the Federal Water Pollution Control Act of 1972, as amended.

Your Committees received testimony in support of this measure from the City and County of Honolulu Department of Environmental Services, the American Public Workers Association, and the Hawaii Water Environment Association. The Department of Health submitted testimony supporting the measure with amendments. Testimony in opposition to this measure was submitted by the Sierra Club, the Dowling Company, Inc., Hawaii's Thousand Friends, and nineteen individuals.

Written testimony presented to your Committees may be reviewed on the Legislature's website.



Your Committees find that the United States Environmental Protection Agency recently denied the City and County of Honolulu's applications to renew permits under Section 301(h) of the Federal Clean Water Act for both wastewater treatment plants located in Honolulu.

Therefore, your Committees find that it is necessary to conform the State's water quality standards for toxic pollutants to the national criteria currently recommended by the Environmental Protection Agency. In addition, the bacteria indicators for recreational waters should be consistent with Environmental Protection Agency standards. The adoption of these standards is important to the State's economic and social development and necessary to protect our natural resources.

Your Committees have adopted the Department of Health's recommendations and amended this measure by:

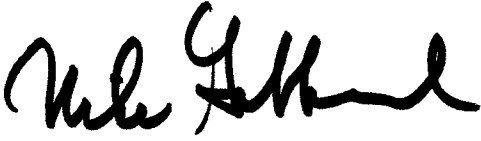
- (1) Replacing "chromium IV" with "chromium VI" in section 2 (a) (1) of the measure;
- (2) Inserting a table of numeric standards for toxic pollutants applicable to all waters that fully incorporates the water quality standards adopted by the State pursuant to subsections (a) and (b) and the relevant provisions of chapter 11-54, Hawaii Administrative Rules, that are not repealed or deemed inconsistent with this Act so that these standards remain in effect; and
- (3) Clarifying that the freshwater standards shall apply where the dissolved inorganic ion concentration is less than 0.5 parts per thousand and the saltwater standards shall apply above 0.5 parts per thousand, values for metals refer to the dissolved fraction, and that all values are expressed in micrograms per liter.

As affirmed by the records of votes of the members of your Committees on Health and Energy and Environment that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 834, H.D. 2, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 834, H.D. 2, S.D. 1, and be placed on the calendar for Third Reading.

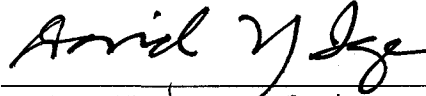


1190

Respectfully submitted on
behalf of the members of the
Committees on Health and Energy
and Environment,



MIKE GABBARD, Chair




DAVID Y. IGE, Chair



The Senate
Twenty-Fifth Legislature
State of Hawaii

Record of Votes
Committee on Health
HTH

Bill / Resolution No.:*	Committee Referral:	Date:		
HB 834 HD 2	HTH/ENE	3/18/09		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is:				
<input type="checkbox"/> Pass, unamended 2312	<input checked="" type="checkbox"/> Pass, with amendments 2311	<input type="checkbox"/> Hold 2310		
<input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
IGE, David Y. (C)	✓			
GREEN, M.D., Josh (VC)		✓		
BAKER, Rosalyn H.	✓			
ESPERO, Will				✓
NISHIHARA, Clarence K.	✓			
HEMMINGS, Fred				✓
TOTAL	3	1	0	2
Recommendation:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
				
Distribution:				
Original File with Committee Report	Yellow Clerk's Office	Pink Drafting Agency	Goldenrod Committee File Copy	

*Only one measure per Record of Votes

The Senate
 Twenty-Fifth Legislature
 State of Hawaii

Record of Votes
Committee on Energy and Environment
ENE

Bill / Resolution No.:*	Committee Referral:	Date:		
<i>HB 834 HD2</i>	<i>HTH/ENE</i>	<i>19 March 2009</i>		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is:				
<input type="checkbox"/> Pass, unamended 2312	<input checked="" type="checkbox"/> Pass, with amendments 2311	<input type="checkbox"/> Hold 2310		
<input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
GABBARD, Mike (C)	/			
ENGLISH, J. Kalani (VC)	/			
GREEN, M.D., Josh			/	
HOOSER, Gary L.		/		
IHARA, Jr., Les				/
KOKUBUN, Russell S.	/			
HEMMINGS, Fred				/
TOTAL	<i>3</i>	<i>1</i>	<i>1</i>	<i>2</i>
Recommendation:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
<i>J. Kalani English</i>				
Distribution:				
Original File with Committee Report	Yellow Clerk's Office	Pink Drafting Agency	Goldenrod Committee File Copy	

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