

STAND. COM. REP. NO.

2369

Honolulu, Hawaii

FEB 15 2018

RE: S.B. No. 2930  
S.D. 1

Honorable Ronald D. Kouchi  
President of the Senate  
Twenty-Ninth State Legislature  
Regular Session of 2018  
State of Hawaii

Sir:

Your Committees on Agriculture and Environment and Public Safety, Intergovernmental, and Military Affairs, to which was referred S.B. No. 2930 entitled:

"A BILL FOR AN ACT RELATING TO UNDERGROUND STORAGE TANKS,"

beg leave to report as follows:

The purpose and intent of this measure is to require the Department of Health to adopt rules for underground storage tanks, tank systems, and related piping that conform with recent revisions to federal regulations and include additional requirements for certain field-constructed underground storage tanks including compliance with certain requirements in chapter 11-281, Hawaii Administrative Rules, or successor rules.

Your Committees received testimony in support of this measure from the City and County of Honolulu Board of Water Supply; Hawaiian Civic Club of Honolulu; O'ahu County Committee on Legislative Priorities of the Democratic Party of Hawai'i; Young Progressives Demanding Action; Hawai'i Alliance for Progressive Action; Gentlewave Bodywork Referral, Inc.; Ka Lāhui Hawaii Political Action Committee; and twenty individuals. Your Committees received testimony in opposition to this measure from the United States Navy and Department of Defense, Department of Health, Chamber of Commerce Hawaii, and one individual.



Your Committees find that the leakage of fuel from underground storage tanks is a matter of statewide concern. Fuel that leaks from storage tanks can contaminate groundwater that is used for human consumption and cause significant damage to the environment. Issues surrounding leaking fuel storage tanks are numerous and need to be adequately addressed for the health and safety of Hawaii's people and environment.

Your Committees have amended this measure by:

- (1) Extending the deadline from September 1, 2018, to October 13, 2018, for the Department of Health to adopt rules to conform Hawaii's underground storage tank and tank system rules with the July 15, 2015, revisions to federal regulations;
- (2) Requiring the Department of Health to require via rules that:
  - (A) All field-constructed underground storage tanks with capacities greater than 50,000 gallons, regardless of installation date, be upgraded to secondary containment with interstitial monitoring by July 1 of an unspecified year, and be subject to certain permitting rules; and
  - (B) All onsite integral piping connected to any field-constructed storage tanks with capacities greater than 50,000 gallons, regardless of installation date, be upgraded to secondary containment with interstitial monitoring by July 1 of an unspecified year and be subject to certain permitting rules;
- (3) Deleting language that would have required field-constructed underground storage tanks with capacities greater than 50,000 gallons and all onsite integral piping connected to such tanks to meet certain requirements prior to upgrading with secondary containment;
- (4) Deleting language that would have prohibited field-constructed underground storage tanks from being installed on or after July 1, 2019, unless the storage



tank and piping have secondary containment and comply with certain administrative rules; and

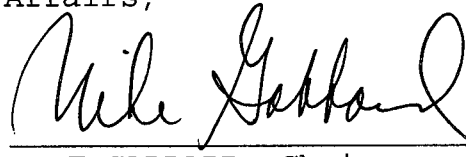
- (5) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Agriculture and Environment and Public Safety, Intergovernmental, and Military Affairs that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2930, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2930, S.D. 1, and be referred to your Committee on Commerce, Consumer Protection, and Health.

Respectfully submitted on behalf of the members of the Committees on Agriculture and Environment and Public Safety, Intergovernmental, and Military Affairs,



CLARENCE K. NISHIHARA, Chair



MIKE GABBARD, Chair



The Senate  
 Twenty-Ninth Legislature  
 State of Hawai'i

**Record of Votes**  
**Committee on Agriculture and Environment**  
**AEN**

Bill / Resolution No.:* <b>SB 2930</b>	Committee Referral: <b>AEN/PSM, CPH</b>	Date: <b>2/9/18</b>		
<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)	X			
RIVIERE, Gil (VC)	X			
NISHIHARA, Clarence K.	X			
RHOADS, Karl	X			
RUDERMAN, Russell E.	X			
<b>TOTAL</b>	<b>5</b>	<b>0</b>	<b>0</b>	<b>0</b>
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
<b>Distribution:</b> Original     Yellow     Pink     Goldenrod File with Committee Report     Clerk's Office     Drafting Agency     Committee File Copy				

\*Only one measure per Record of Votes

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 Twenty-Ninth Legislature  
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**Record of Votes**  
**Committee on Public Safety, Intergovernmental, and Military Affairs**  
**PSM**

Bill / Resolution No.:* <b>SB 2930</b>	Committee Referral: <b>AEN/PSM, CPH</b>	Date: <b>2/9/18</b>		
<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
NISHIHARA, Clarence K. (C)	/			
WAKAI, Glenn (VC)				/
BAKER, Rosalyn H.				/
IHARA, Jr., Les	/			
THIELEN, Laura H.	/			
<b>TOTAL</b>	<b>3</b>	<b>-</b>	<b>-</b>	<b>2</b>
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
<b>Distribution:</b> Original    Yellow    Pink    Goldenrod File with Committee Report    Clerk's Office    Drafting Agency    Committee File Copy				

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