

STAND. COM. REP. NO. 651

Honolulu, Hawaii

MAR 04 2021

RE: S.B. No. 582
S.D. 2

Honorable Ronald D. Kouchi
President of the Senate
Thirty-First State Legislature
Regular Session of 2021
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 582, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO THE ENVIRONMENT,"

begs leave to report as follows:

The purpose and intent of this measure is to amend the definition of "water pollutant" as used in chapter 342D, Hawaii Revised Statutes, relating to water pollution, to include plastic.

Your Committee received testimony in support of this measure from the Surfrider Foundation, Center for Biological Diversity, and eighteen individuals. Your Committee received testimony in opposition to this measure from the Department of Health and American Chemistry Council.

Your Committee finds that the Environmental Protection Agency recognizes that most of the trash that pollutes the nation's waters is plastic trash. Additionally, the Environmental Protection Agency held that seventeen water bodies around the Hawaiian islands are impaired by plastic pollution. Your Committee further finds that on March 30, 2020, the Environmental Protection Agency issued a final ruling, rescinding its approval of the 2018 Hawai'i List of Impaired Waters under Clean Water Act, Section 303(d), citing specifically that "the State's submission does not demonstrate that it has satisfied its statutory and regulatory obligation to assemble and evaluate all existing and



readily available water-quality data and information, specifically for plastic trash related to plastics." This measure will enable state and federal regulators to more effectively protect Hawai'i's waters, communities, and wildlife from plastic pollutants.

Your Committee has amended this measure by:

- (1) Inserting an effective date of May 6, 2137, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 582, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 582, S.D. 2.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary,



KARL RHOADS, Chair



