

Honolulu, Hawaii

APR 05 2016

RE: H.B. No. 2626
H.D. 1
S.D. 2

Honorable Ronald D. Kouchi
President of the Senate
Twenty-Eighth State Legislature
Regular Session of 2016
State of Hawaii

Sir:

Your Committee on Commerce, Consumer Protection, and Health,
to which was referred H.B. No. 2626, H.D. 1, S.D. 1, entitled:

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

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Prohibit the Department of Health from issuing a permit for a new underground storage tank within 100 yards of the shoreline;
- (2) Allow the Department of Health to issue a permit to repair or replace existing underground storage tanks;
- (3) Allow permit holders for existing underground storage tanks located within 100 yards of the shoreline to renew their permits; and
- (4) Beginning January 1, 2045, prohibit operation of and renewal of a permit for an underground storage tank within 100 yards of the shoreline.

Your Committee received testimony in support of this measure from the Department of Health, City and County of Honolulu Board of Water Supply, and Sierra Club of Hawai'i. Your Committee received comments on this measure from Par Hawaii and the Hawai'i Petroleum Marketers Association.



Your Committee finds that climate change is real and that sea level rise poses a threat to Hawaii's quality of life. Immediate preparation for sea level rise will protect natural resources and save money in the long term. The inundation of underground storage tanks poses risks to the aquifer as well as coastal water quality and marine ecosystems. By prohibiting the operation of and renewal of underground storage tanks within 100 yards of the shoreline beginning January 1, 2045, this measure may complement the renewable portfolio standards under section 269-92, Hawaii Revised Statutes, and assure that Hawaii moves beyond its dependence on imported fuels and continues to grow a local renewable energy industry.

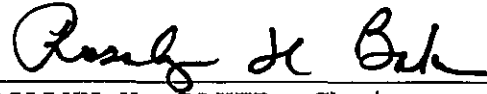
Your Committee has amended this measure by:

- (1) Clarifying that a permit may be issued by the Department of Health for the purposes of repairing or replacing an existing underground storage tank within 100 yards of the shoreline;
- (2) Inserting language that, beginning January 1, 2020, requires the Department of Health to assist owners of underground storage tanks located within 100 yards of the shoreline to relocate or phase out use of such underground storage tanks by 2045;
- (3) Inserting an effective date of July 1, 2016; and
- (4) 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 Commerce, Consumer Protection, and Health that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2626, H.D. 1, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2626, H.D. 1, S.D. 2.



Respectfully submitted on
behalf of the members of the
Committee on Commerce, Consumer
Protection, and Health,



ROSALYN H. BAKER, Chair



The Senate
 Twenty-Eighth Legislature
 State of Hawai'i

Record of Votes
Committee on Commerce, Consumer Protection, and Health
CPH

Bill / Resolution No.:*	Committee Referral:	Date:		
HB 2626, HD1, SD1	EET/WLA, CPH	3-30-16		
<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
BAKER, Rosalyn H. (C)	/			
KIDANI, Michelle N. (VC)	/			
ESPERO, Will	/			
IHARA, Jr., Les	/			
NISHIHARA, Clarence K.	/			
RUDERMAN, Russell E.	/			
SLOM, Sam	/			
TOTAL	7			
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <i>Michelle N. Kidani</i>				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes