

JAN 25 2023

---

---

# A BILL FOR AN ACT

RELATING TO ENVIRONMENTAL PROTECTION.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1           SECTION 1. The legislature finds that perfluoroalkyl and  
2 polyfluoroalkyl substances (PFAS) are chemicals that have been  
3 used in many consumer products since the 1940s. PFAS accumulate  
4 in the human body, and exposure can lead to adverse health  
5 outcomes in humans. Once PFAS enter the environment, they  
6 persist for a very long time, as no natural processes can break  
7 down these substances. These "forever chemicals" can continue  
8 to cause exposures long after they are phased out of consumer  
9 and other products. Furthermore, there is little toxicity or  
10 safety data for most of the commonly used PFAS chemicals.

11           The legislature also finds that studies indicate that PFAS  
12 can cause developmental, kidney, and immunological effects in  
13 laboratory animals. Perfluorohexanoic acid (PFHxA), a part of  
14 the class of compound group of PFAS, was detected in water  
15 samples collected at the Waipahu Wells II Granular Activated  
16 Carbon Treatment Facility as reported by a department of health  
17 news release in January 2023. State toxicologist, Diana Felton,



1 MD, has indicated that the levels found are significantly below  
2 the action level. In addition, the United States Environmental  
3 Protection Agency (EPA) has released drinking water health  
4 advisories for PFAS that indicate the level of drinking water  
5 contamination is below the level at which adverse health effects  
6 are expected to occur. EPA health advisories provide  
7 information that the State can use to update monitoring plans  
8 and future policies to protect the public from PFAS exposure in  
9 drinking water. The EPA is committed to aggressive action to  
10 prevent PFAS from entering the environment and to help protect  
11 families from this pervasive challenge. It behooves the  
12 department of health to adopt the same level of commitment to  
13 the State.

14 The purpose of this Act is to establish a water quality  
15 task force to address PFAS contamination in Hawaii's drinking  
16 water.

17 SECTION 2. There is established the water quality task  
18 force to address the level of drinking water contamination  
19 caused by perfluorohexanoic acid sample detected at the Waipahu  
20 Wells II Granular Activated Carbon Treatment Facility. The



1 water quality task force shall be composed of the following  
2 members:

- 3 (1) The chairperson of the commission on water resource  
4 management, or the chairperson's designee, who shall  
5 serve as co-chair;
- 6 (2) The manager and chief engineer of the Honolulu board  
7 of water supply, or the manager and chief engineer's  
8 designee, who shall serve as co-chair;
- 9 (3) One member from the department of health, selected by  
10 the director of health;
- 11 (4) One member from the department of business, economic  
12 development, and tourism, selected by the director of  
13 business, economic development, and tourism;
- 14 (5) One member from the University of Hawaii, selected by  
15 the president of the University of Hawaii;
- 16 (6) One member from the senate, selected by the senate  
17 president;
- 18 (7) One member from the house of representatives, selected  
19 by the speaker of the house of representatives;



1 (8) One member from the city and county of Honolulu,  
2 selected by the mayor of the city and county of  
3 Honolulu;

4 (9) One member from the Environmental Protection Agency  
5 who shall be invited by the co-chairs;

6 (10) One member from the United States Geological Survey  
7 who shall be invited by the co-chairs; and

8 (11) Two members of the public who shall be invited by the  
9 co-chairs.

10 SECTION 3. The water quality task force shall conduct a  
11 comprehensive study to examine the consequences of the drinking  
12 water contamination caused by the perfluorohexanoic acid sample  
13 detected at the Waipahu Wells II Granular Activated Carbon  
14 Treatment Facility, including:

- 15 (1) Environmental impacts on water quality;
- 16 (2) Infrastructure to support water quality management;
- 17 (3) Water quality impacts on public health; and
- 18 (4) Economic impacts from water quality.

19 The study shall include a recommendation plan.

20 SECTION 4. The water quality task force shall submit a  
21 report of its findings and recommendations, including any



1 proposed legislation, to the legislature no later than twenty  
2 days prior to the convening of the regular session of 2025.

3 SECTION 5. There is appropriated out of the general  
4 revenues of the State of Hawaii the sum of \$ or so  
5 much thereof as may be necessary for fiscal year 2023-2024 and  
6 the same sum or so much thereof as may be necessary for fiscal  
7 year 2024-2025 for a multi-year study to examine the  
8 consequences of the drinking water contamination caused by the  
9 perfluorohexanoic acid sample detected at the Waipahu Wells II  
10 Granular Activated Carbon Treatment Facility.

11 The sums appropriated shall be expended by the department  
12 of health for the purposes of this Act.

13 SECTION 6. This Act shall take effect on July 1, 2023.

14

INTRODUCED BY:

  
\_\_\_\_\_



# S.B. NO. 1459

**Report Title:**

Water Quality; Task Force; Environment; Perfluoroalkyl and Polyfluoroalkyl Substances; PFAS; Appropriation

**Description:**

Establishes a task force to examine the consequences of drinking water contamination detected at the Waipahu Wells II Granular Activated Carbon Treatment Facility. Appropriates funds.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

