



**GOV. MSG. NO. 1281**

EXECUTIVE CHAMBERS  
HONOLULU

DAVID Y. IGE  
GOVERNOR

July 1, 2016

The Honorable Ronald D. Kouchi,  
President  
and Members of the Senate  
Twenty-Eighth State Legislature  
State Capitol, Room 409  
Honolulu, Hawai'i 96813

The Honorable Joseph M. Souki,  
Speaker and Members of the  
House of Representatives  
Twenty-Eighth State Legislature  
State Capitol, Room 431  
Honolulu, Hawai'i 96813

Dear President Kouchi, Speaker Souki, and Members of the Legislature:

This is to inform you that on July 1, 2016, the following bill was signed into law:

HB2626 HD1 SD2 CD1

RELATING TO UNDERGROUND STORAGE  
TANKS  
**ACT 179 (16)**

Sincerely,

DAVID Y. IGE  
Governor, State of Hawai'i

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# A BILL FOR AN ACT

RELATING TO UNDERGROUND STORAGE TANKS.

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

1 SECTION 1. The legislature finds that climate change is  
2 real and that sea level rise poses a threat to our quality of  
3 life. Preparation for sea level rise now will protect our  
4 natural resources and save money in the long term. Inundation  
5 of underground fuel storage tanks poses risks to our aquifers,  
6 coastal water quality, and marine ecosystems.

7 The purpose of this Act is to:

- 8 (1) Prohibit the issuance of permits for new underground  
9 fuel storage tanks within one hundred yards of the  
10 shoreline;
- 11 (2) Allow for permits for existing underground fuel  
12 storage tanks for purposes of repair or replacement of  
13 the existing underground fuel storage tank; and
- 14 (3) Beginning January 1, 2045, prohibit operation of and  
15 renewal of a permit for an underground fuel storage  
16 tank within one hundred yards of the shoreline.



1 SECTION 2. Chapter 342L, Hawaii Revised Statutes, is  
2 amended by adding a new section to be appropriately designated  
3 and to read as follows:

4 "§342L- Permits near shoreline prohibited; exception.

5 (a) The department shall not issue a permit for a new  
6 underground fuel storage tank within one hundred yards of the  
7 shoreline; provided that a permit may be issued by the  
8 department for purposes of repairing or replacing an existing  
9 underground fuel storage tank.

10 (b) Except as otherwise provided in subsection (c), the  
11 holder of a permit for an existing underground fuel storage tank  
12 within one hundred yards of the shoreline may renew the permit.

13 (c) Beginning January 1, 2045, no person shall operate an  
14 underground fuel storage tank within one hundred yards of the  
15 shoreline, and no permit for an underground fuel storage tank  
16 within one hundred yards of the shoreline shall be renewed."

17 SECTION 3. Section 342L-1, Hawaii Revised Statutes, is  
18 amended by adding a new definition to be appropriately inserted  
19 and to read as follows:

20 "Shoreline" means the upper reaches of the wash of the  
21 waves, other than storm and seismic waves, at high tide during



1 the season of the year in which the highest wash of the waves  
2 occurs, usually evidenced by the edge of vegetation growth, or  
3 the upper limit of debris left by the wash of the waves."

4 SECTION 4. New statutory material is underscored.

5 SECTION 5. This Act shall take effect on July 1, 2016.

APPROVED this 1 day of JUL , 2016



GOVERNOR OF THE STATE OF HAWAII

