

PUBLIC NOTICE

16-CA-PA-13

The Department of Health, State of Hawaii, is notifying all interested persons of the proposed settlement between the Department of Health and Hawaiian Commercial & Sugar Company (HC&S). The Department of Health has issued a Notice and Finding of Violation and Order, in Docket No. 14-CA-EO-01, alleging that HC&S violated Code of Federal Regulations (CFR) Subpart D, Section 60.42, State air pollution laws, Hawaii Revised Statutes (HRS) §342B-11, Hawaii Administrative Rules (HAR) §11-60.1-2, HAR §11-60.1-15(a), HAR §11-60.1-16(a), HAR §11-60.1-16(b), HAR §11-60.1-32(b), Permit to Operate (PTO) No.'s P-783-1586, P-605-1584, P-40-1585 and Authority to Construct (ATC) No. A-1128-1042 by failing to meet notification, reporting and visible emission requirements on numerous occasions from 2009 to 2013.

A Consent Order has been drafted that proposes to settle this case. Interested persons may submit written comments on this proposed settlement to the Department of Health within 30 days of this notice. Comments should be sent to Mr. Nolan S. Hirai, Manager, Clean Air Branch, Department of Health, P.O. Box 3378, Honolulu, Hawaii, 96801-3378. The proposed Consent Order and the Notice and Finding of Violation and Order may be reviewed at the Clean Air Branch in Honolulu, 919 Ala Moana Boulevard, Suite 203, at the Clean Air Branch in Maui, District Health Office, 54 High Street, Wailuku, Maui, or online at: <http://health.hawaii.gov/cab/>. For additional information, contact Mr. David Wong of the Clean Air Branch in Honolulu at (808) 586-4200.