



Hawaii State Department of Health
Hawaii State Implementation Plan Revision
National Ambient Air Quality Standards
2010 Sulfur Dioxide 1-Hour Standard
2012 Fine Particulate Matter Annual Standard
2015 Ozone 8-Hour Standard

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List of Acronyms and Definitions	
AQI	Air Quality Index
AQS	Air Quality System
Big Island	Hawaii Island – Largest of the Hawaiian Islands
CAA	Clean Air Act
CAB	Clean Air Branch (State of Hawaii)
CFR	Code of Federal Regulations
CONUS	Continental United States
CO	Carbon Monoxide
DHO	District Health Office (State of Hawaii)
DOH-CAB	Department of Health Clean Air Branch (State of Hawaii)
DRR	Data Requirements Rule
EEP	Emergency Episode Plan
EPA	U.S. Environmental Protection Agency
FR	Federal Register
FTE	Full Time Employees
FY	Fiscal Year
HAR	Hawaii Administrative Rules
HDOH	Hawaii Department of Health
HRS	Hawaii Revised Statutes
I-SIP	Infrastructure State Implementation Plan
N	New Request for section to be approved
NAAQS	National Ambient Air Quality Standards
NEI	National Emissions Inventory
NO ₂	Nitrogen Dioxide
O ₃	Ozone
PA	Previously approved
PA/NA	Previously approved but not amended
Pb	Lead
PM	Particulate matter
PM ₁₀	Particulate matter less than or equal to 10 micrometers in diameter
PM _{2.5}	Particulate matter less than or equal to 2.5 micrometers in diameter (fine particulate matter)

List of Acronyms and Definitions	
ppb	Parts Per Billion
ppm	Parts Per Million
PSD	Prevention of Significant Deterioration
SIP	State Implementation Plan
SO ₂	Sulfur Dioxide
SPeCS	EPA's State Planning Electronic Collaboration System
TSD	Technical Support Documents
TSP	Total Suspended Particles
µg/m ³	Microgram Per Cubic Meter

**Hawaii's Infrastructure State Implementation Plan Revision
National Ambient Air Quality Standards
2010 Sulfur Dioxide, 2012 Fine Particulate Matter, and 2015 Ozone**

Introduction

The Hawaii Department of Health (HDOH) Clean Air Branch proposes to determine that the existing Hawaii applicable State Implementation Plan (SIP) adequately meets the “infrastructure” requirements of Clean Air Act (CAA) §110(a)(2) Elements (Attachment 1) for the 2010 sulfur dioxide (SO₂), 2012 fine particulate matter (PM_{2.5}), and 2015 ozone (O₃) National Ambient Air Quality Standards (NAAQS). The Infrastructure SIP submittal (Attachment 1) demonstrates how the HDOH Clean Air Branch, through its SIP and state programs, meets each applicable requirement of CAA §110(a)(2). The submittal includes Attachments 1 through 6 and Appendices A through H.

Background

The CAA¹ requires the U.S. Environmental Protection Agency (EPA) to set NAAQS for six principal pollutants (“criteria” air pollutants)² which can be harmful to public health and the environment. Criteria pollutants include particulate pollution, ground level ozone, carbon monoxide (CO), lead (Pb), sulfur dioxide, and nitrogen dioxide (NO₂). Two types of NAAQS, referred to as primary and secondary NAAQS, are identified in the CAA. Primary standards provide public health protection, including protecting the health of “sensitive” populations such as asthmatics, children, and the elderly. Secondary standards provide public welfare protection, including protection against decreased visibility and damage to animals, crops, vegetation, and buildings.³

Federal CAA §110(a)(1) and (2) mandate after the promulgation or revision of a NAAQS, states must revise their SIP to show that they have the authority and programs needed to implement, maintain, and enforce the new or revised standard. Section 110(a)(1) directs each state to make an infrastructure SIP submission within 3 years of promulgation of a new or revised NAAQS. Section 110(a)(2) specifies the substantive elements that infrastructure SIP submissions need to address, as appropriate, for EPA approval.

After a public comment period, public hearing, and addressing all comments received, the SIP revision is submitted with transmittal letter to the EPA electronically via EPA’s State Planning Electronic Collaboration System (SPECS) for approval.

The NAAQS revisions addressed in this SIP submittal are for SO₂ (75 FR 35520, June 22, 2010), PM_{2.5} (78 FR 3085, January 15, 2013), and O₃ (80 FR 65292, October 26, 2015). The HDOH Clean Air Branch intentionally delayed this submittal to allow it to be preceded by amendments to Hawaii Administrative Rules (HAR), Title 11, Chapter 60.1, Air Pollution Control, to revise critical sections of the EPA-approved SIP. Table 1 on page 2 of 7

¹ Please refer to the following EPA link regarding the CAA: <https://www.epa.gov/clean-air-act-overview>.

² Please refer to the following EPA link regarding criteria pollutants: <https://www.epa.gov/criteria-air-pollutants>.

³ Please refer to the following EPA link regarding the NAAQS: <https://www.epa.gov/criteria-air-pollutants/naaqs-table>.

summarizes changes to the NAAQS from 2010 to 2024. The complete history of NAAQS revisions is provided in Attachment 2. The most recent revisions to the primary annual PM_{2.5} NAAQS (89 FR 1602, March 6, 2024) and secondary SO₂ NAAQS (89 FR 105692, December 27, 2024) will not be evaluated in this SIP submittal.

The HDOH Clean Air Branch is not addressing the 2024 primary PM_{2.5} and secondary SO₂ NAAQS revisions in this SIP submittal due to uncertainties in regulatory actions and the end result of area designations for the revised standards. EPA, as of March 12, 2025, is reconsidering the 2024 PM_{2.5} NAAQS revision to strengthen the annual standard for fine particulate matter from 12 ug/m³ to 9 ug/m³. Therefore, due to the uncertainty in the outcome of this reconsideration, HDOH Clean Air Branch will not address the fine particulate matter standard at this time. Also, on December 10, 2024, the secondary SO₂ NAAQS was strengthened from 0.5 ppm as a 3-hour average to an annual standard with a level not to exceed 10 ppb, averaged over 3 years. The 2024 secondary SO₂ NAAQS revision will be addressed in another infrastructure SIP submittal after EPA provides area designations for this NAAQS revision.

Table 1 NAAQS Revisions to Criteria Pollutant Standards					
Pollutant [Final Rule Citation]	Primary / Secondary	Averaging Time	Previous Level	New Level	Form
SO ₂ [75 FR 35520, 6/22/2010]	Primary	24-hour & Annual (Revoked)	0.14ppm (24-hour) 0.03 ppm (Annual)	Replacing 24-hour and annual standards with new 1-hour standard	99 th percentile of 1-hour daily maximum concentrations, averaged over three years
		1-hour	24-hour and Annual	75 ppb	
PM _{2.5} [78 FR 3085, 1/15/2013]	Primary	Annual	15.0 µg/ m ³	12.0 µg/m ³	Three-year average of the annual average
O ₃ [80 FR 65292, 10/26/2015]	Primary and Secondary	8-hour	0.075 ppm	70 ppb	Annual fourth highest daily maximum 8-hour average concentration, averaged over three years
PM _{2.5} [89 FR 16202, 3/6/2024]	Primary	Annual	12.0 µg/ m ³	9.0 µg/m ³	Annual arithmetic mean, averaged over three consecutive years
SO ₂ [89 FR 105692, 12/27/2024]	Secondary	3-hour (revoked)	0.5 ppm	Replacing 3-hour standard with new annual standard	Annual average, averaged over three years
		Annual	3-hour	10 ppb	

The initial Hawaii Infrastructure SIP was approved by EPA (with certain exceptions) on May 31, 1972, 37 FR 10842, and has since been revised and expanded several times, most recently on November 12, 2019 (86 FR 73129) in support of the 2015 ozone interstate transport SIP requirements. The SIP submittal addressed two requirements of CAA section 110(a)(2)(D)(i)(I) for the 2015 ozone NAAQS referred to as prong 1 (significant contribution to nonattainment of the NAAQS in any other state) and prong 2 (interference with maintenance of the NAAQS in any other state). The EPA refers to SIP revisions addressing section 110(a)(2)(D)(i)(I) as “good neighbor” SIPs or “interstate transport” SIPs.

For this SIP submittal, interstate transport is addressed in Attachments 5 and 6 for the 2010 SO₂ and 2012 PM_{2.5} NAAQS, respectively. Interstate transport has already been addressed in the August 6, 2015 SIP submittal to EPA for the 2008 ozone NAAQS. Therefore, no TSD is provided in this submittal for the interstate transport of ozone.

Exceptional Event Demonstrations

The 2010 1-hour SO₂ NAAQS and 2012 annual PM_{2.5} NAAQS are exceeded from time to time on the Island of Hawaii (Big Island). However, previous exceptional event packages indicate that these exceedances are most likely due to volcanic activity. Exceedances of the NAAQS caused by naturally occurring volcanic emissions are beyond reasonable control and prevention by the State of Hawaii. Please see Appendix A of Hawaii's Regional Haze State Implementation Plan for a summary of volcanic activity on the Big Island at: <https://health.hawaii.gov/cab/regional-haze/>.

The HDOH Clean Air Branch submitted an exceptional event package on December 11, 2013, and exceptional event package addendum on July 1, 2014, to address exceedances of the 2012 annual PM_{2.5} NAAQS that occurred at the Kona air monitoring station from 2011 to 2013 on the Big Island. Specifically, these documents addressed exceedances on 2 days in 2011, 200 days in 2012, and 66 days in 2013. These submittals concluded that PM_{2.5} exceedances at the Kona station, and Kona station alone, were caused by naturally occurring volcanic emissions. Based on review of the submittals, EPA's Air Quality System (AQS) excluded these data and did not count the days as exceedances or include them in design value estimates. As a result, EPA determined that no area within Hawaii violates the 2012 PM_{2.5} standard and designated all of Hawaii as unclassifiable / attainment.

The HDOH Clean Air Branch submitted an exceptional event package on December 17, 2015, to address exceedances of the 2010 1-hour SO₂ NAAQS that occurred from 2012 to 2014 at the Hilo, Mountain View, Ocean View, and Pahala air monitoring stations on the Big Island. Specifically, the document addressed 4,546 total combined hours of exceedances at these monitoring stations. The submittal concluded that the SO₂ exceedances at the Hilo, Mountain View, Ocean View, and Pahala stations were caused by naturally occurring volcanic emissions. Based on review of the exceptional event submittal for the SO₂ standard, EPA's AQS excluded these data from design value estimates. On February 16, 2016, EPA indicated that it intends to designate Hawaii County as unclassifiable / attainment for the 1-hour SO₂ NAAQS.

Please refer to the HDOH Clean Air Branch website for Hawaii's exceptional event packages, EPA's responses to the submittals, and area designations at: <https://health.hawaii.gov/cab/exceptional-event-data/>.

Exceedances of the SO₂ and PM_{2.5} NAAQS most recently revised in 2024 that are considered to be due to natural sources of emissions, such as those from the volcanic activity, would require further evaluation in accordance with 40 CFR §50.14 of EPA's Exceptional Event Rule.

Contingency Plan Exemption Request

While air quality monitoring measurements identified a Priority II Region on the Big Island, HDOH Clean Air Branch is requesting an exemption of having to prepare an episodic event plan (EEP) in this SIP submittal. Pursuant to 40 CFR §52.152(d)(1), the EPA may exempt those portions of Priority II Regions designated attainment or unclassifiable for primary and secondary national standards from the requirement to prepare a plan for emergency episodes. The Priority II Region classification is based on the maximum SO₂ concentration recorded from an air quality monitoring station in the town of Pahala on the Big Island over a three-year period from 2021 to 2023. Appendices F and G provide more details on the EEP exemption request for episodic events.

1-Hour SO₂ Data Requirements Rule

On August 21, 2015, EPA finalized the Data Requirements Rule (DRR) for the 2010 SO₂ NAAQS. Under 40 CFR Part 51, Subpart BB, §51.1203, state air agencies were required to characterize ambient SO₂ levels in areas with large SO₂ sources having the potential to impact compliance with the 2010 standard. Characterization was to be made through either monitoring or modeling of areas closely surrounding sources emitting or having the potential to emit 2,000 tons of SO₂ per year. Under 40 CFR §51.1203, each state was required to submit a list of applicable SO₂ sources identified pursuant to 40 CFR §51.1202 no later than January 15, 2016. State air agencies were subsequently required to identify the approach they would take to characterize air quality in the surrounding areas by July 1, 2016.

Hawaii chose monitoring to characterize ambient SO₂ levels in areas around large SO₂ sources and installed two monitoring stations on Oahu. These two ambient air monitoring stations, which began collecting air quality data on January 1, 2017, were later discontinued with EPA approval after a request was made by the state of Hawaii. The two monitoring stations, located in Pearl Ridge and Makakilo, were operated solely for the purpose of satisfying the 2015 SO₂ DRR by monitoring SO₂ levels around Hawaiian Electric's Waiau and Kahe Generating Stations, Kalaeloa Cogeneration Plant, and the AES Hawaii Cogeneration Plant.

For supporting approval to discontinue operation of air monitoring stations characterizing SO₂ air quality, the monitoring station for the Waiau plant showed design values less than 50% of the 1-hour SO₂ NAAQS and there was low chance of exceeding 80% of the standard for the monitoring station measuring SO₂ around the Kahe / Kalaeloa / AES plants. On May 15, 2020, the state of Hawaii sent a request to EPA to close the monitoring station measuring SO₂ air quality around the Waiau Generating Station, which was approved on October 8, 2021. A request to close the monitoring station measuring SO₂ air quality around the Kahe, Kalaeloa, and AES Hawaii plants was sent on April 30, 2024, with EPA approving the shutdown on July 26, 2024.

Please refer to the following HDOH Clean Air Branch website for Hawaii's 1-hour SO₂ DRR submittals and EPA's responses to the submittals at: <https://health.hawaii.gov/cab/1-hour-so2-data-requirements-rule/>.

Submittal

This proposed Infrastructure SIP submittal consists of the following documents:

- 1) CAA Section 110(a)(2) Elements (**Attachment 1**) that explains how the applicable SIP, with the submitted revisions, would satisfy the infrastructure SIP elements of CAA, Section 110(a)(2).
- 2) List of Revisions to the National Ambient Air Quality Standards (**Attachment 2**). Provides a history of NAAQS revisions from 1971 to 2024.
- 3) List of Revisions to Regulatory and Statutory Provisions Satisfying Hawaii's Infrastructure SIP (**Attachment 3**). The list includes 12 new sections of HAR 11-60.1 and 1 new section of Hawaii Revised Statutes (HRS) that HDOH requests to be approved into the SIP by EPA, and 21 sections that were previously approved but were amended on January 13, 2012; June 30, 2014; or February 8, 2024.
- 4) Summary of Public Participation Proceedings for Hawaii's Infrastructure SIP (**Attachment 4**).
- 5) Technical Support Documents (TSDs) for 2010 SO₂ and 2012 PM_{2.5} NAAQS (**Attachments 5 & 6, respectively**) demonstrate that Hawaii does not significantly contribute to interstate transport of pollutants that impact nonattainment in, or interfere with maintenance by, any other state with respect to the NAAQS.
- 6) Various reference documents, including applicable sections of HAR 11-60.1, HRS Chapters 84 and 342B, HDOH organizational charts, and recent ambient air quality monitoring data.

Public Participation

A copy of the notice for public comments, published on July 31, 2025, in newspapers statewide, is included in Attachment 4. It provides details on how to submit comments, attend the public hearing, and view documents.

Electronic (PDF) copies of the submittal and supporting documents, including HAR 11-60.1, Air Pollution Control are available on the Clean Air Branch website at:

[Clean Air Branch | Infrastructure State Implementation Plans \(I-SIPs\)](#)

The complete text for HRS Chapters 84 and 342B can viewed on the Hawaii Legislature website at: <http://www.capitol.hawaii.gov/hrscurrent/>

Completeness Determination Checklist
Hawaii Infrastructure SIP Revision for Primary NAAQS
2010 Sulfur Dioxide, 2012 Fine Particulate Matter, and 2015 Ozone

1. Transmittal Letter from Governor / Designee
See Transmittal Letter from Hawaii's Director of Health.
2. Evidence of Adoption
See **Attachment 4**: Summary of Public Participation Proceedings and enclosures.
3. State Legal Authority
See **Attachment 1** CAA §110(a)(2) Elements, and **Attachment 3**: List of Provisions Satisfying Hawaii's Infrastructure SIP
4. Complete Copy of Statute / Regulation / Document
See **Appendix A**. HAR 11-60.1, Air Pollution Control §HRS Provisions.
5. Written Summary of Rule / Rule Change
Not applicable.
6. Rule Changes Indicated in Ramseyer Format (by Underlining and Cross-outs)
See **Appendix D**: HAR amendments.
7. Evidence that Hawaii's Administrative Rules Procedure Requirements Were Met
See **Appendix C**: Evidence of Public Participation for January 13, 2012; June 30, 2014; and February 8, 2024 HAR Amendments.
8. Evidence of Public Hearing
See **Attachment 4**: Summary of Public Participation Proceedings and enclosures.
9. Public Comments and Agency Response
See **Attachment 4**: Summary of Public Participation Proceedings and enclosures.
10. Identification of Pollutants Regulated by Rule / Plan
See **Attachments 5 & 6**: Technical Support Documents on CAA §110(a)(2)(D) Interstate Transport.
11. Identification of Sources / Attainment Status
See **Attachments 5 & 6**: Technical Support Documents on CAA §110(a)(2)(D) Interstate Transport.
12. Rule's / Plan's Effect on Emissions
Not applicable.
13. Demonstration that NAAQS Prevention of Significant Deterioration (PSD) Increments and Reasonable Further Progress are Protected
See **Attachment 1**: CAA §110(a)(2) Elements

14. Location, Wind Data, and Emission Inventories
See **Attachments 5 & 6**: Technical Support Documents on CAA §110(a)(2)(D) Interstate Transport.
15. Evidence that Emissions Limitations are Based on Continuous Emissions Reduction Technology
Not applicable.
16. Identification of Rule Sections Containing Emissions Limits, Work Practice Standards, and/or Recordkeeping/Reporting Requirements
See **Attachment 1**: CAA §110(a)(2) Elements.
17. Compliance / Enforcement Strategies
See **Attachment 1**: CAA §110(a)(2) Elements
18. Economic Technical Justification for Deviation from EPA Policies
No known deviations.

Attachment 1

CAA §110(a)(2) Elements

**Hawaii State Implementation Plan Revision
CAA Section 110(a)(2) Elements
2010 1-Hour SO₂ , 2012 PM_{2.5}, and 2015 O₃ NAAQS**

Table A-1.1 CAA Section 110(a)(2)(A): Enforceable Emission Limits and Other Control Measures

“include enforceable emission limitations and other control measures, means, or techniques (including economic incentives such as fees, marketable permits, and auctions of emissions rights), as well as schedules and timetables for compliance, as may be necessary or appropriate to meet the applicable requirements of this chapter”

Hawaii Program

Statutory provisions relevant to this element included (please refer to Attachment 3 for the list of statutory provisions):

HRS §342B-3 General functions, duties, and powers of the director¹, 8/9/2012, 77FR47530

HRS §342B-11 Prohibition, 8/9/2012, 77FR47530

HRS §342B-12 Specific powers of the director, 8/9/2012, 77FR47530

HRS §342B-21 Specific functions, duties, and powers of the director, 8/9/2012, 77FR47530

Hawaii Revised Statutes 342B-3, 342B-11, 342B-12, and 342B-21 give the department² the authority and duty to establish rules to prevent, control, and abate air pollution and the emission of air pollutants³ in the State. The director may:

1. Establish ambient air quality standards for the State;
2. Establish and administer any permit program;
3. Establish by rule the control of open burning, fugitive dust, and visible emissions;
4. Establish by rule the control of vehicular smoke emission and require the installation, use, and proper operation and maintenance of air pollution control equipment for motor vehicles;
5. Establish and administer a program of inspection and testing of all modes of transportation except aircraft, to enforce compliance with applicable emission limitations when necessary and practicable, and to control or limit the operation of motor vehicular and other modes of transportation when the director finds pursuant to standards established by rules such modes of transportation are producing or pose an immediate danger of producing unacceptable levels of air pollution or when such control is necessary to meet applicable ambient air quality standards;
6. Establish by rule other specific areas for control of air pollution, thereby allowing for varying conditions.

Regulatory provisions relevant to this element include (please refer to Attachment 3 for the list of regulatory provisions):

HAR §11-60.1-1 Definitions, 4/27/2012, 77FR25084

HAR §11-60.1-2 Prohibition of air pollution, 4/27/2012, 77FR25084

Specifies that no person shall engage in any activity which causes air pollution or causes or allows the emission of any regulated or hazardous air pollutant without first securing approval in writing from the director.

HAR §11-60.1-15 Reporting of equipment shutdown, 4/27/2012, 77FR25084

Requires prior notification of the intent to shutdown air pollution control equipment but does not exempt sources from enforcement action if emissions occur as a result of a planned shutdown.

Table A-1.1 CAA Section 110(a)(2)(A): Enforceable Emission Limits and Other Control Measures

HAR §11-60.1-16 Prompt reporting of deviations, [4/27/2012, 77FR25084](#)

Requires sources to submit prompt notification if excess emissions occur as a result of the breakdown or malfunction of any emission unit, air pollution control equipment or related equipment but does not exempt sources from enforcement action if such excess emissions occur.

HAR §11-60.1-31 Applicability*, [8/21/2014, 79FR49454](#)

States that all federal and state regulations of the chapter apply to all sources of air pollution.

HAR §11-60.1-32 Visible Emissions*, [4/27/2012, 77FR25084](#)

Sets visible emission limitations on stationary sources and identifies methods of demonstrating compliance.

HAR §11-60.1-33 Fugitive dust**

Prohibits causing or permitting visible fugitive dust or allowing it to cross property lines. Identifies methods of demonstrating compliance.

HAR §11-60.1-34 Motor vehicle, [4/27/2012, 77FR25084](#)

Restricts the emission of visible smoke from gasoline or diesel-powered motor vehicles, the amount of time and location an engine may idle, and prohibits the dismantling or failure to maintain or operate any equipment or feature of a motor vehicle air pollution control system or mechanism that is required by the provisions of the Clean Air Act.

HAR §11-60.1-35 Incineration**

Sets particulate matter emissions limit of 0.20 pounds/1,000 pounds, and other restrictions, for incinerators. Identifies methods of demonstrating compliance.

HAR §11-60.1-36 Biomass fuel burning boilers**

Sets particulate matter emissions limit of 0.40 pounds/1,000 pounds, and other restrictions, for biomass burning boilers. Identifies methods of demonstrating compliance.

HAR §11-60.1-37 Process industries**

Sets particulate matter emissions limit, and other restrictions, for operations other than incinerators or biomass fuel burning boilers.

HAR §11-60.1-38 Sulfur oxides from fuel combustion**

Sets limits for percentage of sulfur in fuel. Identifies methods of demonstrating compliance.

HAR §11-60.1-39 Storage of volatile organic compounds**

States requirements for storing volatile organic compounds in tanks or containers with capacity greater than 40,000 gallons. Identifies methods of demonstrating compliance.

HAR §11-60.1-40 Volatile organic compound water separation*, [4/27/2012, 77FR25084](#)

Requires vapor loss control device installation and operation on single or multiple compartment volatile organic compound water separators. Identifies methods of demonstrating compliance.

HAR §11-60.1-41 Pump and compressor requirements*, [4/27/2012, 77FR25084](#)

Requires that pumps and compressors with a Reid vapor pressure equal to or greater than 1.5 PSI have mechanical seals or equivalent equipment to control air pollution. Identifies methods of demonstrating compliance.

HAR §11-60.1-42 Waste gas disposal*, [4/27/2012, 77FR25084](#)

Prohibits emissions of gas stream containing volatile organic compounds; allows exceptions.

HAR §11-60.1-43 All operation and maintenance of permitted sources**

Requires that all permittees operate and maintain their source to meet air pollution levels set in their permits.

HAR §11-60.1-51 [Open Burning] Definitions*, [4/27/2012, 77FR25084](#)

HAR §11-60.1-52 [Open Burning] General provisions**

Prohibits open burning; identifies exemptions including defined categories of conditionally allowed open burning.

Table A-1.1 CAA Section 110(a)(2)(A): Enforceable Emission Limits and Other Control Measures

HAR §11-60.1-53 Agricultural burning: permit requirement, 4/27/2012, 77FR25084

Requires that any person engaged in any agricultural operation, forest management, or range improvement first obtain an agricultural burning permit prior to conducting an agricultural burn. Any person failing to comply with the terms and conditions of the permit, or this chapter is subject to penalties and remedies provided for in sections §342B-42, §342B-44, §342B-47, and §342B-48.

HAR §11-60.1-54 Agricultural burning application, 4/27/2012, 77FR25084

HAR §11-60.1-55 Agricultural burning or conditionally allowed open burning from subsection 11-60.1-52(e): "no-burn" periods**

Prohibits open burning during a "no-burn" period, even with an Agricultural Burning Permit or approval for conditionally allowed open burning.

States that no-burn decisions will be based on forecasting, and then on visibility if forecasting unavailable.

HAR §11-60.1-56 Agricultural burning: recordkeeping and monitoring, 4/27/2012, 77FR25084

Requires permittees to monitor and maintain records of each agricultural burn conducted in accordance with the permit.

HAR §11-60.1-57 Agricultural burning: action on application

Requires the director to act on a permit application within 90 days.

HAR §11-60.1-58 Agricultural burning: permit content

HAR §11-60.1-90 Permit content*, 4/7/2014, 79FR19012

Requires that all covered source permits consider and incorporate emission limitations and standards, including operational requirements and limitations to assure compliance with all applicable requirements at the time of permit issuance;

- Requires the installation of devices for the measurement or analysis of source emissions;
- Requires source emissions tests to determine compliance with terms and conditions of the covered source permit and applicable requirements;
- Requires recordkeeping and reporting requirements to assure compliance with all terms and conditions of the permit.

¹ As defined in HRS §342B-1, the "director" means the director of health

² As defined in HRS §342B-1, the "department" means the department of health

³ The statutory definition of "air pollutant" has the same meaning as in the Clean Air Act, 42 U.S.C. §7602(g)

* Section previously approved but amended on February 8, 2024.

** New request for section to be approved into the SIP.

<p>Table A-1.2 CAA Section 110(a)(2)(B): Ambient Air Quality Monitoring, Compilation, Analysis and Reporting</p> <p><i>“provide for establishment and operation of appropriate devices, methods, systems, and procedures necessary to</i></p> <p><i>(i) monitor, compile, and analyze data on ambient air quality, and</i></p> <p><i>(ii) upon request, make such data available to the Administrator.”</i></p>
<p>Hawaii Program</p>
<p>Statutory provisions relevant to this element (please refer to Attachment 3 for the list of statutory provisions):</p> <p><u>HRS §342B-7(1) Annual Reports, 8/9/2012, 77FR47530</u></p> <p>Pursuant to this statute, the department is required to compile an annual report summarizing air quality data from all air quality monitoring stations.</p>
<p>Discussion</p> <p>The department operates and maintains an air quality monitoring network for the state of Hawaii in accordance with 40 CFR Part 58 Appendix A, C, D, and E using EPA approved Federal Reference or Federal Equivalent Methods. Information about the monitoring stations along with their associated data can be viewed by the public on the department’s website.</p> <p>The HDOH Clean Air Branch (CAB) drafted the 2023 annual air monitoring network plan pursuant to 40 CFR §58.10. On May 17, 2023, CAB published a public notice statewide and began the 30-day public comment period for the plan. The state’s ambient air quality network meets or exceeds the minimum monitoring requirements for O₃, PM_{2.5}, and SO₂.</p> <p>On April 30, 2024, the letter for certified air monitoring data for calendar year 2023 was submitted to EPA in accordance with 40 CFR §58.15.</p> <p>All quality assured, validated data is submitted to EPA’s AQS pursuant to 40 CFR §58.16.</p> <p>The annual data summary and annual network plans are provided for public viewing on CAB’s website at:</p> <p>https://health.hawaii.gov/cab/files/2023/06/2023-Air-Monitoring-Network-Plan-final.pdf</p> <p>In 2023, wildfires burned more than 2,200 acres of Maui, with over 2,200 structures damaged or destroyed. After the fires, remediation activities were performed for Kula and Lahaina communities. In response to the debris removal and asbestos abatement activities with potential hazards from fugitive dust, CAB initiated an air monitoring sampling program for PM_{2.5}, PM₁₀, metals, and asbestos.</p>

Table A-1.3 CAA Section 110(a)(2)(C): Enforcement and Regulation of the Modification and Construction of any Stationary Source

“include a program to provide for the enforcement of the measures described in subparagraph (A), and regulation of the modification and construction of any stationary source within the areas covered by the plan as necessary to assure that national ambient air quality standards are achieved, including a permit program as required in parts C and D of this subchapter.”

Hawaii Program

Sub-element 1: Enforcement of Emissions Limitations and Other Control Measures

Statutory provisions that provide the authority to enforce emissions limitations and control measures (please refer to Attachment 3 for the list of statutory provisions):

HRS §342B-15 Complaints; hearings; appointment of masters, 8/9/2012, 77FR47530

Allows for the receipt or initiation, investigation, and legal proceedings of complaints on air pollution.

HRS §342B-41 Inspection of premises, 8/9/2012, 77FR47530

In accordance with the law, provides for the inspection or investigation of actual or suspected sources of air pollution to ascertain compliance or noncompliance with any rule, standard or permit.

HRS §342B-42 Enforcement, 8/9/2012, 77FR47530

Specifies the enforcement procedures on any person in violation of this chapter, rule or any issued permit or variance.

HRS §342B-43 Emergency powers; procedures, 8/9/2012, 77FR47530

Provides emergency powers to the governor or director in the event that there is an imminent peril to public health and safety due to the release of any air pollutant or combination of air pollutants that requires immediate action.

HRS §342B-44 Injunctive and other relief, 8/9/2012, 77FR47530

Allows the director to impose and collect civil and administrative penalties or obtain other relief.

HRS §342B-45 Citations, 8/9/2012, 77FR47530

Any person who violates the vehicular smoke emission and open burning control rules may be issued a summons or citation for the violation.

HRS §342B-46 Appeal, 8/9/2012, 77FR47530

Provides for the appeal process for an enforcement decision.

HRS §342B-47 Civil penalties, 8/9/2012, 77FR47530

Sets fines for violations of the vehicular smoke emission rule, open burning control rule, and any other rule or condition of an issued permit.

HRS §342B-48 Administrative penalties, 8/9/2012, 77FR47530

HRS §342B-49 Criminal penalties, 8/9/2012, 77FR47530

HRS §342B-50 Disposition of collected fines and penalties, 8/9/2012, 77FR47530

Requires that all fines and penalties collected under this chapter be deposited into the environmental response revolving fund.

HRS §342B-51 Enforcement by state and county authorities, 8/9/2012, 77FR47530

HRS §342B-52 Nonliability of department personnel, 8/9/2012, 77FR47530

HRS §342B-53 Other action not barred, 8/9/2012, 77FR47530

HRS §342B-54 Priority in courts, 8/9/2012, 77FR47530

HRS §342B-55 Consent orders; settlement agreements, 8/9/2012, 77FR47530

Table A-1.3 CAA Section 110(a)(2)(C): Enforcement and Regulation of the Modification and Construction of any Stationary Source

Regulatory provision for the implementation of these statutory authorities (please refer to Attachment 3 for the list of regulatory provisions):

HAR §11-60.1-19 Penalties and remedies, 4/23/2012, 77FR24148

States that any person who violates any provision of this chapter or any term or condition of a permit shall be subject to the penalties and remedies provided in §342B sections 42, 44, 47, and 48.

Sub-element 2: Regulation of the Construction and Modification of Stationary Sources

Statutory provisions that provide the authority for this element (please refer to Attachment 3 for the list of statutory provisions):

HRS §342B-21 Specific functions, duties, and powers of the director, 8/9/2012, 77FR47530

HRS §342B-22 Permit and permit renewal; requirements, 8/9/2012, 77FR47530

Requires that the owner or operator of a covered source obtain a permit from the department.

HRS §342B-23 Application for permit, 8/9/2012, 77FR47530

HRS §342B-24 Action on a permit application, 8/9/2012, 77FR47530

HRS §342B-25 Approval of permit, 8/9/2012, 77FR47530

HRS §342B-26 General and temporary permits; single permit, 8/9/2012, 77FR47530

HRS §342B-27 Other permit action, 8/9/2012, 77FR47530

Provides the conditions under which the director may terminate, modify, suspend, or revoke and reissue any permit.

HRS §342B-28 Recordkeeping and monitoring requirements, 8/9/2012, 77FR47530

HRS §342B-29 Fees, 8/9/2012, 77FR47530

HRS §342B-30 Judicial review, 8/9/2012, 77FR47530

HRS §342B-31 Government records; confidential information, 8/9/2012, 77FR47530

HRS §342B-32 Clean air special fund, 8/9/2012, 77FR47530

HRS §342B-33 Minimum permit conditions, 8/9/2012, 77FR47530

HRS §342B-34 Exceptions, 8/9/2012, 77FR47530

The construction and modification of stationary sources in Hawaii is primarily regulated through the Hawaii Administrative Rules §11-60.1 which encompasses the covered source permit program and have been approved into Hawaii's SIP. See 77 FR 24148 and 77 FR 25084.

Regulatory provisions for the implementation of the statutory authorities (please refer to Attachment 3 for the list of statutory provisions):

HAR §11-60.1-1 Definitions*, 4/27/2012, 77FR25084

HAR §11-60.1-2 Prohibition of air pollution, 4/27/2012, 77FR25084

HAR §11-60.1-3 General conditions for considering applications, 4/23/2012, 77FR24148

HAR §11-60.1-5 Permit conditions, 4/23/2012, 77FR24148

Allows the director to impose more restrictive conditions in a permit to further limit the air pollutants and operation of the source.

HAR §11-60.1-7 Transfer of permit, 4/23/2012, 77FR24148

Except for temporary permits issued pursuant to this chapter, this rule prohibits the transfer of a permit from one person to another or from one location to another without approval from the director.

Table A-1.3 CAA Section 110(a)(2)(C): Enforcement and Regulation of the Modification and Construction of any Stationary Source

HAR §11-60.1-11 Sampling, testing, and reporting methods*, 4/27/2012, 77FR25084

HAR §11-60.1-12 Air quality models*, 4/23/2012, 77FR24148

HAR §11-60.1-14 Public access to information, 4/27/2012, 77FR25084

HAR §11-60.1-81 [Covered Sources] Definitions*, 4/23/2012, 77FR24148

Includes definitions used for the covered source program.

HAR §11-60.1-82 [Covered Sources] Applicability*, 4/23/2012, 77FR24148

HAR §11-60.1-83 Initial covered source permit application*, 4/23/2012, 77FR24148

HAR §11-60.1-84 [Covered Sources] Duty to supplement or correct permit applications, 4/23/2012, 77FR24148

HAR §11-60.1-90 Permit content*, 4/7/2014, 79FR19012

Lists elements to be considered and incorporated into all covered source permits as applicable, including (but not limited to):

- Emission limitations and standards, including operational requirements;
- Requirements for the installation of measurement devices for source emissions or ambient concentrations of air pollutants;
- Requirement for source emissions tests or alternative testing methodologies;
- Monitoring and recordkeeping requirements

HAR §11-60.1-91 Temporary covered source permits, 4/23/2012, 77FR24148

Requires owners or operators of a temporary covered source to certify its intention to operate at various locations with the same equipment and similar operational methods.

HAR §11-60.1-92 Covered source general permit*, 4/23/2012, 77FR24148

Governs the issuance of general permits for similar nonmajor covered sources.

HAR §11-60.1-93 Federally-enforceable permit terms and conditions, 4/23/2012, 77FR24148

States that terms and conditions in a covered source permit are federally enforceable.

HAR §11-60.1-99 Public participation*, 4/23/2012, 77FR24148

HAR §11-60.1-103 Applications for minor modifications*, 4/23/2012, 77FR24148

Every application for a minor modification to a covered source is required to submit sufficient information to enable the director to make a decision on the application. Some of the information required include:

- A clear description of all changes;
- A statement of why the modification is determined to be minor;
- Maximum emission rates;
- The identification of any new applicable requirements that will apply if the minor modification occurs.

HAR §11-60.1-104 Applications for significant modifications*, 4/23/2012, 77FR24148

This rule states that every application for a significant modification to a covered source is subject to the same requirements as for an initial covered source permit application pursuant to 11-60.1-83 as it pertains to the proposed significant modification.

Table A-1.3 CAA Section 110(a)(2)(C): Enforcement and Regulation of the Modification and Construction of any Stationary Source

Discussion

EPA determined that Hawaii's SIP did not include approvable procedures for preventing significant deterioration of air quality. Therefore, EPA incorporated 40 CFR §52.21 into the applicable Hawaii plan, see 40 CFR §52.632(b). HDOH has been delegated the authority to implement the provisions of 40 CFR §52.21 since 1983. The original delegation agreement from August 15, 1983 was later superseded by an amended agreement. This amended agreement, enacted pursuant of 40 CFR 52.21(u), outlines the responsibilities and conditions under which the HDOH administers the PSD regulations. The amendment emphasizes that the HDOH assumes authority for enforcement and permit modifications or amendments for EPA-issued PSD permits. Please see [EPA HDOH Delegation Agreement](#).

* Previously approved but amended on February 8, 2024.

Table A-1.4 CAA Section 110(a)(2)(D): Interstate and International Pollutant Transport

“contain adequate provisions—

- (i) prohibiting, consistent with the provisions of this subchapter, any source or other type of emissions activity within the State from emitting any air pollutant in amounts which will—*
 - (I) contribute significantly to nonattainment in, or interfere with maintenance by, any other State with respect to any such national primary or secondary ambient air quality standard, or*
 - (II) interfere with measures required to be included in the applicable implementation plan for any other State under part C of this subchapter to prevent significant deterioration of air quality or to protect visibility,*
- (ii) insuring compliance with the applicable requirements of sections 7426 and 7415 of this title (relating to interstate and international pollution abatement).”*

Hawaii Program

Discussion

CAA section 110(a)(2)(D)(i)(I) addresses any emissions activity in one state that contributes significantly to nonattainment, or interferes with maintenance, of the NAAQS in another state. These requirements are referred to as prong 1 (significant contribution to nonattainment) and prong 2 (interference with maintenance). Technical support documents (TSDs) are included, as part of this infrastructure SIP submittal, demonstrating that Hawaii does not contribute significantly to nonattainment in, or interfere with maintenance by, any other state with respect to SO₂ and PM_{2.5} primary NAAQS. Interstate transport for ozone was addressed in a previous SIP submittal. Details to address interstate transport are as follows:

2010 SO₂ NAAQS, CAA section 110(a)(2)(i)(I) – Please see Attachment 5

2012 PM_{2.5} NAAQS, CAA section 110(a)(2)(i)(I) – Please see Attachment 6

2015 O₃ NAAQS, CAA section 110(a)(2)(i)(I) – An infrastructure SIP revision to address interstate transport for ozone was submitted to EPA on August 6, 2015 and approved (see 79FR 40206).

CAA section 110(a)(2)(D)(i)(II) requires infrastructure SIPs to include provisions prohibiting any source or other type of emissions activity in one state from interfering with measures required of any other state to prevent significant deterioration of air quality or from interfering with measures required of any other state to protect visibility (referring to visibility in Class I areas). These requirements are referred to as prong 3 (interference with PSD) and prong 4 (interference with visibility protection).

As noted in response to section 110(a)(2)(C), EPA determined that Hawaii's SIP did not include approvable procedures for preventing significant deterioration of air quality. Therefore, EPA incorporated 40 CFR 52.21 into the applicable Hawaii plan, see 40 CFR 52.632(b). HDOH has been delegated the authority to implement the provisions of 40 CFR 52.21 since 1983.

CAA section 110(a)(2)(i)(II) – As mentioned in response to 110(a)(2)(C), Hawaii does not have a SIP approved PSD program, but Hawaii does implement the federal PSD permitting program through a delegation agreement with EPA.

CAA section 110(a)(2)(D)(i)(II) – Revision 1 of Hawaii's Regional Haze State Implementation Plan for the second planning period has been prepared and submitted electronically to EPA for approval. The revised RH-SIP is at the following link: <https://health.hawaii.gov/cab/regional-haze/>.

CAA section 110(a)(2)(D)(ii)

- Section 126 (7426) -- Hawaii does not have a SIP approved PSD program, but Hawaii does implement the federal PSD permitting program through a delegation agreement with EPA.
- Section 115 (7415) -- There are no final findings under section 115 of the CAA against this Hawaii with respect to the 2010 SO₂, 2012 PM_{2.5}, and 2015 ozone NAAQS at this time.

Table A-1.5 CAA Section 110(a)(2)(E): Adequacy of Personnel, Funding and Authority for Implementation

“provide

- (i) necessary assurances that the State (or, where the Administrator deems inappropriate, the general purpose local government or governments, or a regional agency designated by the State or general purpose local governments for such purpose) will have adequate personnel, funding, and authority under State (and, as appropriate, local) law to carry out such implementation plan (and is not prohibited by any provision of Federal or State law from carrying out such implementation plan or portion thereof),*
- (ii) requirements that the State comply with the requirements respecting State boards under section 7428 of this title, and*
- (iii) necessary assurances that, where the State has relied on a local or regional government, agency, or instrumentality for the implementation of any plan provision, the State has responsibility for ensuring adequate implementation of such plan provision.”*

Hawaii Program

Sub-element (i): Adequacy of Personnel, Funding, and Authority to Carry Out an Implementation Plan

Statutory provisions that provide the legal authority for implementation (please refer to Attachment 3 for a list of statutory provisions):

HRS §342B-2: Administration, 8/9/2012, 77FR47530

Specifies that the department shall administer this chapter through the director who may delegate to any person the power and authority vested in the director by this chapter as the director deems reasonable and proper for the effective administration of this chapter, except the power to make rules.

HRS §342B-3 General functions, duties, and powers of the director, 8/9/2012, 77FR47530

Provides the director the authority to:

- (a) prevent, control, and abate air pollution and the emission of air pollutants in the state;
- (b) adopt, amend, and repeal state rules controlling and prohibiting air pollution and the release of air pollutants or as otherwise necessary for the purposes of this chapter; and,
- (c) appoint hearings officers to conduct contested case hearings and public participation activities, including public hearings and public informational meetings.

HRS §342B-12 Specific powers of the director, 8/9/2012, 77FR47530

Identifies additional specific powers of the director to administer and manage the air program.

Discussion

The entire air program is administered and managed at the state level by the Department of Health, Environmental Health Administration, Environmental Management Division, CAB with support services provided by the State laboratories Division, Air Surveillance and Analysis Section.

The majority of the program’s funding is obtained through the collection of fees from the regulated community and placed into a special fund with the sole purpose of developing and administering the air program. State general funds and EPA grant monies provide the remainder of

Table A-1.5 CAA Section 110(a)(2)(E): Adequacy of Personnel, Funding and Authority for Implementation

funding support. Funding is reviewed annually to ensure adequacy for program operations. The state does not rely on any local or regional government agency or entity for the implementation of any SIP provision. In fiscal year (FY) 2023, the air program received approximately \$4.4 million from annual fees and \$1.1 million from federal grants. This total is roughly equal to the amount required to support the air program, which has 52 FTE as of the end of 2023, so the present funding is adequate. Revenues from the emissions-based fee program are steadily decreasing as sources move off fossil fuel use to renewables. The air program is currently working on revising the HAR to update its revenue structure.

Sub-element (ii): Ensure Compliance with State Board Requirements

CAB does not have a State Board within the meaning of CAA §128. The director is provided the authority to administer all aspects of the air program through HRS §342B-2 and HRS §342B-3. Provisions in HRS §84 (Standards of Conduct) prescribes a code of ethics for elected officers and public employees of the state and is administered by the State Ethics Commission. Standards of conduct and conflict of interest provisions included in this chapter are as follows (please refer to Attachment 2 for a list of statutory provisions):

HRS §84-1 Construction, 8/9/2012, 77FR47530

This chapter shall be liberally construed to promote high standards of ethical conduct in state government.

HRS §84-2 Applicability, 8/9/2012, 77FR47530

This chapter applies to every nominated, appointed, or elected officer, employee, and candidate to elected office of the State.

HRS §84-3 Definitions, 8/9/2012, 77FR47530

HRS §84-11 Gifts, 8/9/2012, 77FR47530

HRS §84-11.5 Reporting of gifts, 8/9/2012, 77FR47530

HRS §84-12 Confidential information, 8/9/2012, 77FR47530

HRS §84-14 Conflicts of interests, 8/9/2012, 77FR47530

Prohibits an employee from taking any official action directly affecting: 1) a business or other undertaking in which there is a substantial financial interest or, 2) a private undertaking in which the employee serves as legal counsel, advisor, consultant, representative, or other capacity.

This rule also prohibits an employee from acting or assisting on behalf of any person or business for a fee or other compensation if the employee is involved in any official capacity.

HRS §84-17 Requirements of disclosure, 8/9/2012, 77FR47530

HRS §84-18 Restrictions on post-employment*

Prohibits state employees within 12 months after separation of service from representing any person or business for a fee or other consideration, on matters in which the former employee participated in an official capacity.

Sub-element (iii): Implementation of the Plan by Local or Regional Government, Agency, or Instrumentality

The state Department of Health is solely responsible for administering the air program. The state does not rely on any other local or regional government, agency, or instrumentality for the implementation of the plan.

HRS §342B-3 assigns the Director of Health the general functions, duties, and powers to prevent, control, and abate air pollution and the emission of air pollutants in the State of Hawaii. Within the HDOH, the Clean Air Branch has the responsibility to manage air quality planning and air pollution control programs for purposes of adoption, revision, and submittal of state plans.

* New request for provision to be approved into the SIP.

Table A-1.6 CAA Section 110(a)(2)(F): Stationary Source Emissions Monitoring and Reporting

“require, as may be prescribed by the Administrator—

- (i) the installation, maintenance, and replacement of equipment, and the implementation of other necessary steps, by owners or operators of stationary sources to monitor emissions from such sources,*
- (ii) periodic reports on the nature and amounts of emissions and emissions-related data from such sources, and*
- (iii) correlation of such reports by the State agency with any emission limitations or standards established pursuant to this chapter, which reports shall be available at reasonable times for public inspection.”*

Hawaii Program

Sub-element (i): Requirements to Monitor Emissions

Statutory provision relevant to this element (please refer to Attachment 3 for a list of statutory provisions):

HRS §342B-28 Recordkeeping and monitoring requirements, [8/9/2012, 77FR47530](#)

Provides the director with the authority to require an owner or operator of any source on a continuous, periodic, or one-time basis to:

- (1) Establish, maintain, and submit records;
- (2) Draft reports;
- (3) Install, use, and maintain monitoring equipment, and use audit procedures or methods;
- (4) Sample emissions in accordance with such procedures or methods, at locations, intervals, during periods, and in the manner prescribed by the director;
- (5) Keep records on the source and the control equipment parameters, production variables, or other indirect data when direct monitoring is impractical;
- (6) Sample and analyze the composition of the fuel, waste, or other products being burned or incinerated;
- (7) Submit compliance certifications; and,
- (8) Provide other information as the department may require.

Regulatory provisions applicable to this element include (please refer to Attachment 3 for a list of regulatory provisions):

HAR §11-60.1-11 Sampling, testing, and reporting methods*, [4/27/2012, 77FR25084](#)

Specifies that:

- (a) all sampling and testing be made, and results calculated in accordance with EPA reference methods or as approved by the director;
- (b) the department may conduct emission tests of air pollutants or require the source to conduct tests at the owner or operator's expense;
- (c) the director may require the source to maintain files on process information, nature, amount, and time periods or durations of emissions or any other information deemed necessary to determine compliance with applicable limits, national or state ambient air quality standards, or other provisions of this chapter;
- (d) the information be summarized and reported to the director as specified in the permit;
- (e) the reports be retained for a specified time period; and
- (f) the owners or operators correlate applicable emission limits and other requirements in the report.

HAR §11-60.1-90 Permit content*, [4/7/2014, 79FR19012](#)

Table A-1.6 CAA Section 110(a)(2)(F): Stationary Source Emissions Monitoring and Reporting

The following conditions within this provision require covered source permits to include:

- (5) a requirement for the installation of devices for the measurement or analysis of source emissions or ambient concentrations of air pollutants;
- (6) a condition for source emissions tests or alternative methodology to determine compliance with permit conditions and applicable requirements;
- (7)(B) monitoring and related recordkeeping and reporting requirements to assure compliance with terms and conditions of the permit;
- (7)(D) a requirement to install, use, and maintain monitoring equipment.

Sub-element (ii): Periodic Reports on Emissions and Emissions-related Data

Statutory provision relevant to this element (please refer to Attachment 3 for a list of statutory provisions):

HRS §342B-7(1) Annual reports, 8/9/2012, 77FR47530

Pursuant to this statute, the department must compile, among other things, a report summarizing annual criteria pollutant emissions, and all completed or issued enforcement actions.

HRS §342B-28 Recordkeeping and monitoring requirements, 8/9/2012, 77FR47530

Regulatory provisions applicable to this element (please refer to Attachment 3 for a list of statutory provisions):

HAR §11-60.1-11 Sampling, testing, and reporting methods, 4/27/2012, 77FR25084

HAR §11-60.1-90 Permit content, 4/7/2014, 79FR19012

The following conditions within this provision require covered source permits to include:

- (7)(A) all reporting, emissions monitoring and analysis procedures or test methods;
- (7)(B) monitoring and related recordkeeping and reporting requirements to assure compliance with terms and conditions of the permit;
- (7)(F) specifics of sampling or measurements such as place, date, time, entity that performed the analyses, analytical techniques or methods used, results and operating conditions during testing or sampling;
- (7)(G) other records including support information, such as calibration and maintenance records, original strip chart recordings or computer printouts for continuous monitoring instrumentation;
- (7)(H) retention period for all required monitoring data and support information;
- (7)(I) time period for submission of reports;
- (7)(J) prompt reporting of permit deviations

Sub-element (iii): Correlation of Reports to Emission Limits or Standards and Availability for Public Inspection

Statutory provision relevant to this element (please refer to Attachment 3 for a list of statutory provisions):

HRS §342B-7(1) Annual reports, 8/9/2012, 77FR47530

§342B-7(2) requires the department to compile an annual report summarizing criteria pollutant emissions and §342B-7(4) requires an annual report for all completed or issued enforcement actions.

HRS §342B-31 Government records; confidential information, 8/9/2012, 77FR47530

This rule requires the department to make all records pursuant to this chapter open to public inspection unless access is restricted or closed by law.

The following permit program documents are deemed to be government records:

- (1) Permit applications and all supporting information;
- (2) Compliance plans (including schedules of compliance);

Table A-1.6 CAA Section 110(a)(2)(F): Stationary Source Emissions Monitoring and Reporting

- (3) Emissions or compliance monitoring reports;
- (4) Certifications;
- (5) Permits, and
- (6) Any other information submitted to the department pursuant to the permit program.

Regarding confidentiality, the rule states: “upon a showing satisfactory to the director by any person that records, reports, or information, or particular part thereof (other than emission data), to which the director has access pursuant to this chapter, contain information of a confidential nature concerning secret processes or methods of manufacture, these records, reports, or information shall be kept confidential except that such record, report, or information may be disclosed to other officers or employees of the department and EPA concerned with carrying out this chapter or when relevant in any proceeding pursuant to this chapter.” Therefore, emissions data is not considered confidential information under this rule.

HRS §342B-41 Inspection of premises, 8/9/2012, 77FR47530

Provides that the director, in accordance with the law, be allowed to enter and inspect any building or place to investigate an actual or suspected source of air pollution, ascertain compliance or noncompliance with this chapter or any rule, standard, permit or approval granted by the department, and make reasonable tests in connection therewith.

Regulatory provisions applicable to this element include (please refer to Attachment 3 for a list of regulatory provisions):

HAR §11-60.1-11 Sampling, testing, and reporting methods, 4/27/2012, 77FR25084

- (f) Owners or operators of stationary sources shall correlate applicable emission limitations and other requirements within the report.

HAR §11-60.1-14 Public access to information, 4/27/2012, 77FR25084

Requires that the following information be made available for public inspection:

- (1) All permit applications;
- (2) All supporting information for permit applications;
- (3) Compliance plans and schedules;
- (4) Reports and results associated with performance tests and continuous emission monitors;
- (5) Ambient air monitoring data and emissions inventory data;
- (6) Certifications;
- (7) Any other information submitted to the department pursuant to the noncovered and covered source permit program;
- (8) Permits; and
- (9) Public comments or testimonies received during any public comment period or public hearing.

Exceptions are provided for materials to which “access is restricted or closed by law” or which contain information of a confidential nature.

The procedures for determining confidential information are established by HAR §11-60.1-14(b)-(f).

* Previously approved but amended on February 8, 2024.

Table A-1.7 CAA Section 110(a)(2)(G): Emergency Powers and Contingency Plans
<p><i>“provide for authority comparable to that in section 7603 of this title and adequate contingency plans to implement such authority.”</i></p>
Hawaii Program
<p>Statutory provision comparable to that found in section 7603 of the CAA (please refer to Attachment 3 for a list of statutory provisions): <u>HRS §342B-43 Emergency powers; procedures, 8/9/2012, 77FR47530</u></p> <ul style="list-style-type: none"> (a) Provides that if the governor or the director determines that an imminent peril to the public health and safety is or will be caused by the release of any air pollutant or combination of air pollutants that requires immediate action, they can, without a public hearing, order any person causing or contributing to the release of the air pollutant to immediately reduce or stop the release and may take any and all other actions as necessary. (b) States that: “Nothing in this section shall be construed to limit any power which the governor or any other officer may have to declare an emergency and act on the basis of such a declaration, if such power is conferred by statute or constitutional provision or inheres in the office.” <p>Regulatory provision relevant to this element (please refer to Attachment 3 for a list of regulatory provisions): <u>HAR §11-60.1-17 Prevention of air pollution emergency episodes, 4/27/2012, 77FR25084</u> Designed to prevent excessive buildup of air contaminants during air pollution episodes and set conditions for the proclamation of an air pollution alert, warning or emergency.</p>
<p>Discussion HAR §11-60.1-17 addresses the prevention of excessive buildup of air contaminants during emergency episodes.</p> <p>Hawaii County is classified as a Priority II Region for SO₂; therefore, a contingency plan is required for this pollutant in accordance with 40 CFR §51.150. Please see Appendix F for the <i>maximum values</i> over the past three years corresponding to the relevant NAAQS as specified for Priority I, IA, & II Regions in 40 CFR §§51.150(b), (c), and (d) respectively. HDOH Clean Air Branch is requesting an exemption from the contingency plan requirements pursuant to 40 CFR §51.152(d) since Hawaii County is designated as unclassifiable/attainment for the 1-hour primary SO₂ NAAQS.</p> <p>For addressing exceptional events, such as those from volcanic activity, the HDOH Clean Air Branch has an Exceptional Events Mitigation Plan for Hawaii County to protect public health from exceedances of the SO₂ and PM_{2.5} NAAQS. The Exceptional Events Mitigation Plan is provided in Appendix G.</p>

Table A-1.8 CAA Section 110(a)(2)(H): Future SIP Revisions

“provide for revision of such plan—

- (i) from time to time as may be necessary to take account of revisions of such national primary or secondary ambient air quality standard or the availability of improved or more expeditious methods of attaining such standard, and*
- (ii) except as provided in paragraph (3)(C), whenever the Administrator finds on the basis of information available to the Administrator that the plan is substantially inadequate to attain the national ambient air quality standard which it implements or to otherwise comply with any additional requirements established under this chapter”*

Hawaii Program

Sub-elements (i) and (ii):

Statutory provisions relevant to these elements (please refer to Attachment 3 for a list of statutory provisions):

HRS §342B-3 General functions, duties, and powers of the director, 8/9/2012, 77FR47530

Grants the director the function, duty, and power to:

- (a) prevent, control, and abate air pollution and the emission of air pollutants in the state;
- (b) adopt, amend, and repeal state rules controlling and prohibiting air pollution and the release of air pollutants or as otherwise necessary for the purposes of this chapter.

HRS §342B-11 Prohibition, 8/9/2012, 77FR47530

States that no person shall engage in any activity which causes air pollution or causes or allows the emission of any regulated air pollutant¹ without first securing approval in writing from the director.

Regulatory provision relevant to these elements:

HAR §11-60.1-2 Prohibition of air pollution, 4/27/2012, 77FR25084

Provides the regulatory basis for the prohibition of air pollution without first securing approval, in writing, from the director.

Discussion

The department has the authority to revise the Hawaii SIP as necessary to account for NAAQS revisions or the availability of improved or more expeditious methods of attaining such standard or whenever the Administrator finds that the state’s plan is substantially inadequate to attain the NAAQS or does not comply with requirements established under the CAA.

The department will continue to update and revise the SIPs as necessary and will submit all SIP revisions whenever the Administrator finds that the plan is substantially inadequate to attain the NAAQS or does not comply with requirements established under the CAA.

Table A-1.9 CAA Section 110(a)(2)(I): SIP Revisions for Nonattainment Areas

“in the case of a plan or plan revision for an area designated as a nonattainment area, meet the applicable requirements of part D of this subchapter (relating to nonattainment areas)”

Hawaii Program

This subsection is not applicable for the infrastructure SIP approval process.

Table A-1.10 CAA Section 110(a)(2)(J): Consultation with Government Officials, Public Notification, PSD, and Visibility Protection

“meet the applicable requirements of section 7421 of this title (relating to consultation), section 7427 of this title (relating to public notification), and part C of this subchapter (relating to prevention of significant deterioration of air quality and visibility protection;”

Hawaii Program

Consultation with government officials and public notification

Statutory provisions relevant to these elements (please refer to Attachment 3 for a list of statutory provisions):

HRS §342B-13 Public participation, 8/9/2012, 77FR47530

Requires the director to provide public notice and opportunity for comment.

HRS §342B-16(3) Research, educational, and training programs, 8/9/2012, 77FR47530

Provides the director with the authority to conduct and supervise statewide educational and training programs on air pollution prevention, control, and abatement, including preparing and distributing information relating to air pollution.

Discussion

Hawaii implements the PSD program according to 40 CFR §52.21, including the relevant consultation requirements. Hawaii’s PSD delegation agreement with EPA (January 5, 1989) includes joint oversight and approval of the pre-construction review for major stationary sources. In that delegation agreement, the department “must consult with the appropriate federal, state, and local land use agencies prior to issuance of preliminary determinations on PSD permits.”

Regarding public access to information, the department provides near real-time data and the current air quality index for public viewing on its Hawaii Air Quality Data webpage (Link: <https://air.doh.hawaii.gov/home/map>) and EPA’s AirNow Hawaii page (Link: <https://www.airnow.gov/state/?name=hawaii>).

The department also provides notification of all NAAQS exceedances on the CAB webpage, currently (Link: <https://health.hawaii.gov/cab/notification-of-exceedance-of-a-national-ambient-air-quality-standard/>)

Current administrative rules and proposed revisions are posted on the department’s website. Public notices are placed in the newspapers of each applicable county and on the department website for all new or renewed covered source permits, annual air monitoring network plan, annual air monitoring book, state implementation plans, and any event or report requiring public notice.

Table A-1.10 CAA Section 110(a)(2)(J): Consultation with Government Officials, Public Notification, PSD, and Visibility Protection

Part C relating to prevention of significant deterioration of air quality and visibility protection

EPA has determined that the Hawaii SIP does not meet the requirements of sections 160 through 165 of the CAA, therefore 40 CFR §52.21 has been incorporated into the applicable Hawaii plan (see 40 CFR §52.632(b)). DOH has been delegated authority to implement the provisions of 40 CFR §52.21 since 1983.

EPA guidance states “there are no newly applicable visibility protection obligations pursuant to Element J after the promulgation of a new or revised NAAQS”. According to EPA’s interpretation of the CAA, this element does not need to be addressed.

Table A-1.11 CAA Section 110(a)(2)(K): Air Quality Modeling and Submission of Modeling Data

“provide for—

- (i) the performance of such air quality modeling as the Administrator may prescribe for the purpose of predicting the effect on ambient air quality of any emissions of any air pollutant for which the Administrator has established a national ambient air quality standard, and*
- (ii) the submission, upon request, of data related to such air quality modeling to the Administrator”*

Hawaii Program

Sub-element (i): air quality modeling

Statutory provisions relevant to this element (please refer to Attachment 3 for a list of statutory provisions):

HRS §342B-17 Air quality modelers, 8/9/2012, 77FR47530

Provides the authority to establish air modeler positions for the purpose of assessing the impact of air releases.

Regulatory provisions pertaining to modeling include (please refer to Attachment 3 for a list of regulatory provisions):

HAR §11-60.1-12 Air quality models*, 4/23/2012, 77FR24148

Requires that appropriate air modeling assessments be conducted for new and modified covered sources as specified in 40 CFR Part 51 Appendix W.

HAR §11-60.1-83(a)(11), (12), (13), and (14) Initial covered source permit application*, 4/23/2012, 77FR24148

For initial covered source permit applications, sources are required to conduct an assessment of the ambient air quality impact and perform a comparison with the NAAQS as well as conduct a risk assessment if requested by the director.

HAR §11-60.1-104(a)(12), (13), and (14) Applications for significant modification*, 4/23/2012, 77FR24148

For significant modifications to covered source permits, sources are required to conduct an assessment of the ambient air quality impact and perform a comparison with the NAAQS as well as conduct a risk assessment if requested by the director.

Sub-element (ii): submission of data related to air quality modeling (please refer to Attachment 3 for a list of statutory provisions):

HRS §342B-31 Government records; confidential information, 8/9/2012, 77FR47530

Information, including modeling, that is submitted as part of the permit program is considered government records available for public inspection. Upon request, the department will submit current and future data relating to such air quality modeling to EPA.

Table A-1.11 CAA Section 110(a)(2)(K): Air Quality Modeling and Submission of Modeling Data

Discussion

HAR §11-60.1-94 requires the HDOH to submit a copy of all proposed and each final covered source permit to EPA. It also requires the owner or operator to simultaneously submit to EPA a copy of all covered source permit applications, including any applications for covered source renewal and permit amendment reflecting a proposed minor or significant modification submitted to HDOH. The submittals include the applicable modeling assessment.

* Previously approved but amended on February 8, 2024.

Table A-1.12 CAA Section 110(a)(2)(L): Major Stationary Source Permitting Fees

“require the owner or operator of each major stationary source to pay to the permitting authority, as a condition of any permit required under this chapter, a fee sufficient to cover—

- (i) the reasonable costs of reviewing and acting upon any application for such a permit, and*
- (ii) if the owner or operator receives a permit for such source, the reasonable costs of implementing and enforcing the terms and conditions of any such permit (not including any court costs or other costs associated with any enforcement action), until such fee requirement is superseded with respect to such sources by the Administrator’s approval of a fee program under title V.”*

Hawaii Program

Discussion

Hawaii’s title V program, including the fee program, has been fully approved. See 40 CFR part 70, Appendix A; 66 FR 62945 (December 4, 2001); and 72 FR 19804 (April 20, 2007).

Regulatory provisions pertaining to permitting fees include (please refer to Attachment 3 for a list of regulatory provisions):

HAR §11-60.1-111 Definitions*

HAR §11-60.1-112 General fee provisions for covered sources*

Requires each applicant for a covered source to pay an application fee.

Revenues from the fees are steadily decreasing as sources move off fossil fuel use to renewables. The air program is currently working on revising the HAR to update its revenue structure for permitting and annual emission fees.

* New request for section to be approved into the I-SIP.

Table A-1.13 CAA Section 110(a)(2)(M): Consultation and Participation by Local Entities

“provide for consultation and participation by local political subdivisions affected by the plan.”

Hawaii Program

Section XIII of Hawaii’s initial SIP, approved by EPA on May 31, 1972, contains inter-governmental cooperation provisions.

Statutory provisions relevant to this element (please refer to Attachment 3 for a list of statutory provisions):

40 CFR §51.102 Public hearings

Specifies requirements for preparation, adoption, and submittal of state implementation plans.

HRS §342B-13 Public participation, 8/9/2012, 77FR47530

Describes the department’s general procedures for public participation including the requirement to hold a public hearing when revising the state implementation plan as required by the amendments and regulations of the CAA.

HRS §342B-45 Citations, 8/9/2012, 77FR47530

Provides the authority for police officers to issue citations for violations of the vehicular smoke emission (HAR §11-60.1-34) and open burning control rules.

HRS §342B-51 Enforcement by state and county authorities, 8/9/2012, 77FR47530

Provides for all state and county health authorities and the police to enforce the provisions of this chapter as well as the rules, orders, and permits of the department.

Discussion

In developing rules or engaging in other actions that may affect other local agencies, the department, as a matter of practice, solicits input, consultation, review and guidance from the affected agencies. Examples of agencies include but are not limited to: county law enforcement and fire departments; the offices of the mayors; state and county agencies/departments for civil defense/emergency management and transportation; and state agencies such as the Department of Agriculture and Department of Land and Natural Resources.

There are both federal and state requirements for consultation with local and political subdivisions prior to adoption and submission of SIPs. In accordance with 40 CFR §51.102(a), a 30-day notification period is required to provide the opportunity for the public to submit written comments. The notification also includes the date and location the public hearing will be held to address SIP revisions. Pursuant to HRS §342B-13(c), a public hearing is required for all SIP revisions. Local agencies that could be affected by decisions as a result of the public participation process are provided with the public notice for initiating the public comment period and holding a public hearing on any SIP revision. Please see Appendix H for the distribution list of local and political subdivisions that will receive a copy of the public notice prior to initiating the public comment period.

Attachment 2

List of Revisions to The National Ambient Air Quality Standards

History of NAAQS Revisions

Table A-2.1 Carbon Monoxide (CO): [Link](#)

Final Rule/Decision	Primary/Secondary	Indicator	Averaging Time	Level	Form
1971 36 FR 8186 Apr 30, 1971	Primary and Secondary	CO	1-Hour period	35 ppm	Maximum, not to be exceeded more than once in a year
			8-hour period	9 ppm	Maximum, not to be exceeded more than once in a year
1985 50 FR 37484 Sept 13, 1985	Primary standards retained, without revision; secondary standards revoked.				
1994 59 FR 38906 Aug 1, 1994	Primary standards retained, without revision.				
2011 76 FR 54294 Aug 31, 2011	Primary standards retained, without revision.				

Table A-2.2 Lead (Pb): [Link](#)

Final Rule/Decision	Primary/Secondary	Indicator	Averaging Time	Level	Form
1978 43 FR 46246 Oct 5, 1978	Primary and Secondary	Pb-TSP	Calendar Quarter	1.5 µg/m ³	Not to be exceeded
1991	Agency released multimedia " Strategy for Reducing Lead Exposures "				
2008 73 FR 66964 Nov 12, 2008	Primary and Secondary	Pb-TSP	3-month period	0.15 µg/m ³	Not to be exceeded
2016 81 FR 71906 Oct 18, 2016	Primary and secondary standards retained, without revision.				

Table A-2.3 Nitrogen Dioxide (NO₂): [Link](#)

Final Rule/Decision	Primary/ Secondary	Indicator	Averaging Time	Level	Form
1971 36 FR 8186 Apr 30, 1971	Primary and Secondary	NO ₂	Annual	53 ppb	Annual arithmetic average
1985 50 FR 25532 Jun 19, 1985	Primary and secondary NO ₂ standards retained, without revision.				
1996 61 FR 52852 Oct 8, 1996	Primary and secondary NO ₂ standards retained, without revision.				
2010 75 FR 6474 Feb 9, 2010	Primary	NO ₂	1 hour	100 ppb	98th percentile, 1-hour daily maximum, averaged over 3 years
		Primary annual NO ₂ standard retained, without revision.			
2012 77 FR 20218 April 3, 2012	Secondary	Existing secondary NO ₂ standard (annual) retained, without revision.			
2018 83 FR 17226 April 18, 2018	Primary	Existing primary NO ₂ standards retained, without revision.			
2024 89 FR 105692 Dec 27, 2024	Secondary	Existing secondary NO ₂ standard retained, without revision.			

Table A-2.4 Ozone (O₃): [Link](#)

Final Rule/Decision	Primary/Secondary	Indicator	Averaging Time	Level	Form
1971 36 FR 8186 Apr 30, 1971	Primary and Secondary	Total photochemical oxidants	1 hour	0.08 ppm	Not to be exceeded more than one hour per year
1979 44 FR 8202 Feb 8, 1979	Primary and Secondary	O ₃	1 hour	0.12 ppm	Attainment is defined when the expected number of days per calendar year, with maximum hourly average concentration greater than 0.12 ppm, is equal to or less than 1

Final Rule/Decision	Primary/Secondary	Indicator	Averaging Time	Level	Form
1993 58 FR 13008 Mar 9, 1993	EPA decided that revisions to the standards were not warranted at the time				
1997 62 FR 38856 Jul 18, 1997	Primary and Secondary	O ₃	8 hours	0.08 ppm	Annual fourth-highest daily maximum 8-hr concentration, averaged over 3 years
2008 73 FR 16483 Mar 27, 2008	Primary and Secondary	O ₃	8 hours	0.075 ppm	Annual fourth-highest daily maximum 8-hr concentration, averaged over 3 years
2015 80 FR 65292 Oct 26, 2015	Primary and Secondary	O ₃	8 hours	0.070 ppm	Annual fourth-highest daily maximum 8-hr average concentration, averaged over 3 years
2020 85 FR 87256 Dec 31, 2020	Primary and secondary standards retained, without revision.				

Table A-2.5 Particulate Matter (PM); Total Suspended Particles (TSP): [Link](#)

Final Rule/Decision	Primary/Secondary	Indicator	Averaging Time	Level	Form
1971 36 FR 8186 Apr 30, 1971	Primary	TSP	24 hours	260 µg/m ³	Not to be exceeded more than once per year
1971 36 FR 8186 Apr 30, 1971	Primary	TSP	Annual	75 µg/m ³	Annual geometric mean
1971 36 FR 8186 Apr 30, 1971	Secondary	TSP	24 hours	150 µg/m ³	Not to be exceeded more than once per year
1971 36 FR 8186 Apr 30, 1971	Secondary	TSP	Annual	60 µg/m ³	Annual geometric mean

Table A-2.6 PM_{2.5}: [Link](#)

Final Rule/Decision	Primary/Secondary	Indicator	Averaging Time	Level	Form
1997 62 FR 38652 Jul 18, 1997	Primary and Secondary	PM _{2.5}	24 hours	65 µg/m ³	98th percentile, averaged over 3 years
1997 62 FR 38652 Jul 18, 1997	Primary and Secondary	PM _{2.5}	Annual	15.0 µg/m ³	Annual arithmetic mean, averaged over 3 years
2006 71 FR 61144 Oct 17, 2006	Primary and Secondary	PM _{2.5}	24 hours	35 µg/m ³	98th percentile, averaged over 3 years
2006 71 FR 61144 Oct 17, 2006	Primary and Secondary	PM _{2.5}	Annual	15.0 µg/m ³	Annual arithmetic mean, averaged over 3 years
2012 78 FR 3085 Jan 15, 2013	Primary	PM _{2.5}	Annual	12.0 µg/m ³	Annual arithmetic mean, averaged over 3 years
2012 78 FR 3085 Jan 15, 2013	Secondary	PM _{2.5}	Annual	15.0 µg/m ³	Annual arithmetic mean, averaged over 3 years
2012 78 FR 3085 Jan 15, 2013	Primary and Secondary	PM _{2.5}	24 hours	35 µg/m ³	98th percentile, averaged over 3 years
2020 85 FR 82684 Dec 18, 2020	Primary and secondary standards retained, without revision.				
2024 89 FR 16202 Mar 6, 2024	Primary	PM _{2.5}	Annual	9.0 µg/m ³	Annual arithmetic mean, averaged over 3 years
2024 89 FR 16202 Mar 6, 2024 89 FR 105692 Dec 27, 2024	Secondary PM _{2.5} standards, and primary and secondary PM ₁₀ standards, retained without revision.				

Table A-2.7 PM10: [Link](#)

Final Rule/Decision	Primary/Secondary	Indicator	Averaging Time	Level	Form
1987 52 FR 24634 Jul 1, 1987	Primary and Secondary	PM ₁₀	24 hours	150 µg/m ³	Not to be exceeded more than once per year on average over a 3-year period
1987 52 FR 24634 Jul 1, 1987	Primary and Secondary	PM ₁₀	Annual	50 µg/m ³	Annual arithmetic mean, averaged over 3 years
1997 62 FR 38652 Jul 18, 1997	Primary and Secondary	PM ₁₀	24 hours	150 µg/m ³	Initially promulgated 99th percentile, averaged over 3 years; when 1997 standards for PM ₁₀ were vacated, the form of 1987 standards remained in place (not to be exceeded more than once per year on average over a 3-year period)
1997 62 FR 38652 Jul 18, 1997	Primary and Secondary	PM ₁₀	Annual	50 µg/m ³	Annual arithmetic mean, averaged over 3 years
2006 71 FR 61144 Oct 17, 2006	Primary and Secondary	PM ₁₀	24 hours	150 µg/m ³	Not to be exceeded more than once per year on average over a 3-year period
2012 78 FR 3085 Jan 15, 2013	Primary and Secondary	PM ₁₀	24 hours	150 µg/m ³	Not to be exceeded more than once per year on average over a 3-year period
2020 85 FR 82684 Dec 18, 2020	Primary and secondary standards retained, without revision.				
2024 89 FR 16202 Mar 6, 2024 89 FR 105692 Dec 27, 2024	Secondary PM _{2.5} standards, and primary and secondary PM ₁₀ standards, retained without revision.				

Table A-2.8 Sulfur Dioxide (SO₂): [Link](#)

Final Rule/Decision	Primary/ Secondary	Indicator	Averaging Time	Level	Form
1971 36 FR 8186 Apr 30, 1971	Primary	SO ₂	24-Hour	0.14 ppm	Not to be exceeded more than once per year
			Annual	0.03 ppm	Annual arithmetic average
	Secondary		3-Hour	0.5 ppm	Not to be exceeded more than once per year
			Annual	0.02 ppm	Annual arithmetic average
1973 38 FR 25678 Sept 14, 1973	Secondary	Secondary 3-hour SO ₂ standard retained, without revision; secondary annual SO ₂ standard revoked.			
1996 61 FR 25566 May 22, 1996	Primary	Existing primary SO ₂ standards retained, without revision.			
2010 75 FR 35520 Jun 22, 2010	Primary	SO ₂	1-hour	75 ppb	99th percentile, averaged over 3 years
		Primary annual and 24-hour SO ₂ standards revoked.			
2012 77 FR 20218 April 3, 2012	Secondary	Existing secondary SO ₂ standard (3-hour average) retained, without revision.			
2019 84 FR 9866 March 18, 2019	Primary	Existing primary SO ₂ standard retained, without revision.			
2024 89 FR 105692 Dec 27, 2024	Secondary	Secondary SO ₂ standard revised to be an annual standard.			
		SO ₂	Annual	10 ppb	Averaged over 3 years

Attachment 3

List of Revisions to Regulatory and Statutory Provisions Satisfying Hawaii's Infrastructure SIP

**List of Revisions to Regulatory and
Statutory Provisions Satisfying Hawaii's Infrastructure SIP
2010 SO₂, 2012 PM_{2.5}, and 2015 O₃ NAAQS**

This list of provisions on pages 2 through 4 of Attachment 3 identify previously approved rules and laws and those that are proposed for EPA approval into the SIP.

Sections of HAR, Chapter 11-60.1, Air Pollution Control and the HRS conditions cited in Table A-3.1 of Attachment 3 are:

- 1) Previously SIP-approved provisions but amended in the HAR on January 13, 2012;
- 2) Previously SIP-approved provisions but amended in the HAR on June 19, 2014;
- 3) Previously SIP-approved provisions but amended in the HAR on February 8, 2024;
- 4) Previously SIP-approved but were not amended in the HAR;
- 5) Previously approved HRS provisions; or
- 6) Never SIP-approved HAR and HRS provisions and are being proposed for the first time.

The sections of HAR, Chapter 11-60.1 that are being submitted for review and approval are set forth in **Appendix A**: The HDOH requests approval of those newly proposed or revised provisions.

We are requesting HRS §84-18 to be added to the infrastructure SIP as set-forth in **Appendix A**. Moreover, fifteen sections of HAR 11-60.1 that appear in the table were previously approved but were not amended. HAR and HRS provisions previously approved by EPA are at:

<https://www.epa.gov/air-quality-implementation-plans/approved-air-quality-implementation-plans-epas-pacific-southwest#hi>.

Documentation of public participation proceedings from the 2012, 2014, and 2024 completed HAR amendments are included in **Appendix C**.

Sections of HAR 11-60.1 that were previously approved and amended in 2012, 2014, and 2024, are shown in Ramseyer format in **Appendix D**.

Table A-3.1 lists the HAR and HRS conditions that appear in this List of Provisions. Table A-3.1 identifies whether each section was previously approved versus newly proposed. It also identifies the NAAQS to which the section applies.

Table A-3.1 List of Provisions					
	Footnotes	2010 SO ₂	2012 PM _{2.5}	2015 O ₃	2024 PM _{2.5}
HAR Subchapter 1: General Requirements					
§11-60.1-1 Definitions	24	x	x	x	x
§11-60.1-2 Prohibition of air pollution	PA / NA	x	x	x	x
§11-60.1-3 General conditions for considering applications	14	x	x	x	x
§11-60.1-5 Permit conditions	PA / NA	x	x	x	x
§11-60.1-7 Transfer of permit	PA / NA	x	x	x	x
§11-60.1-11 Sampling, testing, and reporting methods	24	x	x	x	x
§11-60.1-12 Air quality models	24	x	x	x	x
§11-60.1-14 Public access to information	14	x	x	x	x
§11-60.1-15 Reporting of equipment shutdown	PA / NA	x	x	x	x
§11-60.1-16 Prompt reporting of deviations	PA / NA	x	x	x	x
§11-60.1-17 Prevention of air pollution emergency episodes	PA / NA	x	x	x	x
§11-60.1-19 Penalties and remedies	PA / NA	x	x	x	x
HAR Subchapter 2: General Prohibitions					
§11-60.1-31 Applicability	PA / NA	x	x	x	x
§11-60.1-32 Visible emissions	24		x		x
§11-60.1-33 Fugitive dust	N		x		x
§11-60.1-34 Motor vehicle	PA / NA	x	x	x	x
§11-60.1-35 Incineration	N	x	x	x	x
§11-60.1-36 Biomass fuel burning boilers	N	x	x	x	x
§11-60.1-37 Process Industries	N	x	x	x	x
§11-60.1-38 Sulfur oxides from fuel combustion	N	x			
§11-60.1-39 Storage of volatile organic compounds	N			x	
§11-60.1-40 Volatile organic compound water separation	24			x	
§11-60.1-41 Pump and compressor requirements	24			x	
§11-60.1-42 Waste gas disposal	24	x	x	x	x
§11-60.1-43 All operation and maintenance of permitted source	PA / NA	x	x	x	x
HAR Subchapter 3: Open Burning					
§11-60.1-51 Definitions	24	x	x	x	x
§11-60.1-52 General provisions	N	x	x	x	x
§11-60.1-53 Agricultural burning: permit requirement	12	x	x	x	x
§11-60.1-54 Agricultural burning: applications	12	x	x	x	x
§11-60.1-55 Agricultural burning or conditionally allowed open burning from subsection 11-60.1-52(e): "no-burn" periods	N	x	x	x	x
§11-60.1-56 Agricultural burning: recordkeeping and monitoring	PA / NA	x	x	x	x
§11-60.1-57 Agricultural burning: action on application	12	x	x	x	x
§11-60.1-58 Agricultural burning: permit content	PA / NA	x	x	x	x
HAR Subchapter 5: Covered Sources					
§11-60.1-81 Definitions	24	x	x	x	x
§11-60.1-82 Applicability	24	x	x	x	x
§11-60.1-83 Initial covered source permit application	24	x	x	x	x
§11-60.1-84 Duty to supplement or correct permit applications	PA / NA	x	x	x	x
§11-60.1-90 Permit content	24	x	x	x	x
§11-60.1-91 Temporary covered source permits	PA / NA	x	x	x	x
§11-60.1-92 Covered source general permit	24	x	x	x	x
§11-60.1-93 Federal-enforceable permit terms and conditions	PA / NA	x	x	x	x
§11-60.1-99 Public participation	24	x	x	x	x

Table A-3.1 List of Provisions					
	Footnotes	2010 SO ₂	2012 PM _{2.5}	2015 O ₃	2024 PM _{2.5}
§11-60.1-103 Applications for minor modifications	24	x	x	x	x
§11-60.1-104 Applications for significant modifications	24	x	x	x	x
HAR Subchapter 6: Fees for Covered Sources, Noncovered Sources, and Agricultural Burning					
§11-60.1-111 Definitions	N	x	x	x	x
§11-60.1-112 General fee provisions for covered sources	N	x	x	x	x
HRS Chapter 84, Standards of Conduct					
§84-1 Construction	PA	x	x	x	x
§84-2 Applicability	PA	x	x	x	x
§84-3 Definitions	PA	x	x	x	x
§84-11 Gifts	PA	x	x	x	x
§84-11.5 Reporting of gifts	PA	x	x	x	x
§84-12 Confidential information	PA	x	x	x	x
§84-14 Conflicts of interests	PA	x	x	x	x
§84-17 Requirements of disclosure	PA	x	x	x	x
§84-18 Restrictions on post-employment	N	x	x	x	x
HRS Chapter 342B, Air Pollution Control					
§342B-2 Administration	PA	x	x	x	x
§342B-3 General functions, duties, and powers of the director	PA	x	x	x	x
§342B-7(1) Annual Reports	PA	x	x	x	x
§342B-11 Prohibition	PA	x	x	x	x
§342B-12 Specific powers of the director	PA	x	x	x	x
§342B-13 Public participation	PA	x	x	x	x
§342B-15 Complaints; hearings; appointment of masters	PA	x	x	x	x
§342B-16(3) Research, educational, and training programs	PA	x	x	x	x
§342B-17 Air quality modelers	PA	x	x	x	x
§342B-21 Specific functions, duties, and powers of the director	PA	x	x	x	x
§342B-22 Permit and permit renewal; requirements	PA	x	x	x	x
§342B-23 Application for permit	PA	x	x	x	x
§342B-24 Action on a permit application	PA	x	x	x	x
§342B-25 Approval of permit	PA	x	x	x	x
§342B-26 General and temporary permits; single permit	PA	x	x	x	x
§342B-27 Other permit action	PA	x	x	x	x
§342B-28 Recordkeeping and monitoring requirements	PA	x	x	x	x
§342B-29 Fees	PA	x	x	x	x
§342B-30 Judicial Review	PA	x	x	x	x
§342B-31 Government records; confidential information	PA	x	x	x	x
§342B-32 Clean air special fund	PA	x	x	x	x
§342B-33 Minimum permit conditions	PA	x	x	x	x
§342B-34 Exceptions	PA	x	x	x	x
§342B-41 Inspection of premises	PA	x	x	x	x
§342B-42 Enforcement	PA	x	x	x	x
§342B-43 Emergency powers; procedures	PA	x	x	x	x
§342B-44 Injunctive and other relief	PA	x	x	x	x
§342B-45 Citations	PA	x	x	x	x
§342B-46 Appeal	PA	x	x	x	x
§342B-47 Civil penalties	PA	x	x	x	x
§342B-48 Administrative penalties	PA	x	x	x	x
§342B-49 Criminal penalties	PA	x	x	x	x
§342B-50 Disposition of collected fines and penalties	PA	x	x	x	x

Table A-3.1 List of Provisions					
	Footnotes	2010 SO ₂	2012 PM _{2.5}	2015 O ₃	2024 PM _{2.5}
§342B-51 Enforcement by state and county authorities	PA	x	x	x	x
§342B-52 Nonliability of department personnel	PA	x	x	x	x
§342B-53 Other action not barred	PA	x	x	x	x
§342B-54 Priority in courts	PA	x	x	x	x
§342B-55 Consent orders; settlement agreements	PA	x	x	x	x

Year of amended HAR sections in above table

12 = Section previously approved but amended on January 13, 2012.

14 = Section previously approved but amended on June 19, 2014.

24 = Section previously approved but amended on February 8, 2024.

PA = Previously approved.

PA / NA = Previously approved but not amended.

N = New request for section to be approved into the SIP.

Attachment 4

Summary of Public Participation Proceedings for Hawaii's Infrastructure SIP

**Summary of Public Participation Proceedings
Hawaii Infrastructure SIP
2010 SO₂, 2012 PM_{2.5}, and 2015 O₃ NAAQS**

Introduction

In accordance with HRS, Section 342B-13, and Title 40 CFR §51.102, the HDOH provided notice and a 30-day public comment period on the draft Infrastructure SIP.

On July 31, 2025, a Notice of Public Hearing, which stated the purpose of the action and identified the duration of the public comment period, was published in the following newspapers:

- The Honolulu Star Advertiser
- Hawaii Tribune Herald
- West Hawaii Today
- Maui News
- The Garden Island

Prior to the publication, an HDOH memo was sent on July 29, 2025, to all neighbor island District Health Offices (DHO) transmitting a complete Administrative Record and requesting that it be made available for public review during the public comment period. The Administrative Record was on display in the following locations statewide:

- Hawaii District Health Office, Department of Health 1582 Kamehameha Avenue, Hilo, Hawaii
- Sanitation Branch, Keakealani Building, Department of Health 79-1020 Haukapila Street, Room 115, Kealahou, Hawaii
- Kauai District Health Office, Department of Health 3040 Umi Street, Lihue, Kauai
- Maui District Health Office, Department of Health 54 High Street, Room 300, Wailuku, Maui

A public hearing was held on September 9, 2025, at 2827 Waimano Home Road, Kitchen Building, Environmental Health Administration Conference Room, Pearl City, Hawaii. No one presented testimony or submitted comments at the hearing.

The public comment period began on July 31, 2025, and ended on August 31, 2025. DOH-CAB's response to comments received are in Attachment 4.2.

The enclosed attachments provide evidence of the public proceedings:

- 4.1 Notice of Public Comment/Public Hearing and Affidavits of Publication certifying that the public notice appeared in the Honolulu Star Advertiser, Hawaii Tribune Herald, West Hawaii Today, Maui News, and The Garden Island
- 4.2 Summary of Comments Received With DOH-CAB Responses
- 4.3 Hearings Officer Report

Attachment 4.1

Notice of Public Comment Period/Hearing and Affidavits of Publication

Hawaii Infrastructure SIP
National Ambient Air Quality Standards
2010 Sulfur Dioxide 1-Hour Standard
2012 Fine Particulate Matter Annual Standard
2015 Ozone 8-Hour Standard

**NOTICE OF PUBLIC HEARING AND REQUEST FOR PUBLIC COMMENTS
HAWAII INFRASTRUCTURE STATE IMPLEMENTATION PLAN
DEPARTMENT OF HEALTH
STATE OF HAWAII**

(Docket No. 25-CA-PA-13)

Pursuant to Hawaii Revised Statutes (HRS), Section 342B-13, and in accordance with Title 40 of the Code of Federal Regulations (CFR) Section 51.102, the Hawaii Department of Health (DOH) will accept written comments and hold a public hearing on Hawaii's draft Infrastructure State Implementation Plan (I-SIP) submittal to address the 2010 1-Hour Sulfur Dioxide (SO₂), 2012 Annual Fine Particulate Matter (PM_{2.5}), and 2015 8-Hour Ozone (O₃) National Ambient Air Quality Standards (NAAQS). The DOH plans to update the I-SIP with provisions from the current HRS, Chapter 342B, Air Pollution Control; and Hawaii Administrative Rules (HAR), Chapter 11-60.1, Air Pollution Control, in satisfying requirements of the Clean Air Act (CAA).

When the U.S. Environmental Protection Agency (EPA) establishes a new or revised NAAQS, CAA 110(a)(1) and (a)(2) requires all states to revise their State Implementation Plan (SIP) to show that they have the authority and programs needed to implement, maintain, and enforce the new or revised air quality standard. This type of submission is referred to as an Infrastructure State Implementation Plan, or I-SIP.

In accordance with CAA Section 110(a)(2), the I-SIP must adequately address each of the required elements to be approved by the EPA. These elements include the state's legal authority, ambient air quality monitoring, permitting, enforcement, and emergency events. Once the I-SIP establishes an infrastructure surrounding the NAAQS revisions sufficient to implement, maintain, and enforce the standards across the state, the plan is approved.

Further information about the specific CAA Section 110(a)(2) elements can be found at the following website:

https://health.hawaii.gov/cab/files/2025/06/guidance_on_infrastructure_sip_elements_multipollutant_final_sept_2013.pdf

The current Hawaii I-SIP, which is codified in 40 CFR Part 52, Subpart M, satisfies some of the requirements of CAA section 110(a)(1) and (2). However, revisions are needed to update the SIP with Hawaii's current regulatory provisions.

The DOH plans to submit a proposed SIP revision to the EPA for the 2010 1-Hour SO₂, 2012 Annual PM_{2.5}, and 2015 8-Hour O₃ NAAQS. The submittal will include a Certification of Adequacy, which identifies HRS and HAR sections that meet the SIP requirements, and other supporting documents.

A copy of the draft I-SIP revision and related materials may be reviewed at the following offices between 7:45 a.m. and 4:15 p.m., Monday through Friday, except for State holidays:

Oahu:

- Clean Air Branch, Department of Health
2827 Waimano Home Road, #130, Pearl City, Hawaii 96782

Hawaii:

- Hawaii District Health Office, Department of Health
1582 Kamehameha Avenue, Hilo, Hawaii 96720
- Sanitation Branch, Keakealani Building, Department of Health
79-1020 Haukapila Street, Room 113, Kealahou, Hawaii 96750

Maui:

- Maui District Health Office, Department of Health 54 High Street, Room 300,
Wailuku, Maui 96793

Kauai:

- Kauai District Health Office, Department of Health
3040 Umi Street, Lihue, Kauai 96766

In addition, a copy of the I-SIP submittal may be obtained by writing to the Oahu office shown above or by calling (808) 586-4200. Electronic versions (PDF) of the submittal and supporting documents are available online at:

<https://health.hawaii.gov/cab/public-notice/>

DOH is seeking public comments on the contents of the proposed I-SIP revision to address which provisions should be incorporated into the plan.

Interested persons are invited to attend a public hearing to offer comments and recommendations on the draft I-SIP submittal. Persons who wish to testify are asked to submit two (2) copies of their testimony prior to or at the public hearing, although it is not a requirement to do so in order to testify at the hearing.

DOH invites comments regarding Native Hawaiian traditional and customary rights that may be affected or impaired by the plan.

The public hearing will be held on Oahu as follows:

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2827 Waimano Home Road
Kitchen Building
Environmental Health Administration Conference Room
Pearl City, Hawaii 96782

Also virtually: Zoom Meeting

[https://zoom.us/j/91706620946?pwd=QffbJvNCC1XEvVEOGbSg36jhzPzeMX.](https://zoom.us/j/91706620946?pwd=QffbJvNCC1XEvVEOGbSg36jhzPzeMX.1)

1

Meeting ID: 917 0662 0946; Passcode: 049157

One tap mobile:

+16699006833,,91706620946#,,,,*049157# US (San Jose)

+17193594580,,91706620946#,,,,*049157# US

Find your local number: <https://zoom.us/j/91706620946?pwd=QffbJvNCC1XEvVEOGbSg36jhzPzeMX.1>

All comments on the draft I-SIP must be in writing and received by the Oahu office of the Clean Air Branch by **4:30 p.m., August 31, 2025**.

Requests for auxiliary aids or services (e.g., sign language interpreter, large print) must be in writing and received by the Clean Air Branch at least ten (10) days prior to the scheduled hearing.

Comments on the draft I-SIP and requests for auxiliary aids or services can be delivered or mailed to the Clean Air Branch's Oahu address provided above or submitted electronically to:
cab.general@doh.hawaii.gov

Kenneth S. Fink, MD, MGA, MPH
Director of Health

AFFIDAVIT OF PUBLICATION

IN THE MATTER OF
NOTICE OF PUBLIC HEARING - (Docket No. 25-CA-PA-13)

STATE OF HAWAII
City and County of Honolulu

Doc. Date: JUL 31 2025 # Pages: 1
Notary Name: COLLEEN E. SORANAKA First Judicial Circuit
Doc. Description: Affidavit of Publication
Notary Signature: [Signature] Date: JUL 31 2025
Notary Public Seal: COLLEEN E. SORANAKA, No. 90-263, STATE OF HAWAII

Barbara Suzuki being duly sworn, deposes and says that she is a clerk, duly authorized to execute this affidavit of Oahu Publications, Inc. publisher of The Honolulu Star-Advertiser, MidWeek, The Garden Island, West Hawaii Today, and Hawaii Tribune-Herald, that said newspapers are newspapers of general circulation in the State of Hawaii, and that the attached notice is true notice as was published in the

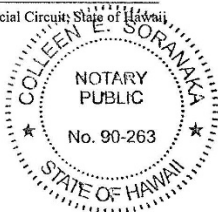
Honolulu Star-Advertiser 1 times on:
07/31/2025
MidWeek 0 times on:
The Garden Island 0 times on:
Hawaii Tribune-Herald 0 times on:
West Hawaii Today 0 times on:
Other Publications: 0 times on:

And that affiant is not a party to or in any way interested in the above entitled matter.

Barbara Suzuki
Subscribed to and sworn before me this 31st day of July A.D. 2025

Colleen E. Soranaka, Notary Public of the First Judicial Circuit, State of Hawaii
My commission expires: Jan 06 2028

Ad # 0001500806



NOTICE OF PUBLIC HEARING AND REQUEST FOR PUBLIC COMMENTS HAWAII INFRASTRUCTURE STATE IMPLEMENTATION PLAN DEPARTMENT OF HEALTH STATE OF HAWAII

(Docket No. 25-CA-PA-13)

Pursuant to Hawaii Revised Statutes (HRS), Section 342B-13, and in accordance with Title 40 of the Code of Federal Regulations (CFR) Section 51.102, the Hawaii Department of Health (DOH) will accept written comments and hold a public hearing on Hawaii's draft Infrastructure State Implementation Plan (I-SIP) submittal to address the 2010 1-Hour Sulfur Dioxide (SO₂), 2012 Annual Fine Particulate Matter (PM_{2.5}), and 2015 8-Hour Ozone (O₃) National Ambient Air Quality Standards (NAAQS). The DOH plans to update the I-SIP with provisions from the current HRS, Chapter 342B, Air Pollution Control, and Hawaii Administrative Rules (HAR), Chapter 11-60.1, Air Pollution Control, in satisfying requirements of the Clean Air Act (CAA).

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Further information about the specific CAA Section 110(a)(2) elements can be found at the following website:

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Hawaii:
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• Sanitation Branch, Keakealani Building, Department of Health
79-1020 Haukapila Street, Room 113, Kealahou, Hawaii 96750

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54 High Street, Room 300, Wailuku, Maui 96793

Kauai:
• Kauai District Health Office, Department of Health
3040 Umi Street, Lihue, Kauai 96766

In addition, a copy of the I-SIP submittal may be obtained by writing to the Oahu office shown above or by calling (808) 586-4200. Electronic versions (PDF) of the submittal and supporting documents are available online at:

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DOH is seeking public comments on the contents of the proposed I-SIP revision to address which provisions should be incorporated into the plan.

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All comments on the draft I-SIP must be in writing and received by the Oahu office of the Clean Air Branch by 4:30 p.m., August 31, 2025.

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Kenneth S. Fink, MD, MGA, MPH
Director of Health

(SA1500806 7/31/25)

AFFIDAVIT OF PUBLICATION

IN THE MATTER OF
NOTICE OF PUBLIC HEARING - (Docket No. 25-CA-PA-13)

STATE OF HAWAII

} SS.

City and County of Honolulu

Doc. Date: JUL 31 2025 # Pages: 1
Notary Name: COLLEEN E. SORANAKA First Judicial Circuit
Doc. Description: Affidavit of Publication
Notary Signature: [Signature] Date: JUL 31 2025
COLLEEN E. SORANAKA
NOTARY PUBLIC
No. 90-263

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to execute this affidavit of Oahu Publications, Inc. publisher of The Honolulu
Star-Advertiser, MidWeek, The Garden Island, West Hawaii Today, and Hawaii
Tribune-Herald, that said newspapers are newspapers of general circulation in the State
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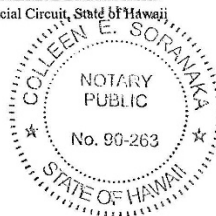
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Barbara Suzuki

Subscribed to and sworn before me this 31st day of July A.D. 2025

Colleen E. Soranaka, Notary Public of the First Judicial Circuit, State of Hawaii
My commission expires: Jan 06 2028

Ad # 0001500827



NOTICE OF PUBLIC HEARING AND REQUEST FOR PUBLIC COMMENTS HAWAII INFRASTRUCTURE STATE IMPLEMENTATION PLAN DEPARTMENT OF HEALTH STATE OF HAWAII

(Docket No. 25-CA-PA-13)

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+17193594580, 91706620946#...; +1049157# US

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Koniet S. Fink, MD, MGA, MPH
Director of Health

(H1500827 7/31/25)

AFFIDAVIT OF PUBLICATION

IN THE MATTER OF
NOTICE OF PUBLIC HEARING - (Docket No. 25-CA-PA-13)

STATE OF HAWAII
City and County of Honolulu

Doc. Date: JUL 31 2025 # Pages: 1
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Doc. Description: Affidavit of Publication
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Notary Public
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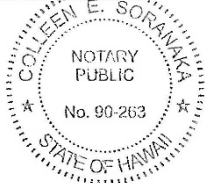
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And that affiant is not a party to or in any way interested in the above entitled matter.

[Signature]
Barbara Suzuki
Subscribed to and sworn before me this 31st day of July, A.D. 2025

Colleen E. Soranaka, Notary Public of the First Judicial Circuit, State of Hawaii
My commission expires: Jan 06 2028

Ad # 0001500828



NOTICE OF PUBLIC HEARING AND REQUEST FOR PUBLIC COMMENTS
HAWAII INFRASTRUCTURE STATE IMPLEMENTATION PLAN
DEPARTMENT OF HEALTH
STATE OF HAWAII
(Docket No. 25-CA-PA-13)

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Oahu:
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2827 Waimanalo Home Road, #130, Pearl City, Hawaii 96782

Hawaii:
• Hawaii District Health Office, Department of Health
1582 Kanehameha Avenue, Hilo, Hawaii 96720
• Sanitation Branch, Kaelealani Building, Department of Health
79-1020 Heaheha Street, Room 113, Kaneohe, Hawaii 96750

Maua:
• Maui District Health Office, Department of Health
54 High Street, Room 300, Wailuku, Maui 96793

Kauai:
• Kauai District Health Office, Department of Health
30-10 Una Street, Uka, Kauai 96768

In addition, a copy of the I-SIP submittal may be obtained by writing to the Oahu office shown above or by calling (808) 586-4200. Electronic versions (PDF) of the submittal and supporting documents are available online at:
<https://health.hawaii.gov/cab/public-notices/>

DOH is seeking public comments on the contents of the proposed I-SIP revision to address which provisions should be incorporated into the plan.

Interested persons are invited to attend a public hearing to offer comments and recommendations on the draft I-SIP submittal. Persons who wish to testify are asked to submit two (2) copies of their testimony prior to or at the public hearing, although it is not a requirement to do so in order to testify at the hearing.

DOH invites comments regarding Native Hawaiian traditional and customary rights that may be affected or impaired by the plan.

The public hearing will be held on Oahu as follows:
Tuesday, September 9, 2025, 10:00 a.m.
2827 Waimanalo Home Road
Kitchen Building
Environmental Health Administration Conference Room
Pearl City, Hawaii 96782

Also virtually: Zoom Meeting
<https://zoom.us/j/917066209467?pwd=QWlnbWVhYVpvcUk1eWVlQ0pSc3pRZjZm>

X.1
Meeting ID: 917 0662 0946; Passcode: 049157
One tap mobile:
+16699008233; 91706620946...; *049157* US (San Jose)
17193594500; 91706620946...; *049157* US
Find your local numbers: <https://zoom.us/j/91706620946>
All comments on the draft I-SIP must be in writing and received by the Oahu office of the Clean Air Branch by 4:30 p.m., August 31, 2025.
Requests for auxiliary aids or services (e.g., sign language interpreter, large print) must be in writing and received by the Clean Air Branch at least ten (10) days prior to the scheduled hearing.
Comments on the draft I-SIP and requests for auxiliary aids or services can be delivered or mailed to the Clean Air Branch's Oahu address provided above or submitted electronically to: cab.general@doh.hawaii.gov
Kenneth S. Fink, MD, MHA, MPH
Director of Health
(WHT1500628) 7/31/25

AFFIDAVIT OF PUBLICATION

STATE OF HAWAII, }
County of Maui. } ss.

Brandy Emmanuel being duly sworn
deposes and says, that she is in Advertising Sales of
the Maui Publishing Co., Ltd., publishers of THE MAUI NEWS, a
newspaper published in Wailuku, County of Maui, State of Hawaii;
that the ordered publication as to _____

NOTICE OF PUBLIC HEARING

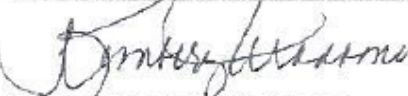
which the annexed is a true and correct printed notice, was
published 1 time in THE MAUI NEWS, aforesaid, commencing
on the 31st day of July, 2025, and ending
on the 31st day of July, 2025, (three day
inclusive), to-wit: on _____

July 31, 2025

and that affiant is not a party to or in any way interested in the above
entitled matter.



This 2 page NOTICE OF PUBLIC HEARING, dated
July 31, 2025,
was subscribed and sworn to me this 13th day of
August, 2025, in the Second Circuit of the State of Hawaii,
by Brandy Emmanuel.



Notary Public, Second Judicial
Circuit, State of Hawaii

Kimberly Uradomo
Commission exp: 07/02/2026



**NOTICE OF PUBLIC HEARING
AND REQUEST FOR PUBLIC COMMENTS
HAWAII INFRASTRUCTURE STATE
IMPLEMENTATION PLAN
DEPARTMENT OF HEALTH
STATE OF HAWAII
(Docket No. 25-CA-PA-13)**

Pursuant to Hawaii Revised Statutes (HRS), Section 342B-13, and in accordance with Title 40, of the Code of Federal Regulations (CFR) Section 51.102, the Hawaii Department of Health (DOH) will accept written comments and hold a public hearing on Hawaii's draft Infrastructure State Implementation Plan (I-SIP) submittal to address the 2010 1-Hour Sulfur Dioxide (SO₂), 2012 Annual Fine Particulate Matter (PM_{2.5}), and 2015 8-Hour Ozone (O₃) National Ambient Air Quality Standards (NAAQS). The DOH plans to update the I-SIP with provisions from the current HRS, Chapter 342B, Air Pollution Control, and Hawaii Administrative Rules (HAR), Chapter 11-601, Air Pollution Control, in satisfying requirements of the Clean Air Act (CAA).

When the U.S. Environmental Protection Agency (EPA) establishes a new or revised NAAQS, CAA 110(a)(1) and (a)(2) requires all states to revise their State Implementation Plan (SIP) to show that they have the authority and programs needed to implement, maintain, and enforce the new or revised air quality standard. This type of submission is referred to as an Infrastructure State Implementation Plan, or I-SIP.

In accordance with CAA Section 110(a)(2), the I-SIP must adequately address each of the required elements to be approved by the EPA. These elements include the state's legal authority, ambient air quality monitoring, permitting, enforcement, and emergency events. Once the I-SIP establishes an infrastructure surrounding the NAAQS revisions sufficient to implement, maintain, and enforce the standards across the state, the plan is approved.

Further information about the specific CAA Section 110(a)(2) elements can be found at the following website:

https://health.hawaii.gov/cab/files/2025/06/guidance_on_infrastructure_sip_elements_multipollution_final_sept_2013.pdf

The current Hawaii I-SIP, which is codified in 40 CFR Part 52, Subpart M, satisfies some of the requirements of CAA section 110(a)(1) and (2). However, revisions are needed to update the SIP with Hawaii's current regulatory provisions.

The DOH plans to submit a proposed SIP revision to the EPA for the 2010 1-Hour SO₂, 2012 Annual PM_{2.5}, and 2015 8-Hour O₃ NAAQS. The submittal will include a Certification of Adequacy, which identifies HRS and HAR sections that meet the SIP requirements, and other supporting documents.

A copy of the draft I-SIP revision and related materials may be reviewed at the following offices between 7:45 a.m. and 4:15 p.m., Monday through Friday, except for State holidays:

Oahu:

- Clean Air Branch, Department of Health
2827 Waimano Home Road, #130, Pearl City, Hawaii 96782

Hawaii:

- Hawaii District Health Office, Department of Health
1582 Kamehameha Avenue, Hilo, Hawaii 96720
- Sanitation Branch, Keoluau Building, Department of Health
79-1020 Haukapu Street, Room 111,
Keoluau, Hawaii 96750

Maui:

- Maui District Health Office, Department of Health
54 High Street, Room 301, Wailuku, Maui 96793

Kauai:

- Kauai District Health Office, Department of Health
3040 Uni Street, Lihue, Kauai 96766

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DOH invites comments regarding Native Hawaiian traditional and customary rights that may be affected or impaired by the plan.

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2827 Waimano Home Road,
Kitchen Building
Environmental Health Administration Conference Room
Pearl City, Hawaii 96782

Also virtually, Zoom Meeting
<https://zoom.us/j/91706620946?pwd=Q0R0VjNjYzYXZlVlE0Q0hSc29hZkZxMj0>

Meeting ID: 917 0662 0946; Passcode: 049157
One tap mobile
+16699006833, 91706620946; or +16691577 US (San Jose)
+17193594580, 91706620946; or +16691577 US
Find your local number: <https://zoom.us/join/049157>

All comments on the draft I-SIP must be in writing and received by the Oahu office of the Clean Air Branch by 4:30 p.m., August 31, 2025.

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Comments on the draft I-SIP and requests for auxiliary aids or services can be delivered or mailed to the Clean Air Branch's Oahu address provided above or submitted electronically to cab_general@doh.hawaii.gov.

Kenneth S. Fin, MD, MGA, MPH
Director of Health

(MN: July 31, 2025)

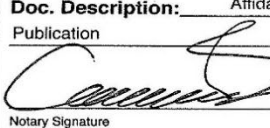
AFFIDAVIT OF PUBLICATION

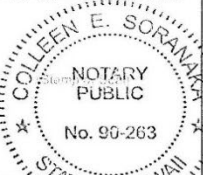
IN THE MATTER OF
NOTICE OF PUBLIC HEARING - (Docket No. 25-CA-PA-13)

STATE OF HAWAII

} SS.

City and County of Honolulu

Doc. Date:	JUL 31 2025	# Pages:	1
Notary Name:	COLLEEN E. SORANAKA	First Judicial Circuit	
Doc. Description:	Affidavit of Publication		
 Notary Signature		JUL 31 2025 Date	



Barbara Suzuki being duly sworn, deposes and says that she is a clerk, duly authorized to execute this affidavit of Oahu Publications, Inc. publisher of The Honolulu Star-Advertiser, MidWeek, The Garden Island, West Hawaii Today, and Hawaii Tribune-Herald, that said newspapers are newspapers of general circulation in the State of Hawaii, and that the attached notice is true notice as was published in the

Honolulu Star-Advertiser 0 times on:

MidWeek 0 times on:

The Garden Island 1 times on:

07/31/2025

Hawaii Tribune-Herald 0 times on:

West Hawaii Today 0 times on:

Other Publications: 0 times on:

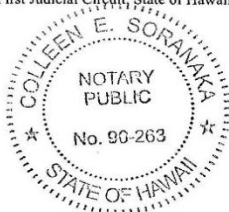
And that affiant is not a party or in any way interested in the above entitled matter.

Barbara Suzuki

Subscribed to and sworn before me this 31st day of July A.D. 2025

Colleen E. Soranaka, Notary Public of the First Judicial Circuit, State of Hawaii
My commission expires: Jan 06 2028

Ad # 0001500826



NOTICE OF PUBLIC HEARING AND REQUEST FOR PUBLIC COMMENTS HAWAII INFRASTRUCTURE STATE IMPLEMENTATION PLAN DEPARTMENT OF HEALTH STATE OF HAWAII

(Docket No. 25-CA-PA-13)

Pursuant to Hawaii Revised Statutes (HRS), Section 342B-13, and in accordance with Title 40 of the Code of Federal Regulations (CFR) Section 51.102, the Hawaii Department of Health (DOH) will accept written comments and hold a public hearing on Hawaii's draft Infrastructure State Implementation Plan (I-SIP) submittal to address the 2010 1-Hour Sulfur Dioxide (SO₂), 2012 Annual Fine Particulate Matter (PM_{2.5}), and 2015 8-Hour Ozone (O₃) National Ambient Air Quality Standards (NAAQS). The DOH plans to update the I-SIP with provisions from the current HRS, Chapter 342B, Air Pollution Control; and Hawaii Administrative Rules (HAR), Chapter 11-60.1, Air Pollution Control, in satisfying requirements of the Clean Air Act (CAA).

When the U.S. Environmental Protection Agency (EPA) establishes a new or revised NAAQS, CAA 110(a)(1) and (a)(2) requires all states to revise their State Implementation Plan (SIP) to show that they have the authority and programs needed to implement, maintain, and enforce the new or revised air quality standard. This type of submission is referred to as an Infrastructure State Implementation Plan, or I-SIP.

In accordance with CAA Section 110(a)(2), the I-SIP must adequately address each of the required elements to be approved by the EPA. These elements include the state's legal authority, ambient air quality monitoring, permitting, enforcement, and emergency events. Once the I-SIP establishes an infrastructure surrounding the NAAQS revisions sufficient to implement, maintain, and enforce the standards across the state, the plan is approved.

Further information about the specific CAA Section 110(a)(2) elements can be found at the following website:

https://health.hawaii.gov/cab/files/2025/06/guidance_on_infrastructure_sip_elements_multipollutant_final_sept_2013.pdf

The current Hawaii I-SIP, which is codified in 40 CFR Part 52, Subpart M, satisfies some of the requirements of CAA section 110(a)(1) and (2). However, revisions are needed to update the SIP with Hawaii's current regulatory provisions.

The DOH plans to submit a proposed SIP revision to the EPA for the 2010 1-Hour SO₂, 2012 Annual PM_{2.5}, and 2015 8-Hour O₃ NAAQS. The submittal will include a Certification of Adequacy, which identifies HRS and HAR sections that meet the SIP requirements, and other supporting documents.

A copy of the draft I-SIP revision and related materials may be reviewed at the following offices between 7:45 a.m. and 4:15 p.m., Monday through Friday, except for State holidays:

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- Hawaii:**
 - Hawaii District Health Office, Department of Health
1582 Kamehameha Avenue, Hilo, Hawaii 96720
 - Sanitation Branch, Keakealani Building, Department of Health
79-1020 Haukapila Street, Room 113, Kealahou, Hawaii 96750
- Maui:**
 - Maui District Health Office, Department of Health
54 High Street, Room 300, Wailuku, Maui 96793
- Kauai:**
 - Kauai District Health Office, Department of Health
3040 Umi Street, Lihue, Kauai 96766

In addition, a copy of the I-SIP submittal may be obtained by writing to the Oahu office shown above or by calling (808) 586-4200. Electronic versions (PDF) of the submittal and supporting documents are available online at:

<https://health.hawaii.gov/cab/public-notices/>

DOH is seeking public comments on the contents of the proposed I-SIP revision to address which provisions should be incorporated into the plan.

Interested persons are invited to attend a public hearing to offer comments and recommendations on the draft I-SIP submittal. Persons who wish to testify are asked to submit two (2) copies of their testimony prior to or at the public hearing, although it is not a requirement to do so in order to testify at the hearing.

DOH invites comments regarding Native Hawaiian traditional and customary rights that may be affected or impaired by the plan.

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Meeting ID: 917 0662 0946; Passcode: 049157

One tap mobile:
+16699006833, 91706620946; *049157* US (San Jose)
+17193594580, 91706620946; *049157* US

Find your local number: <https://zoom.us/j/91706620946>

All comments on the draft I-SIP must be in writing and received by the Oahu office of the Clean Air Branch by 4:30 p.m., August 31, 2025.

Requests for auxiliary aids or services (e.g., sign language interpreter, large print) must be in writing and received by the Clean Air Branch at least ten (10) days prior to the scheduled hearing.

Comments on the draft I-SIP and requests for auxiliary aids or services can be delivered or mailed to the Clean Air Branch's Oahu address provided above or submitted electronically to: cab.general@doh.hawaii.gov

Kenneth S. Fink, MD, MGA, MPH
Director of Health

(TG1500826 7/31/25)

Attachment 4.2

Summary of Comments Received with DOH-CAB Responses

Hawaii Infrastructure SIP
National Ambient Air Quality Standards
2010 Sulfur Dioxide 1-Hour Standard
2012 Fine Particulate Matter Annual Standard
2015 Ozone 8-Hour Standard

**SUMMARY OF COMMENTS RECEIVED
ON HAWAII'S DRAFT INFRASTRUCTURE STATE IMPLEMENTATION PLAN (I-SIP) FOR
THE 2010 1-HOUR SO₂, 2012 ANNUAL PM_{2.5}, AND 2015 8-HOUR O₃ NAAQS
(Docket No. 25-CA-PA-13)**

I. OVERVIEW

Pursuant to 40 Code of Federal Regulations (CFR) §51.102, Hawai'i Revised Statutes (HRS) §342B-13, and Hawai'i Administrative Rules (HAR) Chapter 11-60.1, the Hawai'i Department of Health, Clean Air Branch (DOH-CAB) provided public notice, accepted written comments from July 31, 2025 to August 31, 2025, and held a public hearing on September 9, 2025, at 10:00 a.m. (Pearl City—Environmental Health Administration Conference Room—with virtual access via Zoom) regarding Hawai'i's draft Infrastructure State Implementation Plan (I-SIP) addressing the 2010 1-Hour Sulfur Dioxide (SO₂), 2012 Annual Fine Particulate Matter (PM_{2.5}), and 2015 8-Hour Ozone (O₃) National Ambient Air Quality Standards (NAAQS). The public notice identified document access locations, methods for submittal of comments, and hearing logistics.

Hearing attendance/testimony. The hearing was conducted as noticed. No members of the public attended (in-person or virtually), and no oral testimony was provided.

II. WRITTEN COMMENTS AND RESPONSES (Public Comment Period from July 31, 2025 to August 31, 2025)

A. Department of Land and Natural Resources (DLNR) Agencies

Comment 1:

Upon review, DLNR Agencies indicated it had no comments on the draft I-SIP.

Dates Received: August 13, 2025 (two letters) and September 2, 2025

Response to Comment 1:

Acknowledged. Our response to these letters is included in the administrative record; no changes to the draft I-SIP are required.

Comment 2:

Upon review, DLNR indicated it has no objection to the draft I-SIP.

Dates Received: August 13, 2025 and September 4, 2025

Response to Comment 2:

Acknowledged. Our response to these letters is included in the administrative record; no changes to the draft I-SIP are required.

B. Other Written Submissions: Honolulu Police Department (HPD)

Comment 1:

Transitioning to stricter fuel and emissions requirements could impact the HPD's fleet vehicles by limiting the types of vehicles the HPD can utilize and potentially requiring the use of ethanol-blended gasoline or other low-emission fuels.

Date Received: August 26, 2025

Response to Comment 1:

The I-SIP is a collection of regulations and documents used by the state to implement, maintain, and enforce the NAAQS. SIPs in states that do not meet the NAAQS, designated as “nonattainment” areas, must include additional requirements to reduce air pollution for attainment of the standards. The entire state of Hawaii is in attainment of the NAAQS. Therefore, no additional emissions reduction measures are specified for complying with the NAAQS. Also, in accordance with Hawaii Administrative Rules (HAR) §11-60.1-62(d)(21) and §11-60.1-82(d)(4), mobile sources are exempt from air permitting requirements.

Comment 2:

Air quality compliance measures may influence facility operations and need for earlier than planned upgrades to the HPD’s backup generators and other emergency equipment that could become more stringent under the SIP framework.

Date Received: August 26, 2025

Response to Comment 2:

As indicated in Comment 1 above, the I-SIP is not an attainment SIP that would require additional enforceable measures for achieving compliance with the NAAQS. In addition, emergency equipment including backup generators are exempt from permitting requirements pursuant to HAR §11-60.1-62(d)(8) and are insignificant activities under HAR §11-60.1-82(f)(5). Insignificant activities are generally excluded from air permit requirements.

III. Correction

After the public comment period and hearing, the DOH-CAB made a correction to page 2 of the I-SIP to reference the most recent November 12, 2019 I-SIP revision addressing interstate transport for the 2015 O₃ NAAQS instead of the August 6, 2015 I-SIP revision that addressed interstate transport for the 2008 O₃ NAAQS.

IV. CONCLUSION

The record reflects no oral testimony and no written comments that require changes to the draft I-SIP. The DLNR “no-comment” and “no-objection” letters, HPD’s concerns with further regulation, and DOH-CAB’s responses, document that public participation requirements were satisfied for the draft I-SIP. The I-SIP proceeds with a correction to page 2 of 7 from the I-SIP prior to finalization and submittal to EPA, accompanied by the public participation record.

Attachment 4.3

Hearings Officer Report

Hawaii Infrastructure SIP
National Ambient Air Quality Standards
2010 Sulfur Dioxide 1-Hour Standard
2012 Fine Particulate Matter Annual Standard
2015 Ozone 8-Hour Standard

25 SEP 26 P1 50

STATE OF HAWAII
DEPARTMENT OF HEALTH
HEARINGS OFFICE

RECEIVED
STATE OF HAWAII
DEPARTMENT OF HEALTH

REPORT OF THE HEARINGS OFFICER

Public Hearing on Proposed Infrastructure State Implementation Plan, Amendments to
Hawaii Administrative Rules, Chapter 11-60.1, Air Pollution Control

In accordance with applicable laws and regulations, advance notice of (i) a public hearing on the proposed Infrastructure State Implementation Plan, developed to insure compliance with changes to the National Ambient Air Quality Standards (NAAQS), at which attendees could comment thereon, and (ii) an opportunity for members of the public to otherwise comment thereon, was timely published statewide on July 31, 2025, advising that (iii) an in person and virtual Zoom public hearing thereon would be held on Tuesday, September 9, 2025, at 10:00 am, in the EHA Conference Room in the Kitchen Building adjacent to the Office of the Clean Air Branch of the Hawaii Department of Health at 2827 Waimano Home Road in Pearl City, HI 96782, and that (iv) written public comments would be received thereon until 4:30pm on that date.

The undersigned Hearings Officer called the public hearing to order on that date at approximately 10:00am and, following a brief introduction, asked if anyone wished to speak. No members of the public were in person or virtually present, and no one else wished to speak.

The Hearings then kept the hearing open until 10:15am, in case anyone appeared by that time, but no one else did. At that time, the Hearings Officer again asked if anyone wished to speak but no one else did.

The Hearings Officer then closed the hearing, at approximately 10:16 am.

The Hearings Officer hereby certifies that the public hearing and comment opportunity were conducted and provided in accordance with all applicable requirements established by law.

DATED: Honolulu, Hawaii, September 26, 2025.



Steven Jacobson
DOH Hearings Officer

Attachment 5

Technical Support Document on Interstate Transport CAA §110(a)(2)(D)(I) for 2010 Sulfur Dioxide 1-Hour Standard

**Technical Support Document to
Address Clean Air Act Section 110(a)(2)(D)(i)(I) for the
2010 1-Hour SO₂ National Ambient Air Quality Standard**

Executive Summary

On August 22, 2010, the United States Environmental Protection Agency (EPA) revised the 1-hour National Ambient Air Quality Standard (NAAQS) for sulfur dioxide (SO₂) to 75 parts per billion (ppb). The EPA also revoked both the existing 24-hour and annual primary SO₂ standards. In support of the SO₂ transport SIP requirements, inter-state geographic proximity, National Emissions Inventory (NEI), and Hawaii wind rose data were evaluated. The data review indicates that Hawaii does not significantly contribute to interstate transport of SO₂ that would impact nonattainment in, or interfere with maintenance by, any other state with respect to the 2010 SO₂ NAAQS. Considering the large distance (approximately 2,285 miles) that separates Hawaii from the Continental United States (CONUS), Hawaii's predominate northeast trade winds, and Hawaii's continued relatively low emissions in comparison to closer anthropogenic sources located on the CONUS, it is highly unlikely that Hawaii's anthropogenic sources are impacting the SO₂ in non-attainment and/or maintenance receptors of other states.

1. Introduction

CAA §110(a)(2)(D)(i)(I) requires adequate state provisions to ensure that any source or other emissions activity within the state does not contribute significantly to nonattainment or interfere with maintenance of the NAAQS in any other state. This technical support document demonstrates that Hawaii does not significantly contribute to interstate transport of anthropogenic pollutants that impact nonattainment in or interfere with maintenance in any other state with respect to the 2010 SO₂ NAAQS. The most eastern edge of the State of Hawaii is located approximately 2,285 miles (3,678 km) from the west coast of the CONUS and is nearest to the coast of California. Hawaii is significantly impacted by trade winds from the northeast.

The EPA's review of other state's infrastructure SIP submissions indicates that although SO₂ is emitted from a similar universe of point and nonpoint sources, interstate transport of SO₂ is unlike the transport of fine particulate matter (PM_{2.5}) or ozone, in that SO₂ is not a regional pollutant and does not commonly contribute to widespread nonattainment over a large area. The transport of SO₂ is more analogous to the transport of lead (Pb) because its physical properties result in localized pollutant impacts very near the emissions source. However, ambient concentrations of SO₂ do not decrease as quickly with distance from the source as Pb because of the physical properties and typical release heights of SO₂. Emissions of SO₂ travel farther and have wider ranging impacts than emissions of Pb, but do not travel far enough to be treated in a manner like ozone or PM_{2.5}. SO₂ transport is therefore a unique case and requires a different approach. Given the physical properties of SO₂, the EPA selected the "urban scale" which utilizes an assessment range of up to 50 km from point sources to assess trends in area-wide air quality that might impact downwind states.¹ Based on the EPA's assessment range of SO₂ emissions, Hawaii's anthropogenic sources do not impact the SO₂ emission levels in other states regardless of their attainment status.

¹ Interstate Transport Prongs 1 and 2 for the 2010 Sulfur Dioxide (SO₂) Standard for Colorado, Montana, North Dakota, South Dakota, and Wyoming, <https://www.federalregister.gov/documents/2018/06/04/2018-11846/interstate-transport-prongs-1-and-2-for-the-2010-sulfur-dioxide-so2-standard-for-colorado-montana>.

Hawaii has historically been in attainment for all criteria pollutants at State and Local Air Monitoring Stations. However, Hawaii Air Quality Data Books from 2016 to 2022 show that special purpose monitoring stations (SPMs) on Hawaii Island (Ocean View and Pahala) are measuring exceedances of the 1-hour SO₂ NAAQS. These stations were established to monitor SO₂ concentrations from volcanic activity. In 2019, when there was no volcanic activity, 1-hour SO₂ concentrations ranged from 3 ppb to 9 ppb at the Ocean View and Pahala stations, respectively. The concentrations are much lower than the 1-hour SO₂ NAAQS of 75 ppb. In 2018, in a year with escalated volcanic activity, 1-hour SO₂ concentrations on the Island of Hawaii were considerably higher, ranging from 686 ppb to 887 ppb at the Pahala and Ocean View stations, respectively. Volcanic eruptions are considered natural events and therefore EPA may exclude the exceedances of the 1-hour NAAQS from the attainment determination.

2. Examination of Significant Contribution to Nonattainment Using National Emissions Inventory (NEI) Data

The NEI is prepared every three years by the EPA and is a comprehensive and detailed estimate of air emissions of both criteria and hazardous air pollutants from all air emission sources.

The NEI is based primarily upon emission estimates and emission model inputs provided by state, local and tribal air agencies for sources in their jurisdictions and supplemented by data developed by the EPA. The NEI for years 2011 to 2020 were used to compare trends in Hawaii SO₂ emissions to those in Arizona.² According to EPA's Green Book, the nearest nonattainment SO₂ receptor that could be impacted by SO₂ is in Arizona at a monitor in Hayden County (AQS Site ID # 04-007-1001).³ The most western edge of Hayden County is approximately 2,852 miles from the eastern edge of the Island of Hawaii.⁴

Tables A-5.2.1 through A-5.2.4 show the NEI SO₂ yearly emissions for 2011, 2014, 2017, and 2020 respectively for Hawaii and Arizona. As shown in the tables below, both state's annual SO₂ emissions have seen an overall decrease over the same ten-year period. From 2011 to 2020, Arizona's SO₂ emissions have decreased by approximately 78%, while Hawaii's emissions have fallen by approximately 40%, demonstrating a similar downward trend for both states. Despite Arizona emitting nearly three times the SO₂ that Hawaii did in 2011, Arizona has since greatly reduced their emissions to levels comparable to Hawaii, only emitting 2% more SO₂ than Hawaii did in 2020.

² United States Environmental Protection Agency website, National Emissions Inventory (NEI); <https://www.epa.gov/air-emissions-inventories/national-emissions-inventory-nei>.

³ United States Environmental Protection Agency, Green Book, Sulfur Dioxide (2010) Designated Area/State Information with Design Values, with data current of January 31, 2025; <https://www3.epa.gov/airquality/greenbook/tbtcw.html>.

⁴ United State Environmental Protection Agency, Interactive Map of Air Quality Monitors; [AirData Air Quality Monitors](#).

Table A-5.2.1: 2011 NEI SO₂		
Tier 1 Description	SO ₂ Emissions (Tons)	
	Hawaii	Arizona
Chemical & Allied Product Mfg.	278.02	0.52
Fuel Comb. Elec. Util.	20,038.98	26,382.13
Fuel Comb. Industrial	4,215.53	2,919.83
Fuel Comb. Other	410.13	88.05
Highway Vehicles	102.49	429.66
Metals Processing	-	31,900.37
Miscellaneous	223.49	11,614.57
Off-Highway	2,349.95	818.19
Other Industrial Processes	-	2,669.57
Petroleum & Related Industries	123.91	1.79
Solvent Utilization	0.00	0.01
Storage & Transport	-	0.25
Waste Disposal & Recycling	3.88	97.92
TOTAL	27,746.38	76,922.86
Hawaii vs. Arizona⁵	36.07%	

Table A-5.2.2: 2014 NEI SO₂		
Tier 1 Description	SO ₂ Emissions (Tons)	
	Hawaii	Arizona
Chemical & Allied Product Mfg.	167.33	0.02
Fuel Comb. Elec. Util.	18,295.74	16,918.61
Fuel Comb. Industrial	697.55	526.47
Fuel Comb. Other	25.27	105.27
Highway Vehicles	103.62	539.71
Metals Processing	-	21,960.17
Miscellaneous	731.87	2,511.69
Off-Highway	574.44	651.41
Other Industrial Processes	0.00	2,033.46
Petroleum & Related Industries	29.92	0.55
Solvent Utilization	0.00	0.02
Storage & Transport	-	0.25
Waste Disposal & Recycling	87.87	356.95
TOTAL	20,713.61	45,604.56
Hawaii vs. Arizona⁵	45.42%	

⁵ Hawaii vs. Arizona equation = [Hawaii total NEI SO₂ emissions for subject year] ÷ [Comparison state total NEI SO₂ emissions for subject year] x 100%.

Table A-5.2.3: 2017 NEI SO₂		
Tier 1 Description	SO ₂ Emissions (Tons)	
	Hawaii	Arizona
Chemical & Allied Product Mfg.	211.74	0.01
Fuel Comb. Elec. Util.	15,683.88	8,577.71
Fuel Comb. Industrial	2071.51	434.85
Fuel Comb. Other	21.97	93.94
Highway Vehicles	52.14	350.77
Metals Processing	-	24,496.91
Miscellaneous	93.72	3,959.33
Off-Highway	426.98	794.57
Other Industrial Processes	-	1,741.39
Petroleum & Related Industries	37.68	0.14
Solvent Utilization	0.00	0.02
Storage & Transport	-	0.17
Waste Disposal & Recycling	67.40	143.31
TOTAL	18,667.02	40,593.12
Hawaii vs. Arizona ⁵	45.99%	

Table A-5.2.4: 2020 NEI SO₂		
Tier 1 Description	SO ₂ Emissions (Tons)	
	Hawaii	Arizona
Chemical & Allied Product Mfg.	0.00	0.00
Fuel Comb. Elec. Util.	15,671.79	8,230.41
Fuel Comb. Industrial	663.52	235.89
Fuel Comb. Other	3.24	159.35
Highway Vehicles	28.45	146.69
Metals Processing	-	406.38
Miscellaneous	165.71	4,997.56
Off-Highway	147.94	385.30
Other Industrial Processes	-	2,451.78
Petroleum & Related Industries	0.93	0.54
Solvent Utilization	0.00	0.01
Storage & Transport	-	0.27
Waste Disposal & Recycling	65.46	112.84
TOTAL	16,747.04	17,127.03
Hawaii vs. Arizona ⁵	97.78%	

Statewide SO₂ emissions for the years 2011, 2014, 2017, and 2020, presented in Tables A-5.2.1 through A-5.2.4 were used in Figure A-5.2.1 to graphically compare the total SO₂ emissions between Hawaii and Arizona in blue and red, respectively.

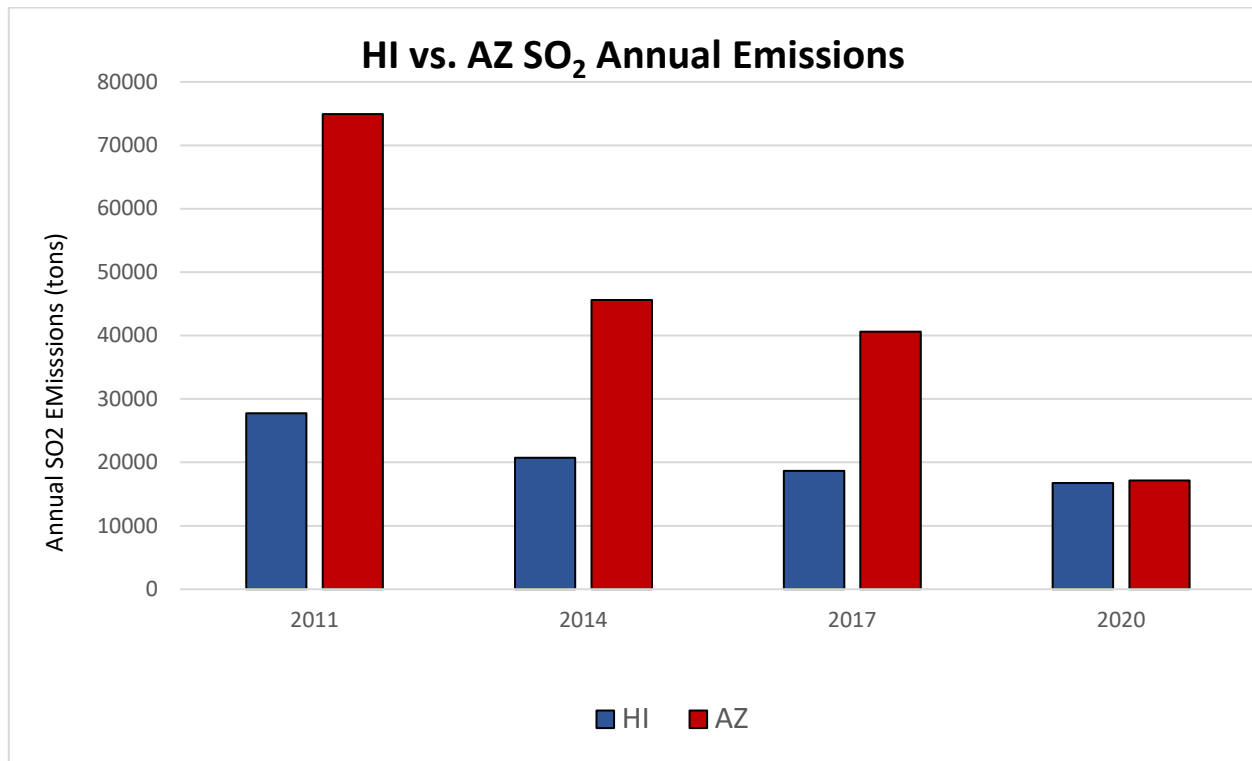


Figure A-5.2.1: Hawaii and Arizona NEI SO₂ emissions comparison graph

3. Examination of Hawaii's Predominant Trade Wind Pattern

The winds throughout the State of Hawaii are significantly influenced by high pressure systems which form in the Northern Pacific Ocean, producing winds that blow in the northeast direction throughout the State of Hawaii. Figure A-5.3.1 includes wind roses for the Daniel K. Inouye International Airport (blue on Oahu), Kahului International Airport (yellow on Maui), Hilo International Airport (red on Hawaii Island), and Lihue International Airport (green on Kauai). These wind roses were generated using 2011 to 2020 hourly surface meteorological data that were downloaded from the National Oceanic and Atmospheric Administration's, National Centers for Environmental Information.⁶ These wind roses illustrate the dominance of the northeast trade winds throughout the State of Hawaii. It should be noted that the wind rose for Hilo International Airport shows a strong southwest wind direction. This is a localized phenomenon due to the topographical influence of Mauna Loa on the Island of Hawaii. Available literature indicates the ocean floor bends under the weight of this mammoth mountain.⁷ The southwest flow is characterized by generally slower wind speeds than the northeast trade winds. It is highly unlikely that this localized southwest wind flow will be able to overcome the synoptic scale northeasterly wind flow and carry SO₂ emissions from the Hawaiian Island to the CONUS.

⁶ National Oceanic and Atmospheric Administration, National Centers for Environmental Information; <https://www1.ncdc.noaa.gov/pub/data/noaa/>.

⁷ Please refer to <https://www.nps.gov/havo/learn/nature/mauna-loa.htm>.

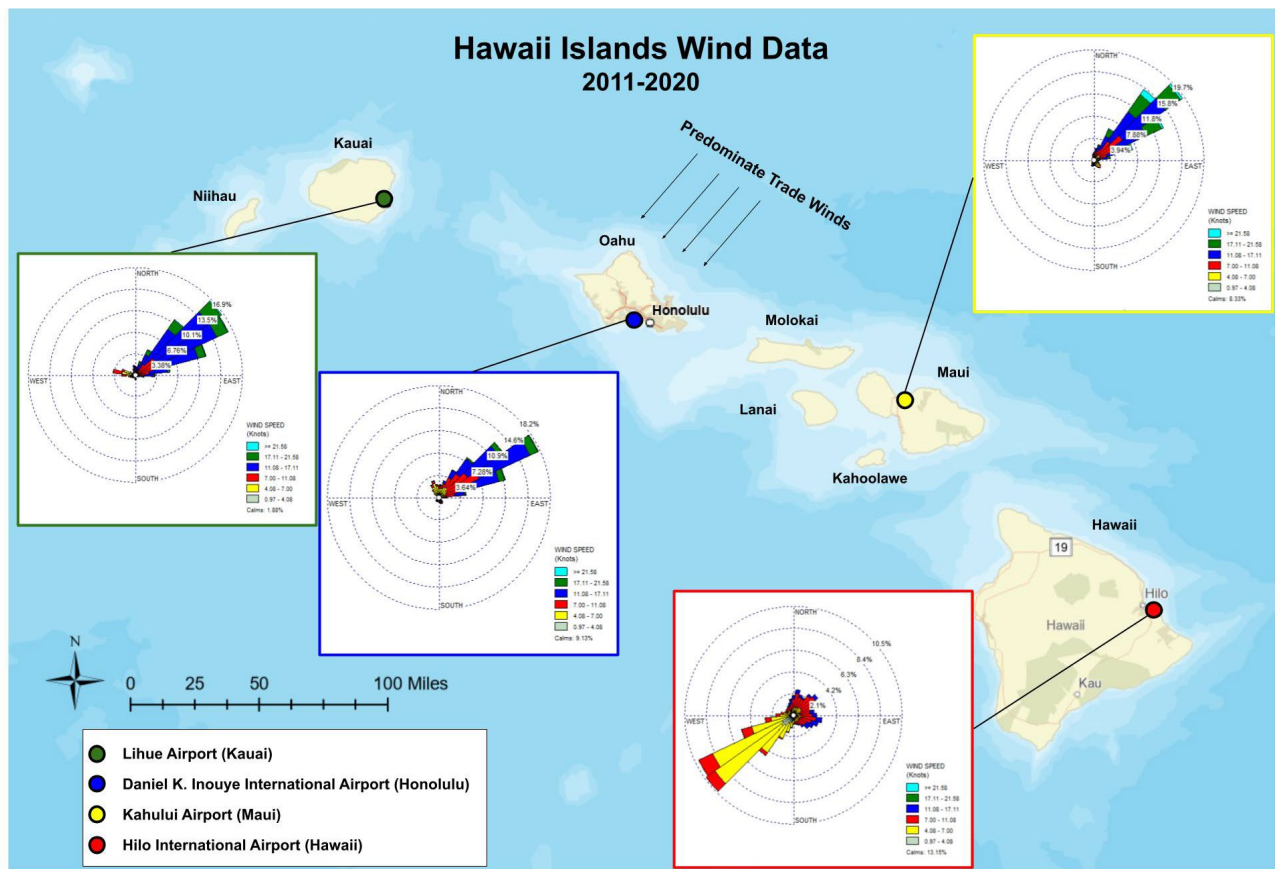


Figure A-5.3.1: Hawaii islands map and wind data from Lihue International Airport (Kauai; green), Daniel K. Inouye International Airport (Oahu; blue), Kahului International Airport (Maui; yellow), and Hilo International Airport (Hawaii; red)

4. Examination of Interference with Maintenance Using National Emissions Inventory (NEI) Data

NAAQS maintenance areas are geographic regions that were previously nonattainment areas but are now consistently meeting the NAAQS. The EPA redesignates these areas from nonattainment to maintenance. Also, all nonattainment receptors are maintenance receptors.

As of January 31, 2025, the EPA Green Book³ shows the nearest maintenance SO₂ receptor that could be impacted by SO₂ from Hawaii's anthropogenic sources, is in Washington at a monitor in Whatcom County (Monitor ID # 60990006).³ The most western edge of Whatcom County is approximately 2,700 miles from the eastern edge of the Island of Hawaii.⁴ All nonattainment SO₂ receptors were further away than the Whatcom County maintenance SO₂ receptor.

Tables A-5.4.1 through A-5.4.4 show the NEI SO₂ yearly emissions for 2011, 2014, 2017, and 2020 respectively for Hawaii and Washington. As shown in the tables below, both state's annual SO₂ emissions have decreased over the same ten-year period. From 2011 to 2020, Washington's SO₂ emissions have decreased by approximately 56%, while Hawaii's emissions have fallen by approximately 40% in the same period, demonstrating a very similar downward trend for both states. Despite a large spike in emissions in 2014 when Washington emitted almost double Hawaii's annual SO₂ emissions, Washington has since decreased its emissions to levels lower than Hawaii in 2020.

Table A-5.4.1: 2011 NEI SO₂		
Tier 1 Description	SO ₂ Emissions (Tons)	
	Hawaii	Washington
Chemical & Allied Product Mfg.	278.02	152.00
Fuel Comb. Elec. Util.	20,038.98	1,201.79
Fuel Comb. Industrial	4,215.53	2,926.58
Fuel Comb. Other	410.13	1,243.84
Highway Vehicles	102.49	618.41
Metals Processing	-	7,523.07
Miscellaneous	223.49	2,034.27
Off-Highway	2,349.95	12,733.76
Other Industrial Processes	-	1,584.15
Petroleum & Related Industries	123.91	248.87
Solvent Utilization	-	0.00
Storage & Transport	-	0.01
Waste Disposal & Recycling	3.88	225.46
TOTAL	27,746.38	30,492.21
Hawaii vs. Washington⁸	90.99%	

Table A-5.4.2: 2014 NEI SO₂, Version 2		
Tier 1 Description	SO ₂ Emissions (Tons)	
	Hawaii	Washington
Chemical & Allied Product Mfg.	167.33	217.20
Fuel Comb. Elec. Util.	18,295.74	3,093.73
Fuel Comb. Industrial	697.55	3,107.34
Fuel Comb. Other	25.27	949.16
Highway Vehicles	103.62	547.65
Metals Processing	-	7,805.14
Miscellaneous	731.87	9,930.84
Off-Highway	574.44	11,738.79
Other Industrial Processes	0.00	993.82
Petroleum & Related Industries	29.92	298.31
Solvent Utilization	0.00	0.00
Storage & Transport	-	0.80
Waste Disposal & Recycling	87.87	290.56
TOTAL	20,713.61	38,973.35
Hawaii vs. Washington⁸	53.15%	

⁸ Hawaii vs. Washington equation = [Hawaii total NEI SO₂ emissions for subject year] ÷ [Washington total NEI SO₂ emissions for subject year] x 100%.

Table A-5.4.3: 2017 NEI SO ₂		
Tier 1 Description	SO ₂ Emissions (Tons)	
	Hawaii	Washington
Chemical & Allied Product Mfg.	211.74	203.22
Fuel Comb. Elec. Util.	15,683.88	1,758.42
Fuel Comb. Industrial	2071.51	2,411.13
Fuel Comb. Other	21.97	410.38
Highway Vehicles	52.14	409.99
Metals Processing	-	4,039.27
Miscellaneous	93.72	9,931.30
Off-Highway	426.98	927.12
Other Industrial Processes	-	1,598.49
Petroleum & Related Industries	37.68	332.95
Solvent Utilization	0.00	0.00
Storage & Transport	-	0.02
Waste Disposal & Recycling	67.40	95.86
TOTAL	18,667.02	22,118.15
Hawaii vs. Washington ⁸	84.40%	
Table A-5.4.4: 2020 NEI SO ₂		
Tier 1 Description	SO ₂ Emissions (Tons)	
	Hawaii	Washington
Chemical & Allied Product Mfg.	0.00	93.31
Fuel Comb. Elec. Util.	15,671.79	1,715.63
Fuel Comb. Industrial	663.52	2,500.61
Fuel Comb. Other	3.24	526.76
Highway Vehicles	28.45	175.53
Metals Processing	-	1,613.77
Miscellaneous	165.71	4,364.73
Off-Highway	147.94	491.79
Other Industrial Processes	-	1,552.48
Petroleum & Related Industries	0.93	304.57
Solvent Utilization	0.00	0.00
Storage & Transport	-	0.02
Waste Disposal & Recycling	65.46	52.27
TOTAL	16,747.05	13,391.47
Hawaii vs. Washington ⁸	125.06%	

Statewide SO₂ emissions for the years 2011, 2014, 2017, and 2020, presented in Tables A-5.4.1 through A-5.4.4, below were used in Figure A-5.4.1 to graphically compare the total SO₂ emissions between Hawaii and Washington in blue and red, respectively.

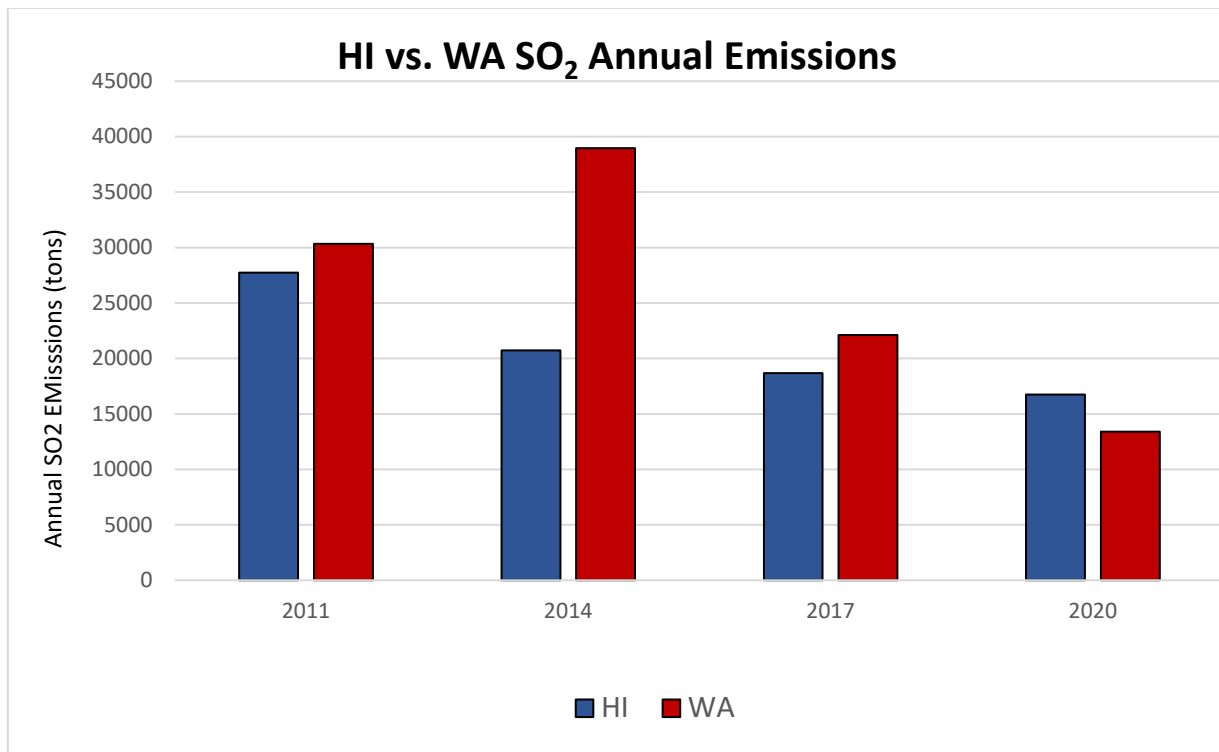


Figure A-5.4.1: Hawaii and Washington NEI SO₂ Emissions Comparison Graph

The examination presented in Section 4, “Examination of Significant Contribution to Maintenance Using National Emissions Inventory (NEI) Data” and Section 3, “Examination of Hawaii’s Predominant Trade Wind Pattern” also applies and demonstrates that based on the NEI data, the wind patterns, and the large distance that separates Hawaii from the CONUS, it’s highly unlikely that Hawaii’s SO₂ emissions will interfere with maintenance receptors in Washington.

5. Conclusion

This examination demonstrates that Hawaii does not significantly contribute to interstate transport of pollutants that impact nonattainment in or interfere with maintenance by any other state with respect to the 2010, SO₂ NAAQS. This conclusion is supported by Hawaii’s large distance from the CONUS (the distance is outside EPA’s selected “urban scale” assessment range of 50 km), statewide SO₂ emissions which are trending downward, and predominate northeast trade winds showing Hawaii’s anthropogenic emissions are highly unlikely to contribute significantly to nonattainment or interfere with maintenance of the 2010 SO₂ NAAQS in any other state. There have been exceedances of the 2010 SO₂ NAAQS on the island of Hawaii. However, Hawaii’s exceptional event demonstration in 2016 showed that these exceedances were due to naturally occurring non-anthropogenic volcanic SO₂ emissions.⁹

⁹ Exceptional Event Data on DOH-CAB website at: <https://health.hawaii.gov/cab/exceptional-event-data/>.

Attachment 6

Technical Support Document on Interstate Transport CAA §110(a)(2)(D)(I) for 2012 Fine Particulate Matter Annual Standard

**Technical Support Document to
Address Clean Air Act Section 110(a)(2)(D)(i)(I) for the
2012 Fine Particulate Matter National Ambient Air Quality Standard**

Executive Summary

On December 14, 2012, the United States Environmental Protection Agency (EPA) revised the annual National Ambient Air Quality Standard (NAAQS) for PM_{2.5} from 15 micrograms per cubic meter (µg/m³) to 12 µg/m³ while retaining the 24-hour fine particle standard of 35 µg/m³. In support of the 2012 Fine Particulate Matter (PM_{2.5}) interstate transport state implementation plan (SIP) requirements, examinations of inter-state geographic proximity, Hawaii wind rose data and select National Emissions Inventory (NEI) data were performed. The data review indicates that Hawaii does not significantly contribute to interstate transport of pollutants that impact nonattainment in, or interfere with maintenance by, any other state with respect to the 2012 PM_{2.5} NAAQS. Considering the large distance (approximately 2,285 miles) that separate Hawaii from the Continental United States (CONUS), Hawaii's predominate northeast trade winds, and Hawaii's continued relatively low emissions in comparison to closer anthropogenic sources located on the CONUS, it is highly unlikely that Hawaii is impacting the PM_{2.5} non-attainment and/or maintenance receptors of other states.

1. Introduction

Section 110(a)(2)(D)(i)(I) of the Clean Air Act requires adequate state provisions to ensure that any source or other emissions activity within the state does not contribute significantly to nonattainment or interfere with maintenance of the NAAQS in any other state. This technical support document demonstrates that Hawaii does not significantly contribute to interstate transport of pollutants that impact nonattainment in or interfere with maintenance by any other state with respect to the 2012 PM_{2.5} NAAQS. The most eastern edge of the Island of Hawaii is located approximately 2,285 miles or (3,678 km) from the west coast of the CONUS and is nearest to the coast of California. Hawaii is significantly impacted by trade winds from the northeast. In addition, Hawaii has historically been in attainment for all criteria pollutants.¹ Also, based on the 2014 NEI numbers, anthropogenic emissions from Hawaii represent approximately 5.28% of the PM_{2.5} emissions resulting from the State of California (Hawaii's 22,144 tons to California's 419,628 tons).

2. Examination of Significant Contribution to Nonattainment Using National Emissions Inventory (NEI) Data

The NEI is prepared every three years by the EPA and is a comprehensive and detailed estimate of air emissions of both criteria and hazardous air pollutants from all air emission sources.

The NEI is based primarily upon emission estimates and emission model inputs provided by state, local, and tribal air agencies for sources in their jurisdictions and supplemented by data developed by the EPA. The 2014 NEI Final Version 2 inventory year is the NEI dataset

¹ State of Hawaii, Department of Health, Hawaii Air Quality Data Books; <https://health.hawaii.gov/cab/hawaii-air-quality-data-books/>.

subsequent to EPA’s December 14, 2012, revision of the PM_{2.5} NAAQS, therefore, PM_{2.5} data from the 2014 NEI Final Version 2 dataset were used in this evaluation.²

According to EPA’s March 17, 2016, memo titled, “Good Neighbor” Provision for the 2012 Fine Particulate Matter NAAQS, the nearest projected nonattainment receptor in California is located in Stanislaus County (Monitor ID # 60990006). The most western edge of the county is approximately 2,355 miles from the most eastern edge of the Island of Hawaii.³

Additionally, as of November 30, 2024, the EPA Green Book designates Stanislaus County as Serious-Nonattainment.⁴

Table A-6.2.1 shows the 2014 NEI PM_{2.5} Tier 1 emissions for Hawaii and California. As shown in Table A-6.2.1, Hawaii’s PM_{2.5} emissions are relatively low when compared to California. The 2014 NEI PM_{2.5} Tier 1 anthropogenic PM_{2.5} data shows that Hawaii emits approximately 5.28% by mass of what California emits.

Table A-6.2.1: 2014 NEI PM_{2.5}, Version 2		
Tier 1 Description	PM _{2.5} Emissions (Tons)	
	Hawaii	California
Chemical & Allied Product Mfg.	0.00	510.63
Fuel Comb. Elec. Util.	1,643.70	1,990.15
Fuel Comb. Industrial	290.07	4,814.79
Fuel Comb. Other	506.20	9,629.69
Highway Vehicles	300.31	11,073.12
Metals Processing	0.00	353.65
Miscellaneous	17,162.26	336,862.77
Off-Highway	509.68	10,001.41
Other Industrial Processes	893.02	21,835.44
Petroleum & Related Industries	20.84	1,025.57
Solvent Utilization	0.05	609.35
Storage & Transport	2.75	2,256.51
Waste Disposal & Recycling	814.92	18,664.60
TOTAL	22,143.79	419,627.69
Hawaii vs. California	5.28%	

3. Examination of Hawaii’s Predominant Trade Wind Pattern

Winds throughout the State of Hawaii are significantly influenced by high pressure systems which form in the Northern Pacific Ocean, producing winds that blow in the northeast direction

² United States Environmental Protection Agency, 2014 National Emissions Inventory (NEI) data website; [2014 National Emissions Inventory \(NEI\) Data | US EPA](https://www.epa.gov/air-emissions-inventories/2014-national-emissions-inventory-nei-data-us-epa).

³ United States Environmental Protection Agency, “Information on the Interstate Transport “Good Neighbor” Provision for the 2012 Fine Particulate Matter National Ambient Air Quality Standards under Clean Air Act section 110(a)(2)(D)(i)(1); https://www.epa.gov/sites/default/files/2016-08/documents/good-neighbor-memo_implementation.pdf.

⁴ United States Environmental Protection Agency, Green Book, PM-2.5 (2012) Designated Area State/Area/County Report, [PM-2.5 \(2012\) Designated Area State/Area/County Report | Green Book | US EPA](https://www.epa.gov/green-book/pm-2.5-2012-designated-area-state-area-county-report-green-book-us-epa).

throughout the State of Hawaii. Figures A-6.3.1 to A-6.3.4 are wind roses for the Daniel K. Inouye International Airport, Kahului International Airport, Hilo International Airport, and Lihue International Airport, respectively. These wind roses were generated using 2013 to 2017 hourly surface meteorological data that were downloaded from the National Oceanic and Atmospheric Administration's, National Centers for Environmental Information.⁵ These wind roses illustrate the dominance of the northeast trade winds throughout the State of Hawaii. It should be noted that the wind rose for the Hilo International Airport in Figure A-6.3.4 shows a strong southwest wind direction. This is a localized phenomenon due to the topographical influence of Mauna Loa on the Island of Hawaii. This southwest flow is characterized by generally slower wind speeds than the northeast trade winds. It is highly unlikely that this localized southwest wind flow will be able to overcome the synoptic scale northeasterly wind flow and carry PM_{2.5} emissions from Hawaii Island to the CONUS.

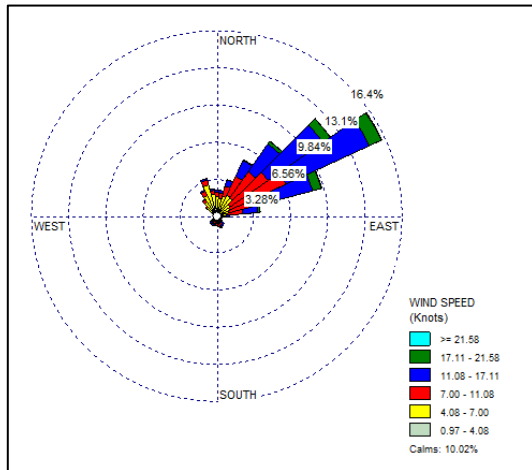


Figure A-6.3.1: Daniel K. International Airport 2013 to 2017

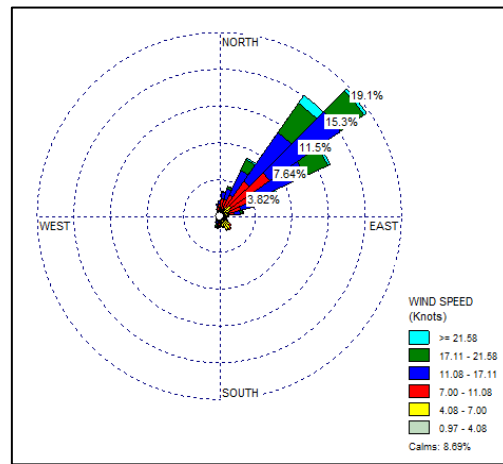


Figure A-6.3.2: Kahului International Airport 2013 to 2017

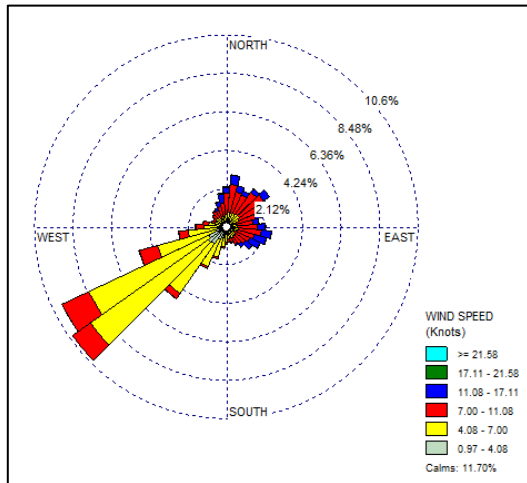


Figure A-6.3.3: Hilo International Airport 2013 to 2017

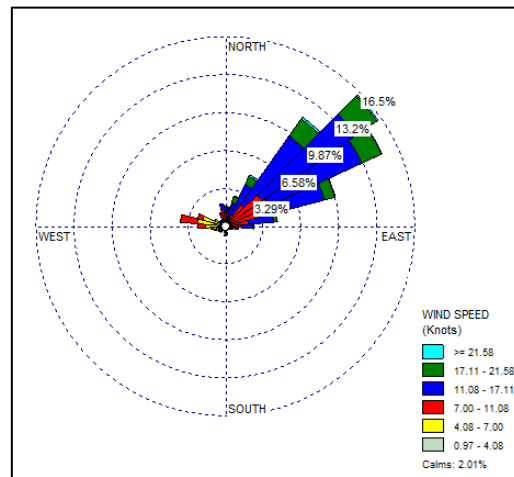


Figure A-6.3.4: Lihue International Airport 2013 to 2017

4. Examination of Interference with Maintenance Using National Emissions Inventory (NEI) Data

⁵ National Oceanic and Atmospheric Administration, National Centers for Environmental Information; <https://www1.ncdc.noaa.gov/pub/data/noaa/>.

NAAQS maintenance areas are geographic regions that were previously nonattainment areas but are now consistently meeting the NAAQS. The EPA redesignates these areas from nonattainment to maintenance.

According to EPA's March 17, 2016, memo titled, "Good Neighbor" Provision for the 2012 Fine Particulate Matter NAAQS, the nearest maintenance receptor is the nonattainment receptor projected in California located in Stanislaus County (Monitor ID # 60990005). The most western edge of Stanislaus County is approximately 2,355 miles from the most eastern edge of the Island of Hawaii. According to the 2016 memo, EPA proposed to identify a nonattainment receptor as one that is both projected to be in nonattainment and that currently measures nonattainment. For the projection, there were several states that had data quality issues identified as part of the PM_{2.5} designation process. Some ambient PM_{2.5} data (for certain time periods between 2009 and 2013) in Florida (except Palm Beach County), Illinois, Idaho, Tennessee (except Hamilton County), and Jefferson County, Kentucky, did not meet all data quality requirements under 40 CFR Appendix L to part 50. The ambient data that were determined to be not valid were not used in the projections of data to 2017 and 2025.

The examination presented in Section 2, "Examination of Significant Contribution to Nonattainment Using National Emissions Inventory (NEI) Data" and "Examination of Hawaii's Predominant Trade Wind Pattern" of Section 3 demonstrate that based on the NEI, wind data, and the large distance that separates Hawaii from the CONUS, it's highly unlikely that Hawaii's PM_{2.5} emissions will interfere with maintenance receptors in California.

5. Conclusion

This examination demonstrated that Hawaii's anthropogenic sources do not significantly contribute to interstate transport of pollutants that impact nonattainment in or interfere with maintenance by any other state with respect to the 2012, PM_{2.5} NAAQS. This conclusion is supported by Hawaii's large distance from the CONUS, predominate northeast trade winds, and the NEI data which shows Hawaii's anthropogenic PM_{2.5} emissions are highly unlikely to contribute significantly to nonattainment or interfere with maintenance of the 2012 Fine Particulate NAAQS in any other state. There were exceedances of the 2012 PM_{2.5} NAAQS on the Island of Hawaii. However, exceptional event packages showed that these exceedances were due to naturally occurring SO₂ emissions from volcanic activity that formed fine sulfate particles.⁶

⁶ Exceptional Event Data on DOH-CAB website at: <https://health.hawaii.gov/cab/exceptional-event-data/>.