

Solid and Hazardous Waste Branch

Standard Comments

July 31, 2008

Solid and Hazardous Waste Branch

The Solid and Hazardous Waste Branch administers programs in the areas of:

- 1) Management of hazardous waste;
- 2) Regulation of underground storage tanks; and
- 3) Management of solid waste.

Our general comments on projects are as follows.

Hazardous Waste Program

- The state regulations for hazardous waste are in Chapters 11-260 to 11-280, Hawaii Administrative Rules (HAR). These rules apply to the identification, handling, transportation, storage and disposal of regulated hazardous waste. Generators, transporters and treatment, storage and disposal facilities of hazardous waste must adhere to these requirements or be subject to fines and penalties.

Solid Waste Section

- The Solid Waste Section (SWS) enforces laws and regulations contained in Hawaii Revised Statutes (HRS) Chapters 342H and 342I; and Hawaii Administrative Rules, Title 11, Chapter 58.1 “Solid Waste Management Control”.
- The purpose of the rules is to establish minimum standards governing the design, construction, installation, operation, and maintenance of solid waste disposal, recycling, reclamation and transfer systems.
- All facilities that accept solid wastes are required to obtain a solid waste management permit from the SWS. Examples of the types of facilities governed by these regulations include landfills, transfer stations and convenience centers, recycling facilities, composting facilities, salvage facilities. Medical waste, infectious waste and foreign waste treatment facilities are also included.
- Generators of solid waste are required to ensure that their wastes are properly delivered to permitted solid waste management facilities. Managers of construction and demolition projects should require their waste contractors to submit disposal receipts and invoices to ensure proper disposal of wastes.

Office of Solid Waste Management

- The Office of Solid Waste Management administers integrated solid waste management planning requirements, which apply to the counties, as well as the Glass Advance Disposal Fee (ADF) and Deposit Beverage Container (DBC) Programs. Management of the DBC

Program is conducted pursuant to HRS Chapter 342G, which contains compliance and enforcement provisions, and HAR Title 11, Chapter 232 “Deposit Beverage Recycling.” OSWM is also responsible for limited enforcement and compliance of solid waste management facilities that operate primarily as certified DBC redemption centers pursuant to HRS Chapter 342H and HAR Title 11, Chapter 58.1, entitled: “Solid Waste Management Control.” Authority for the integrated solid waste management planning and ADF programs is contained in HRS Chapter 342G.

- Glass Advance Disposal Fee Program: Businesses that manufacture, or import glass containers into Hawaii are required to register with the Department of Health and pay a 1.5-cent per container fee. Fee revenue is distributed to the counties for the operation of glass recycling programs.
- Deposit Beverage Container Program: Business that manufacture, or import, deposit beverage containers into Hawaii are required to register with the Department of Health and pay the five-cent deposit and one-cent container fee on each deposit container. Deposits and fees are deposited into a special fund and are used to reimburse DBC redemption center refunds paid to consumers; and to pay handling fees to redemption/recycling companies to process and recycle collected deposit beverage containers; and to pay program administrative costs.
- The Department of Health reimburses and pays an associated handling fee for the redemption of legitimate deposit beverage containers (DBC). These transactions are conducted only with certified redemption centers. Certification requires obtaining a solid waste management permit from the SWS (which addresses environmental issues) and a certification from the DBC program (which addresses business issues).
- HRS Chapter 342G encourages the reduction of waste generation, reuse of discarded materials, and the recycling of solid waste. Businesses, property managers and developers, and government entities are highly encouraged to develop solid waste management plans to ensure proper handling of wastes.
- Solid waste management plans should also seek to maximize waste diversion and minimize disposal. Such plans should include designated areas to promote the collection of reusable and recyclable materials.

Underground Storage Tank

- The state regulations on underground storage tanks (USTs), Chapter 11-281, Hawaii Administrative Rules (HAR), became effective on January 28, 2000. The state UST regulations include, among other things, specific requirements that UST owners and operators must meet when installing and permanently closing their UST system and addressing releases from USTs.
- A guidance manual entitled "Technical Guidance Manual for Underground Storage Tank Closure and Release Response" (dated March 2000) have been developed to assist

responsible parties and their consultants and contractors in complying with the state UST closure requirements and release response activities.

- A permit is required prior to the installation and operation of an UST. The UST system that will be installed must have secondary containment. Refer to Subchapter 2-5 of the HAR. The installation permit expires in 1 year from the date of issue. The operation permit expires in 5 years from the date of issue.
- The HAR section 11- 281-61 requires owners and operators of USTs or tank systems to notify DOH within twenty-four (24) hours, and follow the procedures in section 11-281-63, for any of the following conditions:
 - 1) The discovery by any person of evidence of regulated substances which may have been released at the UST or tank system site or in the surrounding area (such as the presence of free product or vapors in soils, basements, sewer and utility lines, and nearby surface water;
 - 2) Unusual UST or tank system operating conditions observed or experienced by owners and operators (such as the erratic behavior of product dispensing equipment, the sudden loss of product from the UST or tank system, or an unexplained presence of water in the tank), unless a component of the UST or tank system is found to be defective but not leaking, and is immediately repaired or replaced; or
 - 3) Monitoring results from a release detection method required under section 11-281-51(e) indicate a release may have occurred unless, the monitoring device is found to be defective, and is immediately repaired, calibrated, or replaced, and additional monitoring results do not confirm the initial result

For further information about these programs, please contact the Solid and Hazardous Waste Branch at (808) 586-4226.