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**Section 2**  
**Emergency Response and the Site Discovery,  
Investigation, and Cleanup Process**

*Appendices*

**APPENDIX 2-A**

**HAZARDOUS SUBSTANCE RELEASE  
NOTIFICATION AND INVENTORY GUIDELINE**

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**Appendix 2-A**  
**Hazardous Substance Release Notification and Inventory Guideline**  
**Hawai'i Department of Health (HDOH) Office of Hazard Evaluation and Emergency Response (HEER Office)**

Emergency Planning and Community Right to Know Act of 1986 §302, §304, §311, §312 and §313  
 Hawaii Emergency Planning and Community Right to Know Act §128E-6, §128E-7, §128E-9  
 The State Contingency Plan, Title 11 Chapter 451 Hawaii Administrative Rules §11-451-7  
 Comprehensive Environmental Response Compensation and Liability Act §103

The Hawaii State Emergency Response Commission (HSERC), the Local Emergency Planning Committee (LEPC), local Fire Department and the National Response Center (NRC) must receive the appropriate notification upon a covered chemical release and/or for routine inventories at the addresses and phone numbers listed in the table below.

<b>County</b>	<b>HSERC</b>	<b>LEPC</b>	<b>Fire Department</b>	<b>NRC</b>
Hawaii	Hawaii State Department of Health 919 Ala Moana Blvd., Room 206 Honolulu, Hawaii 96814-4912 Attn: EPCRA Data Manager Phone (808) 586-4249 Fax (808) 586-7537 After Hours (808) 247-2191 heer@doh.hawaii.gov	Henry Silva Hawaii County LEPC Hawaii State District Health Office 1582 Kamehameha Avenue Hilo, Hawaii 96720 Phone (808) 936-0858	Darryl Oliveira, Fire Chief County of Hawaii 25 Aupuni St., Room 103 Hilo, Hawaii 96720 Phone 961-8297 After Hours 961-8336	1(800)424-8802
City and County of Honolulu	Hawaii State Department of Health Same address and phone numbers statewide.	Leland Nakai Department Of Emergency Management 650 South King St. Honolulu, Hawaii 96813 Phone 723-8958 After Hours 911 Fax 524-3439, LEPC 723-8960	Kenneth Silva, Chief Honolulu Fire Dept. 636 South Street Honolulu, Hawaii 96813-5007 Phone Fire Chief 723-7101 After Hours 911 Fax 723-7179 Fire Prevention 723-7162	Same number nationwide.
Kauai	Hawaii State Department of Health Same address and phone numbers statewide.	Clifford Ikeda Kauai Civil Defense 3990 Kaana St., Suite 100 Lihue, Hawaii 96766 Phone 241-1800 After Hours 241-6711 Fax 241-1860	Robert Westerman, Chief Kauai Fire Department 4444 Rice St., Suite 295 Lihue, Hawaii 96766 Phone 241-6500 After Hours 241-1711	Same number nationwide.

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## Appendix 2-A (Continued)

County	HSERC	LEPC	Fire Department	NRC
Maui	Hawaii State Department of Health Same address and phone numbers statewide.	Scott Kekuewa Maui Fire Department 200 Dairy Road Kahului, Hawaii 96732 Phone 270-7911 After Hours 911 Fax 270-7917	Jeff Murray, Chief Maui Fire Dept. 200 Dairy Rd. Kahului, Hawaii 96732 Phone 270-7561 After Hours 270-7911 Fax 270-7919	Same number nationwide.

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## Appendix 2-A (Continued)

### HEER Hazardous Substance Release Notification and Inventory Guideline Summary Implementation Table

Statute or Regulation Section Number	List of Lists(7/1/93) Column Heading	Who must Provide Information	Information to Provide	To Whom Information Goes	When to Submit Information
§302 §128E-6	Sec. 302 (EHS) TPQ	All who store in excess of the TPQ.	Letter stating that you are regulated.	HSERC, LEPC	Information due within 60 days of receipt of Extremely Hazardous Substance at a facility.
§304 §128E-7 §11-451-7 §103	EHS RQ CERCLA RQ and 10 pound RQ for TCP and Oil under the listed circumstances.*	Those who release above the RQ in a 24 hour period.	Release Notification and Written Follow-up.	HSERC, LEPC	Release Notification due immediately.  Written follow-up due as soon as possible within 30 days.
§103	CERCLA RQ	Those who release above the RQ.	Release Notification	NRC	Immediately.
§311 §128E-6(2)(A)	Sec. 302 (EHS) TPQ and 10,000 pound TPQ for OSHA Hazardous Chemicals.	Those who store above the TPQ.	List of MSDS Chemicals and Hazard Categories for Each.	HSERC, LEPC, Fire Department	Due annually by March 1 for preceding calendar year inventory.

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## Appendix 2-A (Continued)

Statute or Regulation Section Number	List of Lists(7/1/93) Column Heading	Who must Provide Information	Information to Provide	To Whom Information Goes	When to Submit Information
§312 §128E-6(2)(B)&(C)	Sec. 302 (EHS) TPQ and 10,000 pound TPQ for OSHA Hazardous Chemicals.	Those who store above the TPQ.	Hawaii Chemical Inventory Form (Tier II) and Site Map.	HSERC, LEPC, Fire Department	Due annually by March 1 for preceding calendar year inventory.
§128E-9		Those who submit an HCIF.	Filing Fee - \$100 per facility.	HSERC	Due annually with HCIF.
§313	Sec 313	Manufacturing facilities in specified SIC Codes, with more than 10 employees, that manufacture or process more than 25,000 pounds or otherwise use more than 10,000 pounds of the listed chemicals.	TRI Form R		Due annually by July 1 for preceding calendar year inventory.

Notes:

- \* (A) Any amount of oil which when released into the environment causes a sheen to appear on surface water, or any navigable water of the State;
- (B) Any free product that appears on groundwater;
- (C) Any amount of oil released to the environment greater than 25 gallons; and
- (D) Any amount of oil released to the environment which is less than 25 gallons, but which is not contained and remediated within 72 hours.

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**Section 2**  
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**APPENDIX 2-B**

**HAZARDOUS SUBSTANCE RELEASE  
NOTIFICATION GUIDELINE**

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## Appendix 2-B

### Hazardous Substance Release Notification Guideline Hawai`i Department of Health (HDOH) Office of Hazard Evaluation and Emergency Response (HEER Office)

This guideline is general in nature and is provided to assist in complying with HEP CRA and the SCP in Hawaii and does not have the force and effect of law. To ensure full compliance under the law, persons affected should review the appropriate Federal and State statutes and regulations. Failure to report a release under these laws and regulations may prompt EPA or State enforcement action including penalties not to exceed fines of \$25,000 per day per violation or imprisonment. Copies of the laws and regulations may be obtained by contacting the HSERC/HEER at (808) 586-4249 or on the HEER website.

#### Overview of Requirements

In Hawaii, owners or operators of facilities or vessels reporting releases of hazardous substances are subject to state notification requirements under Chapter 128D, Hawaii Revised Statutes, the Environmental Response Law, Chapter 128E, Hawaii Revised Statutes, the Hawaii Emergency Planning and Community Right-to-Know Act (HEPCRA) and Title 11, Chapter 451, Hawaii Administrative Rules, the State Contingency Plan (SCP).

In general, the owner or operator of a facility or vessel **must immediately notify** the Hawaii State Emergency Response Commission (HSERC/HEER) ((808) 586-4249 or (808) 247-2191 after work hours) and the Local Emergency Planning Committee (LEPC) (telephone numbers are listed on a separate sheet) of the appropriate jurisdiction after the release of:

1. A listed hazardous substance designated under section 11-451-5(b), in quantities equal to or exceeding the reportable quantity criteria in section 11-451-6(b) in any 24-hour period; or
2. An unlisted hazardous substance designated under section 11-451-5(c), in quantities equal to or exceeding the reportable quantity criteria in section 11-451-6(c) in any 24-hour period.

Note: The HSERC/HEER are listed together because the Hawaii State Department of Health Hazard Evaluation and Emergency Response Office is the administrative contact for the Hawaii State Emergency Response Commission.

An exception from immediate notification is provided for releases of oil of less than 25 gallons in any 24-hour period which is not contained and remedied within 72 hours. Such releases must be reported in written form only within 30 days of the discovery of the release.

The owner or operator of the facility or vessel must also provide a written follow-up notice within 30 days of the discovery of the release. If a release of a hazardous substance poses an imminent or immediate threat to public health or the environment, dial 911 to request fire, police, or emergency medical service personnel response.

#### Immediate Notification Contents

A reportable quantity of a hazardous substance is a trigger to notify the appropriate government agencies. This is necessary so that government personnel such as the State On-Scene Coordinators can evaluate the need for a response action and ensure that any necessary response actions are undertaken in a timely manner.

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Immediate verbal notification shall be provided to the HSERC/HEER and LEPC either via telephone or in person. HEER/HSERC will not accept **initial notification** via fax or e-mail. In addition, unless it is specifically stated that a verbal notification is being given to a State On-Scene Coordinator (SOSC) on scene during an incident, the presence of a SOSC does not constitute a notification.

Provide the following information to the extent known at the time of the notice so long as no delay in responding to the emergency results. It is expected that notification occur within 20 minutes of discovery of the release. (Do not delay due to incomplete notification information related to the release):

1. Name and telephone number of the caller.
2. Name and telephone number of a contact person, (if different from the caller) that can provide timely information as the incident is occurring.
3. Name (trade and chemical), of the hazardous substance which has been released.
4. Approximate quantity of the hazardous substance which has been released.
5. Location of the incident.
6. Date and time of spill, release, or threatened release.
7. Description of what happened (source and cause of the release).
8. Immediate danger or threat posed by the release.
9. Name, address, and telephone number of the responsible party or potentially responsible party.
10. Measures taken or proposed to be taken in response to the release as of the time of the notification.
11. Any known injuries or advice regarding medical attention necessary for exposed individuals.
12. The names and phone numbers of other federal, state, or local government agencies that have been notified of the release.
13. Any other information that may help emergency personnel respond to the incident.

Once the information has been provided, the caller will be provided with a HEER Incident Case Number, which shall be referenced in any future correspondence including the written notification submittal.

## **Federal Requirements under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) and the Oil Pollution Act (OPA)**

Releases of Reportable Quantities (RQ) of CERCLA hazardous substances and releases of oil which causes a sheen on water must also be reported to the National Response Center at 1(800) 424-8802.

## **Written Follow-Up Notification Contents**

Notice, including all information provided in the verbal notification described above and any other pertinent information not previously provided, shall also be made in writing to the HSERC/HEER. This written notification shall be sent to HSERC/HEER no later than thirty (30) days after initial discovery of a release. The written notification can be sent by certified mail, faxed, hand-delivered, or another means which provides proof of delivery. Photos should be included to document the incident. A suggested Written Follow-up Notification Form is provided.



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## Hawaii Hazardous Substance Written Follow-Up Notification Form

PLEASE PROVIDE THE FOLLOWING INFORMATION

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Incident Case No.: \_\_\_\_\_

### Contact Information

#### Caller's Information

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Telephone number: \_\_\_\_\_

#### Owner's Information

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Company: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Telephone number: \_\_\_\_\_

#### Operator's Information

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Company: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Telephone number: \_\_\_\_\_

Name of a contact person at the facility or vessel where the release has occurred: \_\_\_\_\_

\_\_\_\_\_

Telephone number: \_\_\_\_\_

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## Hazardous Substance Released:

Name (trade and chemical) of the hazardous substance which has been released: \_\_\_\_\_

Chemical Abstract Service (CAS) Number (if applicable): \_\_\_\_\_

Approximate quantity of the hazardous substance released: \_\_\_\_\_

## Incident Information

Location of the release: \_\_\_\_\_

A brief description of the release: \_\_\_\_\_

Media into which the release occurred or is likely to occur (Indicate all those that apply):

- Air     Soil     Groundwater     Concrete     Asphalt     Stream     Ocean     Other

Cause of the release: \_\_\_\_\_

Date of the release: \_\_\_\_\_

Time of the release: \_\_\_\_\_

Duration of the release: \_\_\_\_\_

Date: \_\_\_\_\_

Time that the person in charge of the facility or vessel where the release occurred obtained knowledge of the release: \_\_\_\_\_

Source of the release: \_\_\_\_\_

## Response Information

Response measures taken thus far: \_\_\_\_\_

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Any appropriate information relating to the ability of the owner or operator of the facility or vessel where the release has occurred to pay for or perform any proposed or required response actions: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

The names of other federal, state, or local government agencies that have been notified of the release: \_\_\_\_\_

\_\_\_\_\_

## Health Information

Known or anticipated acute health risks: \_\_\_\_\_

\_\_\_\_\_

Known or anticipated chronic health risks: \_\_\_\_\_

\_\_\_\_\_

Advice regarding medical attention necessary for exposed individuals: \_\_\_\_\_

\_\_\_\_\_

Potential impacts to public health or welfare: \_\_\_\_\_

\_\_\_\_\_

Potential impacts to the environment: \_\_\_\_\_

\_\_\_\_\_

"I certify under penalty of law that I have personally examined and am familiar with the information submitted and believe the submitted info is true, accurate, and complete."

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Title: \_\_\_\_\_

Company: \_\_\_\_\_