



State of Hawaii, Department of Health

HAZARD EVALUATION & EMERGENCY RESPONSE (HEER) OFFICE

[Home](#) » [TGM](#) » Section 1

SECTION 1

HAZARD EVALUATION AND EMERGENCY RESPONSE OFFICE AUTHORITIES, RESPONSIBILITIES, AND ORGANIZATION INTERIM FINAL – NOVEMBER 12, 2008

Click to jump to your area of interest or scroll down to read about this topic.

[Section 1.0](#) Introduction

[Section 1.1](#) HEER Office Legal Authorities

[1.1.1](#) The Hawai'i Environmental Response Law (HERL), Hawai'i Revised Statutes (HRS) Chapter 128D

[1.1.2](#) Hawai'i State Contingency Plan (Hawai'i SCP), Hawai'i Administrative Rules (HAR) Title 11, Chapter 451

[1.1.3](#) The Uniform Environmental Covenants Act (UECA), Hawai'i Revised Statutes Chapter 508C

[1.1.4](#) The Hawai'i Emergency Planning and Community Right-to-Know Act, (HEPCRA), Hawai'i Revised Statutes Chapter 128E

[1.1.5](#) Authority to Request Site Information

[1.1.6](#) Authority to Conduct Site Inspections and Collect Data

[1.1.7](#) Authority to Require Responsible Party-lead actions

[1.1.8](#) Authority to Conduct State-led Actions

[1.1.9](#) Authority to Recover Costs

[Section 1.2](#) HEER Office Responsibilities under HRS 128D and HAR 11-451

[1.2.1](#) Listing of Sites

[1.2.2](#) Provision of Access to Site Records

[1.2.2.1](#) Public Records Access in General (HRS 92F)

[1.2.2.2](#) Access to Site Administrative Records (HAR 11-451-19)

[1.2.3](#) Documentation of HEER Office Decisions on Sites

[Section 1.3](#) HEER Office Organization

[1.3.1](#) Emergency Preparedness & Response (EP&R) Section

[1.3.2](#) Site Discovery, Assessment, and Remediation (SDAR) Section

[1.3.2.1](#) Site Discovery Program



- [1.3.2.2](#) State Sites Program
- [1.3.2.3](#) Fast Track Cleanup Program
- [1.3.2.4](#) Brownfields Program
- [1.3.2.5](#) Voluntary Response Program
- [1.3.2.6](#) DoD State Memorandum of Agreement Program (DSMOA)
- [1.3.3](#) Hazard Evaluation Section
- [1.3.4](#) Planning Section

[Section 1.4](#) Environmental Health Administration Divisions

- [1.4.1](#) Hazard Evaluation & Emergency Response Office
- [1.4.2](#) Environmental Management Division (EMD)
- [1.4.3](#) Environmental Health Services Division (EHSD)
- [1.4.4](#) Environmental Planning Office
- [1.4.5](#) Compliance Assistance Office
- [1.4.6](#) Environmental Resources Office
- [1.4.7](#) State Laboratories Division

Appendices

- [1-A](#) HEER Office Functional Areas Chart

[Return to the Top of the Page](#)

1.0 HAZARD EVALUATION AND EMERGENCY RESPONSE OFFICE AUTHORITIES, RESPONSIBILITIES, AND ORGANIZATION

The Hawai'i Department of Health (HDOH) Office of Hazard Evaluation and Emergency Response (HEER Office) has responsibility and legal authority to respond to releases, threats of releases, or discoveries of hazardous substances, including oil, that present a substantial endangerment to public health or the environment. Responses may require:

1. Emergency response (see [Subsection 2.3](#)), and/or
2. Longer-term (non-emergency) environmental cleanup (see [Subsection 2.4](#)).

For information and guidance relating to emergency responses, see [Subsection 2.3](#) and [Subsection 20.1](#). All emergencies involving hazardous substance releases (e.g. recent hazardous substance spills, or identification of containers of hazardous substances that have spilled/leaked or present an imminent spill/leak hazard) should be reported immediately, as detailed in [Subsection 2.3.1.1](#) (Release Notification). This Technical Guidance Manual (TGM) primarily provides information and guidance to address non-emergency environmental cleanups. See [Subsection 2.4](#) (Environmental Cleanups) for a brief overview of non-emergency environmental cleanups and other TGM sections for details. This includes guidance on the cleanup process, site assessment, sampling strategies, data quality control, analyses of samples, environmental hazard evaluations, cleanup technologies, reporting requirements, and other relevant information.

[Return to the Top of the Page](#)

1.1 HEER OFFICE LEGAL AUTHORITIES

Although a number of laws may be available to assist in carrying out responsibilities and action, the HEER Office derives authority for the main activities discussed in this TGM from the following statutes or rules:

- Hawai'i Environmental Response Law (HERL) – Hawai'i Revised Statutes (HRS) [Chapter 128D](#);
- Hawai'i State Contingency Plan (Hawai'i SCP) – Hawai'i Administrative Rules ([HAR](#)), [Title 11, Chapter 451](#)
- Uniform Environmental Covenants Act (UECA) -HRS, Chapter 508C
- Hawai'i Emergency Planning and Community Right-to-Know Act (HEPCRA) – [HRS, Chapter 128E](#)

Each of these documents is discussed briefly in the following sections

[Return to the Top of the Page](#)

1.1.1 THE HAWAI'I ENVIRONMENTAL RESPONSE LAW (HERL), HAWAI'I REVISED STATUTES (HRS) [CHAPTER 128D](#)

The primary state-level enabling legislation for the HEER Office is Chapter 128D, HRS, which is referred to as Hawai'i's Environmental Response Law ([HRS 128D](#)). This statute, which became effective in 1990, establishes authority at the state level to respond to releases of hazardous substances. It is fashioned after the 1980 Comprehensive Environmental Response, Compensation & Liability Act (CERCLA), commonly known as the Federal Superfund Law, which grants authority to the United States Environmental Protection Agency (USEPA). The HERL grants certain authority and responsibility to the HDOH to respond to both emergency and non-emergency hazardous substance releases or threats of releases.

A release is defined as any spilling, leaking, pumping, pouring, emitting, emptying, discharging, injecting, escaping, leaching, dumping, or disposing of any hazardous substance, pollutant, or contaminant into the environment. Certain exclusions from the definition of a release are also identified in [HRS 128D-1](#) (definition of release).

The [HERL](#) includes the definition of a hazardous substance, which is a compilation of specific hazardous substances listed in various federal environmental protection laws such as the Clean Water Act, CERCLA, the Solid Waste Disposal Act, the Clean Air Act, and the Toxic Substances Control Act. However, hazardous substances addressed under HERL also include oil and trichloropropane (this is a major difference from CERCLA). Consequently, the HEER Office is also involved in oil spill prevention planning, preparedness, and response activities as required under the federal Oil Pollution Act (OPA) of 1990.

Part II of the HERL (128D-31 through 128D-41) was adopted through amendments in 1997, and addresses the Voluntary Response Program (VRP). The VRP encourages owners and purchasers



to voluntarily investigate and cleanup property that may be contaminated. More detailed information on the VRP is provided in [Subsection 20.3](#).

[Return to the Top of the Page](#)

1.1.2 HAWAI'I STATE CONTINGENCY PLAN (HAWAI'I SCP), HAWAI'I ADMINISTRATIVE RULES ([HAR](#)) [TITLE 11, CHAPTER 451](#)

The procedures by which HDOH responds to hazardous substance releases under the HERL is described more fully in a set of administrative rules known as the Hawai'i State Contingency Plan (Hawai'i SCP) ([HAR, 1995](#)). These state administrative rules are based upon (but not the same as) the USEPA CERCLA-related administrative rules called the National Contingency Plan (NCP).

Among other things, the Hawai'i SCP explains:

- What hazardous substances are, and when parties are required to report releases of hazardous substances
- The process by which HDOH will oversee investigation and cleanup of releases and select cleanup remedies
- How the public will be kept informed and afforded the opportunity to participate in cleanup decisions

The site discovery, site investigation and site cleanup processes that are described under the Hawai'i SCP rules are described in more detail in [Section 2](#).

[Return to the Top of the Page](#)

1.1.3 THE UNIFORM ENVIRONMENTAL COVENANTS ACT (UECA), HAWAI'I REVISED STATUTES CHAPTER 508C

The UECA ([HRS, 508C](#)), enacted in July 2006, provides a statutory framework for imposing certain conditions on environmental response projects, referred to therein as activity and use limitations. These “engineering and institutional controls,” as they are commonly referred to by HDOH and third parties, are used in situations where it is not feasible or necessary to remove all contamination. The UECA provides a regulatory mechanism for recording engineering and institutional controls.

The UECA creates an “environmental covenant,” which specifies the conditions for a property. The environmental covenant is recorded on the official land records in the Bureau of Conveyances to assure that current and subsequent owners of the property are subject to the conditions until the covenant is amended or terminated. The UECA operates only in conjunction with other environmental laws and does not itself prescribe any cleanup processes or standards. An environmental covenant recorded under UECA is used only as part of an environmental response project. UECA is not limited to use by HDOH. Any two parties can enter into a UECA environmental covenant.

For site closures where contamination is left in place at concentrations greater than the Tier 1 Environmental Action Levels (EALs) and where HDOH determines the contamination must be managed in place with long-term institutional controls (ICs) and, where required, engineering controls, HDOH requires that an environmental covenant in accordance with 508C HRS be placed on the property as a prerequisite to receiving a “No Further Action with Institutional Controls” (NFA w/ICs) status. The environmental covenant must describe: 1) the environmental hazards at the site, 2) the restrictions on future use of the site (if any), and 3) the requirements to maintain and manage engineering controls and ICs as described in the approved site Long-Term Environmental Hazard Management Plan (EHMP). A copy of the approved Long-Term EHMP must be incorporated by reference and included as an attachment of the UECA environmental covenant.

[Return to the Top of the Page](#)

1.1.4 THE HAWAII EMERGENCY PLANNING AND COMMUNITY RIGHT-TO-KNOW ACT, (HEPCRA), HAWAII REVISED STATUTES CHAPTER 128E

The Hawai'i Emergency Planning and Community Right-To-Know Act of 1993 (HEPCRA), established planning, reporting, emergency notification, and public information access requirements related to hazardous chemicals ([HRS 128E](#)). HEPCRA is modeled after the federal Emergency Planning and Community Right-to-know Act (EPCRA). The act also created the Hawai'i State Emergency Response Commission (HSERC), established within the HDOH, as well as Local Emergency Planning Committees (LEPC) located on O'ahu, Maui, Hawai'i, and Kaua'i Islands to implement emergency response planning and related actions.

Under HEPCRA, facilities that have spilled hazardous substances, or that store, use, or release certain chemicals are subject to various reporting requirements. All of this information is made publicly available so that interested parties may become informed about potentially dangerous chemicals in their community. Facilities must report annually (using the Hawai'i Chemical Inventory Form – HCIF – sometimes referred to as Tier II reports) on hazardous substances stored on their premises, if the amounts stored exceed specified threshold planning quantities.

For additional information and guidance relating to hazardous chemicals, emergency planning, and emergency response, see [Subsection 2.3](#) and [Subsection 20.1](#).

[Return to the Top of the Page](#)

1.1.5 AUTHORITY TO REQUEST SITE INFORMATION

The HERL also grants HDOH the authority to require any person to submit information regarding a hazardous substance release. This authority is contained in Chapter 128D-4(b). Chapter 128D-8, provides authority to enforce orders that are issued by HDOH with penalties up to \$50,000 for each separate violation.

[Return to the Top of the Page](#)

1.1.6 AUTHORITY TO CONDUCT SITE INSPECTIONS AND COLLECT DATA



The HERL, Chapter 128D-4 also grants HDOH extensive authority to conduct its own inspections and investigations. [HERL Chapter 128D-4\(b\)\(3\)](#) requires responsible parties (upon notice) to grant HDOH access to a facility/property at all reasonable times for inspections or to obtain copies of documents/records.

[Return to the Top of the Page](#)

1.1.7 AUTHORITY TO REQUIRE RESPONSIBLE PARTY-LEAD ACTIONS

[HERL Chapter 128D-4\(a\)\(1\)](#) grants HDOH the authority to require that responsible parties investigate and clean up hazardous substance releases. If parties fail to comply with HDOH orders, HDOH may perform the work, sue the parties to recover its costs and impose punitive penalties and legal interest [[128D-5\(a\)](#)]. However, HDOH prefers to work cooperatively with responsible parties to address hazardous substance releases as provided for in [HERL Chapter 128D-4\(a\)\(3\)](#).

[Return to the Top of the Page](#)

1.1.8 AUTHORITY TO CONDUCT STATE-LED ACTIONS

Situations may arise when the party responsible for a hazardous substance release is either unable or unwilling to take appropriate action. In such cases, [Chapter 128D-4\(a\)\(4\)](#) grants HDOH the authority to conduct state-led response actions. This authority includes any investigation that is necessary, as well as the actual cleanup action. Responsible parties that refuse to cooperate with HDOH are subject to “cost recovery” and may also be required to pay punitive penalties, as discussed in [Subsection 1.1.9](#).

[Return to the Top of the Page](#)

1.1.9 AUTHORITY TO RECOVER COSTS

Chapter 128D emphasizes that responsible parties should report and clean up releases of hazardous substances. When responsible parties do not act, HDOH may take action and recover its costs as prescribed in Chapter 128D-5. In addition to recovering its cost, in some cases HDOH may sue the responsible party for punitive fines known as civil penalties for up to three times the cost of investigation and cleanup, or fines of up to \$50,000 for each separate violation [128D-8\(a\)](#), [\(b\)](#). These severe penalties are designed to encourage voluntary cleanup of releases.

[Return to the Top of the Page](#)

1.2 HEER OFFICE RESPONSIBILITIES UNDER HRS 128D AND HAR 11-451

The Hawai'i Environmental Response Law ([HRS 128D](#)) and related administrative rules (HAR 11-451) define specific responsibilities to ensure responsible parties, consultants, the public, and the legislature have access to regularly updated information regarding environmental cleanup and emergency response actions under the oversight of the HEER Office. These responsibilities are described below.



[Return to the Top of the Page](#)

1.2.1 LISTING OF SITES

The HDOH maintains a “site list” identifying sites that are subject to [HRS 128D](#) and the Hawai'i SCP (i.e., [HAR 11-451](#)). The purpose of the site list is to identify sites that require or may require a response action to address a release or suspected release of a hazardous substance. Lists are maintained in a database by the HEER Office, periodically updated, and contain important site information, such as name, location, staff assigned, and status. The database listing is posted on the HEER Office website under [Public Record Inventory](#) and in [iHEER](#).

The lists maintained by the HEER Office include release sites under the emergency response section, as well as sites of interest under the non-emergency environmental cleanup section (these are cumulative lists covering multiple years). In addition, a list of the past years completed sites activity, as well as a list of sites planned for action in the current year are provided separately, with detail on name, location, staff assigned, status, etc.

A summary of HEER Office activities, including lists of sites overseen by the emergency response section and the non-emergency environmental cleanup section, are also provided in an annual [HEER Office report](#) to the Legislature.

[Return to the Top of the Page](#)

1.2.2 PROVISION OF ACCESS TO SITE RECORDS

The HEER Office maintains detailed individual records/files on sites that are or have been under investigation/cleanup oversight for hazardous substances. These records are public information and subject to review and/or copying by the public upon request.

[Return to the Top of the Page](#)

1.2.2.1 PUBLIC RECORDS ACCESS IN GENERAL ([HRS 92F](#))

Access to government records in Hawai'i is intended to be as open as possible under the Uniform Information Practices Act (UIPA), [HRS Chapter 92F](#). UIPA encourages agencies to provide timely access to complete records on request by the public, allowing access unless disclosure would constitute a clearly unwarranted invasion of personal privacy, confidential business information, or a protected trade secret. Doubts regarding disclosure of a record are typically resolved in favor of access.

Requests are generally required in writing, and an appointment is made to review the records during regular business hours. Fees may be charged to cover copying of records, if requested. The HEER office, depending on workload, usually takes a minimum of 10 working days to produce records for public review.

[Return to the Top of the Page](#)



1.2.2.2 ACCESS TO SITE ADMINISTRATIVE RECORDS ([HAR 11-451-19](#))

The Hawai'i SCP details requirements for the establishment and content of, and access to, HEER Office administrative records relating to individual facility/site hazardous substance response activities ([HAR 11-451-19](#)). Administrative records are established and maintained by facility identification numbers within the HEER Office, and typically contain documents such as consultant reports, correspondence between the site representative and the HEER Office, and decision documents relating to site assessment and/or site remediation actions. These records are available for inspection and/or copying. Submit a written request to the HEER Office to gain access to the records. The form, "Request to Access a Government Record" is available on the HEER Office website under the [Public Record Requests](#) section. This form can be printed out, completed, and then faxed, e-mailed, or mailed to the HEER Office to request an appointment to review a site's Administrative Record. Or you can request records through the online [e-Permitting system](#). You can also search for sites online in [iHEER](#). Since many of the records are lengthy, it may be expeditious to contact the assigned project manager to narrow the scope of the record review.

Requests to review site documents may be submitted at any time. Such reviews are often encouraged as part of the public participation process when a draft document proposes a specific removal or remedial response action for a given site. See [Subsection 2.4.6](#) for additional discussion of the public participation process and access to records for environmental cleanups.

[Return to the Top of the Page](#)

1.2.3 DOCUMENTATION OF HEER OFFICE DECISIONS ON SITES

Decision documents on the oversight of assessment and/or response actions for hazardous substance releases are provided in writing and included in the administrative records for individual facility/site locations. These documents are available upon request to the HEER Office. These decision documents may include letters of interest, VRP applications, VRP agreement approvals, report review letters, response action memorandums, removal action reports, no further action letters, and letters of completion.

[Return to the Top of the Page](#)

1.3 HEER OFFICE ORGANIZATION

The mission of the HEER Office is to protect human health, public welfare, and the environment and provide state leadership, support and partnership in preventing, planning for, responding to, and enforcing environmental laws relating to releases or threats of releases of hazardous substances, pollutants or contaminants. The HEER Office is one of seven division-level offices organized under the [Environmental Health Administration](#) of the HDOH. These seven division-level offices are described in [Subsection 1.4](#). To help accomplish its mission, the HEER Office is divided into four primary technical sections that are listed below and described in the following sections (also see Functional Areas Chart in [Appendix 1-A](#)).

- Emergency Preparedness & Response (EP&R) Section



- Site Discovery, Assessment, and Remediation (SDAR) Section
- Hazard Evaluation Section
- Planning Section

[Return to the Top of the Page](#)

1.3.1 EMERGENCY PREPAREDNESS & RESPONSE (EP&R) SECTION

The EP&R Section is responsible for planning and preparing for, and responding to hazardous substance releases that may cause immediate and substantial threats to human health or the environment. EP&R has authority given in the HERL ([HRS 128D](#)), the Hawai'i SCP ([HAR 11-451](#)), and the HEPCRA ([HRS 128E](#)) to provide for or coordinate timely and effective hazardous substance release response and hazardous substance reporting.

This section of the HEER Office also focuses on emergency preparedness training exercises for emergency response actions. The EP&R Section's State On-Scene Coordinators (SOSCs) work closely with first responders, State Civil Defense, and other federal, state, and county agencies to help strengthen the state's ability to respond to hazardous substance release emergencies. EP&R staff also provide administrative support and/or technical assistance for the Hawai'i State Emergency Response Commission (HSERC) and the Local (county level) Emergency Planning Committees (LEPCs). The annual Tier II reports (and fees) required under HEPCRA for facilities that exceed specified threshold planning quantities of covered hazardous substances are collected and documented by the EP&R staff. Emergency Preparedness and Response activities of the HEER Office are described in additional detail in [Subsections 2.3](#) and [20.1](#).

[Return to the Top of the Page](#)

1.3.2 SITE DISCOVERY, ASSESSMENT, AND REMEDIATION (SDAR) SECTION

The largest section within the HEER Office is SDAR; most of the guidance described in this TGM is carried out under the oversight of the SDAR Section. This section has responsibility for oversight of all sites identified through release notification, sites in voluntary cleanup programs, or sites discovered through any other means – after any initial emergency response has been completed. The section's oversight responsibilities include the review of site assessments and draft/final site remediation documents by responsible parties to ensure that the environmental work meets legal requirements and results in site conditions that will be protective of human health and the environment. The section's staff is composed of Remedial Project Managers (RPMs) working on sites within six separate programs, which are described below. Individual RPMs may work on sites in one or a number of these programs.

[Return to the Top of the Page](#)

1.3.2.1 SITE DISCOVERY PROGRAM

The Site Discovery Program identifies and assesses sites that are contaminated or potentially contaminated, and managed under HEER Office jurisdiction. Discovery of new sites may occur from various initiatives including:

- Targeted sampling of suspect contaminated sites to determine presence or absence of significant contamination
- Assessment and site inspections funded by and coordinated with USEPA under the federal CERCLA program
- Investigations generated by release reporting.
- Investigations of public reports or media reports regarding hazardous substances
- Sites where owners/operators apply for and/or participate in voluntary investigation or cleanup programs such as Fast Track Cleanup (see [Section 15](#)) or the Voluntary Response Program (see [Subsection 20.3](#)).
- Follow-up on referrals from other government agencies

[Return to the Top of the Page](#)

1.3.2.2 STATE SITES PROGRAM

Many of the sites overseen by the SDAR section fall in the “State Sites” category: non-military sites, including those participating in a specific voluntary cleanup program such as the Fast Track Cleanup Program, Brownfields Program, or the Voluntary Response Program (described below). The RPMs in this program generally request and receive voluntary cooperation of the responsible party for the site. RPMs typically request that a site assessment be conducted, and then evaluate the site assessment report. If significant contamination is found through the site assessment (e.g. hazardous substance levels exceeding the HEER Office [Environmental Action Levels](#) (EALs), then follow-up work is requested to conduct further assessment or develop and carry out site cleanup.

[Return to the Top of the Page](#)

1.3.2.3 FAST TRACK CLEANUP PROGRAM

The Fast Track Cleanup Program enables owners/operators of certain contaminated sites or potentially contaminated sites to conduct voluntary investigation or removal cleanups under an agreement with the HEER Office. Participants can move forward to investigation summaries or cleanup actions without the submittal of multiple work plans and interim report submittals, thereby streamlining and expediting site closures for removal action sites. Project status reviews and updates are generally conducted with HDOH through meetings or presentations, as needed.

Those interested in participating in the Fast Track Cleanup Program must first be screened for eligibility and attend a “scoping” meeting. Participation officially begins with the completion of an application and agreement form. See [Section 15](#) for full details regarding the Fast Track Cleanup Program.



[Return to the Top of the Page](#)

1.3.2.4 BROWNFIELDS PROGRAM

The Brownfields Program helps to facilitate voluntary assessment, cleanup, and redevelopment of brownfields properties. These are properties that are abandoned or underutilized due to real or perceived environmental issues associated with the property.

The RPMs in this program provide:

- Oversight of site assessments and cleanup of brownfields sites.
- Technical assistance to brownfields developers regarding cleanup options.
- Support for non-profits and state/county agencies in applying for USEPA brownfields grants.
- Assistance to the counties to develop an inventory of brownfields sites.

See [Subsection 20.2](#) for additional information on the Brownfields Program .

[Return to the Top of the Page](#)

1.3.2.5 VOLUNTARY RESPONSE PROGRAM

The Voluntary Response Program (VRP) encourages voluntary cleanup of contaminated properties. The HERL was amended in 1997 to include this voluntary program for the state of Hawai'i. Under the law, HDOH has the authority to grant prospective purchasers or developers an exemption from future hazardous substance liability if cleanup is performed to HEER Office specifications under this program. Past, current, or future property owners can participate in the VRP, however, liability exemptions can only be given to prospective purchasers or tenants. RPMs working in this program provide oversight for the site assessments and remediation activities, with completion documented via a Letter of Completion (LOC) issued by HDOH and a [Section 1.1.3 environmental covenant in accordance with 508C HRS](#) recorded to the property title in the Bureau of Conveyances, if necessary.

The cost of the HEER Office oversight (charge for hours of RPM oversight) is borne by the responsible party under the terms of the VRP Agreement. VRP sites are normally given a dedicated RPM who is required to respond to investigation and remediation reports within 30 days. More detailed information on the VRP may be found on the [VRP page of the HEER Office website](#).

[Return to the Top of the Page](#)

1.3.2.6 DOD STATE MEMORANDUM OF AGREEMENT PROGRAM (DSMOA)

RPMs working in the DSMOA program provide oversight for assessments and cleanups of Department of Defense (DoD) sites. Although the DoD is the lead responsible agency for cleanup decisions on CERCLA-regulated sites under the agreement, DoD funds the DSMOA program RPM positions to provide:

- Technical review, comments, and recommendations on DoD documents.
- Identification and explanation of State applicable or relevant and appropriate requirements (ARARs).
- Oversight and decisions on DoD sites involving petroleum contamination only (regulated under the Hawai'i SCP)
- Site visits; involvement in public education and participation activities; and participation in technical review committees.

[Subsection 20.4](#) gives additional detail on the DSMOA program

[Return to the Top of the Page](#)

1.3.3 HAZARD EVALUATION SECTION

The Hazard Evaluation Section of the HEER Office provides human health and ecological risk assessment evaluation and support for the HEER Office as well as other sections within the Environmental Management Division. Hazard Evaluation staff also provide toxicological assessments of chemical threats to human health, establish appropriate cleanup levels for chemical contamination, and assist the public with information concerning the health effects of chemicals. This section works on a variety of specific studies and projects related to chemical hazards in Hawai'i, including the responsibility for collecting and monitoring reports of pesticide and heavy metal poisoning under Title 11, Chapter 5, HAR, Environmentally-Related Illness and Injury Reporting.

[Return to the Top of the Page](#)

1.3.4 PLANNING SECTION

The Planning Section within the HEER Office serves to support the entire office in the areas of long-term planning, program development, financial reporting, data management, logistical support, and legislative expertise. The Planning Section assists in identifying resource and training needs to ensure that HEER Office staff have appropriate tools and training to perform their jobs. A major objective of the Planning Section is to assist the other sections, and to have in place regulations, policies, databases, and procedures for responding to information requests or reports of releases of hazardous substances, pollutants, or contaminants.

[Return to the Top of the Page](#)

1.4 ENVIRONMENTAL HEALTH ADMINISTRATION DIVISIONS

The Environmental Health Administration of the HDOH is organized into seven division-level offices, one of which is the HEER Office. The HEER Office frequently works closely with other divisions/programs within Environmental Health Administration to help address the range of environmental issues that may occur on a specific site. The divisions of the Environmental Health Administration are described in the sections below:



1.4.1 HAZARD EVALUATION & EMERGENCY RESPONSE OFFICE

The [HEER Office](#) mission is to protect human health, public welfare, and the environment and provide state leadership, support and partnership in preventing, planning for, responding to, and enforcing environmental laws relating to releases or threats of releases of hazardous substances, pollutants or contaminants. The organization and function of the HEER Office is described in [Subsection 1.3](#).

1.4.2 ENVIRONMENTAL MANAGEMENT DIVISION (EMD)

The [EMD](#) is responsible for implementing and maintaining statewide programs for controlling air, water and wastewater pollution, assuring safe drinking water, and for the proper management of solid and hazardous waste. The EMD is organized into five branches, as follows:

- [Solid and Hazardous Waste Branch \(SHWB\)](#)—administers the following sections:
 - Solid Waste Management Program provides permitting and enforcement for municipal solid waste management as well as special waste management and alternative waste management.
 - Hazardous Waste Management Program provides inspection and enforcement for facilities that generate, store, transport or treat hazardous wastes.
 - Underground Storage Tank Management Program (UST Management Program) provides inspection and enforcement for design and operation of USTs, as well as oversight of leaking UST cleanup.

Programs within the SHWB operate under specific authorities/regulations; sites that have overlapping regulatory issues may need to work with multiple program representatives within the branch.

- [Safe Drinking Water Branch \(SDWB\)](#)-administers federal and state safe drinking water regulations for public water systems in the state to assure water served by these systems meets state and federal standards.
- [Clean Water Branch \(CWB\)](#)-administers and enforces federal and state water pollution control laws and regulations. Services include permitting of point sources, compliance monitoring, inspections, investigations of complaints, and ambient water quality monitoring.
- [Clean Air Branch \(CAB\)](#)-responsible for implementing a statewide air pollution control program through services that include engineering analysis and permitting, monitoring and investigations, and enforcement of federal and state air pollution control laws and regulations.
- [Wastewater Branch \(WWB\)](#)-implements construction of County wastewater facilities and is involved in related regulatory and financing issues.

[Return to the Top of the Page](#)

1.4.3 ENVIRONMENTAL HEALTH SERVICES DIVISION (EHSD)



The Environmental Health Services Division (EHSD) implements and maintains statewide programs to assure safety of food and drugs, control noise and radiation, and improve air quality. They are also responsible for lead and asbestos abatement programs, sanitation, and vector control. The EHSD is organized into four branches, as follows:

- Noise, Radiation and Indoor Air Quality Branch-responsible for statewide programs of community noise and radiation control through services including inspections, education, consultation, and enforcement. They also work to ensure air conditioning and ventilation rules are enforced, and the public is protected from exposure to lead and asbestos.
- Food and Drug Branch-ensures food, drugs, cosmetics, medical devices, and related consumer products are safe, effective and properly labeled, while also providing education and consultation for food handlers.
- Sanitation Branch-enforces sanitation laws and rules relating to food and service establishments, public swimming pools, housing, milk, recreational trailer camps, and tattoo artists. They also oversee licensing for sanitarians, mortuaries, cemeteries, and embalmers.
- Vector Control Branch-prevents or suppresses outbreaks of vector-borne diseases and vector nuisance by maintaining vector populations below disease or nuisance causing levels.

1.4.4 ENVIRONMENTAL PLANNING OFFICE

The Environmental Planning Office (EPO) develops strategic plans, supports land use reviews and helps get new programs underway. They are also involved in coordinating watershed management projects and the polluted runoff control program.

1.4.5 COMPLIANCE ASSISTANCE OFFICE

The Compliance Assistance Office (CAO) is a one-stop, non-regulatory office that helps small business understand and comply with environmental regulations.

1.4.6 ENVIRONMENTAL RESOURCES OFFICE

The Environmental Resources Office (ERO) handles many grant and administrative responsibilities, primarily implementing administration changes, establishing new positions, and assisting programs in obtaining funding from the USEPA.

1.4.7 STATE LABORATORIES DIVISION

The State Laboratories Division (SLD) administers a statewide program which conducts analytical testing services in support of environmental health and communicable disease control activities, as well as public health emergency preparedness and response efforts. SLD provides consultative and other related laboratory services to departmental programs, health care providers, institutions, and various federal, state, county, and city agencies including the certification of certain types of laboratories, and the licensing of clinical laboratory personnel and medical review officers. SLD participates in environmental and public health training, research, exercises, and investigations.



[Edit this page](#)

