

STATE OF HAWAII
HAZARD EVALUATION & EMERGENCY RESPONSE
HAWAII EMERGENCY PLANNING & COMMUNITY RIGHT-TO-KNOW ACT

NOTICE FOR PUBLIC COMMENT

Pursuant to applicability provisions of section 11-453-16, Hawaii Administrative Rules (HAR), the Hawaii State Emergency Response Commission (HSERC) proposes to designate each owner or operator of a facility that stores, uses or manufactures Lithium-ion batteries with a threshold quantity of 10,000 pounds or more, be subject to the emergency planning requirements of section 11-453-17, HAR.

PURPOSE The purpose of this public notice is to inform the public of the HSERC's intention to designate facilities storing, using or manufacturing 10,000 pounds or more of Lithium-ion batteries as subject to the emergency planning requirements of chapter 11-453, HAR. Given the increased frequency and unique challenges of responding to Lithium-ion battery fires, the HSERC finds it timely and necessary to require each owner or operator of the facilities so designated to comply with the requirements of section 11-453-17, HAR, which may be summarized as follows:

- Designate a facility representative who will serve as a facility emergency coordinator and work with the committee to implement local emergency planning.
- Notify the committee and commission within sixty days of the facility first being subject to regulation under this rule.
- On or before March 1 of each year, inform the committee of any changes occurring at the facility which may be relevant to emergency planning, including whether the facility ceases to meet the minimum emergency planning thresholds described in section 11-453-19.
- Upon request of the committee having jurisdiction over the facility, promptly provide to the committee any information necessary for development or implementation of the chemical emergency response and preparedness plan for the emergency planning district.

PUBLIC COMMENT SUBMISSION PROCESS

The opportunity for public comment on the proposal to designate facilities in accordance with this notice shall be held open for 30 days from October 1, 2025, to October 31, 2025. All comments must be postmarked or received by October 31, 2025.

After the HSERC has had the opportunity to review and consider the public comments, commenters will be notified of the final decision.

By mail:

Attn: HEPCRA Coordinator, 2385 Waimano Home Road, Suite #100 Pearl City, Hawaii 96782

Or by email: broadcast_heer_osc@doh.hawaii.gov

PUBLIC HEARING INFORMATION

The State of Hawaii Department of Health will also hold a public hearing for the proposed application of HAR 11-453-17 to facilities that store, use, or manufacture Lithium-ion batteries with a threshold quantity of 10,000 pounds or more.

The public hearing will be at 10 am to 12:00 pm on October 15, 2025, at the Red Conference Room, 2385 Waimano Home Road, Pearl City, Hawaii 96782 and also via Zoom.

Join Zoom Meeting

<https://zoom.us/j/98349744841?pwd=pMRleblRLU1SxosoblRwJ31afelafu.1>

All interested parties may attend to present relevant information and individual opinion. To request an auxiliary aid or service (e.g. ASL interpreter, large print), call HEPCRA Coordinator at 808-586-4249 or email Sharon.leonida@doh.hawaii.gov ,as soon as possible to allow adequate time to fulfill your request.