



DEPARTMENT OF HEALTH

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HAWAII DEPARTMENT OF HEALTH REACHES \$600,000 SETTLEMENT WITH HAWAIIAN COMMERCIAL & SUGAR COMPANY FOR VIOLATIONS OF AIR QUALITY REGULATIONS

HONOLULU -- The Hawaii State Department of Health Clean Air Branch has finalized a Consent Order with Hawaiian Commercial & Sugar Company (HC&S) for excess emission and reporting violations that occurred from 2009 to 2014 in Puunene, Maui. More than 400 violations, including issues such as boiler operations and delayed notifications, were documented through the Department of Health's extensive records reviews of semi-annual reports, deviation letters and additional information submitted by HC&S.

"With the impending end of the last sugarcane commercial operations in Hawaii, the department is working to bring closure to a number of complex and long-standing regulatory issues that have involved extended legal negotiations with HC&S," said Keith Kawaoka, deputy director of Environmental Health. "The Consent Order represents the diligent work of our staff to resolve pending emission and reporting violations as HC&S conducts its final year of sugar cane production on Maui."

The terms of the Consent Order with HC&S include a \$300,000 monetary penalty and a \$300,000 two-phase Supplemental Environmental Project. The first phase of the project involves the installation of three air monitoring stations at various schools throughout Maui Island to monitor fine particulate matter (PM_{2.5}) for the remainder of the 2016 sugar cane burning season. The second phase provides monetary support to aid in the further development and implementation of the University of Hawaii's [Vog Measurement and Prediction Project](#) (VMAP).

The Consent Order also requires HC&S to pay stipulated penalties for each emission and reporting violation that occurs from Jan. 1, 2015 until the Consent Order is terminated.

In addition to this most recent Consent Order, the Department of Health Clean Air Branch continues to provide regulatory oversight of HC&S's sugarcane burning operations on Maui and has since issued the following enforcement actions:

- [NOVO Docket No. 14-CA-EO-19](#), issued on November 3, 2015 for fugitive dust violations.
- [NOVO Docket No. 15-CA-EO-04](#), issued on January 15, 2016 for agricultural burn permit violations.

A copy of the Consent Order and other notices is available at <http://health.hawaii.gov/cab/clean-air-branch/notice-and-finding-of-violation-downloads-pdf/>.

Through the air permit process, the Department of Health Clean Air Branch ensures companies comply with state and federal emission standards to minimize air pollution impacts on the public. The Clean Air Branch protects the people and environment of Hawaii by monitoring air quality and regulating businesses that release pollutants into the air. The Branch reviews and approves air permits, evaluates and enforces state and federal air standards, conducts inspections, and investigates reported incidents related to outdoor air quality.

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