



DEPARTMENT OF HEALTH

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Department of Health issues Notice of Violation and Order to the Hawai'i Department of Public Safety for underground storage tank violations

'AIEA, HI - The Hawai'i State Department of Health Underground Storage Tank (UST) Section has issued a Notice of Violation and Order (NOVO) against the Hawai'i Department of Public Safety (PSD), which operates Hālawā Correctional Facility, located in 'Aiea, for UST violations.

DOH inspectors conducted an investigation on June 24, 2022, when an unregistered 1,000-gallon UST system, used as part of an emergency generator, was identified. Subsequently, DOH's UST section requested additional information and records pertaining to the UST system, and upon further evaluation of the facts, issued the NOVO, which PSD received on June 2, 2023.

The UST system was installed at the Hālawā Correctional Facility in June 1993, but proper notification and permitting requirements were not completed. PSD has been assessed a \$104,125 penalty for the following UST violations:

- 1) failure to notify the DOH within 30 days after installation of a UST system;
- 2) failure to conduct annual tightness testing on spill prevention equipment;
- 3) failure to conduct periodic operation and maintenance walk-through inspections – spill prevention equipment and release detection equipment every 31 days;
- 4) failure to annually test proper operation of release detection equipment; and
- 5) failure to monitor tank for a release at least every 31 days.

PSD has 20 days from the date of receipt of the NOVO to submit a written request for a hearing, or the NOVO will become final and enforceable after the 20-day period.

Hawai'i Revised Statutes (HRS) 342L-30(c) requires that "any owner who brings into use an underground storage tank or tank system after May 19, 1986, shall notify the department [of

health] within thirty days after the installation of the tank or tank system, specifying the age, size, type, location, and uses of the tank or tank system.”

The DOH UST Section regulates underground storage tanks, which store petroleum or hazardous substances, by conducting operational compliance inspections from the time the tank is installed. Inspections determine if a tank is being maintained properly to prevent impacts to human health and the environment.

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