

JAN 26 2009

S.B. NO. 1008

A BILL FOR AN ACT

RELATING TO WATER QUALITY STANDARDS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The purpose of this Act is to revise certain
2 state water quality standards for marine waters to conform to
3 levels recommended by the State of Hawaii and United States
4 Environmental Protection Agency. The legislature finds that
5 these revisions are important to the economic or social
6 development of the State, and that these revised standards are
7 adequate to fully protect the existing uses of the State's
8 marine waters.

9 SECTION 2. In accordance with Sections 303(c) and 304(a)
10 of the Clean Water Act and the 2006 United States Environmental
11 Protection Agency National Recommended Water Quality Criteria,
12 the following water quality standards are hereby adopted by the
13 State:

14 (A) Chlordane

15 (1) Human health for consumption, water + organism:

16 0.00080 µ/l;

17 (2) Human health for consumption, organism only:

18 0.00081 µ/l; and



(B) Dieldrin

(1) Human health for consumption, water + organism:

0.000052 μ /l; and

(2) Human health for consumption, organism only:

0.000054 μ /l.

SECTION 3. (a) In accordance with 40 Code of Federal Regulations Section 131.41, the State designates as coastal recreation waters all waters up to three miles from shore to a depth of thirty-three meters, excluding areas where water contact recreational activities are prohibited by State or federal law or regulation.

(b) In coastal recreation waters within five hundred meters from the shoreline, enterococcus content shall not exceed a geometric mean of thirty-five colony forming units per one hundred milliliters in not less than five samples which shall be spaced to cover a period between twenty-five and thirty days. No single sample shall exceed the single sample maximum of one hundred and four colony forming units per one hundred milliliters or the site-specific one-sided seventy-five per cent confidence limit.

(c) Coastal recreation waters between five hundred meters and three miles from shore shall be designated as infrequent use



1 coastal recreation waters, and enterococcus content in these
2 waters shall not exceed a geometric mean of thirty-five colony
3 forming units per one hundred milliliters in not less than five
4 samples which shall be spaced to cover a period between twenty-
5 five and thirty days. No single sample shall exceed the single
6 sample maximum of five hundred and one colony forming units per
7 one hundred milliliters or the site-specific one-sided ninety-
8 five per cent confidence limit.

9 SECTION 4. To the extent the provisions of Title 11,
10 Chapter 54, of the Hawaii Administrative Rules are inconsistent
11 with this Act, they are superseded. Water quality standards not
12 inconsistent with this Act shall remain in effect.

13 SECTION 5. If any provisions of this Act, or the
14 application thereof to any person or circumstances, is held
15 invalid, the invalidity does not affect other provisions or
16 applications of this Act which can be given effect without the
17 invalid provision or application, and to this end the provisions
18 of this Act are severable.

19 SECTION 6. This Act shall take effect upon approval. The
20 specific water quality standards prescribed herein shall take
21 effect upon their approval by the United States Environmental
22 Protection Agency. This Act shall be repealed upon the approval



1 by the United States Environmental Protection Agency of water
2 quality standards for the pollutants and indicator organisms
3 identified herein, following the State's review of water quality
4 standards pursuant to Section 303(c)(1) of the Clean Water Act.

5

INTRODUCED BY: _____

By Request



Report Title:

Water Quality Standards

Description:

Amends state water quality standards for marine waters to conform to federal standards.

