
A BILL FOR AN ACT

RELATING TO UNDERGROUND STORAGE TANKS.

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

1 SECTION 1. Section 342L-4, Hawaii Revised Statutes, is
2 amended by amending subsections (b) and (c) to read as follows:

3 "(b) The department [~~may~~] shall require that applications
4 for [~~such~~] permits [~~shall~~] be accompanied by plans,
5 specifications, and [~~such~~] other information as it deems
6 necessary in order for it to determine whether the proposed
7 installation, alteration, or use will be in accord with
8 applicable rules and standards.

9 (c) The director [~~shall~~] may issue a permit for any term,
10 not exceeding five years, if the director determines this to be
11 protective of human health and the environment; provided that
12 the permit [~~may~~] shall be subject to conditions as the director
13 may prescribe. The director, on application, [~~shall~~] may renew
14 a permit from time to time for a term not to exceed five years
15 if the director determines this to be protective of human health
16 and the environment. The director shall not deny an application
17 for the issuance or renewal of a permit without affording the



1 applicant an opportunity for a hearing in accordance with
2 chapter 91.

3 The director, on the director's own motion or the
4 application of any person, [~~may~~] shall modify, suspend, or
5 revoke any permit if, after affording the permittee an
6 opportunity for a hearing in accordance with chapter 91, the
7 director determines that:

- 8 (1) There is a violation of any condition of the permit;
- 9 (2) The permit was obtained by misrepresentation, or
10 failure to disclose fully all relevant facts; or
- 11 (3) There is a release or threatened release of regulated
12 substances that the department deems to pose an
13 imminent and substantial risk to human health or the
14 environment."

15 SECTION 2. Statutory material to be repealed is bracketed
16 and stricken. New statutory material is underscored.

17 SECTION 3. This Act shall take effect on January 1, 2050.



Report Title:

Underground Storage Tanks; Department of Health; Permits

Description:

Requires applications for underground storage tank permits to be accompanied by plans, specifications, and other necessary information. Removes automatic grant of permits for underground storage tanks. Requires the Director of Health to modify, suspend, or revoke a permit if there is a violation of the permit, the permit was obtained by misrepresentation, or if there was a release of regulated substances. Effective 1/1/2050. (SD1)

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