

**ACT 30**

H.B. NO. 2836-86

A Bill for an Act Relating to the Environment.

*Be It Enacted by the Legislature of the State of Hawaii:*

SECTION 1. Section 342-32, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:

“(a) In addition to any other power or duty prescribed by law and in this part, the director shall prevent, control, and abate water pollution in the State. In the discharge of this duty, the director may:

- (1) Establish by rule water quality standards, effluent standards, treatment and pretreatment standards, and standards of perfor-

- mance for specific areas and types of discharges in the control of water pollution, thereby allowing for varying local conditions;
- (2) Appoint a master or masters to conduct investigations and hearings;
  - (3) Consult with and advise any person engaged or intending to be engaged in any business or undertaking whose waste, sewage, or drainage is polluting or may tend to pollute state waters;
  - (4) Conduct and supervise research programs for the purpose of determining the causes, effects, and hazards of water pollution, the purity and potability of water and the means to monitor the quality of water, or to effect the proper disposal of sewage, drainage, and waste;
  - (5) Conduct and supervise state educational and training programs on water pollution prevention, control, and abatement, including the preparation and distribution of information relating to water pollution;
  - (6) Consult and advise persons intending to alter or to extend any system of drainage, sewage, or water supply;
  - (7) Require complete and detailed plans or reports, on existing works, systems, or plants, and of any proposed addition to, modification of or alteration of any such works, system, or plant which contain the information requested by the director in the form prescribed by him; which plans or reports shall be made by a competent person acceptable to the director and at the expense of such applicant or owner;
  - (8) With the approval of the governor, cooperate with, and receive money from the federal government, or any political subdivision of the State or from private sources for the study and control of water pollution;
  - (9) Receive or initiate complaints of water pollution, hold hearings in connection with water pollution, and institute legal proceedings in the name of the State for the prevention, control, or abatement of water pollution;
  - (10) Require the owner or operator of any effluent source or any discharger of effluent to (A) establish and maintain records; (B) make reports; (C) install, use, and maintain monitoring equipment or methods; (D) sample effluent and state waters; and (E) provide such other information as the department may require;
  - (11) Require any person, operator or holder of a variance or person subject to pretreatment requirements to permit the director or his authorized representative upon the presentation of his credentials:
    - (A) To enter the premises of the person, operator or variance holder or premises of a person subject to pretreatment requirements in which an effluent source is located or in which any records are required to be kept under the terms and conditions of the permit or variance or pretreatment requirements;
    - (B) To inspect any monitoring equipment or method required in the plans, specifications or variance or by pretreatment requirements; and
    - (C) To sample any discharge of pollutants or effluent; [and]
  - (12) Publish an annual report on the quality of the state waters, which annual reports shall include, but not be limited to:

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- (A) A description of sampling programs and quality control methods procedures;
  - (B) Statistical analysis and interpretation of the data on an annual basis by specific points (monitoring stations);
  - (C) Discussion of the results of these analyses to the extent that the implications can be understood by the general public;
  - (D) Recommendations for the modification of the water quality monitoring program to enhance its effectiveness for maintaining high standards of water quality in the State; and
  - (E) A note of any significant changes in the quality of state waters[.]; and
- (13) Act as a certifying agency, as defined in 40 C.F.R. 121.1(e) (1985)."

SECTION 2. Statutory material to be deleted is bracketed. New material is underscored.

SECTION 3. This Act shall take effect upon its approval.

(Approved April 14, 1986.)