

# Hazard Evaluation and Emergency Response Office (HEER Office)

## *Programs & Responsibilities*





# Legal Authorities

- **Hawaii Revised Statutes (HRS) Chapter 128D - Hawaii Environmental Response Law**
- **Hawaii Administrative Rules (HAR), Title 11, Chapter 451 – Hawaii State Contingency Plan (SCP)**
- **HRS Chapter 508C – Uniform Environmental Covenants Act (UECA)**
- **HRS Chapter 128E – Hawaii Emergency Planning and Community Right-to Know Act (HEPCRA)**
- **HAR 11-452 - Requirements for the Decontamination and Cleanup of Methamphetamine Manufacturing Sites**
- **State Laws of Hawaii (SLH), 2006, Act 170 - Hazardous Chemicals; Illegal Drug Laboratories**

## Hazard Evaluation & Emergency Response Office (HEER Office)

### Emergency Preparedness & Response (EP&R) Section

- Responses to emergency releases of hazardous materials
- Emergency preparedness training
- Technical assistance to federal, state and county agencies for emergency responses
- Collection and distribution of community right-to-know hazardous substance information and fees

### Site Discovery, Assessment & Remediation (SDAR) Section

- Site Discovery Program
- State Sites Program
- Fast Track Cleanup
- Brownfields Program
- Voluntary Response Program
- DoD State Memorandum of Agreement (DSMOA) Program

### Hazard Evaluation Section

- Environmental Hazard Evaluation
- Human Health and Ecological Risk Assessment
- Toxicological assessments of chemical hazards
- Information on chemical health effects to public
- Evaluation of environment-related illness and injury reporting
- Special studies related to chemical hazards

# HEER Responsibilities

- **Emergency Response**
  - **Emergency Preparedness and Response (EP&R) Section**
- **Nonemergency/long-term environmental Management**
  - **Site Discovery, Assessment, and Remediation (SDAR) Section**
  - **Hazard Evaluation Sections**
  - **Planning Section**





# EP&R SECTION

- **Emergency preparedness training**
- **Strengthen State's ability to respond to hazardous substance release emergencies**
- **Assist the Hawai'i State Emergency Response Commission (HSERC) and the Local (county level) Emergency Planning Committees (LEPCs)**
- **Tier II reporting**
- **Release response**

# What is a Reportable Release?

- Potentially reportable substances:
  - Oil
  - Ignitable, corrosive, reactive, or toxic
  - “Listed elements, compounds, and hazardous substances”
- Section 2D of the HEER TGM

<http://www.hawaiidoh.org/tgm-pdfs/HTGM%20Section%2002-D.pdf>

**When in doubt  
REPORT IT!!!**

# How Do I Report a Release?

- Report releases immediately
- Report release via telephone or in person.
- Information to provide

<http://hawaii.gov/health/environmental/hazard/spill.html>

- Written follow-up notification within 30 days



# Presumptive Releases

- **Unexpected sample results**
- **“Presumptive” release doesn’t require reporting as above, but**
- **Property owner/developer has an obligation to protect human health and ecology**

# Before You Dig



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**HEER Public Record:**

**<http://hawaii.gov/health/environmental/hazard/publicrecords.html>**

**SHWB Leaking USTs:**

**<http://hawaii.gov/health/environmental/waste/ust/data.html>**



# HAZARD EVALUATION SECTION

- Establish acceptable action levels for contaminants
- Assess potential hazards to human health and the environment
- Assist the public with information concerning health effects of chemicals
- Environmental Hazard Evaluations

<http://hawaii.gov/health/environmental/hazard/ea12005.html>

# SDAR SECTION



- **Site Discovery**
- **Department of Defense State Memorandum of Agreement (DSMOA)**
- **State Sites**
  - **Clandestine Methamphetamine Labs**
  - **Fast Track Cleanup (FTC)**
  - **Voluntary Response Program (VRP)**
  - **Brownfields**



# Fast Track Cleanup Program

- Streamlined and expedited closure of sites
- Agreement between the State and participant
- Eligibility
  - Known or suspected spills or releases
  - Low or Medium priority site
  - No public outreach needs
  - Can be at any phase of investigation/cleanup
  - Contamination not likely to cross property boundaries
  - Not listed/proposed to be listed on NPL
  - No CERCLA orders/enforcement actions
- <http://hawaii.gov/health/environmental/hazard/fasttrack.html>



# Voluntary Response Program

- Advantage – Liability Relief
- Goals include:
  - Stimulate socioeconomic improvements
  - Allow appropriate development to proceed
- Fees
- Eligibility
  - Property Owner
  - Willing and Financially Able
  - Prospective Purchaser (liability relief)
- <http://hawaii.gov/health/environmental/hazard/voluntaryresponseprogram.html>



# Types of Brownfields Grants

- **Assessment**
  - Funding to assess, inventory, characterize
  - Funding for planning and community involvement
  - Community-wide or site-specific
- **Cleanup**
  - Funding for cleanup activities
  - Site-specific
- **Revolving Loan Fund**
  - Funding for assessment and/or cleanup activities
  - Community-wide

[http://www.epa.gov/brownfields/grant\\_info/index.htm](http://www.epa.gov/brownfields/grant_info/index.htm)



# More Benefits for Brownfields

- **Targeted Brownfields Assessments**
  - **Phase I Environmental Site Assessment (ESA) or Phase II ESA**
  - **For property under consideration for development**
- **Brownfields Tax Incentives**
  - **Tax deduction of cleanup costs the year they were incurred**
  - **Expires December 2011**

# Questions?

