

JAN 21 2022

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# 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 to read as follows:

3       "**§342L-4 Permits; procedures for.** (a) An application for  
4   any permit required under this chapter shall be in a form  
5   prescribed by the department.

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

12       (c) The director [~~shall~~] may issue a permit for any term,  
13   not exceeding five years, if the director determines this to be  
14   protective of human health and the environment; provided that  
15   the permit [~~may~~] shall be subject to conditions as the director  
16   may prescribe. The director, on application, [~~shall~~] may renew  
17   a permit from time to time for a term not to exceed five years



1 if the director determines this to be protective of human health  
2 and the environment. The director shall not deny an application  
3 for the issuance or renewal of a permit without affording the  
4 applicant an opportunity for a hearing in accordance with  
5 chapter 91.

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

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

18 (d) No applicant for a modification or renewal of a permit  
19 shall be held in violation of the requirement to obtain a permit  
20 during the pendency of the applicant's application so long as



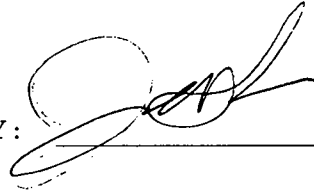
1 the applicant acts in compliance with the permit previously  
2 granted."

3 SECTION 2. Statutory material to be repealed is bracketed  
4 and stricken. New statutory material is underscored.

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

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INTRODUCED BY: \_\_\_\_\_

A handwritten signature in black ink, consisting of a large, stylized 'S' followed by a series of loops and a final flourish.

# S.B. NO. 2601

**Report Title:**

Underground Storage Tanks; Department of Health; Permits

**Description:**

Requires applications for underground storage 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.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

