

DEPARTMENT OF HEALTH

Amendment and Compilation of Chapter 11-59  
Hawaii Administrative Rules

**AUG 28, 2001**

SUMMARY

1. §11-59-4 is amended.
2. Chapter 11-59 is compiled.

HAWAII ADMINISTRATIVE RULES

TITLE 11

DEPARTMENT OF HEALTH

CHAPTER 59

AMBIENT AIR QUALITY STANDARDS

- §11-59-1 Purpose
- §11-59-2 Definitions
- §11-59-3 Reference conditions
- §11-59-4 Ambient air quality standards
- §11-59-5 Prohibition
- §11-59-6 Penalties and remedies
- §11-59-7 Severability

Historical Note: Chapter 11-59, Hawaii Administrative Rules, is based substantially on Public Health Regulations, Chapter 42, Ambient Air Quality Standards, Department of Health, State of Hawaii. [Eff 9/24/71; am 3/21/72; R 11/29/82]

§11-59-1 Purpose. The ambient air quality standards of this chapter seek to protect public health and welfare and to prevent the significant deterioration of air quality. [Eff 11/29/82; comp 6/29/92; comp 11/26/93; comp **9/15/01**] (Auth: HRS §§342B-3, 342B-31; 42 U.S.C. §§7410, 7416; 40 C.F.R. Part 51) (Imp: HRS §342B-31; 42 U.S.C. §§7407, 7409, 7410, 7416; 40 C.F.R. Part 51)

§11-59-2 Definitions. As used in this chapter: "Ambient air" means the general outdoor atmosphere to which the public has access.

"Reference method" means a method of sampling and analyzing the ambient air which the U.S. Environmental Protection Agency (EPA) specifies as a reference or an equivalent method, or absent EPA specifications, a method of sampling and analysis that the state director of health specifies as a reference. [Eff 11/29/82; comp 6/29/92; comp 11/26/93; comp **9/15/01**] (Auth: HRS

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§§342B-3, 342B-31; 42 U.S.C. §§7410, 7416; 40 C.F.R. Part 51) (Imp: HRS §342B-31; 42 U.S.C. §§7407, 7409, 7410, 7416; 40 C.F.R. Part 51)

§11-59-3 Reference conditions. All measurement analyses shall correct results to a reference temperature of twenty-five degrees centigrade and a reference pressure of seven hundred sixty millimeters of mercury. [Eff 11/29/82; am and comp 6/29/92; comp 11/26/93; comp **9/15/01**] (Auth: HRS §§342B-3, 342B-31; 42 U.S.C. §§7410, 7416; 40 C.F.R. Part 51) (Imp: HRS §342B-31; 42 U.S.C. §§7407, 7409, 7410, 7416; 40 C.F.R. Part 51)

§11-59-4 Ambient air quality standards. (a) The numerical ambient air quality standards below limit the time-averaged concentration of specified pollutants dispersed or suspended in the ambient air of the State, but these standards do not in any manner authorize the significant deterioration of existing air quality in any portion of the State.

(b) Limiting concentrations specified for a calendar year or a calendar quarter shall not be exceeded. Limiting concentrations specified for one-hour, three-hour, eight-hour, and twenty-four-hour periods shall not be exceeded more than once in a calendar year.

(c) In the ambient air the concentration of carbon monoxide measured by a reference method shall not exceed:

- (1) An average value of ten milligrams per cubic meter of air during any one-hour period; and
- (2) An average value of five milligrams per cubic meter of air during any eight-hour period.

(d) In the ambient air the average concentration of nitrogen dioxide measured by a reference method during a calendar year shall not exceed seventy micrograms per cubic meter of air.

(e) In the ambient air the concentration of particulate matter as particles with an aerodynamic diameter less than or equal to a nominal ten micrometers measured by a reference method shall not exceed:

- (1) An arithmetic mean of fifty micrograms per cubic meter of air during a calendar year; and
  - (2) An average value of one hundred fifty micrograms per cubic meter of air during any twenty-four-hour period.
- (f) In the ambient air the average concentration of ozone measured by a reference method during any eight-hour period shall not exceed one hundred fifty-seven micrograms per cubic meter of air.
- (g) In the ambient air the average concentration of sulfur dioxide measured by a reference method shall not exceed:
- (1) An average value of eighty micrograms per cubic meter of air in a calendar year;
  - (2) An average value of three hundred sixty-five micrograms per cubic meter of air in any twenty-four-hour period; and
  - (3) An average value of one thousand three hundred micrograms per cubic meter of air in any three-hour period.
- (h) In the ambient air the average concentration of lead measured as elemental lead by a reference method during a calendar quarter shall not exceed 1.5 micrograms per cubic meter of air.
- (i) In the ambient air the average concentration of hydrogen sulfide measured by a reference method shall not exceed thirty-five micrograms per cubic meter of air (twenty-five parts per billion) in any one-hour period. [Eff 11/29/82; am 4/14/86; am and comp 6/29/92; am and comp 11/26/93; am and comp **9/15/01**] (Auth: HRS §§342B-3, 342B-31; 42 U.S.C. §§7410, 7416; 40 C.F.R. Parts 50, 51) (Imp: HRS §342B-31; 42 U.S.C. §§7407, 7409, 7410, 7416; 40 C.F.R. Parts 50, 51)

§11-59-5 Prohibition. No person, as defined in section 342B-1, HRS, shall cause, or allow, or contribute to a violation of any ambient air quality standard set forth in this chapter. [Eff 11/29/82; am and comp 6/29/92; comp 11/26/93; comp **9/15/01**] (Auth: HRS §§342B-3, 342B-31; 42 U.S.C. §§7410, 7416; 40 C.F.R. Part 51) (Imp: HRS §342B-31; 42 U.S.C. §§7407, 7409, 7410, 7416; 40 C.F.R. Part 51)

§11-59-6

§11-59-6 Penalties and remedies. Any person who violates section 11-59-5 is liable for penalties and remedies as provided for in chapter 342, HRS. [Eff 11/29/82; am and comp 6/29/92; am and comp 11/26/93; comp **9/15/01**](Auth: HRS §§342B-3, 342B-31; 42 U.S.C. §§7410, 7416; 40 C.F.R. Part 51) (Imp: HRS §342B-31; 42 U.S.C. §§7407, 7409, 7410, 7416; 40 C.F.R. Part 51)

§11-59-7 Severability. If any provision of this chapter, or its application thereof to any persons or circumstances, is held invalid, the remainder of this chapter, or the application of the provision to other persons or circumstances, shall not be affected thereby. [Eff 11/29/82; comp 6/29/92; comp 11/26/93; comp **9/15/01**](Auth: HRS §§342B-3, 342B-31; 42 U.S.C. §§7410, 7416; 40 C.F.R. Part 51) (Imp: HRS §342B-31; 42 U.S.C. §§7407, 7409, 7410, 7416; 40 C.F.R. Part 51)

Amendments to and compilation of chapter 60.1, title 11, Hawaii Administrative Rules, on the Summary Page dated **AUG 28 2001** were adopted on **AUG 28 2001** following public hearings held on June 26 - June 28, 2001 and on July 2, 2001, after public notice was given in *Midweek* on May 21, 2001, and in *The Honolulu Advertiser*, *Hawaii Tribune Herald*, *West Hawaii Today*, *The Maui News*, and *The Garden Isle* on May 23, 2001.

The rules shall take effect ten days after filing with the Office of the Lieutenant Governor.

(signed)  
BRUCE S. ANDERSON  
Director of Health

(signed)  
BENJAMIN J. CAYETANO  
Governor  
State of Hawaii

Dated: September 4, 2001

09/05/01  
Filed

APPROVED AS TO FORM:

(signed)  
Deputy Attorney General