

DEPARTMENT OF LAND AND NATURAL RESOURCES

Amendments to Chapter 13-168
Hawaii Administrative Rules

January 23, 1997

SUMMARY

1. §13-168-14 is amended.

§13-168-14 Well construction and pump installation standards. (a) The minimum standards referenced in this section, shall be such as to ensure the safe and sanitary maintenance and operation of wells, the prevention of waste, and the prevention of contamination of ground water aquifers. The standards for well construction specified in The Hawaii Well Construction and Pump Installation Standards, adopted by the Commission on Water Resource Management, and as may be amended, is hereby incorporated by reference.

(b) The minimum standards for the installation of pumps and pumping equipment shall also provide for the installation of devices to measure the amount of ground water being withdrawn from the wells. The Hawaii Well Construction and Pump Installation Standards, as may be amended, is hereby incorporated by reference.

(c) The well construction and pump installation standards referenced in this section shall serve as minimum guidelines and shall be subject to review and modification by the commission.

(d) If any well construction or pump installation standard is violated and as a consequence ground water is wasted or any well is contaminated, the commission, after giving notice of the defect to the owner of the land on which the well is located, and giving such owner a reasonable time to correct the defect, may itself correct the defect and charge the land owner for the cost of such correction. Such cost constitutes a lien on the land until paid. The lien may be foreclosed in any court of competent jurisdiction, and in such foreclosure suit, the court shall allow the commission reasonable attorney's fees.

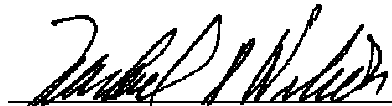
[Eff. March 21, 1997] (Auth: HRS §174C-8)

(Imp: HRS §174C-82, 174C-86)


DEPARTMENT OF LAND AND NATURAL RESOURCES

The amendments to chapter 13-168, Hawaii Administrative Rules, on the Summary page dated January 23, 1997, were adopted on January 23, 1997, following public hearings held on the islands of Oahu on July 17, 1996, Maui on July 22, 1996, Hawaii (Kona) on July 22, 1996, Kauai on July 23, 1996, Hawaii (Hilo) on July 29, 1996 and Molokai on August 5, 1996. Public notices were given in the Honolulu Advertiser on June 17, 1996, Molokai Advertiser-News on June 19, 1996, West Hawaii Today on June 17, 1996, Hawaii Tribune Herald on June 17, 1996, The Garden Island on June 17, 1996, and Maui News on June 17, 1996.

These amendments shall take effect ten days after filing with the Office of the Lieutenant Governor.


MICHAEL D. WILSON, Chairperson
Commission on Water Resource
Management

APPROVED AS TO FORM:


Deputy Attorney General *2/7/97*



BENJAMIN J. CAYETANO
Governor
State of Hawaii

Date: *3/10/97*

MAR 11 1997

Filed