



cc. Leg. Comm. File

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SB 117, SD-1 RELATING TO ENVIRONMENTAL QUALITY

Statement for
Senate Committee on Judiciary
Public Hearing 11 March 1977

by
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SB 117, SD-1 proposes extensive amendments to the Environmental Quality law of the State (Chapter 342, Hawaii Revised Statutes) which deals with the pollution control authority of the Department of Health. This statement is being reviewed by the Legislative Subcommittee of the Environmental Center. It does not represent an institutional position of the University.

SB 117, SD-1 would redefine the terms permit, pollutant, variance and waste; with respect to requests for variance would require public notices, allow for public hearings and set a time limit for response; would allow counties to take over responsibilities from the State under certain safeguards; would revise the prohibition provisions of the law; and would provide for administrative penalties for violation of the provisions of the law and regulations under it.

We note that the proposed provisions for public hearings for requested variances is permissive, not mandatory. We consider that in so important a matter as the granting of a variance, a public hearing should usually be required. We note also, however, that the proposed amendment contains extensive provisions for public notice of variance requests, and we expect that the Director of Health will normally call a public hearing on any variance request if attention is drawn by the public to significant associated environmental issues.