

From: Matsumura, April Mido
Sent: Wednesday, May 16, 2007 10:17 AM
To: 'Don Bryan'; 'John_Lague@URSCorp.com'
Subject: HAPs - ambient air concentrations

Don & John,

Depending on HAP figures after permitted limits and controls are finalized, the attached section may apply.

A complete version of Hawaii's air rules is available via the following link:

<http://www.hawaii.gov/health/about/rules/11-60-1.pdf>

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§11-60.1-179 Ambient air concentrations of hazardous air pollutants. (a) No person shall emit or cause to emit from any stationary source, hazardous air pollutants in such quantities that result in, or contribute to, an ambient air concentration which endangers human health.

(b) The director shall not approve any application for a permit required by this chapter, for a new major source of hazardous air pollutants, or for the modification or reconstruction of any major source of hazardous air pollutants, or for any stationary source that the director has reason to believe that the emissions of hazardous air pollutants from the source may result in an unacceptable ambient air concentration, unless the owner or operator of the source, and except as provided in subsection (d), complies with one or more of the following:

- (1) Demonstrate that the emissions of hazardous air pollutants from the source will not result in, or contribute to, any significant ambient air concentrations as defined in subsection (c); or
- (2) Demonstrate that the applicable significant ambient air concentration in subsection (c) is inappropriate for the hazardous air pollutant in question and that the emissions of hazardous air pollutants from the source will not result in, or contribute to, any ambient air concentration which endangers human health. The demonstration shall include documented studies or information by recognized authorities on the specific health effects of such hazardous air pollutants and a detailed analysis, including a risk assessment, that demonstrates that the emissions from the sources will not endanger human health.

(c) For purposes of this subchapter, "significant ambient air concentration of any hazardous air pollutant" shall be defined as follows:

- (1) For any non-carcinogenic hazardous air pollutant with a TLV-TWA, and except as provided in subsection (e), any eight-hour average ambient air concentration in excess of 1/100 of the TLV-TWA, and any annual average ambient air concentration in excess of 1/420 of the TLV-TWA;
 - (2) For any non-carcinogenic hazardous air pollutant not having a TLV-TWA, any ambient air concentration greater than the concentration which the director determines to cause, to have the potential to cause, or to contribute to, the unreasonable endangerment of human health. The determination shall be made on a case-by-case basis, consider documented studies or information by recognized authorities on the specific health effects of such hazardous air pollutants, and include a reasonable margin of safety for the protection of the general public; or
 - (3) For any carcinogenic hazardous air pollutant, any ambient air concentration that may result in an excess individual lifetime cancer risk of more than ten in one million assuming continuous exposure for seventy years. The ambient air concentration of a carcinogenic hazardous air pollutant shall be determined by performing a risk assessment based on procedures consistent with EPA's risk assessment guidelines or other alternative risk assessment procedures approved by the director.
- (d) The emission of any hazardous air pollutants from a stationary source shall be exempt from the provisions of subsection (b) if:
- (1) The total allowable emissions of the hazardous air pollutant from the stationary source are below 0.1 pounds per hour; and
 - (2) The significant ambient air concentration for the hazardous air pollutant as determined in