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Review of Proposed Revisions to Department of Health Rules on Ambient Air Quality Standards and Air Pollution Control

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The proposed revisions to the state's ambient air quality standards represent a major effort with many valuable improvements. The following criticisms and suggestions are in no way intended to belittle the fine work represented in preparing the proposed rules; rather they are offered toward the refinement of a complex and important set of administrative rules.

SO₂ standards

Of major concern in the draft rules is the proposed significant relaxation in ambient sulfur dioxide (SO₂) standards. Increases in SO₂ concentration from the present standard to that proposed would represent substantial degradation of air quality protection. Hawaii has probably the cleanest air of any state, and there is little reason to allow its potential deterioration. Isolated, temporary exceedences of the present standards should be dealt with by increasing the number of episodic exceedences permissible under the existing standard rather than revising the standard itself.

We recognize that there are protections against degradation of ambient air quality in subchapter 4 of the rules. However, the primary reason for proposing the change in the State ambient SO₂ standards is to bring them into line with their federal equivalents. The federal standards were developed on the basis of what was environmentally desirable and economically feasible under mainland conditions. Such conditions, which include vastly different industrial emissions and meteorological conditions, are not pertinent to Hawaii. Hawaii, economically dependent on tourism and an attractive environment, should not jeopardize these qualities for the sake of mere consistency. The federal 24-hour SO₂ standard is over 100 ppm higher than levels which have been demonstrated to affect asthmatics. It seems very undesirable to raise the state standard to the federal level and place sensitive individuals at risk.

Hawaii has administered ambient air quality standards more stringent than the federal standards for years with success. We do not believe it appropriate to increase the State SO₂ ambient air quality standards by 200 to 300 percent as proposed.

Fuel switching

Also of concern in the proposed rules are several items relating to fuel switching. With the proposed redefinition of "major modifications", fuel switching to municipal solid waste would not trigger review for prevention of significant deterioration (PSD). While refuse-to-energy projects are desirable, they should not be fostered without regard to environmental quality, and for this reason the proposed elimination of the PSD review requirements for such projects seems undesirable. With the same redefinition, fuel switching to higher-sulfur or more polluting fuels at certain stationary sources would also be exempt from PSD review. This change is undesirable for the same reasons. Also under the same redefinition, increases in hours of operation which result in increased emissions would also not require PSD review. Clearly, it should be the amount of pollution increase which determines whether or not PSD reviews are triggered, not the reason for the increase. Deletion of the proposed exceptions to the definition is therefore desirable.

Fuel sulfur

Finally, allowing variances to restrictions of fuel sulfur content at the discretion of the director, as is proposed, seems to ignore the importance of community input in a decision that will certainly result in a deterioration of air quality. It would be appropriate for the rules to be revised to include public participation in any variance decision. Also under this section, the time period for fuel sulfur-content averaging is undefined. If the averaging were over periods as long as a year, substantially degraded air quality for months at a time could be the result. We would suggest that an upper limit to the period for averaging of no more than a few months should be made explicit in the rules.

We thank you for your consideration of these comments. Many of the concerns with PSD provisions and exemptions become relatively mute if the present state SO₂ standard is maintained. We urge you to retain the current state SO₂ standards for the good of Hawaii's people and environment.