



## 2.1 STATE CONTINGENCY PLAN

The process for environmental cleanup or remediation of hazardous substance releases in Hawai'i is guided by a set of administrative rules adopted and periodically revised by HDOH. These administrative rules, which became effective in August 1995, are referred to as the Hawai'i State Contingency Plan (Hawai'i SCP) or Hawai'i Administrative Rules (HAR), Title 11, Chapter 451 (HAR, 1995). The Hawai'i SCP was written to implement, administer, and enforce Chapter 128D of the Hawai'i Revised Statutes (HRS), also called the Hawai'i Environmental Response Law, which was established by the Hawai'i Legislature effective June 1991 (HRS 128D).

**A hazardous substance release is defined as any spilling, leaking, pumping, pouring, emitting, emptying, discharging, injecting, escaping, leaching, dumping, or disposing of any hazardous substance, pollutant, or contaminant into the environment.** Note: seven specific exclusions from the definition of a release are provided in HAR 11-451-3. Sources that identify many specific hazardous substances are provided in the Hawai'i SCP. The Hawai'i SCP establishes regulatory authorities, responsibilities and guidelines for the discovery, investigation, and cleanup of hazardous substances in Hawai'i. Cleanup of a variety of waste, accidentally spilled substances, abandoned materials, soil, groundwater, surface water, air, and leaking underground tanks may be addressed through the Hawai'i SCP.

In some cases, such as during emergency responses and responses to contaminated surface water, drinking water, outdoor air, soil vapor, or leaking underground tanks, the HEER Office may refer cases to or work closely with other HDOH branches within the Environmental Health Administration (or other state, county, or federal personnel for emergency responses) to ensure appropriate assessment and cleanup is accomplished.