



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IX

75 Hawthorne Street
San Francisco, CA 94105-3901

November 05, 2004

Laurence K. Lau, Deputy Director
State of Hawaii
Department of Health
P.O. Box 3378
Honolulu, HI 96801-3378

Dear Mr. Lau:

In response to your request of April 20, 2004, I am pleased to inform you that we are delegating to your agency authority to implement and enforce certain categories of New Source Performance Standards (NSPS) and National Emission Standards for Hazardous Air Pollutants (NESHAPS). We have reviewed your requests for delegation and have found your programs and procedures to be acceptable. This delegation includes authority for the following source categories:

<u>NSPS</u>	<u>40CFR Part 60 Subpart</u>
Hospital/Medical/Infectious Waste Incinerators for Which Construction Is Commenced After June 20, 1996	Ec
Storage Vessels for Petroleum Liquids for Which Construction, Reconstruction, or Modification Commenced After June 11, 1973, and Prior to May 19, 1978	K
Small Municipal Waste Combustion Units For Which Construction is Commenced After August 30, 1999 or for Which Modification or Reconstruction Commenced After June 6, 2001	AAAA
Commercial and Industrial Solid Waste Incineration Units for Which Construction is Commenced After November 30, 1999 or For Which Modification or Reconstruction Is Commenced on or After June 1, 2001	CCCC

NESHAPS

**40 CFR
Part 61
Subpart**

Beryllium	C
Beryllium Rocket Motor Firing	D
Asbestos	M
Benzene Emissions From Benzene Storage Vessels	Y

This delegation amends the NSPS agreement between the U.S. Environmental Protection Agency (EPA) and the Hawaii Department of Health (HDOH) dated August 15, 1983, and the amendments dated October 25 and December 18, 1984; March 18, 1985; September 30, 1986; January 27 and August 31, 1987; July 1 and November 7, 1988; March 8, 1989, September 25, 1992, and May 21, 1993. The agreement is amended by adding authority for NSPS Subparts Ec, K, AAAA, and CCCC and NESHAPS Subparts C, D, M, and Y. A copy of the amended agreement is enclosed.

Acceptance of this delegation constitutes the State's agreement to follow all applicable provisions of 40 CFR Parts 60 and 61, including but not limited to use of EPA's test methods and continuous emission monitoring procedures. As of the effective date of this delegation, HDOH will have primary authority to enforce the above standards. EPA will retain independent enforcement authority, and will exercise such authority in a manner consistent with EPA's "Timely and Appropriate Enforcement Response to Significant Air Pollution Violators" Guidance, and any revisions thereto, and our enforcement agreement. All notifications and reports required of sources by the above standards should be sent to the State, with a copy to our office. The delegation is effective upon the date of this letter unless the U.S. EPA receives written notice from you of any objections within 10 days of receipt of this letter. A notice of this delegated authority will be published in the Federal Register in the future.

Sincerely,



Deborah Jordan, Director
Air Division

Enclosure

cc: Wilfred K. Nagamine
Clean Air Branch