

OVERVIEW

THE AUDITOR
STATE OF HAWAII

Audit of the Hazardous Waste Management Program of the Department of Health

Summary

This audit of Hawaii's waste management programs examined those governed by the federal Resource Conservation and Recovery Act (RCRA). RCRA regulates hazardous waste under Subtitle C, solid waste under Subtitle D, and underground storage tanks used for storing hazardous substances and petroleum products under Subtitle I. We also examined Hawaii's infectious waste management program which is solely under the jurisdiction of the State Department of Health (DOH).

Our audit found the executive branch has not given Hawaii's waste management programs the support needed to ensure adequate protection from the dangers of improperly disposed waste and leaking underground storage tanks. Poor budget planning by the executive branch for FY1994-95 left Hawaii's waste management programs at risk of losing both state and federal funds. In addition to poor budget support, DOH has found it difficult to attract and retain qualified staff. At the time of our audit, over one-third of the positions in the DOH Solid and Hazardous Waste Branch was vacant. This left Hawaii with very little field presence to enforce the waste management programs.

Protection of the Hawaii's drinking water, as well as its lakes, streams, and shore waters, is essential. As of April 1993, DOH was aware that more than 2.6 million gallons of regulated substances had been released into the ground by 528 leaking underground tanks. Yet the DOH does not regularly inspect leaking underground storage tanks and the clean-up efforts for these leaking tanks are poorly monitored. Should drinking water sources become contaminated, the costs of remediation would be high. DOH also lacks policies and procedures to track waste generators. This makes it difficult to ensure compliance and determine the enforcement status of specific cases.

Two of Hawaii's RCRA programs are carried out under joint agreements with the U. S. Environmental Protection Agency (EPA). Despite a long-standing DOH policy to achieve authorized status from the EPA to run its own programs, Hawaii is one of only five states that has not received authorization for its hazardous waste program. Until Hawaii receives authorization, enforcement is divided between the DOH and the EPA Region IX Office in San Francisco. Divided enforcement has resulted in delays and inconsistent enforcement.

Hawaii also needs approval from the EPA for its Subtitle D solid waste program. New EPA landfill requirements effective October 9, 1993 would require the counties to import a costly landfill liner not available in the state. DOH estimates that the new landfill requirements could result in over \$15 million in additional costs over the next three years. If Hawaii had approval for its Subtitle D program, it could adopt more economical standards that would be suitable to local conditions.

Recommendations and Response

We recommend that the executive branch and the director of health support the waste management programs by giving high priority to achieving authorized status or approval from the EPA. They should submit a budget that would ensure continuity of funding for the programs. To ensure compliance and better enforcement, the DOH should fill vacant positions and develop policy and procedure manuals. The department should also improve enforcement of its hazardous waste program, inform the Legislature of what is being achieved in solid waste reduction, and develop and submit to the Legislature an action plan for better enforcement of underground storage tanks. In addition, we recommend that a special fund for underground storage tanks should be permitted to sunset and the DOH include a threshold for reporting infectious waste spills to the department.

The Department essentially concurred with our recommendations. It has been and is actively pursuing achieving authorization of the hazardous waste and underground storage tank programs. It intends to create temporary, federally funded positions to address the shortfall in positions and is pursuing a streamlining procedure with the Department of Personnel Services for the classification of positions and reorganization. The department will also attempt to conduct more follow-up inspections of facilities cited with violations and improve its documentation and filing system on follow-ups. The department says it is committed to working with the Legislature to establish and attain goals for solid waste diversion programs. It reports that it has made significant progress through working cooperatively with the counties. DOH is also developing an action plan to improve monitoring and enforcement of the underground storage tank program. The department does not agree that the special fund should be permitted to sunset. It says that it is unclear about what we mean about infectious waste spills. We wish to clarify that we believe that the DOH should amend its administrative rules for infectious waste to include a threshold for reporting infectious waste spills. We agree with the department that no major changes should be made at this time.

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