

DEPARTMENT OF HEALTH

Repeal of Chapter 11-13A
and the
Adoption of Chapter 11-10, Hawaii Administrative Rules

JUL 03 2002
(Date of adoption)

Summary

1. Chapter 13A of Title 11, Hawaii Administrative Rules, entitled "Public Swimming Pools", is repealed.
2. Chapter 10 of Title 11, Hawaii Administrative Rules, entitled "Public Swimming Pools", is adopted.

HAWAII ADMINISTRATIVE RULES

TITLE 11

DEPARTMENT OF HEALTH

CHAPTER 10

PUBLIC SWIMMING POOLS

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Historical Note: Chapter 11-10, Hawaii Administrative Rules, is based substantially on Hawaii Administrative Rules, Chapter 11-13A, Public Swimming Pools, Department of Health, State of Health. [Eff 11/12/88; R JUL 15 2002]

SUBCHAPTER 1

GENERAL PROVISIONS

§11-10-1 Scope. This chapter sets forth minimum requirements for the protection of public health respecting public swimming pools. These requirements shall apply to all public swimming pools, but shall not apply to:

- (1) Private residential swimming pools;
- (2) Private residential spas, hot tubs, or furo (Japanese baths);
- (3) Ornamental pools;
- (4) Marine habitat venues; or
- (5) Beach venues. [Eff JUL 15 2002][Auth: HRS §§321-10, 321-11][Imp: HRS §321-11]

§11-10-2 Definitions. Whenever used in these rules, unless the context otherwise requires, the word:

"Beach venue" means any swimming area created by the enclosure or alteration of natural shoreline and having a beach area.

"Closed system" means a saltwater swimming pool that does not exchange its water with any other bodies of water either naturally or mechanically.

"Department" means the department of health of the State of Hawaii.

"Director" means the director of the department or a duly authorized agent or representative.

"Freshwater" means water with dissolved inorganic ion concentrations (salinity) equal to or less than 0.5 parts per thousand.

"Freshwater swimming pool" means a swimming pool containing freshwater.

"Marine habitat venue" means a man-made enclosure containing water that is the site of a highly supervised program aimed at encouraging the interaction of humans with marine life.

"Monitoring plan" means a written description of all procedures used to evaluate water quality within and near (in the case of an open system) a specific public swimming pool that includes:

- (1) A complete description of the parameters to be evaluated, the sampling design, and the sampling schedule;
- (2) A section on quality assurance/quality control which shall describe methods of sample collection and analysis, data reporting, and show all water quality-related forms to be used by the public swimming pool operator; and

(3) Criteria for selection of an analytical laboratory or method.

"Open system" means a saltwater swimming pool that exchanges its water with other bodies of water by mechanical pumping force.

"Ornamental pool" means any pool designed for decorative purpose and not for bathing or swimming.

"Person" means any individual, firm, partnership, association, corporation, company, governmental agency, club, or organization.

"Private residential swimming pool" means any swimming pool located on a single family residence under the control of the homeowner or occupants, the use of which is limited to swimming or bathing by family members or their invited guests. These pools shall also include private residential saltwater pools, spas, hot tubs, furo (Japanese baths), and similar pools.

"Public freshwater swimming pool" means a freshwater swimming pool, other than a private residential swimming pool, which is intended to be used collectively by a number of persons for swimming or bathing regardless of whether a fee is charged for the use. These pools shall also include but not be limited to public wading pools, therapeutic pools, spas, and similar pools.

"Public saltwater specialty swimming pool" means any saltwater swimming pool, other than a private residential saltwater swimming pool, which is intended to be used collectively by a number of persons for swimming or bathing regardless of whether a fee is charged for the use. These pools shall also include but not be limited to public saltwater wading pools, therapeutic saltwater pools, saltwater spas, and similar pools.

"Public swimming pool" means any swimming pool, other than a private residential swimming pool, which is intended to be used collectively by a number of persons for swimming or bathing regardless of whether a fee is charged for the use. These pools shall also include but not be limited to public wading pools, therapeutic pools, spas, and similar pools.

"Quality assurance" means an integrated system of management activities involving planning, implementation, assessment, reporting, and quality improvement to ensure that a process, item, or service is of the type and quality needed and expected.

"Quality control" means the overall system of technical activities that measures the attributes and

performance of a process, item, or service against defined standards to verify that they meet the stated requirements established by the pool operator, operational techniques and activities that are used to fulfill requirements for quality.

"Saltwater" means water with dissolved inorganic ion concentrations greater than 0.5 parts per thousand.

"Saltwater swimming pool" means a swimming pool containing saltwater.

"Swimming pool" means any man-made enclosure, structure, basin, chamber, or tank containing an artificial body of water that is used for swimming, diving, or recreational bathing or therapy by humans.

"Water quality monitoring data" means measurements and analytical results of swimming pool water samples that were taken to confirm compliance with this chapter.

[Eff JUL 15 2002] [Auth: HRS §§321-10, 321-11] [Imp: HRS §321-11]

§11-10-3 Submission of plans and specifications.

(a) All plans and specifications of a proposed public swimming pool or renovation of a public swimming pool, with supporting data, shall be prepared by or under the direct supervision of an architect or engineer licensed to practice in this State, and shall be submitted to the director for review and approval prior to construction.

(b) The seal affixed by the architect or engineer on the plans and specifications with supporting data shall be prima facie evidence that the architect or engineer has designed or supervised the design of the public swimming pool and equipment.

(c) All plans and specifications of public saltwater specialty swimming pools must incorporate a mechanical pumping system.

(d) All plans and specification of open system public saltwater specialty swimming pools must demonstrate to the satisfaction of the Director that water exchange rates required by §11-10-16(a)(3)(B) will be achieved. In open system public saltwater specialty swimming pools, this demonstration may be accomplished by calculating the flow rate of input water.

(e) No public swimming pool shall be constructed or renovated except in accordance with plans and specifications approved by the director.

(f) A plan review fee of \$200 shall accompany the submittal of plans and specifications.

(g) The failure of the director to act on a complete application to construct or renovate a public swimming pool within one hundred eighty days of the receipt of the application shall be deemed an approval of the application; provided that the applicant acts consistently with the application process. [Eff JUL 15 2002][Auth: HRS §§321-10, 321-11][Imp: HRS §321-11]

§11-10-4 Permit to operate. (a) No person shall operate or maintain a public swimming pool unless a permit to operate has been obtained from the department. The permit shall be valid for five years unless revoked or suspended for cause.

(b) Any person desiring to operate or maintain a public swimming pool shall submit an application for a permit on a form designated by the department.

(c) The director shall ascertain if the applicant is in compliance with this chapter by reviewing data demonstrating that the public swimming pool is performing as designed, reviewing the public swimming pool's operation and maintenance procedures, reviewing the public swimming pool's emergency response to accident procedures, and where applicable, reviewing and approving the public swimming pool's monitoring plan. When the director has determined that the public swimming pool satisfies the requirements of this chapter, a permit shall be issued to the applicant by the director after the department receives a permit fee of \$50.

(d) The permit shall be non-transferable.

(e) A valid permit shall be posted in a conspicuous place within the confine of the public swimming pool, at the bathhouse, or in the office of the pool manager.

(f) Subsequent to the permit being issued, the director shall have the right of entry to perform inspections of the public swimming pool and to arrange for collection and examination of water samples from the public swimming pool to ensure compliance with this chapter. Any and all subsequent inspections may be conducted solely at the discretion of the director.

(g) A permit renewal application shall be submitted at least one hundred eighty days prior to expiration of the permit. The director shall review the public swimming pool's operation and maintenance records, review the public

swimming pool's emergency response records, and where applicable, review data resultant from the public swimming pool's monitoring plan. When the director has determined that the public swimming pool continues to satisfy the requirements of this chapter, the permit shall be renewed by the director after receipt by the department of a renewal permit fee of \$50.

(h) Failure of the director to act on a completed application for permit or permit renewal within one hundred eighty days of the receipt of the application shall be deemed an approval of the application; provided that the applicant acts consistently with the application process. [Eff JUL 15 2002] [Auth: HRS §§321-10, 321-11] [Imp: HRS §321-11]

§11-10-5 Permit denial, revocation, or suspension.

(a) The director may deny, revoke, or suspend a permit for failure to comply with this chapter and/or for knowingly or willfully making any false statements to the department relative to any matter under this chapter.

(b) The applicant or permit holder shall be notified in writing of findings made by the department of any failure to comply with this chapter.

(c) Any applicant or permit holder shall have the right and opportunity to appeal the findings of the department in writing to the director within twenty days of receipt of notice of noncompliance with this chapter. No suspensions or revocations shall become effective until the applicant or permit holder has had an opportunity to appeal the department's findings.

(d) Notwithstanding subsection (a), (b), and (c), where the director finds that there exists an immediate and substantial danger to the public health in the public swimming pool, the director may issue an order to suspend the public swimming pool permit and shall provide an opportunity for hearing within twenty four hours after service of the order.

(e) All hearings shall comply with chapter 91, HRS, and the department rules of practice and procedure.

(f) A revoked or suspended permit shall be reissued upon presentation of evidence in writing to the department that the deficiencies causing the revocation or suspension have been corrected and reinspection by the department confirms the written evidence.

(g) The department may consider as a possible justification for the denial, suspension, or revocation of a permit, any conviction of a penal offense when such offense directly relates to the permit applicant's or permit holder's ability to comply with this chapter. Such denial, suspension, or revocation shall be pursuant to and in accordance with sections 831-3.1(b) and (c). [Eff JUL 15 2002][Auth: HRS §§321-10, 321-11][Imp: HRS §321-11]

§11-10-6 Variances. (a) Every application for a variance shall be made on forms furnished by the department. The applicant shall submit sufficient information to enable the director to make a decision on the request for variance.

- (1) The director shall not act upon or consider any incomplete application for a variance. An application shall be deemed complete only when all required and requested information, including the application form, plans, specifications, and other information have been timely submitted.
 - (2) Every application shall be signed by the applicant and shall constitute an acknowledgment and agreement that the applicant will comply with all the terms and conditions of the variance and this chapter.
 - (3) The director may require the submission of additional information after the application has been submitted. If an application is incomplete or otherwise deficient, processing of the application shall not be completed until such time as the applicant has supplied all required information or otherwise corrected the deficiency.
 - (4) The failure of the director to act on a completed application for a variance within one hundred eighty days of the receipt of the application shall be deemed an approval of the application; provided that the applicant acts consistently with the application process.
- (b) The application will be reviewed by the director based on the effect or probable effect the variance would have upon the public swimming pool standards established pursuant to this chapter.
- (c) Whenever an application is approved by the director, the director shall issue a variance authorizing

the operation of the public swimming pool pursuant to the conditions specified in the application for the variance and/or the conditions specified by the director. No variance shall be granted by the director unless the application and the supporting information clearly show that:

- (1) The continuation of the function or operation of the public swimming pool by the granting of the variance poses no threat to public health; or
- (2) The proposed changes in the function or operation of the public swimming pool do not endanger human health.

(d) Any approved variance shall be granted within the requirements of this section, for time periods and under conditions consistent with this chapter, and with the following limitations:

- (1) The director may issue a variance for a period not exceeding two years;
- (2) The director may revoke the variance at any time if the variance creates a threat to public health and safety;
- (3) Every variance granted under this section shall include conditions requiring the grantee to submit to the director information such as plans, procedures, other supporting information, laboratory research data, published scientific papers, and any follow-up information and analyses as deemed necessary by the director; and
- (4) Every variance granted under this subsection shall undergo a thorough review of known and available means of protecting the health of swimmers in a public swimming pool.

(e) Variance renewal. Any variance granted pursuant to this section may be renewed on terms and conditions and for periods not exceeding two years which would be appropriate on initial granting of a variance; provided that the applicant for renewal has met all of the conditions specified in the immediately preceding variance; and provided further that the renewal, and the variance issued in pursuance thereof, shall provide for protection of public health not less than that attained pursuant to the terms of the immediately preceding variance at its expiration. No renewal shall be granted except on application therefor. Any such application shall be made at least one hundred eighty days prior to the expiration of the variance. The director shall act on an application for

renewal within one hundred eighty days of the receipt of such application; provided that the applicant acts consistently with the application process.

(f) The director shall, upon request, provide the opportunity for public comment or hearing(s) in accordance with chapter 91, HRS, or both to consider the approval or denial of an application for a variance or the revocation of a variance. A notice shall be published in accordance with chapters 91 and 92, HRS, in a newspaper of general circulation in the State and in the county where the public swimming pool is located. All publication costs related to public notification(s) shall be paid by the applicant to the necessary and appropriate newspaper agency or agencies prior to publication date. Failure to do so may result in a delay in the variance process.

(g) No variance shall be construed to prevent or limit the application of any emergency provisions and procedures provided by law.

(h) A processing fee of \$500 shall accompany the submittal of a variance. [Eff JUL 15 2002] [Auth: HRS §§321-10, 321-11] [Imp: HRS §321-11]

§11-10-7 Penalty. Any person who violates any provision of this chapter shall be subject to penalties specified in sections 321-18 and 321-20, HRS. [Eff JUL 15 2002] [Auth: HRS §§321-10, 321-11] [Imp: HRS §321-11]

§§11-10-8 to 11-10-13 (Reserved).

SUBCHAPTER 2

OPERATION AND MAINTENANCE

§11-10-14 Purpose. The purpose of this subchapter shall be to provide minimum standards for public swimming pool operation and maintenance. [Eff _____] [Auth: HRS §§321-10, 321-11] [Imp: HRS §321-11]

§11-10-15 Public freshwater swimming pools. (a) Water supply:

(1) The water supply serving a public freshwater swimming pool shall meet the requirement of

chapter 11-20, Rules Relating to Potable Water Systems, except that the director may approve the use of water from natural sources.

- (2) Where both potable and nonpotable water systems are used to serve a public freshwater swimming pool, the systems shall be piped to prevent cross-connections or back-siphonage.
 - (3) All portions of the potable water supply system serving the public freshwater swimming pool and auxiliary facilities shall be protected against backflow.
 - (4) Potable water introduced into the public freshwater swimming pool, either directly or to the recirculation system, shall be supplied through an air gap or other approved means.
- (b) Water quality:
- (1) The public freshwater swimming pool water shall be maintained in an alkaline condition as indicated by a pH between 7.2 and 7.8.
 - (2) The chlorine residual in the public freshwater swimming pool shall be at least 0.6 parts per million. The director may accept other disinfecting chemicals or apparatus registered by the United States Environmental Protection Agency when they have been adequately demonstrated to provide a satisfactory residual effect which is easily measured and equally effective under conditions of use as the chlorine concentration required under this section.
 - (3) The chemicals or apparatus used in controlling water quality shall not be dangerous to public health, create objectionable physiological effects, or impart toxic properties to the pool water. Any chemical that is to be used for algae control shall be approved by the department before use.
 - (4) The water shall have sufficient clarity at all times so that a disc which is six inches in diameter and of a color of high contrast to the color of the public freshwater swimming pool bottom can be seen from outside the pool when placed on the floor of the public freshwater swimming pool at the deepest point. The public freshwater swimming pool shall be immediately closed if the public freshwater swimming pool fails to meet this requirement.

- (5) Failure to meet the requirements set by this section shall constitute grounds for immediate closing of the public freshwater swimming pool when the director determines that there is an immediate risk to human health. The operator may reopen the public freshwater swimming pool for public use when the department determines that all requirements of this section have been met and there is no immediate risk to human health. [Eff JUL 15 2002] [Auth: HRS §§321-10, 321-11] [Imp: HRS §321-11]

§11-10-16 Public saltwater specialty swimming pools.

(a) Water quality:

- (1) The water shall have sufficient clarity at all times so that a disc which is six inches in diameter and of a color of high contrast to the color of the public saltwater specialty swimming pool bottom can be seen from outside the pool when placed on the bottom of the public saltwater specialty swimming pool at the deepest point. The public saltwater specialty swimming pool shall be immediately closed if the public saltwater specialty swimming pool fails to meet this requirement.
- (2) When bacteriological samples are collected for laboratory analysis, the geometric mean of the most recent five consecutive *enterococcus* counts cannot exceed 7.0 CFU/100 ml of pool water.
- (3) The water quality requirements provided in paragraphs (1) and (2) shall be satisfied as follows:
- (A) In a closed system, the water shall be disinfected by using disinfecting agents approved by the United States Environmental Protection Agency or processes approved by the National Sanitation Foundation. The agents or processes used in controlling water quality shall not be dangerous to public health, create objectionable physiological effects, or impart toxic properties to the pool water. Any agent that is to be used for algae control shall be approved by the department before use.

- (B) In an open system, the water quality requirements shall be satisfied through pool water circulation. The pool water shall be completely exchanged at least once every six hours.
- (4) All public saltwater specialty swimming pool water samples shall be examined by a laboratory or methods employing suitable sensors or monitoring technology approved by the department. Where applicable, analysis to determine compliance with this chapter shall be by:
 - (A) Standard Methods for the Examination of Water and Wastewater, Twentieth Edition, APHA;
 - (B) "Guidelines Establishing Test Procedures for Analysis of Pollutants", Federal Register, July 1, 1998 (40 CFR 136) and "Technical Amendments", Federal Register, July 1, 1998 (40 CFR 136);
 - (C) "Methods of Seawater Analysis", Second Revised and Extended Edition, ed. by K. Grashof, M. Erhardt, K. Kremling, 1983, Verlag Chemie, Weinheim, Germany; and
 - (D) EPA/600/4-79-019, Handbook for Analytical Quality Control in Water and Wastewater Laboratories, March 1979.
- (5) All public saltwater specialty swimming pools shall be continuously free of non-microbial hazardous marine life.
- (6) Failure to meet the requirements set by this section shall constitute grounds for immediate closing of the public saltwater specialty swimming pool. The operator may reopen the public saltwater specialty swimming pool for public use when the department determines that all requirements of this section have been met and there is no immediate risk to human health.
 - (b) A monitoring plan, quality control/quality assurance plan, and maintenance and management plan shall be submitted and approved by the director prior to opening a public saltwater specialty swimming pool for use.
 - (c) Monitoring plan guidelines:
 - (1) Public saltwater specialty swimming pool water circulation must be measured to guide the initial selection of sampling locations including but not limited to the range of water residence times

across the entire water column in the public saltwater specialty swimming pool.

- (2) Water clarity shall be monitored at least daily at the time of peak use.
 - (3) Fecal indicator bacteria (*enterococci*) in the water column shall be monitored at least weekly.
 - (4) Fecal indicator bacteria shall be monitored, for example, at multiple stations along spatial gradients at the surface, near the bottom, in the middle of the water column, and near corners and sidewalls. Nearby sites outside the public saltwater specialty swimming pool that are representative of the near-shore coastal environment shall also be monitored for comparative purposes.
 - (5) The pool water exchange rate of at least once every six hours shall be monitored on a daily basis.
- (d) The public shall be informed by a placard that a public saltwater specialty swimming pool is not disinfected. [Eff JUL 15 2002] [Auth: HRS §§321-10, 321-11] [Imp: HRS §321-11]

§11-10-17 Wastewater disposal. (a) Overflow water of a public swimming pool, not including open systems, shall be returned to the filter system:

- (1) Backwash water may be discharged into a sanitary sewer through an approved air gap, or into an approved subsurface disposal system, or separation tank, or by other means approved by the director.
- (b) The disposition of sewage from the bathhouse shall be into a sanitary sewer or a private sewage disposal system that meets the approval of the director.
- (c) If a public swimming pool is drained, the public swimming pool water shall be free of chlorine. [Eff JUL 15 2002] [Auth: HRS §§321-10, 321-11] [Imp: HRS §321-11]

§11-10-18 Public swimming pool cleaning. (a) Visible scum, dirt, silt, or organic matter in the public swimming pool shall be removed within twenty-four hours by flushing or other effective means.

- (b) Surfaces in the locker rooms, bathrooms, and public swimming pool walls, bottom and deck must be easy to clean and scrubbed to remove bacterial films.

(c) All public swimming pool surfaces must be kept free of growth to prevent skin abrasion of swimmers. [Eff JUL 15 2002] [Auth: HRS §§321-10, 321-11] [Imp: HRS §321-11]

§11-10-19 Public swimming pool bathhouses. (a) Dressing and sanitary facilities shall be provided and maintained at every public swimming pool. The requirements relating to bathhouses, dressing rooms, toilet facilities, and showers may be waived for hotels, apartments, condominiums, motels, multiple housing units, and other similar places where the facilities are conveniently available to public swimming pool patrons.

(b) Every bathhouse shall be provided with facilities for each sex with no interconnections between the facilities for male and female. The rooms shall be well-lighted, well-drained, well-ventilated, and of sound construction, with impervious materials.

(c) All partitions between portions of the dressing room areas, screen partitions, shower, toilet, and dressing room booths shall be of durable material not subject to damage by water and shall be designed so that a waterway is provided between the partition and floor to permit thorough cleaning of the walls and floor areas with hoses and brooms.

(d) The floors of the bathhouse shall be free of joints or openings and shall be continuous throughout the area with a slip-resistant surface which shall be relatively smooth to ensure complete cleaning.

(e) Floor drains shall be provided to ensure positive drainage of all parts of the building with an adequate slope in the floor towards the drains.

(f) An adequate number of hose bibbs shall be provided for flushing down the dressing rooms and bathhouse interior.

(g) Not less than one drinking fountain shall be provided to bathers at the public swimming pool or the bathhouse. [Eff JUL 15 2002] [Auth: HRS §§321-10, 321-11] [Imp: HRS §321-11]

§11-10-20 Public swimming pool toilets and showers. Minimum sanitary facilities shall be provided as follows:

(1) The minimum criteria for bathhouse facilities shall be based upon the total capacity of

bathers. Facilities for either sex shall be based upon a ratio of fifty per cent of the total number of bathers being male and fifty per cent being female. Where the public swimming pool is confined to use by one sex only, one hundred per cent of plumbing facility requirements shall be provided for that sex;

- (2) One water closet, one lavatory, and one urinal shall be provided for the first one hundred male bathers. One additional water closet, lavatory, and urinal shall be provided for each additional two hundred male bathers or major fraction thereof. A minimum of two water closets and one lavatory shall be provided in each bathhouse building for the first one hundred females. One additional water closet and lavatory shall be provided for each additional one hundred females or major fraction thereof;
- (3) A minimum of one shower head shall be provided for each fifty persons;
- (4) Soap dispensers, with liquid or powdered soap, shall be provided at each lavatory. Soap holders shall be provided at shower heads and shall be of materials other than glass; and
- (5) Toilet paper dispensed through paper holders shall be provided at each water closet.
[Eff JUL 15 2002][Auth: HRS §§321-10, 321-11][Imp: HRS §321-11]

§11-10-21 Public swimming pool records. (a) The operator shall record, on a daily basis, the following information as it pertains to the particular public swimming pool:

- (1) Water clarity;
- (2) Operating periods of recirculation pumps and filters and corresponding rate of flow meter readings;
- (3) Amounts of chemicals introduced to the pool water;
- (4) Test results of disinfectant residuals;
- (5) Test results of the pool water's pH;
- (6) Water quality monitoring data when required;
- (7) Maintenance (and malfunctioning) of equipment;
- (8) Dates of accidents from fecal or vomitus discharge, and the action taken in response.

(b) Test results of the total alkalinity (tested monthly).

(c) The information required in subsections (a) and (b) shall be kept on file by the operator for a period of twelve months for review by the director.

(d) Water quality monitoring data when required shall be submitted to the department on a quarterly basis. [Eff JUL 15 2002][Auth: HRS §§321-10, 321-11][Imp: HRS §321-11]

§11-10-22 Public swimming pool rules. (a) The operator of a public swimming pool shall enforce the following rules and list them on a placard posted either at the public swimming pool or in the dressing rooms:

- (1) All persons using the public swimming pool shall take a cleansing shower bath before entering the public swimming pool. A bather leaving the public swimming pool to use the toilet shall take a second cleansing shower bath before returning to the public swimming pool;
 - (2) Any person having an infectious or communicable disease shall be excluded from the public swimming pool. Persons having any open blisters, cuts, etc., shall be warned that these are likely to become infected and advised not to use the pool;
 - (3) Spitting, spouting of water, and blowing the nose in the public swimming pool shall be strictly prohibited;
 - (4) Infants and toddlers to prevent contamination of the public swimming pool shall use swim diapers;
 - (5) The public swimming pool shall be immediately closed for cleaning in the event of an accidental fecal or vomitus discharge. All bathers shall be ordered to leave the public swimming pool until such substances are removed. A closed system public swimming pool shall be disinfected before the pool is reopened for use. An open system public swimming pool shall be kept closed until it is determined that the water quality meets the standards set by this chapter; and
 - (6) Pets are not allowed in a public swimming pool.
- (b) The pool operator may reword the above public swimming pool rules in customer friendly language. [Eff][Auth: HRS §§321-10, 321-11][Imp: HRS §321-11]

§11-10-23 Severability. Should any section, paragraph, phrase, or provision of this chapter be declared unconstitutional or invalid for any reason, the remainder or any other application of this chapter shall not be affected. [Eff JUL 15 2002][Auth: HRS §§321-10, 321-11][Imp: HRS §321-11]

§§11-10-24 to 11-10-29 (Reserved)."

DEPARTMENT OF HEALTH

The repeal of Public Health Regulations, chapter 11-13A, and the adoption of chapter 11-10, Hawaii Administrative Rules, on the Summary Page dated JUL 03 2002 were adopted on jul 03 2002, following public hearings held on January 29, 2001 in Hilo, Hawaii; January 30, 2001 in Kona, Hawaii; January 31, 2001 on the island on Oahu; February 1, 2001 on the island of Maui; and February 2, 2001 on the island of Kauai, after a public notice was given in the Midweek on December 18, 2001. Another public hearing was held on April 10, 2002 on the island of Oahu, after public notices were given in the Midweek and The Honolulu Advertiser on February 25, 2002.

The repeal of Public Health Regulations, chapter 11-13A, and the adoption of title 11, chapter 10, Hawaii Administrative Rules, shall take effect ten days after filing with the Office of the Lieutenant Governor.

BRUCE S. ANDERSON, Ph.D., M.P.H.
Director
Department of Health

APPROVED:

BENJAMIN J. CAYETANO
GOVERNOR
STATE OF HAWAII

Date: 7/05/02

APPROVED AS TO FORM:

Deputy Attorney General

Filed: JUL 05 2002