



SMALL BUSINESS REGULATORY REVIEW BOARD

Department of Business, Economic Development & Tourism (DBEDT)
No. 1 Capitol District Building, 250 S. Hotel Street, Fifth Floor, Honolulu, HI 96813
Mailing Address: P.O. Box 2359, Honolulu, HI 96804
Email: dbedt.sbrrb.info@hawaii.gov
Website: sbrrb.hawaii.gov

Tel: 808 798-0737

AGENDA

Thursday, August 18, 2022 ★ 10:00 a.m.
No. 1 Capitol District Building
250 S. Hotel Street, Conference Room 436
Honolulu, HI 96813

David Y. Ige
Governor

Mike McCartney
DBEDT Director

Members

Robert Cundiff
Chairperson
O'ahu

Mary Albitz
Vice Chairperson
Maui

Jonathan Shick
2nd Vice Chairperson
O'ahu

Dr. Nancy Atmospera-
Walch
O'ahu

William Lydgate
Kaua'i

James (Kimo) Lee
Hawai'i

Garth Yamanaka
Hawai'i

Taryn Rodighiero
Kaua'i

Sanford Morioka
O'ahu

Tessa Gomes
O'ahu

Mark Ritchie for
Director, DBEDT
Voting Ex Officio

As authorized under Act 220, Session Laws of Hawaii 2021 and Chapter 92-3.7 Hawaii Revised Statutes (HRS), the public can participate in the meeting either:

A. By attending the in-person meeting at:
No. 1 Capitol District Building, 250 S. Hotel Street
Conference Room 436, Honolulu, HI 96813; or

B. Via Video-audio livestream or via Telephone - to join the Video-audio livestream meeting, go to:

<https://us06web.zoom.us/j/88945374966?pwd=cDhqWEEzZGZHYmJLM05tMHU5Mm5HQ09>

C. To Join via Telephone: Dial 1-669-900-6833 with Meeting ID 883 5814 0200 Passcode 066739

When the Chairperson asks for public testimony during the meeting, you may indicate that you want to provide oral testimony by using the raise hand function or, if calling in by telephone, entering * and 9 on your phone keypad. When recognized by the Chairperson, you will be unmuted. If calling in by phone, you can unmute and mute yourself by pressing * and 6 on your keypad.

Members of the public may also submit written testimony via e-mail to: DBEDT.sbrrb.info@hawaii.gov or mailed to SBRRB, No. 1 Capitol District Building, 250 S. Hotel Street, Room 506A, Honolulu, HI 96813, or P.O. Box 2359, Honolulu, HI 96804. All written testimony should be received no later than 4:30 p.m., Wednesday, April 20, 2022.

Copies of the Board Packet will be available on-line for review at: [Agendas & Minutes – Small Business Regulatory Review Board \(hawaii.gov\)](http://Agendas%20%26%20Minutes%20-%20Small%20Business%20Regulatory%20Review%20Board%20(hawaii.gov)). An electronic draft of the minutes for this meeting will also be made available at the same location when completed.

The Board may go into Executive Session under Section 92-5 (a)(4), HRS to Consult with the Board's Attorney on Questions and Issues Concerning the Board's Powers, Duties, Immunities, Privileges and Liabilities.

- I. Call to Order**
- II. Approval of June 17, 2022 Meeting Minutes**

- III. **Old Business** – After Public Hearing
 - A. Discussion and Action on the Small Business Statement After Public Hearing and Proposed Amendments to Hawaii Administrative Rules (HAR) Title 12 Chapter 43, **Rules of Practice and Procedure Before the Hawaii Labor Relations Board**, promulgated by Hawaii Labor Relations Board, Department of Labor and Industrial Relations
 - B. Discussion and Action on the Small Business Statement After Public Hearing and Proposed New HAR Title 11 Chapter 94.2, **Nursing Facilities**, promulgated by Department of Health (DOH)
 - C. Discussion and Action on the Small Business Statement After Public Hearing and Proposed New HAR Title 11 Chapter 97.1, **Home Health Agencies**, promulgated by DOH
 - D. Discussion and Action on the Small Business Statement After Public Hearing and Proposed New HAR Title 11 Chapter 103.1, **Licensure and Certification Fees for Health Care Facilities and Agencies**, promulgated by DOH
 - E. Re-review and Action on Proposed Amendments to HAR Title 13 Chapter 256, **Ocean Recreation Management Rules and Areas**, promulgated by Department of Land and Natural Resources

- IV. **New Business** – Before Public Hearing
 - A. Discussion and Action on Proposed Amendments to HAR Title 11, Chapter 55, **Water Pollution Control**, as follows, promulgated by DOH
 - a. Appendix A – Standard General Permit Conditions
 - b. Appendix D – NPDES General Permit Authorizing Discharges of Treated Effluent from Leaking Underground Storage Tank Remedial Activities
 - c. Appendix H – NPDES General Permit Authorizing Discharges of Treated Process Wastewater Associated with Petroleum Bulk Stations and Terminals
 - d. Appendix I – NPDES General Permit Authorizing Discharges of Treated Process Wastewater Associated with Well Drilling Activities
 - e. Appendix M – NPDES General Permit Authorizing Point Source Discharges from the Application of Pesticides

- V. **Administrative Matters**
 - A. Update on the Status of the Board’s Proposed Phase II Website Project
 - B. Update on the Board’s Upcoming Advocacy Activities and Programs in accordance with the Board’s Powers under Section 201M-5, Hawaii Administrative Rules

- VI. **Next Meeting:** Thursday, September 15, 2022 at 10:00 a.m., held via Zoom and at 250 S. Hotel Street, Conference Room 436, Honolulu, HI 96813

- IV. **Adjournment**

If you require special assistance or auxiliary aid and/or services to participate in the public hearing process, please call (808) 798-0737 or email dbedt.sbrrb.info@hawaii.gov at least three (3) business days prior to the meeting so arrangements can be made.