



STATE OF HAWAII
DEPARTMENT OF HEALTH
P. O. BOX 3378
HONOLULU, HI 96801-3378

In reply, please refer to:
EMD/CWB

R10F248.FNL.17

April 21, 2017

The Honorable Ford N. Fuchigami
Director of Transportation
Department of Transportation
869 Punchbowl Street
Honolulu, Hawaii 96813

Attention: Mr. Raymond McCormick
Head, Design Section

Dear Mr. Fuchigami:

**Subject: NOTICE OF GENERAL PERMIT COVERAGE (NGPC)
National Pollutant Discharge Elimination System (NPDES)
Kuhio Highway Resurfacing, Kapule Highway to North Leho Drive
Lihue, Island of Kauai, Hawaii
File No. HI R10F248**

This letter is to notify you that the **DEPARTMENT OF TRANSPORTATION, HIGHWAYS DIVISION** (hereinafter PERMITTEE) is now covered under the NPDES General Permit authorizing discharges of storm water associated with construction activities. Coverage under this general permit authorizes you to discharge only storm water to the receiving State waters discharge point(s) from the project location(s) identified in the Notice of Intent (NOI), dated March 13, 2017, **provided that you comply with Hawaii Administrative Rules (HAR) 11-54; HAR 11-55; HAR 11-55, Appendix A; HAR 11-55, Appendix C; and the information submitted in the NOI.** Discharges of non-storm water, toxics, and other water pollutants to State waters are not authorized by this NPDES General Permit. HAR 11-54 and 11-55 are available on the Department of Health (DOH), Clean Water Branch (CWB) website at: <http://health.hawaii.gov/cwb/>.

This NGPC will take effect on the date of this notice. This NGPC will expire at midnight, December 5, 2018, or when amendments to HAR, Chapter 11-55, Appendix C, are adopted, whichever occurs first. Failure to comply with HAR 11-54; HAR 11-55; HAR 11-55, Appendix A; HAR 11-55, Appendix C; and information provided in the NOI is an enforceable violation and your NGPC may be terminated. If you violate Hawaii Revised Statutes (HRS), Chapter 342D, you may be subject to penalties of up to \$25,000 per violation per day and up to two (2) years in jail.

Falsification of information, including providing information in the NOI that does not match what is actually occurring at the project site/facility and failure to prepare the Storm Water Pollution Prevention Plan (SWPPP) prior to NOI submission, may result in criminal penalties for the Permittee and their authorized representative as provided in Clean Water Act, Section 309 and HRS, Section 342D-35.

As a reminder, this general permit requires the Permittee to:

1. Notify DOH of the construction start date within seven (7) calendar days before the start of construction activities.
2. Submit a new NOI with filing fee and obtain a new NGPC for the addition of any staging and/or storage areas not disclosed in the information submitted in the NOI.
3. Complete and submit the Solid Waste Disclosure Form for Construction Sites to the DOH, Solid and Hazardous Waste Branch, Solid Waste Section, as specified on the form at least 30 calendar days before the start of the construction activities. The form can be downloaded at:
<http://health.hawaii.gov/shwb/files/2013/06/swdiscformnov2008.pdf>.
4. Implement the SWPPP in accordance with HAR 11-55, Appendix C. The Director reserves the right to require the Permittee to modify the SWPPP.
5. Submit a new NOI with filing fee and obtain a new NGPC for any revisions to the information submitted in the NOI (with the exception of changes to contact person information for non-transfer of ownerships and changes to the SWPPP). This NGPC cannot be modified.
6. Complete and submit the Notice of Cessation (NOC) within seven (7) calendar days after the end of the month that the subject project was completed.

All NGPC compliance submittals, including the NOC shall be submitted on the CWB Compliance Submittal Form for Individual NPDES Permits and NGPCs. This form shall be completed on the e-Permitting Portal located at:
<https://eha-cloud.doh.hawaii.gov/epermit/>.

The Permittee is responsible for obtaining other Federal, State, or local authorizations as required by law.

Please complete the DOH Customer Satisfaction Survey regarding your request for General Permit coverage. This brief survey is available on the e-Permitting Portal located at: <https://eha-cloud.doh.hawaii.gov/epermit/>. Please use the Application Finder button and search for the "Customer Satisfaction Survey."

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If you have any questions, please contact the Enforcement Section or Mr. Darryl Lum of the Engineering Section, CWB, at (808) 586-4309.

Sincerely,



for

VIRGINIA PRESSLER, M.D.
Director of Health

- c: Mr. Raymond McCormick, DOT-HWYS
[via e-mail raymond.j.mccormick@hawaii.gov only]
Mr. Bernie Vargas, DOT-HWYS [via e-mail bernie.p.vargas@hawaii.gov only]
Mr. Gary Ueunten, CWB, Kauai District Health Office [via e-mail only]