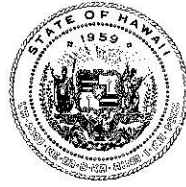


DAVID Y. IGE
GOVERNOR OF HAWAII



ELIZABETH A. CHAR, M.D.
DIRECTOR OF HEALTH

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

In reply, please refer to:
EMD/CWB

R10G867.FNL.22

July 28, 2022

Via e-mail only (Jade.Butay@hawaii.gov)

The Honorable Jade Butay
Director
State of Hawaii
Department of Transportation
Highways Division, Kauai District
1720 Haleukana Street
Lihue, Hawaii 96766

Dear Mr. Butay:

**Subject: NOTICE OF GENERAL PERMIT COVERAGE (NGPC)
National Pollutant Discharge Elimination System (NPDES)
Waimea Canyon Drive / Kokee Road Improvements, Phase 2A
Waimea, Island of Kauai, Hawaii
File No. HIR10G867**

This letter is to notify you that:

**STATE OF HAWAII
DEPARTMENT OF TRANSPORTATION
HIGHWAYS DIVISION, KAUAI DISTRICT**

(Permittee) is now covered under the NPDES General Permit authorizing discharges of storm water associated with construction activities. This only authorizes the Permittee to discharge to certain receiving State waters discharge point(s) from certain project location(s), all as identified in the Notice of Intent (NOI) e-Permitting Submission:

HPJ-EKT1-T2F04
(submitted online on June 24, 2022);

provided that Permittee shall comply with applicable administrative rules¹ and the information submitted in the NOI (Administrative Requirements).

Unauthorized Discharges. Discharges of any pollutants not authorized by or not in accordance with HAR Chapter 11-55, Appendix C, including unauthorized discharges of storm and non-storm water, process and non-process wastewater, toxics, nutrients, and other water pollutants to State waters are prohibited. This NGPC cannot be modified (not including changes to contact information), including additions of discharge point locations.

Term. This NGPC shall take effect on the date of this letter. **This NGPC shall expire at midnight, February 8, 2024**, or when amendments to HAR Chapter 11-55, Appendix C, are adopted, whichever occurs first.

Certain Requirements. As a reminder, this NGPC requires the Permittee, among other things, to do the following.

1. Notify the Department of Health (DOH) of the construction start date within seven (7) calendar days before the start of construction activities.
2. 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 within seven (7) calendar days before the start of the construction activities. The form can be downloaded at:
<https://health.hawaii.gov/shwb/files/2018/04/swdiscformapr2018.pdf>.
3. Implement the Storm Water Pollution Prevention Plan (SWPPP) in accordance with HAR Chapter 11-55, Appendix C. The Director of Health reserves the right to require the Permittee to modify the SWPPP.
4. In the event there are any revisions to the information submitted in the NOI (with the exception of changes to contact person information for non-transfer of ownership and changes to the SWPPP), submit a new NOI with filing fee and obtain a new NGPC.
5. 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.

Compliance Submittals. All NGPC compliance submittals, including the NOC, Notification of Start of Construction or Discharge, Discharge Monitoring Report, and other required information shall be submitted on the CWB Compliance Submittal Form

¹ Hawaii Administrative Rules (HAR) Chapter 11-54; HAR Chapter 11-55; HAR Chapter 11-55, Appendix A; HAR Chapter 11-55, Appendix C. HAR Chapters 11-54 and 11-55 are available on the DOH, Clean Water Branch website at:
<https://health.hawaii.gov/cwb/>.

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>.

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

Failure to Comply. Failure to comply with Administrative Requirements is an enforceable violation and this NGPC may be terminated. Violations may be enforced pursuant to Hawaii Revised Statutes (HRS) Chapter 342D and are punishable by civil and criminal penalties thereunder.

Falsification of Information. Providing information (including in the NOI) that does not accurately describe what is actually occurring at the project site/facility, may result in criminal penalties for the Permittee and their authorized representative as provided in Clean Water Act², Section 309 and HRS § 342D-35.

DOH Survey. 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."

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

Sincerely,

for 
ELIZABETH A. CHAR, M.D.
Director of Health

- c: Mr. Eric Fujikawa, State of Hawaii, Department of Transportation
[via e-mail eric.i.fujikawa@hawaii.gov only]
Mr. Eric Bisch, Wilson Okamoto Corporation
[via e-mail ebisch@wilsonokamoto.com only]
DOH-HEER [via e-mail heernotify@gmail.com only]
CWB Kauai District Health Office

² Federal Water Pollution Control Act, 33 USC § 1251, *et seq.*