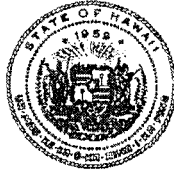


NEIL ABERCROMBIE
GOVERNOR OF HAWAII



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

LINDA ROSEN, M.D., M.P.H.
DIRECTOR OF HEALTH

In reply, please refer to:
EMD/CWB

09027PJF.14

September 24, 2014

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

Attention: Mr. Fred Gutierrez
Project Manager

Dear Mr. Fuchigami:

In accordance with the provisions of the Clean Water Act, Hawaii Revised Statutes, Chapter 342D; and Hawaii Administrative Rules, Chapters 11-54 and 11-55, the Department of Health (DOH), Clean Water Branch (CWB) has reviewed the following application for a National Pollutant Discharge Elimination System (NPDES) permit to discharge storm water run-off associated with construction activity:

<u>Facility</u>	<u>Permit No.</u>
Hana Highway Improvements, Phase 2, Huelo to Hana Island of Maui, Hawaii	HI S000440

The public notice of our proposed action was published in ***The Maui News*** on **Thursday, August 14, 2014**, regarding the above application.

After consideration of the expressed views of all interested persons and agencies, pertinent Federal and State statutes and rules regarding the discharge, the DOH-CWB hereby issues the enclosed NPDES permit for the discharge referred to above. This action does not constitute a significant change from the tentative determination set forth in the public notice.

This permit will take effect on **September 24, 2014**.

The Honorable Ford N. Fuchigami
September 24, 2014
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Please complete the DOH Customer Satisfaction Survey regarding your experience in applying for this permit. 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."

Should you have any questions, please contact Ms. Jamie Tanimoto of the Enforcement Section or Ms. Jiaping Fouse of the Engineering Section, CWB, at (808) 586-4309.

Sincerely,



for LINDA ROSEN, M.D., M.P.H.
Director of Health

Enclosure: NPDES Permit

- c: Water Division (WTR-5), CWA Standards and Permits Office, EPA, Region 9
(w/encl.) [via e-mail sablad.elizabeth@epa.gov only]
- The Honorable Ford N. Fuchigami, DOT
(w/encl.) [via e-mail ford.n.fuchigami@hawaii.gov]
- Mr. Fred Gutierrez, DOT (w/encl.) [via e-mail Fred.C.Gutierrez@hawaii.gov only]
- Mr. Ferdinand Cajigal, DOT (w/encl.) [via e-mail Ferdinand.Cajigal@hawaii.gov only]
- Mr. Brian Lock, Wilson Okamoto, Inc.
(w/encl.) [via e-mail balock@wilsonokamoto.com only]
- Mr. Roland Asakura, CWB, Maui District Health Office (w/encl.) [via e-mail only]

PERMIT NO. HI S000440

**AUTHORIZATION TO DISCHARGE UNDER THE
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM**

In compliance with the provisions of the Clean Water Act, as amended, (33 U.S.C. §1251 et seq.; the "Act"); Hawaii Revised Statutes, Chapter 342D; and Hawaii Administrative Rules (HAR), Chapters 11-54 and 11-55, Department of Health (DOH), State of Hawaii;

**STATE OF HAWAII
DEPARTMENT OF TRANSPORTATION (DOT)
HIGHWAYS DIVISION (HWYS)**

(hereinafter PERMITTEE),

is authorized to discharge storm water associated with construction activities from the Hana Highway Improvements, Phase 2, Huelo to Hana Project site located at Hana Highway, Huelo to Hana, Mile Post 8.1 to Mile Post 21.5, Island of Maui, TMKs: (2) 1-1-001:002; 007 and 008; and (2) 1-2-001, to the following receiving waters, at the following discharge point coordinates:

Discharge Point No.	Receiving Waters Name	Receiving Waters Classification	Latitude (N)	Longitude (W)
1 (From)	Oopuola Stream	Class 2, Inland	20.87818°	156.20014°
1 (To)	Oopuola Stream	Class 2, Inland	20.87912°	156.19980°
2 (From)	Haipuaena Stream	Class 2, Inland	20.86883°	156.17637°
2 (To)	Haipuaena Stream	Class 2, Inland	20.86815°	156.17568°
3 (From)	Honomanu Bay	Class AA, Marine	20.86510°	156.16751°
3 (To)	Honomanu Bay	Class AA, Marine	20.86422°	156.16691°
4 (From)	Pacific Ocean	Class AA, Marine	20.86281°	156.16178°
4 (To)	Pacific Ocean	Class AA, Marine	20.86161°	156.15936°
5 (From)	Nuaailua Stream	Class 2, Inland	20.85623°	156.15744°
5 (To)	Nuaailua Stream	Class 2, Inland	20.85845°	156.15566°
6 (From)	Nuaailua Bay	Class AA, Marine	20.85972°	156.15257°
6 (To)	Nuaailua Bay	Class AA, Marine	20.86011°	156.15176°
7 (From)	Ohia Stream	Class 2, Inland	20.85151°	156.14133°
7 (To)	Ohia Stream	Class 2, Inland	20.85231°	156.14071°
8 (From)	Wailuanui Bay	Class AA, Marine	20.84458°	156.12710°
8 (To)	Wailuanui Bay	Class AA, Marine	20.84267°	156.12767°
9	East Wailuaiki Stream	Class 2, Inland	20.82023°	156.13501°

**FINAL PERMIT
September 24, 2014**

in accordance with the general requirements, discharge monitoring requirements and other conditions set forth herein, and in the attached DOH "Standard NPDES Permit Conditions," that is available on the DOH, Clean Water Branch (CWB) website at: <http://health.hawaii.gov/cwb/site-map/home/standard-npdes-permit-conditions/>.

All references to Title 40 of the Code of Federal Regulations (CFR) are to regulations that are in effect on July 1, 2013, except as otherwise specified. Unless otherwise specified herein, all terms are defined as provided in the applicable regulations in Title 40 of the CFR.

This permit will become effective on **September 24, 2014**.

This permit and the authorization to discharge will expire at midnight, **September 23, 2019**.

Signed this 24th day of September, 2014.



(For) Director of Health

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ATTACHMENT:
STANDARD NPDES PERMIT CONDITIONS (VERSION 14)

A. GENERAL REQUIREMENTS

The Permittee shall:

1. Comply with all materials submitted in and with the Application, dated May 30, 2014.
2. Retain a copy of the Application, including other related materials, and this permit at the job site or at a nearby field office.
3. Design, operate, implement, and maintain the project Site-Specific Best Management Practices (BMPs) Plan to ensure that storm water discharges associated with construction activities will not cause or contribute to a violation of applicable State Water Quality Standards.
4. Implement the project Site-Specific BMPs Plan as often as needed to improve the quality of storm water discharges or when instructed by the Director of Health (Director).
5. Not cause or contribute to a violation of the basic water quality criteria as specified in HAR, Chapter 11-54, Section 11-54-4.
6. Inspect, at a minimum of once per week, the receiving state waters, storm water runoff and control measures and BMPs to detect violations of and conditions which may cause or contribute to a violation of the basic water quality criteria as specified in HAR, Chapter 11-54, Section 11-54-4 (e.g., the Permittee shall look at storm water discharges and receiving state waters for turbidity, color, floating oil and grease, floating debris and scum, materials that will settle, substances that will produce taste in the water or detectable off-flavor in fish, and inspect for items that may be toxic or harmful to human or other life).
7. Immediately stop, reduce, or modify construction, or implement new or revised BMPs as needed to stop or prevent a violation of the basic water quality criteria as specified in HAR, Chapter 11-54, Section 11-54-4.

8. Review the effectiveness and adequacy of the implemented Site-Specific BMPs Plan(s) and Erosion and Sediment Control (ESC) Plan(s) at a minimum of once per week, and update the plan as often as necessary. Any change(s) to the Site-Specific BMPs Plans and/or ESC Plans or correction(s) to information already on file with the CWB shall be maintained onsite and be available upon request.
9. Know that Mr. Ferdinand Cajigal of Maui District, DOT-HWYS is recognized as the duly authorized representative to submit information/documents for compliance with the NPDES conditions, except submittal of the Notice of Cessation (NOC). A new authorized representative may be appointed in accordance with Part B.7.

B. REPORTING REQUIREMENTS

The Permittee shall:

1. Submit the General Contractor Information in accordance with Part B.7. for review and comment **at least 30 calendar days before the start of construction activities.**

All questions/concerns that the DOH may have must be answered to the satisfaction of the CWB.

2. Notify the Director of the construction start date in accordance with Part B.7. within seven (7) calendar days before the start of construction activities.
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, unless already submitted under the previously issued NPDES permit. The form can be downloaded at:
<http://health.hawaii.gov/shwb/files/2013/06/swdiscformnov2008.pdf>.
4. Submit any changes to information on CWB-Individual NPDES Form in accordance with Part B.7. as soon as changes arise. The Permittee shall properly address all related concerns and/or comments to the CWB's satisfaction.
5. Immediately notify the Director of all incidences of non-compliance and identify the pollutant(s) source(s) and the proposed and implemented control or mitigative measures as required in Section 16 of the "Standard NPDES Permit Conditions."
6. Submit the NOC in accordance with Part B.7. within 14 calendar days of completion of the subject project.

7. All reports, notifications, and updates to information on file shall be submitted through the CWB Compliance Submittal Form for Individual NPDES Permits and NGPCs. This form is accessible through the e-Permitting Portal website at: <https://eha-cloud.doh.hawaii.gov/epermit/View/home.aspx>. You will be asked to do a one-time registration to obtain your login and password. After you register, click on the Application Finder tool to locate the form. Follow the instructions to complete and submit this form. All submissions shall include a CD or DVD containing the downloaded e-Permitting submission and a completed Transmittal Requirements and Certification Statement for e-Permitting NPDES/NGPC Compliance Submissions Form, with original signature and date.
8. Include the following certification statement, NPDES permit number, and original signature on each submittal in accordance with HAR, Chapter 11-55, Section 11-55-07(b). Failure to provide this information on future correspondence or submittals may be a basis for delay of the processing of the document(s).

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine or imprisonment for knowing violations."

9. The Permittee shall develop and submit a facility-specific waste load allocation (WLA) implementation and monitoring plan to the Director when a Total Maximum Daily Load, which specifies WLAs applicable to the Permittee's discharge, is approved by the EPA within one (1) year of notification of the approval date.

C. BEST MANAGEMENT PRACTICES (BMPs)

1. The Permittee shall:
 - a. Refrain from performing any work during heavy rainstorms.
 - b. Prevent loose particles, sand, soil, silt, and other construction debris at the project site from being washed away by storm water runoff to drainage systems and to State waters.
 - c. Remove excavated/waste materials as soon as possible or at the end of each work day. The materials shall be disposed of to a State and/or County-approved landfill site.
 - d. Not discharge water used for dust control to State waters.
 - e. Not discharge water used for irrigation to State waters.
 - f. Not discharge hydrotesting effluent to State waters without an appropriate NPDES permit.
 - g. Not discharge dewatering effluent to State waters without an appropriate NPDES permit.
 - h. Not stockpile unprotected materials on-site without implementing the appropriate BMPs for the stockpile(s).
 - i. Wash-down vehicles and/or equipment and concrete truck drums only at designated areas and not discharge the wash waters to State waters. The concrete wash water shall not be allowed to infiltrate into the ground.
 - j. Assure that the implemented BMPs are effective and the discharge effluent is in compliance with the basic State Water Quality Standards.
2. The following special conditions apply to all land disturbance work conducted under this permit:
 - a. Construction Management Techniques
 - (1) Clearing and grubbing shall be held to the minimum necessary for grading and equipment operation.

- (2) Construction shall be sequenced to minimize the exposure time of the cleared surface area.
- (3) Construction shall be staged or phased for large projects. Areas of one (1) phase shall be stabilized before another phase is initiated. Stabilization shall be accomplished by temporarily or permanently protecting the disturbed soil surface from rainfall impacts and runoff.
- (4) Erosion and Sediment Control Measures shall be in place and functional before earth moving operations begin. These measures shall be properly constructed and maintained throughout the construction period.
- (5) All control measures shall be checked and repaired as necessary, for example, weekly in dry periods and within 24 hours after any rainfall of 0.5 inches or greater within a 24-hour period. During prolonged rainfall, daily checking is necessary. The Permittee shall maintain records of checks and repairs.
- (6) The Permittee shall maintain records of the duration and estimated volume of storm water discharge(s).
- (7) A specific individual shall be designated to be responsible for erosion and sediment controls on each project site.

b. Vegetation Controls

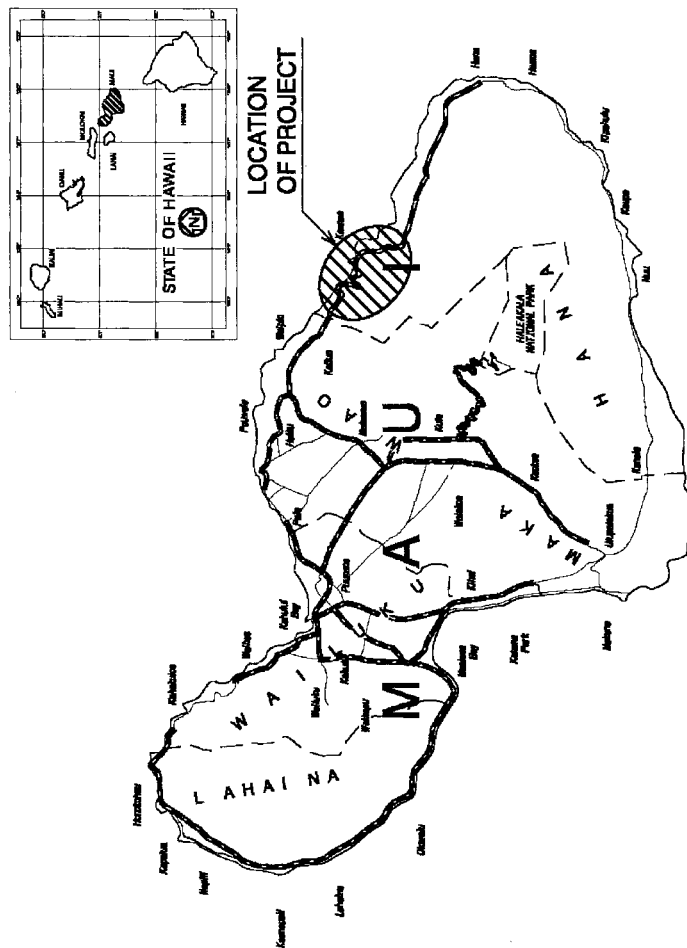
- (1) Pre-construction vegetative ground cover shall not be destroyed, removed, or disturbed more than 20 calendar days prior to land disturbance.
- (2) Temporary soil stabilization with appropriate vegetation shall be applied on areas that will remain unfinished for more than 30 calendar days.
- (3) Permanent soil stabilization with perennial vegetation or pavement shall be applied as soon as practical after final grading. Irrigation and maintenance of the perennial vegetation shall be provided for 30 calendar days or until the vegetation takes root, whichever is shorter.

c. **Structural Controls**

- (1) Storm water flowing toward the construction area shall be diverted by using appropriate control measures, as practical.
- (2) Erosion Control Measures shall be designed according to the size of disturbed or drainage areas to detain runoff and trap sediment.
- (3) Water must be discharged in a manner that the discharge shall not cause or contribute to a violation of the basic water quality criteria as specified in HAR, Chapter 11-54, Section 11-54-4.

S000440.FNL.14

D. MAPS



NOT TO SCALE

FIGURE

HANA HIGHWAY IMPROVEMENTS, PHASE 2A