

NEIL ABERCROMBIE
GOVERNOR OF HAWAII



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

LORETTA J. FUDDY, A.C.S.W., M.P.H.
DIRECTOR OF HEALTH

In reply, please refer to:
EMD/CWB

R10D937.FNL.12

March 20, 2012

The Honorable Glenn M. Okimoto, Ph.D.
Director
Department of Transportation
Highways Division
869 Punchbowl Street
Honolulu, Hawaii 96813-5097

Attention: Ms. Li Nah Okita
Engineer

Dear Dr. Okimoto:

**Subject: NOTICE OF GENERAL PERMIT COVERAGE (NGPC)
National Pollutant Discharge Elimination System (NPDES)
Waiehu Beach Road, Rehabilitation of Iao Stream Bridge
Wailuku, Island of Maui, Hawaii
File No. HI R10D937**

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 activity from the subject project located along Waiehu Beach Road, Kuhio to Nukuwai Place, Island of Maui, Hawaii, TMK: (2) 3-4-030, to the receiving State waters identified as the Pacific Ocean, a Class A, Marine water and Iao Stream, a Class 2, Inland Water at the discharge point coordinates identified in the table below:

Discharge Point No.	Receiving Water	Latitude (N)	Longitude (W)
1	Pacific Ocean	20°54'36"	156°29'17"
2	Iao Stream	20°54'24"	156°29'17"

Discharge Point No.	Receiving Water	Latitude (N)	Longitude (W)
3	lao Stream	20°54'29"	156°29'10"
4 (from)	lao Stream	20°54'24"	156°29'21"
4 (to)	lao Stream	20°54'25"	156°29'19"
5 (from)	lao Stream	20°54'23"	156°29'20"
5 (to)	lao Stream	20°54'24"	156°29'19"

This NGPC will take effect on the date of this notice. This NGPC will expire at midnight, October 21, 2012, or when amendments to HAR, Chapter 11-55, Appendix C, are adopted, whichever occurs first. Any non-compliance with the conditions of this NGPC may be subject to penalties of up to \$25,000 per violation per day.

The Permittee shall:

1. Submit the general contractor information in accordance with the CWB NOI General Form and CWB Site-Specific Construction Best Management Practice (SSCBMP) Plan, and any additional information identified in the Notice of Intent (NOI) and SSCBMP to be provided by the contractor to the Clean Water Branch (CWB) on a CD or DVD in pdf format for review and comment **at least 30 calendar days prior to 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 Health of the construction start date by e-mail at cleanwaterbranch@doh.hawaii.gov or fax at (808) 586-4352 within seven (7) calendar days before the start of construction activities. All communication, including but not limited to the e-mail and fax, with the CWB shall include the **File No. HI R10D937** and the certification statement below. The notification will only be accepted from the person qualified in accordance with HAR, Chapter 11-55, Section 11-55-34.08(f).
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://www.hawaii.gov/health/environmental/waste/sw/pdf/swdiscformnov2008.pdf>.
4. Implement, operate, 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.

5. 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 corrections to the information already on file with the CWB shall be maintained onsite and be available upon request. Any change(s) to the information on the CWB NOI General Form shall be submitted to the CWB within seven (7) calendar days of the change(s).
6. Retain a copy of this NGPC and all other related materials at the job site or nearby field office.
7. Comply with HAR, Sections 11-55-34.04(a), 11-55-34.07, 11-55-34.11, and 11-55-34.12 (enclosed) and any other applicable Sections of HAR, Chapter 11-55; HAR, Chapter 11-55, Appendix A, DOH, Standard General Permit Conditions (enclosed); HAR, Chapter 11-55, Appendix C, NPDES General Permit Authorizing Discharges of Storm Water Associated with Construction Activities (enclosed); and all materials submitted in and with the NOI, dated June 23, 2011, and the revised NOI, dated October 4, 2011.
8. Complete and submit the Notice of Cessation (NOC) Form (CWB-NOC Form) to the CWB within two (2) weeks of completion of the subject project. The CWB-NOC Form can be downloaded from our website at:
<http://www.hawaii.gov/health/environmental/water/cleanwater/forms/pdf/cwb-noc.pdf>.
9. Know that as of the date of this letter, Mr. Alvin Takeshita of the DOT-HWYS is no longer recognized as the duly authorized representative. Mr. Ferdinand Cajigal of the DOT-HWYS, shall submit all information/documents for compliance with the NGPC conditions except submittal of the CWB-NOC Form. A new authorized representative may be appointed by updating the CWB NOI General Form (Item No. 6.c. – Authorized Representative Information); submitting a hard copy of CWB NOI General Form (Item No. 7. – Certification) with an original signature and date; and submitting the CWB NOI General Form (with the revisions to Item Nos. 6.c. and 7.) on a CD/DVD in pdf format.
10. For future submittals include the **File No. HI R10D937** and the following certification statement in your cover letter:

“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 and imprisonment for knowing violations."

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

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

Sincerely,



for LORETTA J. FUDDY, A.C.S.W., M.P.H.
Director of Health

RM:ml

- Enclosures:
1. HAR, Sections 11-55-01 and 11-55-34 to 11-55-34.12
 2. HAR, Chapter 11-55, Appendices A and C
 3. Title 40, Code of Federal Regulations Citations as referenced in HAR, Chapter 11-55, Water Pollution Control, Appendix A
 4. Hawaii DOH Customer Satisfaction Survey

- c: Ms. Li Nah Okita, DOT-HWYS
(w/o encls.) [via e-mail Li.Nah.Okita@hawaii.gov]
Mr. Alvin Takeshita, DOT-HWYS
(w/o encls.) [via e-mail alvin.takeshita@hawaii.gov]
Mr. Richard Harada, Wilson Okamoto Corporation (WOC)
(w/ Receipt No. 05285 for \$500 filing fee)
Mr. Brandon Maeda, WOC (w/o encls.) [via e-mail bmaeda@wilsonokamoto.com only]
Mr. Ferdinand Cajigal, DOT-HWYS
(w/o encl.) [via e-mail Ferdinand.cajigal@hawaii.gov only]
Mr. Kelly Sato, DOT-HWYS (w/o encls.) [via email Kelly.sato@hawaii.gov only]
Mr. Robert Shin, DOT-HWYS (w/o encls.) [via e-mail robert.shin@hawaii.gov only]
Ms. Larissa Sato, PB Americas (w/o encls.) [via e-mail [r](#) only]
Mr. Roland Asakura, CWB, Maui District Health Office (w/o encls.) [via e-mail only]