



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

In reply, please refer to:
EMD/CWB

R10G266.FNL.21

January 7, 2021

The Honorable Jade T. Butay
Director
State of Hawaii
Department of Transportation
Highways Division
869 Punchbowl Street
Honolulu, Hawaii

Dear Mr. Butay:

**Subject: NOTICE OF GENERAL PERMIT COVERAGE (NGPC)
National Pollutant Discharge Elimination System (NPDES)
H-2 Guardrail and Shoulder Improvements, Phase 2
Island of Oahu, Hawaii
File No. HIR10G266**

This letter is to notify you that the **STATE OF HAWAII, DEPARTMENT OF TRANSPORTATION, HIGHWAYS DIVISION** (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 storm water to certain receiving State waters discharge point(s) from certain project location(s), all as identified in the Notice of Intent (NOI) dated December 6, 2020 (received December 10, 2020); **provided that Permittee shall comply with applicable administrative rules¹ and the information submitted in the NOI (Administrative Requirements).**

Discharges of non-storm water, toxics, and other water pollutants to State waters are not authorized by this NPDES General Permit. This NGPC cannot be modified.

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.

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: <http://health.hawaii.gov/cwb/>.

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.

All NGPC compliance submittals, including the NOC and Notification of Start of Construction 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 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, including providing information in the NOI that does not accurately describe what is actually occurring at the project site/facility, and failure to prepare the SWPPP prior to NOI submission, 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

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

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

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