

DAVID Y. IGE
GOVERNOR OF HAWAII



VIRGINIA PRESSLER, M.D.
DIRECTOR OF HEALTH

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

In reply, please refer to:
File:

April 16, 2018

Yoichi Ebisu
Owner
Y. Ebisu and Associates
1126 12th Avenue, Room 305
Honolulu, Hawaii 96816

Dear Mr. Ebisu:

Enclosed is the VARIANCE (Docket No. 17-NR-VN-61) for Community Noise Control which was granted on April 13, 2018. The Decision and Order specifies the conditions and restrictions that are applicable to your project.

Non-compliance with the conditions and restrictions of the Decision and Order may bring about additional restrictions or possible suspension of the variance. Should you have any questions relative to the variance, please do not hesitate to contact me at (808) 586-4700 or at james.toma@doh.hawaii.gov.

Sincerely,

A handwritten signature in blue ink that reads "James E. Toma".

James E. Toma
Noise Section Supervisor
Indoor and Radiological Health Branch

STATE OF HAWAII
DEPARTMENT OF HEALTH

In the Matter of the Application)	
For Variance for:)	
)	
Y. EBISU AND ASSOCIATES)	
Noise – Raceway & Cable Installation)	
along the H-1 Freeway between the)	Docket No. 17-NR-VN-61
Pali Highway and the Kinau Off-Ramp,)	V-1012
Honolulu, Oahu.)	
_____)	

DECISION AND ORDER

Pursuant to Chapter 342F, Hawaii Revised Statutes (H.R.S.), and Chapter 11-46, Hawaii Administrative Rules (H.A.R.), Community Noise Control; and based upon the application and review by the Indoor and Radiological Health Branch, the variance request from the provisions of Section 11-46-6(a), H.A.R., is hereby GRANTED with the following restrictions and conditions:

1. The variance shall be granted to install electrical and fiber optic communication raceways and cables along the H-1 Freeway (from the Pali Highway to the Kinau Street Off-Ramp), Honolulu, Oahu.
2. The variance shall be granted from January 1, 2019 until May 31, 2022 (including holidays).
3. The variance shall be granted for the following days/times:

Sunday	2:00 p.m. to 8:00 p.m.
Monday	7:00 p.m. to midnight.
Tuesday to Thursday	midnight to 4:00 a.m. and 8:00 p.m. to midnight
Friday	midnight to 4:00 a.m.
4. The variance shall be granted with the following restriction:

The use of the directional drilling rig, jackhammer, and concrete drills shall be prohibited after midnight within 500 feet of residences.
5. The applicant shall notify the Indoor and Radiological Health Branch as to the date and time of any variance hour activity as soon as the dates are confirmed, and when the project is completed.

6. Residents and businesses that may be impacted by the activity shall be given sufficient notice regarding the project. The notification for the planned nighttime activity shall contain the name and telephone number of the job-site inspector. In addition, a copy of any notifications, as well as progress reports shall be sent to the Indoor and Radiological Health Branch.
7. The applicant shall make every effort to minimize noise emanating from the project.
8. The use of reverse signal alarms shall be prohibited from 8:00 p.m. to 7:00 a.m. Alternative methods such as utilizing a ground guide for signaling shall be employed.
9. Traffic noise from heavy vehicles travelling to and from the project site shall be minimized near residences.
10. The applicant shall have a job-site inspector to whom immediate complaints can be forwarded for prompt response, and who shall have the general responsibility of monitoring quiet work procedures.
11. If the noise level is such that numerous complaints are received by the Department, the applicant shall cease operations upon receipt of an order and complete the project during hours on weekdays and weekends as directed.
12. Pursuant to Section 342F-5(d)(3), H.R.S., the applicant shall be required to perform noise sampling during the variance hours and report the results of such sampling to the Indoor and Radiological Health Branch.
13. Should the duration of the project continue beyond the expiration date, the applicant shall submit a request for extension along with an updated work schedule prior to May 31, 2022.

DATED: Honolulu, Hawaii, APR 13 2018.



LYNN M. NAKASONE
Environmental Health Program Administrator
Environmental Health Services Division