

**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;

**DEPARTMENT OF TRANSPORTATION  
HIGHWAYS DIVISION (DOT-HWYS)**

(hereinafter PERMITTEE),

is authorized to discharge storm water associated with construction activities from the Kaneohe Bay Drive Rehabilitation – Kamehameha Highway to Nanamoana Street project site located on Kaneohe Bay Drive – Kamehameha Highway to Nanamoana Street, Kaneohe, Island of Oahu, Hawaii, TMKs: (1) 4-4-014, 018, 019 , & 036, and (1) 4-5-029, 030, 032, 034, 046, 048, 049, 051, 060, 084, 100, 101, & 104 to the receiving State waters identified in the table below:

Discharge Point No.	Receiving State Water	Classification	Latitude (N)	Longitude (W)
1	Kawa Stream	2, Inland Waters	21°24'21"	157°47'27"
2	Kawa Stream	2, Inland Waters	21°24'21"	157°47'27"
3 (From)	Kawa Stream	2, Inland Waters	21°24'21"	157°47'27"
3 (To)	Kawa Stream	2, Inland Waters	21°24'28"	157°47'12"
4 (From)	Kawa Stream	2, Inland Waters	21°24'21"	157°47'27"
4 (To)	Kawa Stream	2, Inland Waters	21°24'21"	157°47'25"
5	Kawa Stream	2, Inland Waters	21°24'28"	157°47'17"
6	Kawa Stream	2, Inland Waters	21°24'28"	157°47'12"
7	Kawa Stream	2, Inland Waters	21°24'28"	157°47'12"
8	Kawa Stream	2, Inland Waters	21°24'32"	157°47'03"
9 (From)	Kawa Stream	2, Inland Waters	21°24'32"	157°47'03"
9 (To)	Kawa Stream	2, Inland Waters	21°24'38"	157°46'52"
10 (From)	Kaneohe Bay	AA, Marine Waters, Embayment	21°24'40"	157°46'50"
10 (To)	Kaneohe Bay	AA, Marine Waters, Embayment	21°24'42"	157°46'48"
11	Kaneohe Bay	AA, Marine Waters, Embayment	21°24'42"	157°46'47"
12	Kaneohe Bay	AA, Marine Waters, Embayment	21°24'42"	157°46'38"
13	Kaneohe Bay	AA, Marine Waters, Embayment	21°24'45"	157°46'32"
14	Kaneohe Bay	AA, Marine Waters, Embayment	21°24'42"	157°46'18"
15	Kawa Stream	2, Inland Waters	21°24'28"	157°47'12"

**FINAL PERMIT  
November 16, 2011**

in accordance with the general requirements, discharge monitoring requirements and other conditions set forth herein, and in the attached DOH "Standard NPDES Permit Conditions," dated December 30, 2005, that is available on the DOH, Clean Water Branch (CWB) website at <http://www.hawaii.gov/health/environmental/water/cleanwater/index.html>

All references to Title 40 of the Code of Federal Regulations (CFR) are to regulations that are in effect on July 1, 2006, 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 **December 16, 2011**.

This permit and the authorization to discharge will expire at midnight, **November 15, 2016**.

Signed this 16<sup>th</sup> day of November, 2011.

  
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(For) Director of Health

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ATTACHMENT:  
STANDARD NPDES PERMIT CONDITIONS (Updated as of December 30, 2005)

**A. GENERAL REQUIREMENTS**

The Permittee shall:

1. Comply with all materials submitted in and with the application, dated March 21, 2011, and additional information, dated July 8, 2011 (received on July 19, 2011) and August 9, 2011.
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 changes(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 as of the date of this letter, Mr. Edwin H. Sniffen or the Administrator of the DOT-HWYS is no longer recognized as the duly authorized representative. Mr. Pratt Kinimaka or the Engineering Program Manager of the DOT-HWYS is recognized as the duly authorized representative to submit information/documents for compliance with the NPDES permit conditions, except submittal of the CWB-NOC Form. A new authorized representative may be appointed by submitting a hard copy of the information on CWB-Individual NPDES Form C: Item No. 16.c. or 16.d. – Authorization of Representative and a completed CWB-NPDES Signatory and Certification Statement form, signed by Dr. Okimoto or the Director of the DOT.

**B. REPORTING REQUIREMENTS**

The Permittee shall:

1. Submit the following information in accordance with the CWB-Individual NPDES Form C (Rev. 9/30/2004) to the CWB 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.

- a. The General Contractor Information (Item No. 3 of the CWB-Individual NPDES Form C).
- b. The Site-Specific Construction BMPs Plan (Item No. 13.c. of the CWB-Individual NPDES Form C). At a minimum, the Site-Specific Construction BMPs Plan shall include a drawing showing the location of all BMPs; details with dimensions of all BMPs; appropriate BMPs for the work by Kawa Stream; and the information below.
  - i. The non-storm water handling methods and disposal locations [Item No. 7 of the CWB-Individual NPDES Form C].
  - ii. The construction baseyard and/or staging area [Item No. 13.a.ii(3) of the CWB-Individual NPDES Form C].
  - iii. Construction Plan(s)/detail(s) for the practices to be implemented for the construction areas and activities identified under CWB-Individual NPDES Form C: Items Nos. 13.a.ii.(7) and 13.a.ii.(9).
2. Notify the Director of the construction start date by e-mail at [cleanwaterbranch@doh.hawaii.gov](mailto: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 indicate Permit No. HI S000176 and the certification statement below in Part B.8 of this permit. 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 construction activities. The form can be downloaded at:  
<http://www.hawaii.gov/health/environmental/waste/sw/pdf/swdiscformnov2008.pdf>.
4. Submit any changes to information on Item Nos. 1, 3, 4, 5, or 16 of the CWB-Individual NPDES Form C to the CWB 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 noncompliance 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," dated December 30, 2005.
6. Complete and submit the CWB-NOC Form to the CWB within two (2) weeks of completion of the subject project. The CWB-NOC Form can be downloaded at:  
<http://www.hawaii.gov/health/environmental/water/cleanwater/forms/pdf/cwb-noc.pdf>.
7. Submit signed copies of all reports required by this permit to the Director at the following address or as otherwise specified:  
  
Director of Health  
Clean Water Branch  
Environmental Management Division  
Department of Health  
919 Ala Moana Boulevard, Room 301  
Honolulu, HI 96814-4920
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 (TMDL), 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 the excavated material as soon as possible or at the end of each work day. The excavated material shall be disposed in 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.
  - g. Not discharge dewatering effluent to State waters.
  - 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.**

**S000176.FNL.11**



Map 2 - Outfall Map

