

NEIL ABERCROMBIE  
GOVERNOR OF HAWAII



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

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

In reply, please refer to:  
EMD/CWB

R10E207.FNL.12

September 20, 2012

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

Attention: Mr. Curtis Matsuda  
Hydraulic Design Engineer

Dear Dr. Okimoto:

**Subject: NOTICE OF GENERAL PERMIT COVERAGE (NGPC)  
National Pollutant Discharge Elimination System (NPDES)  
Kalaniana'ole Highway Resurfacing,  
West Hind Drive to Vicinity of Hanauma Bay Road  
Honolulu, Island of Oahu, Hawaii  
File No. HI R10E207**

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 at Kalaniana'ole Highway, West Hind Drive to Vicinity of Hanauma Bay Road, Honolulu, Island of Oahu, Hawaii, to the receiving State Waters, at the following discharge points:

| Discharge Point | Receiving State Waters | Classification        | Latitude (N) | Longitude (W) |
|-----------------|------------------------|-----------------------|--------------|---------------|
| 1               | Maunalua Bay           | Class A, Marine Water | 21°16'34"    | 157°45'16"    |
| 2               | Maunalua Bay           | Class A, Marine Water | 21°16'36"    | 157°45'08"    |
| 3               | Wailupe Stream         | Class 2, Inland Water | 21°16'42"    | 157°45'03"    |
| 4               | Maunalua Bay           | Class A, Marine Water | 21°16'41"    | 157°44'39"    |
| 5               | Maunalua Bay           | Class A, Marine Water | 21°16'44"    | 157°44'39"    |
| 6               | Maunalua Bay           | Class A, Marine Water | 21°16'47"    | 157°44'34"    |
| 7               | Niu Stream             | Class 2, Inland Water | 21°16'50"    | 157°44'17"    |
| 8               | Niu Stream             | Class 2, Inland Water | 21°16'53"    | 157°44'15"    |
| 9               | Maunalua Bay           | Class A, Marine Water | 21°16'52"    | 157°47'00"    |
| 10              | Kuliouou Stream        | Class 2, Inland Water | 21°17'10"    | 157°43'18"    |
| 11              | Kuapa Pond             | Class A, Marine Water | 21°17'07"    | 157°43'07"    |
| 12              | Kuapa Pond             | Class A, Marine Water | 21°17'06"    | 157°43'04"    |
| 13              | Kuapa Pond             | Class A, Marine Water | 21°17'09"    | 157°42'59"    |
| 14              | Kuapa Pond             | Class A, Marine Water | 21°16'54"    | 157°42'42"    |
| 15              | Maunalua Bay           | Class A, Marine Water | 21°16'56"    | 157°42'51"    |
| 16              | Maunalua Bay           | Class A, Marine Water | 21°16'52"    | 157°42'44"    |
| 17              | Kuapa Pond             | Class A, Marine Water | 21°16'53"    | 157°42'40"    |
| 18              | Kuapa Pond             | Class A, Marine Water | 21°16'41"    | 157°42'21"    |
| 19              | Maunalua Bay           | Class A, Marine Water | 21°16'38"    | 157°42'34"    |
| 20              | Niu Stream             | Class 2, Inland Water | 21°16'52"    | 157°44'17"    |
| 21              | Kuliouou Stream        | Class 2, Inland Water | 21°17'10"    | 157°43'18"    |
| 22              | Kuapa Pond             | Class A, Marine Water | 21°17'07"    | 157°43'07"    |
| 23              | Kuapa Pond             | Class A, Marine Water | 21°17'06"    | 157°43'06"    |

**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 (CWB NOI General Form: Item No. 3.) in accordance with the CWB NOI General Form to the 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](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 include the **File No. HI R10E207** 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 Notice of Intent (NOI), dated August 8, 2012.
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 NGPC, Mr. Alvin Takeshita or the Administrator, DOT-HWYS is no longer recognized as the duly authorized representative. Mr. Pratt Kinimaka, or the Oahu District Engineer, DOT-HWYS is recognized as the duly authorized representative to 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 R10E207** 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 Ms. Jamie Tanimoto of the Enforcement Section or Ms. Jiaping Fouse of the Engineering Section, CWB, at 586-4309.

Sincerely,



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

- 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: The Honorable Glenn M. Okimoto, Ph.D., DOT-HWYS  
(w/o encls.) [via e-mail [Glenn.Okimoto@hawaii.gov](mailto:Glenn.Okimoto@hawaii.gov)]  
Mr. Curtis Matsuda, DOT-HWYS  
(w/o encls.) [via e-mail [curtis.matsuda@hawaii.gov](mailto:curtis.matsuda@hawaii.gov) only]  
Mr. Alvin Takeshita, DOT-HWYS  
(w/o encls.) [via e-mail [alvin.takeshita@hawaii.gov](mailto:alvin.takeshita@hawaii.gov) only]  
Mr. Pratt Kinimaka, DOT-HWYS  
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Mr. Kelly Sato, DOT-HWYS (w/o encls.) [via e-mail [Kelly.sato@hawaii.gov](mailto:Kelly.sato@hawaii.gov) only]  
Mr. Robert Shin, DOT-HWYS (w/o encls.) [via e-mail [robert.shin@hawaii.gov](mailto:robert.shin@hawaii.gov) only]  
Ms. Larissa Sato, PB Americas (w/o encls.) [via e-mail [sato@pbworld.com](mailto:sato@pbworld.com) only]