

**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;

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

(hereinafter PERMITTEE),

is authorized to discharge storm water associated with construction activities from the Kamehameha Highway Rehabilitation, Vicinity of Kapuhi Street to Dairy Road project site located at Kamehameha Highway, vicinity of Kapuhi Street to Dairy Road, Koolauloa, Island of Oahu, Hawaii (see Application dated June 13, 2017 for specific location), TMKs:

(1) 5-008-001, (1) 5-008-003, (1) 5-008-004, (1) 5-008-005, (1) 5-008-006, (1) 5-009-001, (1) 5-009-002, (1) 5-009-003, (1) 5-009-004, (1) 5-009-005, (1) 5-009-006, (1) 5-009-007, (1) 5-009-008, (1) 5-009-009, (1) 5-009-010, (1) 5-009-011, (1) 5-009-012, (1) 5-009-013, (1) 5-009-014, (1) 5-009-015, (1) 5-009-016, (1) 5-009-017, (1) 5-009-018, (1) 5-009-019, (1) 5-009-020 to the receiving State waters identified in the table below:

Discharge Point No.	Receiving State Water	Classification	Latitude (N)	Longitude (W)
Outfall 1	Kalahopele Gulch	Class 2, Inland	21.6431°	158.0634°
Outfall 2	Pacific Ocean	Class AA, Marine	21.6462°	158.0635°
Outfall 3	Pacific Ocean	Class AA, Marine	21.6485°	158.0632°
Outfall 4 (From)	Pacific Ocean	Class AA, Marine	21.6496°	158.0633°
Outfall 4 (To)	Pacific Ocean	Class AA, Marine	21.6504°	158.0626°
Outfall 5	Pacific Ocean	Class AA, Marine	21.6511°	158.0618°
Outfall 6 (From)	Pacific Ocean	Class AA, Marine	21.6511°	158.0618°
Outfall 6 (To)	Pacific Ocean	Class AA, Marine	21.6515°	158.0617°
Outfall 7	Pacific Ocean	Class AA, Marine	21.6530°	158.0615°
Outfall 8	Pacific Ocean	Class A, Marine	21.6546°	158.0611°
Outfall 9	Kalunawaikaala Stream	Class 2, Inland	21.6577°	158.0579°
Outfall 10	Kalunawaikaala Stream	Class 2, Inland	21.6576°	158.0579°
Outfall 11 (From)	Pacific Ocean	Class A, Marine	21.6591°	158.0582°
Outfall 11 (To)	Pacific Ocean	Class A, Marine	21.6603°	158.0571°
Outfall 12	Pakulena Stream	Class 2, Inland	21.6608°	158.0547°
Outfall 13	Pakulena Stream	Class 2, Inland	21.6607°	158.0546°
Outfall 14	Paumalu Stream	Class 2, Inland	21.67264°	158.04159°
Outfall 15	Paumalu Stream	Class 2, Inland	21.6727°	158.0416°
Outfall 16	Paumalu Stream	Class 2, Inland	21.6725°	158.0415°
Outfall 17	Paumalu Stream	Class 2, Inland	21.6727°	158.0415°

**FINAL PERMIT
August 21, 2017**

Discharge Point No.	Receiving State Water	Classification	Latitude (N)	Longitude (W)
Outfall 18	Paumalu Stream	Class 2, Inland	21.67256°	158.04145°
Outfall 19 (From)	Pacific Ocean	Class A, Marine	21.6739°	158.0408°
Outfall 19 (To)	Pacific Ocean	Class A, Marine	21.6746°	158.0403°
Outfall 20	Pacific Ocean	Class A, Marine	21.6784°	158.0391°
Outfall 21	Kaunala Gulch	Class 2, Inland	21.6804°	158.0343°
Outfall 22	Kaunala Gulch	Class 2, Inland	21.6798°	158.0340°
Outfall 23	Kaunala Gulch	Class 2, Inland	21.67980°	158.03403°
Outfall 24	Kaunala Gulch	Class 2, Inland	21.67986°	158.03399°
Outfall 25	Kaunala Gulch	Class 2, Inland	21.6798°	158.0339°
Outfall 26	Kaunala Gulch	Class 2, Inland	21.6806°	158.0343°
Outfall 27	Unnamed Stream	Class 2, Inland	21.6834°	158.0300°
Outfall 28	Unnamed Stream	Class 2, Inland	21.6830°	158.0295°
Outfall 29	Unnamed Stream	Class 2, Inland	21.6832°	158.0295°
Outfall 30	Pacific Ocean	Class A, Marine	21.6861°	158.0306°
Outfall 31	Pacific Ocean	Class A, Marine	21.6876°	158.0283°
Outfall 32	Pacific Ocean	Class A, Marine	21.6685°	158.0477°

in accordance with the general requirements, discharge monitoring requirements and other conditions set forth herein, and in the attached DOH "Standard NPDES Permit Conditions," that is available on the DOH, Clean Water Branch (CWB) website at:
<http://health.hawaii.gov/cwb/site-map/home/standard-npdes-permit-conditions/>.

All references to Title 40 of the Code of Federal Regulations (CFR) are to regulations that are in effect on July 1, 2016, except as otherwise specified. Unless otherwise specified herein, all terms are defined as provided in the applicable regulations in Title 40 of the CFR.

Failure to comply with any condition, requirement, and/or limitation in this permit is an enforceable violation and your NPDES permit may be terminated. Examples of enforceable violations include, but are not limited to: Unauthorized discharges where a pollutant was not disclosed in the NPDES application, but was detected by monitoring only requirements in the NPDES permit or by other means determined by the DOH; failure to sample, analyze, or submit water quality results as required in the NPDES permit; and discharging pollutants in locations that were not authorized in the NPDES permit. If you violate Hawaii Revised Statutes (HRS), Chapter 342D, you may be subject to penalties of up to \$25,000 per violation per day and up to two (2) years in jail.

Falsification of information, including providing information in the NPDES application that does not match what is actually occurring at the project site/facility, may result in criminal penalties for the Permittee and their authorized representative as provided in Clean Water Act, Section 309 and HRS, Section 342D-35.

This permit will become effective on **August 21, 2017**.

This permit and the authorization to discharge will expire at midnight, **August 20, 2022**.

Signed this 21th day of August, 2017.



(For) Director of Health

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ATTACHMENT:
STANDARD NPDES PERMIT CONDITIONS (VERSION 15)

A. GENERAL REQUIREMENTS

The Permittee shall:

1. Comply with all materials submitted in and with the Application, dated June 13, 2017.
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 Storm Water Pollution Prevention Plan (SWPPP) 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 SWPPP 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 SWPPP(s) at a minimum of once per week, and update the plan as often as necessary. Any changes(s) to the SWPPP(s) or correction(s) to information already on file with the CWB shall be maintained onsite and be available upon request.

9. Know that Mr. Michael Ung of the State of Hawaii, Department of Transportation, Highways Division is recognized as the duly authorized representative to submit all information/documents for compliance with the NPDES conditions. A new authorized representative may be appointed in accordance with Part B.8.

B. REPORTING REQUIREMENTS

The Permittee shall:

1. Submit the following information in accordance with Part B.8. of this permit to the CWB for review and comment **at least 30 calendar days before the start of construction activities.**
 - a. The Operator or General Contractor information.
 - b. The Drainage System Owner's Approval to Discharge.
 - c. An updated Storm Water Pollution Prevention Plan (SWPPP) prepared in accordance with the requirements in HAR, Chapter 11-55, Appendix C, Section 7, signed by the certifying person provided on the CWB Individual NPDES Form.

All questions/concerns that the DOH may have must be answered to the satisfaction of the CWB.

2. BMPs used for land disturbance activities shall be located upland and treat all upland pollutants prior to any discharge. These BMPs shall be designed and implemented to ensure all upland pollutants are prevented from discharging to State waters. BMPs for in-water work shall be designed and implemented to ensure compliance with all applicable WQS.
3. Notify the Director of the construction start date in accordance with Part B.8. within seven (7) calendar days before the start of construction activities.
4. 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://health.hawaii.gov/shwb/files/2013/06/swdiscformnov2008.pdf>.
5. Submit any changes to information on the CWB Individual NPDES Form in accordance with Part B.8. as soon as changes arise. The Permittee shall properly address all related concerns and/or comments to the CWB's satisfaction.
6. 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".

7. Complete and submit the Notice of Cessation in accordance with Part B.8. within 14 calendar days of completion of the subject project.
8. All reports, notifications, and updates to information on file shall be submitted through the CWB Compliance Submittal Form for Individual NPDES Permits and Notice of General Permit Coverages (NGPCs). This form is accessible through the e-Permitting Portal website at: <https://eha-cloud.doh.hawaii.gov/epermit>. If not already registered, you will be asked to do a one-time registration to obtain your login and password. After you register, click on the Application Finder tool to locate the form. Follow the instructions to complete and submit this form. All submissions shall include a CD or DVD containing the downloaded e-Permitting submission and a completed Transmittal Requirements and Certification Statement for e-Permitting NPDES/NGPC Compliance Submissions Form, with original signature and date.
9. 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 and imprisonment for knowing violations."

10. 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, 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/waste materials as soon as possible or at the end of each work day. The excavated material shall be disposed of to 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 without an appropriate NPDES permit.
 - g. Not discharge dewatering effluent to State waters without an appropriate NPDES permit.
 - 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 of 0.25 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.

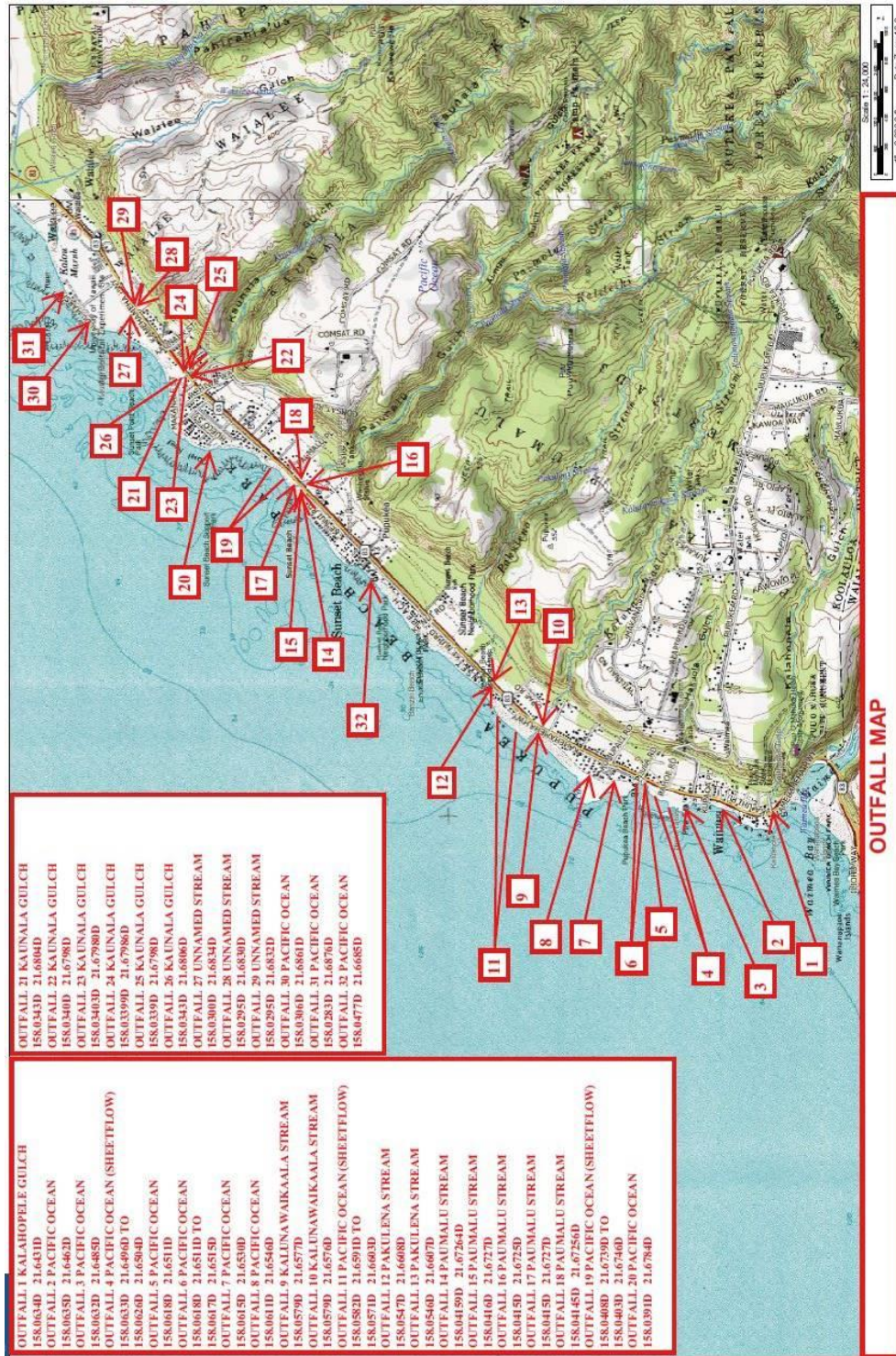
b. Vegetation Controls

- (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 14 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 14 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.

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Location & Outfall Map 2