

NEIL ABERCROMBIE
GOVERNOR OF HAWAII



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

DR-0703

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

In reply, please refer to:
EMD/CWB

WQC830.WDL.13

May 3, 2013

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

Dear Dr. Okimoto:

**Subject: Withdrawal of Section 401 Water Quality Certification (WQC) Application
Farrington Highway, Replacement of Maipalaoa Bridge
Waianae, Island of Oahu, Hawaii
Federal Aid Project No. BR-093-1(21)
TMKs: (1) 8-8-005:003; 004; 005 (parcels adjacent to Farrington Hwy) and
(1) 8-7-023:001; 002; 037; 039; 049; 058; 059 (parcels adjacent
to Farrington Hwy)
File No. WQC0830/DA File No. (To Be Determined)**

The Department of Health (DOH), Clean Water Branch (CWB), acknowledges receipt of your April 23, 2013 letter (No. HWY-DS 2.3770) which stated that:

"On July 5, 2012, Senate Bill No. 3010 was signed by Governor Abercrombie. Section 2 exempts the Department of Transportation from the requirements of Chapter 342D, Hawaii Revised Statutes. Section 3 lists the Farrington Highway, Replacement of Maipalaoa Bridge project as exempt from Section 2.

Accordingly, we request withdrawal of our Water Quality Certification application for the subject project..."

The DOH-CWB acknowledges that on July 5, 2012, Governor Abercrombie signed Bill No. SB3010 SD2 HD1 into Law (Act 218(12)) which exempts (between July 1, 2012 and June 30, 2017) 11 bridge construction projects, including the replacement of Maipalaoa Bridge, from requirements established under Hawaii Revised Statutes, Chapter 342 (titled "Water Pollution"). Accordingly, requirements of obtaining a Section 401 WQC for the subject project under Hawaii Administrative Rules, Chapter 11-54 (titled "Water Quality Standards") is also exempted.

The Honorable Glenn M. Okimoto, Ph.D.
May 3, 2013
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WQC830.WDL.13

This letter is to inform you that your request to withdraw the Section 401 WQC Application for the subject project is hereby granted. The processing of the subject Section 401 WQC Application is terminated effective the date of this letter. The DOH-CWB is retaining your original Section 401 WQC Application (signed and dated March 28, 2012) as its file records.

The Department of Transportation (DOT), Highways Division (HWYS), shall comply with requirements as specified in Notice of General Permit Coverage (NGPC) File Nos. HI R10E104 and HI 12GE092.

The DOH-CWB also recommends that the DOT-HWYS should properly implement effective and appropriate Best Management Practices measures and adequately conduct the proposed Applicable Monitoring and Assessment Plan.

If you have any questions, please contact Mr. Alec Wong, Branch Chief, or have your staff contact Mr. Edward Chen of the Engineering Section, CWB, at 586-4309.

Sincerely,



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

- c. Regulatory Branch, POH, COE [via fax 835-4126 only]
- CZM Program, Office of Planning, DBEDT [via fax 587-2899 only]
- CWRM, DLNR [via fax 587-0219 only]
- File Nos. HI R10E104 and HI 12GE092 [e-file only]

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

In reply, please refer to:
DOH/CWB

12GE092.FNL.13

December 9, 2013

Dear Permittee:

**Subject: RENEWAL NOTICE OF GENERAL PERMIT COVERAGE (NGPC)
National Pollutant Discharge Elimination System (NPDES)
Farrington Highway Replacement of Maipalaoa Bridge Federal Aid
Project No. BR-093-1(21)
File No. HI 12GE092**

This letter is to notify you that your request for coverage under the new NPDES General Permit has been granted. **You are now covered under the new NPDES General Permit.** The administrative extension of your previous NGPC is hereby terminated. You shall continue any sampling required by the previous NGPC and the new NPDES general permit.

Hawaii Administrative Rules (HAR), Title 11, Chapter 55, Appendix G (NPDES General Permit Authorizing Discharges Associated with Construction Activity Dewatering) became effective on December 6, 2013. Please download a copy of HAR 11-55, Appendix G (the new NPDES General Permit), which includes Appendix A (Standard NPDES General Permit Conditions) from the Department of Health (DOH), Clean Water Branch (CWB) website located at: <http://health.hawaii.gov/cwb/>. You are required to read and understand the new NPDES General Permit and comply with every requirement. This renewal NGPC will take effect on the date of this notice, and it expires on December 5, 2016.

Failure to comply with the new NPDES General Permit is an enforceable violation and may result in your NGPC being terminated. If you violate Hawaii Revised Statutes, 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.

All NGPC compliance submittals, including the Notice of Cessation 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 DOH-CWB website contains answers to Frequently Asked Questions regarding the new NPDES General Permits. Please visit the DOH-CWB website located at: <http://health.hawaii.gov/cwb/>.

December 9, 2013
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12GE092.FNL.13

If you have any questions, please contact the Engineering Section, CWB, at
(808) 586-4309.

Sincerely,

A handwritten signature in cursive script, appearing to read "Loretta J. Fuddy".

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

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LORETTA J. FUDDY, A.C.S.W., M.P.H.
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In reply, please refer to:
DOH/CWB

R10E104.FNL.13

December 9, 2013

Dear Permittee:

**Subject: RENEWAL NOTICE OF GENERAL PERMIT COVERAGE (NGPC)
National Pollutant Discharge Elimination System (NPDES)
Farrington Highway, Replacement of Maipalaoa Bridge
File No. HI R10E104**

This letter is to notify you that your request for coverage under the new NPDES General Permit has been granted. **You are now covered under the new NPDES General Permit.** The administrative extension of your previous NGPC is hereby terminated.

Hawaii Administrative Rules (HAR), Title 11, Chapter 55, Appendix C (NPDES General Permit Authorizing Discharges of Storm Water Associated with Construction Activities) became effective on December 6, 2013. Please download a copy of HAR 11-55, Appendix C (the new NPDES General Permit), which includes Appendix A (Standard NPDES General Permit Conditions) from the Department of Health (DOH), Clean Water Branch (CWB) website located at: <http://health.hawaii.gov/cwb/>. You are required to read and understand the new NPDES General Permit and comply with every requirement. This renewal NGPC will take effect on the date of this notice, and it expires on December 5, 2018.

Failure to comply with the new NPDES General Permit is an enforceable violation and may result in your NGPC being terminated. If you violate Hawaii Revised Statutes, 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.

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December 9, 2013
Page 2

R10E104.FNL.13

If you have any questions, please contact the Engineering Section, CWB, at
(808) 586-4309.

Sincerely,

A handwritten signature in cursive script, appearing to read "Loretta J. Fuddy".

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