

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:

January 23, 2017

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Salvador Panem
Acting Highways Administrator
State of Hawaii
Department of Transportation
869 Punchbowl Street, Room 513
Honolulu, Hawaii 96813

Dear Mr. Panem:

Enclosed is the VARIANCE (Docket No. 16-NR-VN-42) for Community Noise Control which was granted on January 20, 2017. 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,

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:)	
)	
STATE DEPARTMENT OF)	
TRANSPORTATION, HIGHWAYS)	Docket No.16-NR-VN-42
DIVISION)	V-939
Noise – Waialae On-Ramp and Off-Ramp)	
Guardrail and Shoulder Improvements,)	
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:

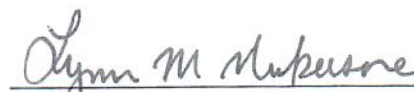
1. The variance shall be granted to conduct guardrail and post installation, retrofitting catch basins and retrofitting retaining walls on the Waialae On-Ramp (Site 11 IB) and Off-Ramp (Site 10 OB), Honolulu, Oahu.
2. The variance shall be granted from May 1, 2017 until April 30, 2018.
3. The variance shall be granted for the following days/times:

Monday through Friday	midnight to 7:00 a.m. and 6:00 p.m. to midnight.
Saturday	midnight to 9:00 a.m. and 6:00 p.m. to midnight.
Sunday	midnight to 9:00 a.m. and 6:00 p.m. to midnight
4. The variance shall be granted with the following restriction:

The use of the *vibratory hammer*, *chipping gun*, and *pneumatic tools* shall be prohibited from 10:00 p.m. to 7:00 a.m.
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 also when the project is completed.

6. Residents that may be impacted by the activity shall be given sufficient notice regarding the project. The notification for the planned nighttime activity shall also contain the name and telephone number of the job-site inspector. In addition, a copy of any notifications, as well as progress reports, shall also 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. The operation of the white noise back-up alarms shall be granted during the days & times allowed by the variance.
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 (at the nearest residence) during the operation of the vibratory hammer and as required by the Department 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 April 30, 2018.

DATED: Honolulu, Hawaii, JAN 20 2017.


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