

DAVID Y. IGE
GOVERNOR OF HAWAII



ELIZABETH A. CHAR, 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:

December 28, 2020

Jade Butay
Director
State Department of Transportation
869 Punchbowl Street, Room 513
Honolulu, Hawaii 96813

Dear Mr. Butay:

Enclosed is the VARIANCE (Docket No. 20-NR-VN-39) for Community Noise Control which was granted on December 23, 2020. 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, possible suspension of the variance and/or monetary fines. Should you have any questions relative to the variance, please do not hesitate to contact me at (808) 586-4700 or james.toma@doh.hawaii.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "James E. Toma", is written over a horizontal line.

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)	Docket No. 20-NR-VN-39
Noise – Interstate Route H-1 Resurfacing)	V-1189
Between Kapiolani Interchange and the)	
Miller Pedestrian Overpass, Honolulu.)	
_____)	

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 resurface Interstate Route H-1 between Kapiolani Interchange and Miller Pedestrian Overpass, Honolulu.
2. The variance shall be granted from February 19, 2021 until October 29, 2021.
3. The variance shall be granted for the following days/times:

Sunday	Midnight to Midnight
Monday through Friday	Midnight to 5:00 a.m., 7:00 p.m. to Midnight
Saturday	Midnight to 8:00 a.m., 8:30 p.m. to Midnight

4. The variance shall be granted with the following restriction:

The use of the jackhammer, walk-behind saw, and core drilling machine shall be prohibited after 10:00 p.m. within 500 feet of residences.

The use of vibratory rollers, cold planers, backhoes, loaders, shuttlebuggy, graders, excavators, and pavers shall be prohibited after midnight within 500 feet of residences.

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 and businesses that may be impacted by the activity shall be given sufficient notice regarding the project. The notification for the planned 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 is prohibited from 8:00 p.m. to 7:00 a.m. Alternative methods such as utilizing a ground guide for signaling shall be employed.
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 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 October 29, 2021.

DATED: Honolulu, Hawaii, DEC 23 2020.


LYNN M. NAKASONE

Environmental Health Program Administrator
Environmental Health Services Division