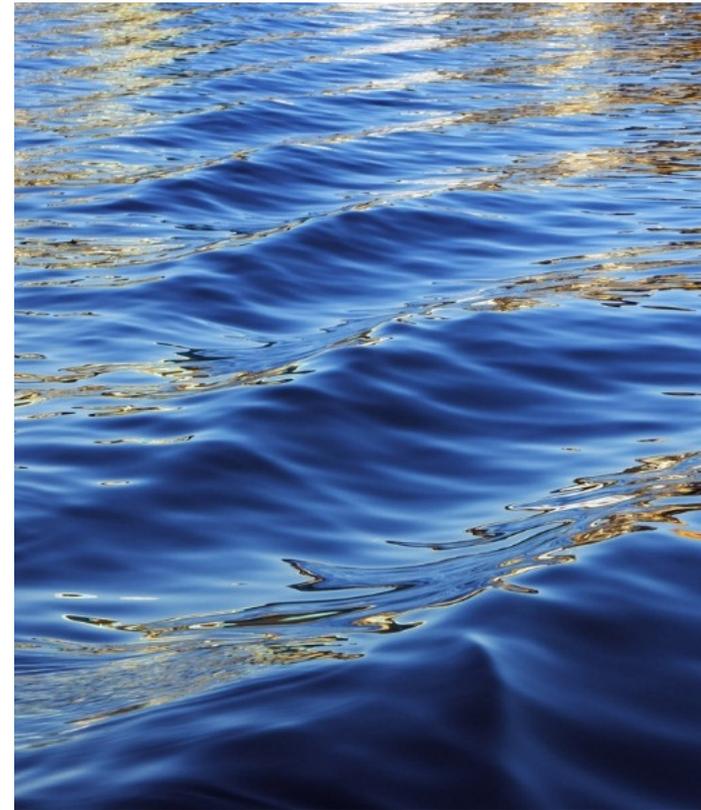




# Blanket Section 401 Water Quality Certification (WQCo804)

For Certain 2012 Department of the Army  
Nationwide Permits



# Disclaimer

The material in this presentation has been prepared by the Department of Health (DOH), Clean Water Branch (CWB) and is general information as of the date of this presentation. This information is given in summary form and does not purport to be complete. This document does not substitute for any law or regulation. You are solely responsible for complying with the Clean Water Act (CWA), the Hawaii Revised Statutes (HRS), the Hawaii Administrative Rules (HAR), and the Blanket Section 401 Water Quality Certification (WQC) [File No. WQCo804].



# Summary

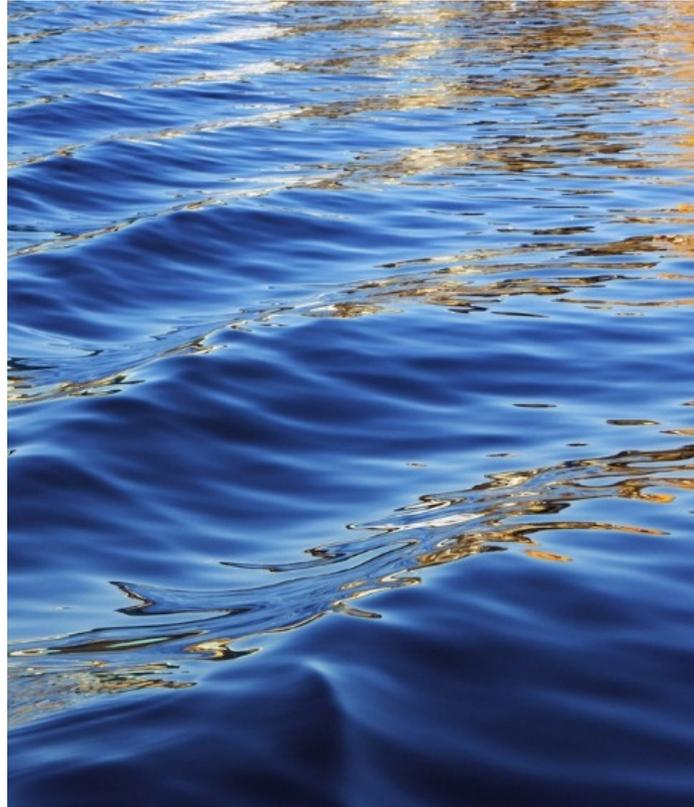
- Section 401 WQC Background.
  - What is a Section 401 WQC? When is it required? What is the purpose?
- Blanket Section 401 WQC.
  - Overview.
  - Terms, Coverage, General Conditions, and Special Conditions.
  - Notification Process and Requirements.
  - Requirements for Projects Covered Under Blanket Section 401 WQC.
    - Compliance Reporting, Expiration, Administrative Extension, and Revocation.
- Applicable Monitoring and Assessment Plan.
- Break.
- Q&A.



# Attachments

- Attachment A – Notification Requirements.
- Attachment B – Transmittal Requirements.
- Attachment C – Revise Notification Submission.
- Attachment D – Compliance Reporting.
- Attachment E – Best Management Practices (BMPs).
- Attachment F – Frequently Asked Questions.
- Attachment G – Audience Question Sheet.





# Section 401 WQC Background

# Section 401 WQC Background.



- What is a Section 401 WQC?
  - A statement that asserts that a proposed discharge/activity will not violate applicable State Water Quality Standards (WQS) in Hawaii Administrative Rules (HAR), Chapter 11-54 and Clean Water Act (CWA) Sections 301, 302, 303, 306, and 307.
  - Not a permit.
  - A certification based on information submitted in a discharger's application. A Section 401 WQC does not cover anything left out of the application or anything that was not disclosed.
- Administered by the Department of Health (DOH), Clean Water Branch (CWB).



# Section 401 WQC Background.

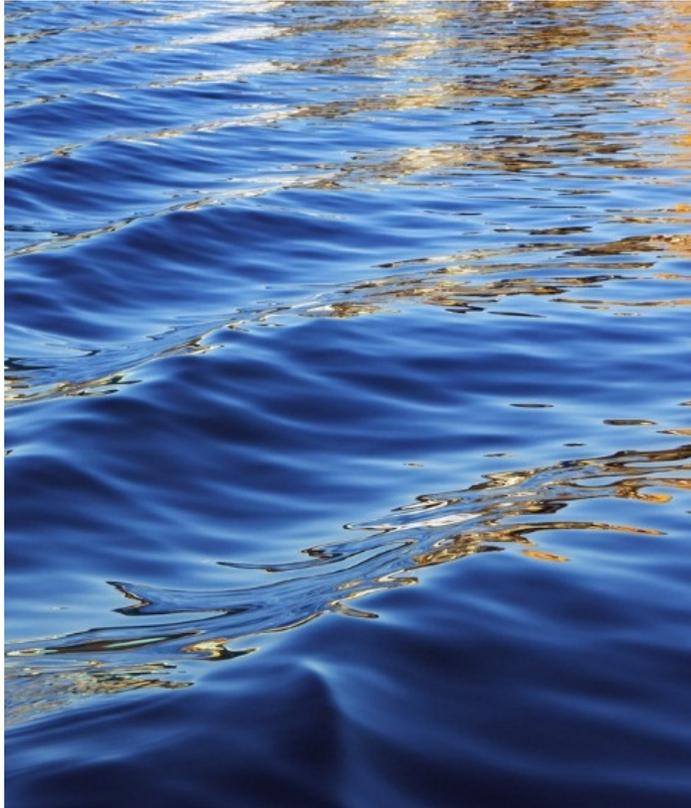
- When do I need a Section 401 WQC?
  - A Section 401 WQC is required if your project/activity
    - 1) Requires a federal permit, license, certificate, approval, registration, or statutory exemption, and
    - 2) May result in a water pollutant discharge into State waters.
- Federal agencies (U.S. Army Corps of Engineers, U.S. Environmental Protection Agency, Federal Energy Regulatory Commission, U.S. Coast Guard Office of Bridge Programs, etc.)
- “Water pollutant discharge” is defined in HRS 342D-1 and HAR 11-54-1.
  - It includes, but is not limited to, allowing the following pollutants to enter State waters: solid waste, sewage, chemicals, biological material, rock/sand/dirt, construction debris, fugitive dust, spray paint, industrial wastes, concrete, sealant, epoxy, heat, agricultural waste, and washing/cleaning effluent.



# Section 401 WQC Background.

- What is the purpose of a Section 401 WQC?
  - Provides States with a tool to protect their water quality from potential impacts from federally issued permits and licenses. CWA prohibits federal agency from issuing a permit or license for an activity that may result in a discharge until the State where the discharge would originate has granted a Section 401 WQC.
  - To ensure that a polluter will not be able to hide behind a Federal license or permit and use it as an excuse for violating State water quality standards. This is reason Congress provided States with power to enforce “any other appropriate requirement of State law” [33 U.S.C. 1341(d)] by imposing conditions on federal licenses for activities that may result in a discharge.





# Blanket Section 401 WQC Overview

# Blanket Section 401 WQC (File No. WQCo804).

- Blanket Section 401 WQC Overview
  - A Section 401 WQC issued to the USACE (File No. WQCo804).
  - Covers 7 selected Nationwide Permits (NWP) that are most frequently used by USACE in Hawaii. Between 2010 and 2014, these 7 NWP covered approximately 68% of NWP authorization verifications issued by USACE under CWA, Section 404 and/or RHA, Section 10.
    - The 7 NWP are: NWP 3 (Maintenance), NWP 5 (Scientific Measurement Devices), NWP 6 (Survey Activities), NWP 12 (Utility Line Activities), NWP 13 (Bank Stabilization), NWP 14 (Linear Transportation Projects), and NWP 33 (Temporary Construction, Access, and Dewatering)



# Blanket Section 401 WQC (File No. WQCo804).

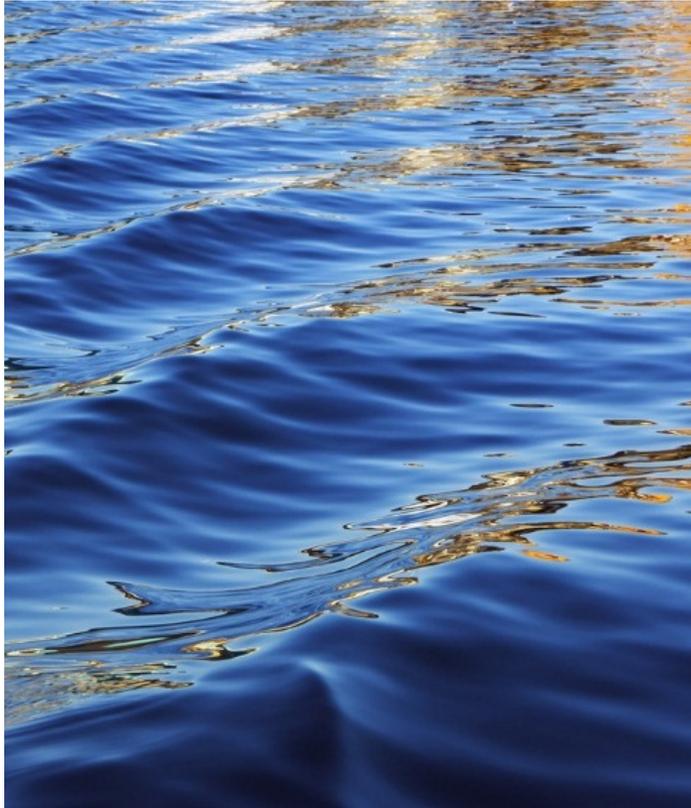
- Blanket Section 401 WQC Overview
  - Incorporates Best Management Practices (BMPs), Applicable Monitoring and Assessment (AMAP) requirements, as well as other applicable WQS requirements, that are designed to supplement requirements applicable to the 7 NWP's and NWP regional conditions in the State of Hawaii.
  - Designed to expedite processing of CWA mandated Section 401 WQC applications for projects that are ready-to-go with minimal or no impacts.
  - One year Section 401 WQC processing time frame shortened to approximately 60 days.
  - No filing fee.
  - Not meant to cover every project.



# Blanket Section 401 WQC (File No. WQCo804).

- Blanket Section 401 WQC is a self contained document. **All instructions and requirements are in this document.**
  - Will be available on DOH-CWB website located at: <http://health.hawaii.gov/cwb/>.
  - DOH-CWB will notify workshop attendees via email when Blanket Section 401 WQC is issued and available on DOH-CWB website.
- Comprised of seven (7) Conditions:
  - Condition No. 1 - Terms of Blanket Section 401 WQC.
  - Condition No. 2 - Coverage of Blanket Section 401 WQC.
  - Condition No. 3 - General conditions.
  - Condition No. 4 - Special conditions.
  - Condition No. 5 - Notification requirements.
  - Condition No. 6 - Compliance reporting submittals.
  - Condition No. 7 - Final verification from USACE.



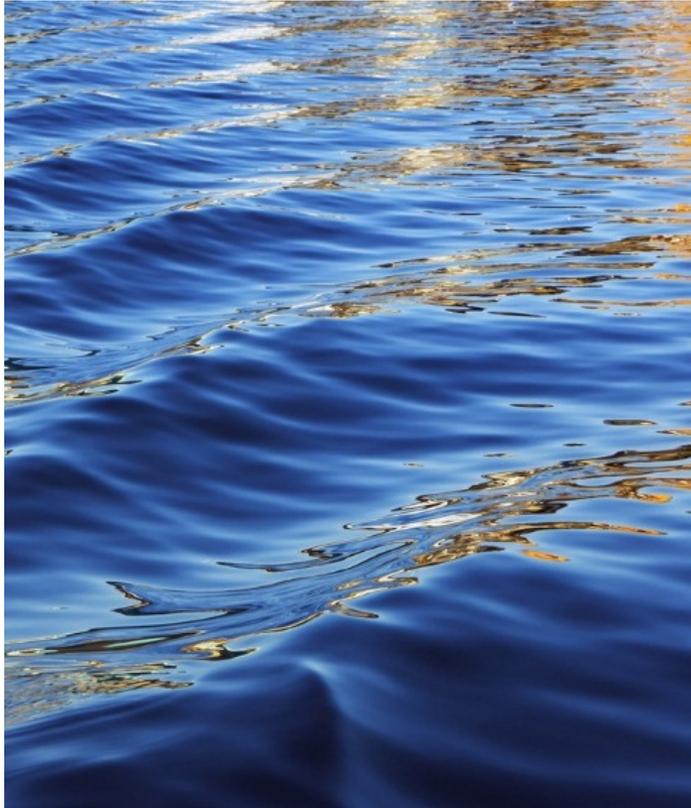


# Blanket Section 401 Conditions No. 1

# Blanket Section 401 WQC (File No. WQCo804).

- Condition No. 1 – Terms of Blanket Section 401 WQC:
  - Issued - TBD.
  - Effective – TBD.
  - Expires either:
    - Midnight, March 18, 2017 or
    - The date HAR Chapter 11-54 is revised, if revisions affect WQCo804.





Blanket Section 401  
Conditions No. 2

# Blanket Section 401 WQC (File No WQCo804).

- Condition No. 2 – Coverage of Blanket Section 401 WQC:
  - Only seven (7) NWPs covered under WQCo804:
    - NWP 3 (Maintenance)
    - NWP 5 (Scientific Measurement Devices)
    - NWP 6 (Survey Activities)
    - NWP 12 (Utility Line Activities)
    - NWP 13 (Bank Stabilization)
    - NWP 14 (Linear Transportation Projects)
    - NWP 33 (Temporary Construction, Access, and Dewatering)



# Blanket Section 401 WQC (File No WQCo804).

- Condition No. 2 – Coverage of Blanket Section 401 WQC:
  - WQCo804 does not cover:
    - Activities authorized under other NWP.
    - After-The-Fact (ATF) applications, in whole or in part, submitted under USACE NWP. Note: In most ATF situations, DOH will not issue a Section 401 WQC because the activity has already violated WQS and CWA. If there are remaining portions of ATF activity that has not commenced yet, in depth evaluation under an Individual Section 401 WQC application is needed to ensure compliance with HAR 11-54-9.1.02(f) which requires that the activity is not subject to ongoing enforcement action by federal, state, or county government; any water quality adverse impacts have been mitigated to the maximum extent feasible; and the activity will not cause or contribute to any lack of attainment of WQS.
  - Discharges regulated under CWA Section 402.
  - Discharges/activities DOH determines is more appropriate to be evaluated under Individual Section 401 WQC process.



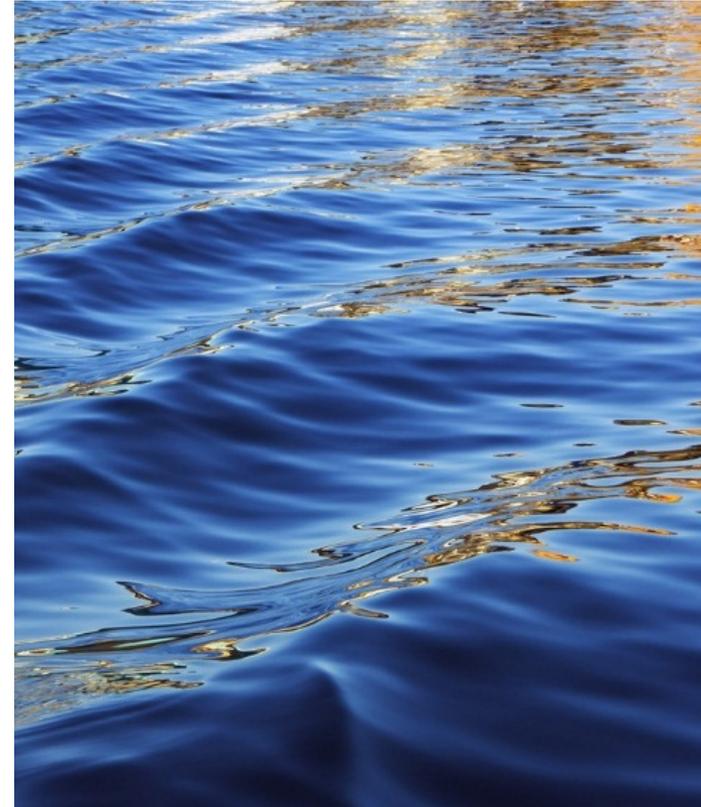
# Blanket Section 401 WQC (File No WQCo804).

- Condition No. 2 – Coverage of Blanket Section 401 WQC:
  - WQCo804 does not cover:
    - Any project that will result in downstream/down drift post construction impacts to physical, chemical, and/or biological environment.
    - Waste discharges to natural lakes and anchialine pools. Note: Waste is defined in HRS 342D-1 and includes all liquid, gaseous, or solid substances, whether treated or not, which may pollute State waters. Does not include non-contaminated dredge and fill material authorized under USACE NWP.
    - Discharges to Class 1, inland waters; Class AA, marine waters; and Class 1, marine bottoms.
    - New sewage and industrial discharges to estuaries and embayments. Note: New industrial discharges do not include repair and/or replacement within footprint of existing structure.





Blanket Section 401  
Conditions No. 3  
(General Conditions)



## Blanket Section 401 WQC (File No WQCo804).

- General Conditions (Condition No. 3) are requirements you must comply with to be covered under the Blanket Section 401 WQC.
- Read WQCo804 for all General Conditions.
- Information presented in this section of presentation are some of the General Conditions.



# Blanket Section 401 WQC (File No WQCo804).

- Condition No. 3 – General Conditions.
  - The Discharger shall:
    - Apply best degree of treatment or control measures to potential water pollutant discharges.
    - Properly implement and maintain BMPs during entire construction period.



# Blanket Section 401 WQC (File No WQCo804).

- Condition No. 3 – General Conditions.
  - The Discharger shall:
    - Completely isolate and confine all in-water work areas throughout entire water column (surface to bottom) to prevent all potential water pollutants from leaving or entering the work area. In-water work area is 10 feet from toe of in-water construction boundary. A vessel/barge may be operated outside of the isolated and confined in water work area only if it is surrounded by a boom.

**Note:** Complete isolation and confinement is required to ensure compliance with HAR 11-54-1.1 antidegradation requirements. If Discharger cannot completely isolate and confine all in water work areas, more in depth evaluation is needed through the processing of an individual Section 401 WQC. Individual Section 401 WQCs already require complete isolation and confinement. In the event complete isolation and confinement is not possible, social and economic evaluation of the discharge activity is permissible subject to a public comment period.



# Blanket Section 401 WQC (File No WQCo804).

- Condition No. 3 – General Conditions.
  - The Discharger shall:
    - Only utilize BMPs that are inert and not sources of pollution itself. (Examples of inappropriate in-water BMPs include, but are not limited to: compost biosocks since it is a source of nutrients; silt fence since the material is porous; and a soil berm since the soil particles will erode away.)
    - Not allow any upland construction related water pollutants (e.g. debris, dust, airborne particulates, concrete slurry, etc.) from entering State waters, including in-water work area.



# Blanket Section 401 WQC (File No WQCo804).

- Condition No. 3 – General Conditions.
  - The Discharger shall:
    - (For streams, ditches, or gulches), allow unimpeded flow around the isolated and confined in-water work area to allow for aquatic animal migration and/or to prevent downstream flooding situations. The unimpeded flow shall be equivalent to a two (2) year, 24 hour duration storm event and/or the existing flow capacity of the stream, ditch, or gulch. Note: Blocking flow creates a flooding hazard. DOH will not certify any project that intentionally creates a hazardous condition.



# Blanket Section 401 WQC (File No WQCo804).

- Condition No. 3 – General Conditions.
  - The Discharger shall:
    - Conduct pre-construction, during construction, and post construction monitoring requirements in the Applicable Monitoring and Assessment Plan and utilize test methods in 40 CFR Part 136 (effective July 1, 2011), and HAR, 11-54-10.
    - Not stockpile, store, or place construction material or construction activity related materials in State waters or in ways that will disturb or adversely impact the aquatic environment.



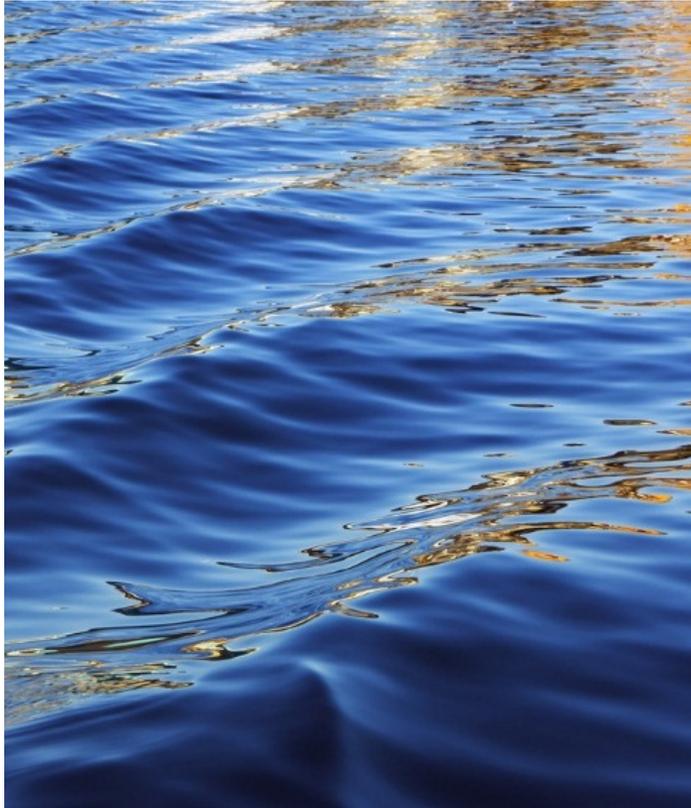
# Blanket Section 401 WQC (File No WQCo804).

- Condition No. 3 – General Conditions.
  - The Discharger shall:
    - Immediately cease the portion of the construction work if water quality monitoring or daily inspection or observation result(s) indicates that noncompliance will occur or is occurring. The construction activity shall not resume until adequate measures are implemented and appropriate corrective actions are taken and water quality monitoring demonstrates that the non compliance has ceased.
    - Ensure that all temporarily constructed structures, such as the silt containment device(s), floating oil and grease as well as construction debris containment device(s), berm, cofferdam, sheet pile, stream flow diversion structure(s), and/or sediment and soil erosion control structure(s), etc., are properly removed immediately after the completion of the construction work and when the affected water body has returned to its pre construction condition or better, as demonstrated by the monitoring results, including the color photographs.





Blanket Section 401  
Conditions No. 4  
(Special Conditions)



## Blanket Section 401 WQC (File No WQCo804).

- Special Conditions (Condition No. 4) are requirements you must comply with if your project is covered under a specific NWP.
- Read WQCo804 for all Special Conditions.
- Information presented in this section of presentation are some of the Special Conditions.



# Blanket Section 401 WQC (File No WQCo804).

- Condition No. 4 – Special Conditions.
  - NWP 3 – Maintenance
    - Water tight forms shall be used when repair or rehabilitation work involves cast-in-place concrete application activity.
    - Contain/collect potential water pollutants from the application of concrete corrosion inhibitor; scrubbing, chipping, cutting, grouting, and filling activities.



# Blanket Section 401 WQC (File No WQCo804).

- Condition No. 4 – Special Conditions.
  - NWP 3 – Maintenance
    - Hardening the stream channel or stream bed outside its original structure foot print is not covered under this Section 401 WQC. This is additional impact to stream channel. Note: Hardening includes, but is not limited to, using shotcrete, grouted rip rap, sheet piles, etc.
    - The Discharger must have evidence that the structure(s) or fill(s) to be repaired or rehabilitated was previously authorized by the USACE and the structure(s) or fill(s) is currently serviceable, unless the activity occurred before the dates identified in 33 CFR 330.3.



# Blanket Section 401 WQC (File No WQCo804).

- Condition No. 4 – Special Conditions.
  - NWP 5 - Scientific Measurement Devices
    - Remove all Scientific Measurement Devices (Devices) and any other structures or fills associated with installation and use of the Devices (e.g., foundations, anchors, buoys, lines, etc.) and restore the site to its pre construction conditions when no longer in use.



# Blanket Section 401 WQC (File No WQCo804).

- Condition No. 4 – Special Conditions.
  - NWP 6 – Survey Activities
    - For boring related drilling activity, surround inner steel casing with a larger diameter steel casing to prevent excess water from entering directly into the State water. A mud pan shall be used on the raft/vessel and placed around the outer casing to capture any overflow and prevent any return flow/discharge into receiving State waters.



# Blanket Section 401 WQC (File No WQCo804).

- Condition No. 4 – Special Conditions.
  - NWP 12 - Utility Line Activities
    - Side casting of excavated/dredged material in aquatic environment, including the wetlands, is prohibited.
    - Utility line substations, foundations for overhead utility line towers, poles, and anchors are excluded from the WQC coverage for this Nationwide Permit.



# Blanket Section 401 WQC (File No WQCo804).

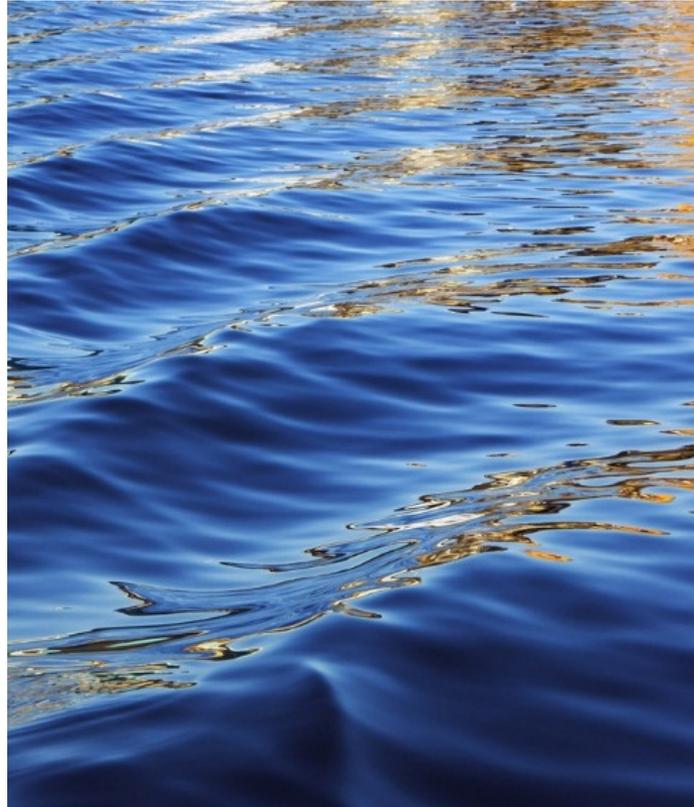
- Condition No. 4 – Special Conditions.
  - NWP 13 – Bank Stabilization
    - The bank stabilization project shall be designed and constructed to ensure that the constructed project will not cause erosion to the adjacent sand beach, shoreline, stream bank, stream bed, or other properties.
    - The bank stabilization project shall not affect or interfere, in any way, with any existing recreational activity(ies) or any other existing uses.
    - Concrete lining of stream bank or stream bed or hardening of shoreline is not covered under this WQC.



# Blanket Section 401 WQC (File No WQCo804).

- Condition No. 4 – Special Conditions.
  - NWP 14 –Linear Transportation Projects
    - Replacement structure required for any linear transportation project shall not exceed the existing structure foot print within State waters.
    - Projects that will result in additional aquatic environment or function loss is not covered under this WQC.





# Blanket Section 401 WQC Notification Requirements

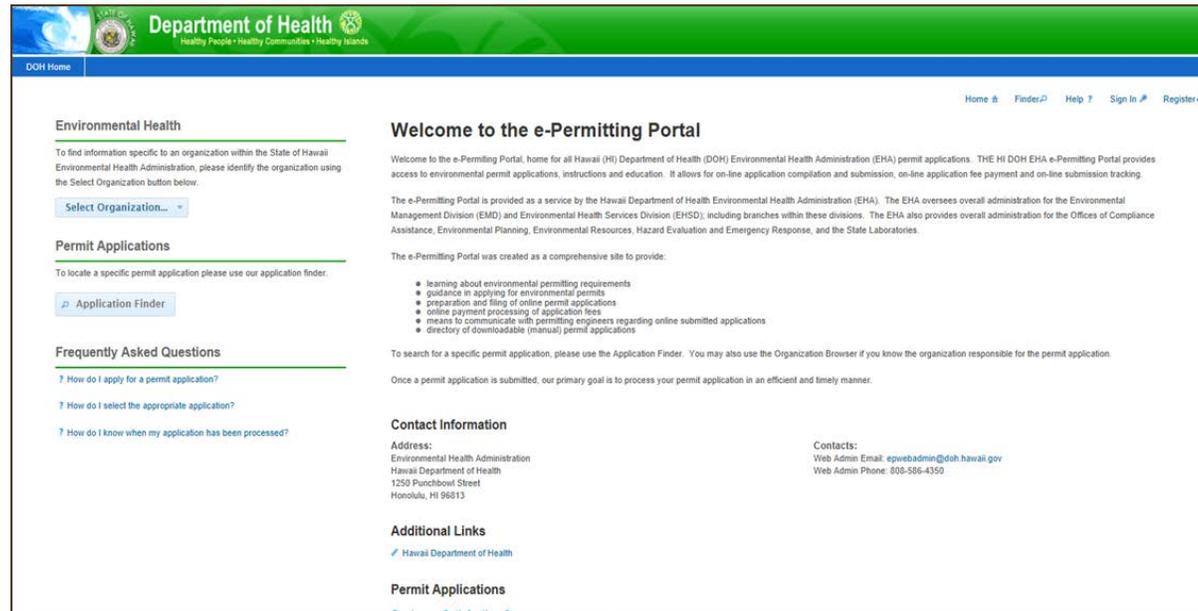
# Blanket Section 401 WQC (File No WQCo804).

- Process to request coverage under Blanket WQC.
  1. Download, read, and understand WQC0804.
  2. Understand your responsibilities and legal obligations.
  3. Determine if your organization can and will comply.
  4. Design your project to incorporate WQC0804 and USACE NWP requirements.



# Blanket Section 401 WQC (File No WQCo804).

- Process to request coverage under Blanket WQC.
  5. Complete and submit e-Permitting NWP Blanket WQC Notification Form (Notification).
    - See Attachment A for step by step instructions to submit form.



# Blanket Section 401 WQC (File No WQCo804).

- Process to request coverage under Blanket WQC.
  5. Complete and submit e-Permitting NWP Blanket WQC Notification Form (Contd).
    - Information required:
      - Copy of Pre-Construction Notification (PCN) submitted to USACE.
      - Certification indicating Discharger will comply with all conditions.
      - Contact information for Owner, Certifying Person, General Contractor, Emergency Contacts, Project Contact, and authorized representative.
      - Project name and description.
      - Receiving State water information.
      - Disclosure of all water pollutants of concern.
      - BMPs and construction drawings.
      - AMAP.



# Blanket Section 401 WQC (File No WQCo804).

- Process to request coverage under Blanket WQC.
  5. Complete and submit e-Permitting NWP Blanket WQC Notification Form (Contd).
    - Information required:
      - Certification that Discharger will:
        - Stop in-water work if visible plume observed.
        - Stop in-water work if monitoring shows BMPs may not be working.
        - Not resume work until corrective actions are made and exceedances are corrected as demonstrated by water quality sampling.



# Blanket Section 401 WQC (File No WQCo804).

- Discharger responsible for ensuring Notification contains:
  - All project construction and operation related adverse water quality impacts (i.e. short and long term, upstream/downstream, project impacts from land, etc.)
  - An AMAP that will demonstrate their compliance.
  - All operational procedures, Contractors' inputs (means and methods), and controls that will be implemented.

**Note: Do not submit Notification if you do not have this information.** If Discharger cannot provide all of this information, it is recommended they consider seeking coverage under an Individual Section 401 WQC application.



# Blanket Section 401 WQC (File No WQCo804).

- Process to request coverage under Blanket WQC.
  6. Discharger submits signed hard copy Transmittal Requirements and Certification Statement for e-Permitting NWP Blanket WQC Form Submissions (Certification Transmittal) and CD/DVD with downloaded e-Permitting submissions to DOH-CWB.
    - Required step during e-Permitting NWP Blanket WQC Notification Form submission.
    - Processing does not begin until DOH-CWB receives Certification Transmittal and time stamps received date and time.
    - See Attachment B for instructions.



# Blanket Section 401 WQC (File No WQCo804).

- Process to request coverage under Blanket WQC.
  7. DOH-CWB reviews Notification and has 30 calendar days from time Certification Transmittal received to notify USACE and Discharger via email that:
    - Project covered under Blanket Section 401 WQC.
    - Project cannot be covered under Blanket Section 401 WQC.
    - DOH-CWB has comments on Notification submission.
      - See Attachment C for instructions to revise Notification submission.
      - If Discharger fails to properly address DOH-CWB comments within 30 calendar days, processing will be terminated. 30 calendar day deadline includes resubmittal of Certification Transmittal. No extensions will be allowed. If Discharger misses 30 calendar day deadline, they will have to apply for and obtain coverage under an individual Section 401 WQC.



# Blanket Section 401 WQC (File No WQCo804).

- Discharger can check status of NWP Blanket WQC Notification Form submittal using History Link in e-Permitting Portal. The statuses are as follows:
  - (1) Draft – Discharger did not submit through the e-Permitting Portal.
  - (2) Submitted – Discharger submitted the NWP Blanket WQC Notification Form through the e-Permitting Portal.
  - (3) Hard Copy Received – DOH-CWB has received the hard copy of the Transmittal Requirements and Certification Statement for e Permitting NWP Blanket WQC Form Submissions.
  - (4) In Review – DOH-CWB is currently reviewing the NWP Blanket WQC Notification Form submittal.



## Blanket Section 401 WQC (File No WQCo804).

- (5) Applicant Action Required – DOH-CWB has comments on NWP Blanket WQC Notification Form submittal.
- (6) Accepted – The DOH-CWB concurs that the project is covered under this Section 401 WQC.
- (7) Rescinded – The project cannot be covered under this Section 401 WQC and must apply for and obtain coverage under an individual Section 401 WQC.





# Requirements for Projects Covered Under Blanket Section

401 WQC



# Blanket Section 401 WQC (File No WQCo804).

- Once DOH-CWB informs USACE that a project is covered under the Blanket WQC, you must wait for USACE to issue you their Final Verification.
- Compliance Reporting.
  - Condition 6 of Blanket WQC requires compliance reporting through e-Permitting CWB Compliance Submittal Form for Section 401 WQCs.
  - Form available on e-Permitting Portal located at: <https://eha-cloud.doh.hawaii.gov/epermit/>.
  - See Attachment D for instructions to submit form.



# Blanket Section 401 WQC (File No WQCo804).

- The Discharger shall submit through the e-Permitting Section CWB Compliance Submittal Form for Section 401 WQCs:
  - Notification of commencement date within seven (7) calendar days before start of any construction activities.
  - Notification of completion date within 14 calendar days after completion of the proposed construction activities (including disturbed areas restoration activities and post construction monitoring requirements).
  - Notification of all noncompliance and corrective actions that were taken within one (1) business day.
  - Monitoring results.



## Blanket Section 401 WQC (File No WQCo804).

- During process of completing e-Permitting CWB Compliance Submittal Form for Section 401 WQCs, discharger is required to download, complete, mail/deliver Transmittal Requirements and Certification Statement for e-Permitting CWB Compliance Submittal Form for Section 401 WQCs Submissions (Certification Transmittal) and CD/DVD with downloaded e-Permitting submission.
- Processing does not begin until Certification Transmittal is received.



# Blanket Section 401 WQC (File No WQCo804).

- Check status of CWB Compliance Submittal Form for Section 401 WQCs submittal using History Link in e-Permitting Portal. The statuses are as follows:
  - (1) Draft – Discharger did not submit form through e-Permitting Portal.
  - (2) Submitted – Discharger has submitted the CWB Compliance Submittal Form for Section 401 WQCs through the e-Permitting Portal.
  - (3) Hard Copy Received – DOH-CWB has received the hard copy of the Transmittal Requirements and Certification Statement for e Permitting CWB Compliance Submittal Form for Section 401 WQCs Submissions.
  - (4) In Review – DOH-CWB is currently reviewing the CWB Compliance Submittal Form for Section 401 WQCs submittal.
  - (5) Applicant Action Required – DOH-CWB has comments and will email comments/concerns to Discharger and cc copy USACE.
  - (6) Accepted – The DOH-CWB has no comments on the submittal at this time.



# Blanket Section 401 WQC (File No WQCo804).

- Project coverage under Blanket Section 401 WQC expires
  - Midnight, March 18, 2017, or
  - When HAR Chapter 11-54 is revised and Blanket WQC does not comply with revisions, or
  - The date that a Total Maximum Daily Load (TMDL) Waste Load Allocation (WLA) is established by DOH-CWB and approved by USEPA for the water body and discharge type specific to the Discharger.



# Blanket Section 401 WQC (File No WQCo804).

- Each project covered under Blanket WQC may be administratively extended for no more than 12 months beyond midnight, March 18, 2017 only if:
  - Project under construction or under contract to commence construction;
  - USACE has not modified, suspended, or revoked applicable NWP, or project coverage under a NWP, and
- Discharger notifies DOH-CWB by February 18, 2017 through e-Permitting CWB Compliance Submittal Form for Section 401 WQCs that administrative extension is needed.
  - Completed Transmittal Requirements and Certification Statement for e-Permitting CWB Compliance Submittal Form for Section 401 WQCs must be received by DOH-CWB by February 18, 2017.
  - If DOH-CWB changes e-Permitting status to Accepted, administrative extension has been granted. No further correspondence will be provided.



# Blanket Section 401 WQC (File No WQCo804).

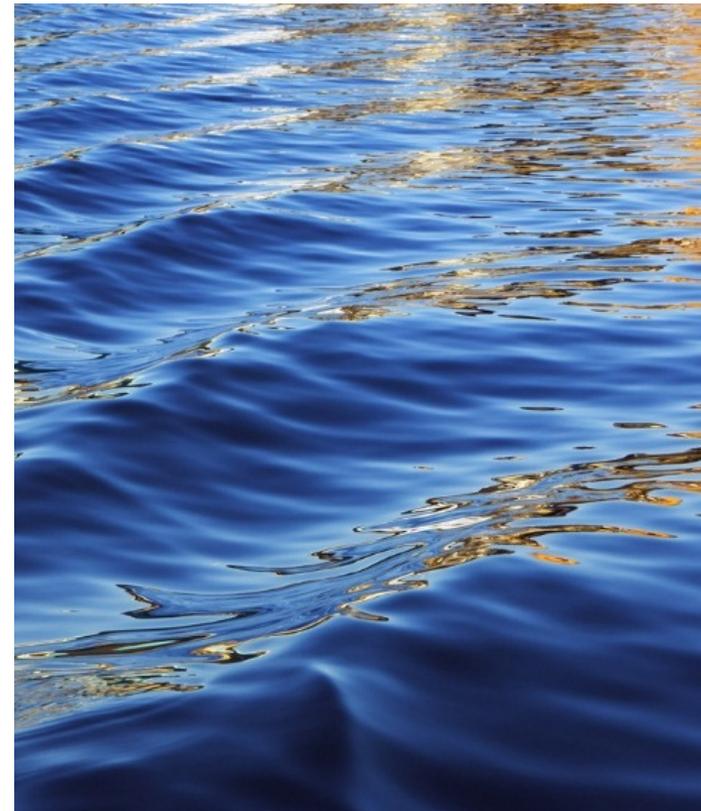
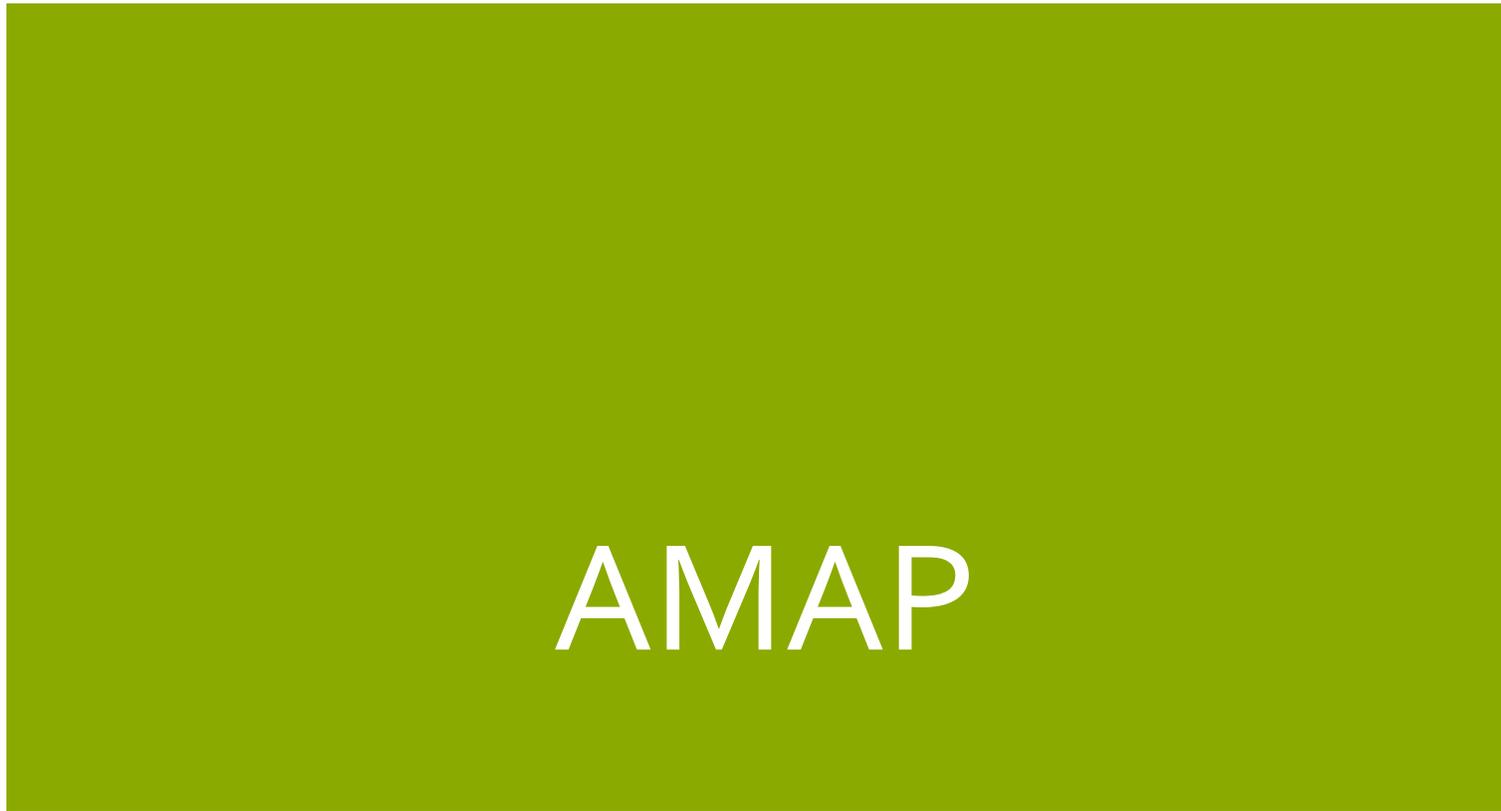
- A project's coverage under Blanket WQC may be revoked when:
  - Discharger does not comply with Blanket WQC.
  - Discharger does not disclose all relevant facts and/or falsifies information submitted to DOH-CWB.
  - DOH-CWB discovers that Discharger provided USACE and DOH-CWB different information.
  - HAR 11-54 is revised before project is completed and project is violating revised HAR 11-54.
  - Discharger is informed by DOH-CWB and/or becomes aware of non-compliance with Blanket WQC and fails to take immediate corrective action or stop the portion of activity causing non-compliance within one business day.



# Blanket Section 401 WQC (File No WQCo804).

- Information submitted in Notification Form cannot be modified once a project is covered under Blanket WQC.
  - Any changes to information submitted invalidates coverage under Blanket WQC.
  - Exception is changes to contact person information and owner name changes for non-transfer of ownerships and changes to authorized representative information.
  - Discharger will be required to apply for individual Section 401 WQC. Make sure your project is ready to go and you have all the required information before submitting the Notification Form.





# AMAP

- Applicable Monitoring and Assessment Plans (AMAPs) are documents that address the **sampling** component of a given project.
- AMAPs explain in detail what you are doing and why you are doing it.
- AMAPs shall follow the standard approach utilized in the Scientific Method.
- AMAPs shall include some basic information that would allow someone unfamiliar with the project to understand what was done.



# AMAP

- A well written and properly executed AMAP will produce **representative** data that is legally defensible.
- It is the sole responsibility of the discharger to obtain and provide representative data and demonstrate their compliance with their WQC conditions and/or environmental laws. The Department of Health (DOH), Clean Water Branch (CWB) is not responsible for checking or double checking your AMAP.
- Poorly written AMAPs, poor sample design, or unrepresentative sampling cannot produce data of sufficient quality to demonstrate compliance with environmental laws.



# AMAP

- If you have poor sample design, data that is not representative, and/or cannot demonstrate your compliance with your WQC conditions or environmental laws, your WQC may be revoked and you may be subject to civil and/or criminal penalties. Therefore, it is in your best interests to produce an AMAP of the highest quality.
- The objective of taking samples is to obtain the most accurate information in order to make the correct decision.
- On a macro scale, the Data Quality Objectives (DQO) are utilized to ensure that representative data is collected using a systematic approach.
- On a micro scale, proper Quality Control (QC) is applied to ensure that accurate data is collected. Following these guidelines will help to ensure that representative data is collected resulting in the best decision(s) being made.



# AMAP – DQO

- Data Quality Objectives (DQO)
- The DQO is a seven step planning process that addresses the problem(s) (or issues) that will be encountered during the project.
- Step 1 – State the Problem
- Step 2 – Identify the Goal of the Study
- Step 3 – Identify Information Inputs
- Step 4 – Define the Boundaries of the Study
- Step 5 – Develop the Analytic Approach
- Step 6 – Specify Performance or Acceptance Criteria
- Step 7 – Develop the Plan for Obtaining Data



# AMAP - DQO

- The DQO Guidelines can be obtained from the EPA website:  
<http://www.epa.gov/quality/qs-docs/g4-final.pdf>
- The AMAP guidance document will be available on the CWB website:  
<http://health.hawaii.gov/cwb/>.



# AMAP Guideline

INTRODUCTION – a brief description of the project.

1. **STATE THE PROBLEM** - The first, and most critical step, is to define the problem. This is a description of the problem in one or two sentences that will be the focus of the AMAP. Everything else in the AMAP will seek to resolve this problem.
  - a. The problem statement describes the problem as it is currently understood and predicted/anticipated, and the conditions that are causing or may have potential of causing the problem.
  - b. The general format of a problem statement: **In order to** [support/understand/establish/determine/confirm/reduce/prevent] (some issue) **data regarding** [pollutant/contaminant] [in/on/above/below] (the medium) **are needed.**
  - c. Example: In order to confirm that BMPs are preventing sediment in the work area from impacting marine waters, data regarding turbidity in the ocean are needed.
  - d. There can be more than one problem statement that must be addressed.





# AMAP Guideline

2. **IDENTIFY THE GOAL OF THE STUDY** - Principal Study Questions (PSQs): Identify the issue(s) or condition(s) that will allow you to reveal the solution to the problem. State the alternative actions for each PSQ. For each PSQ, formulate a Decision Statement.
  - a. The general format of a decision statement: **Determine whether** [PSQ] **and requires** [Alternate Action A] **or** [Alternate Action B].
  - b. Example: Determine whether BMPs are ineffective and requires modification or no further action is necessary.
  - c. State how data will be used.
    1. Pre-construction (pre-con) data will be used to establish the baseline (existing) levels for each parameter. A minimum of 10 sets of data shall be collected at the Control and Impact station Decision Units (DUs). If 10 sets cannot be collected (e.g. dry stream bed) and there is insufficient data to establish action levels, then the DUs shall be photo-documented, and corrective actions shall be taken whenever water is present. MULTI INCREMENT samples or equivalent shall be collected over a minimum of a two week period immediately before commencing any proposed construction activity. Impact station DUs shall be sampled in triplicate with the highest pre-con means serving as the action levels (turbidity and Total Suspended Solids (TSS)). The highest and lowest pH means shall serve as the pH action levels. Dissolved Oxygen (DO), Temperature and Salinity means may also serve as action levels where these parameters are impacted by the project. The percent Relative Standard Deviation (%RSD) shall be calculated for all triplicate samples. The %RSD should be maintained as low as possible, and in no case should exceed 20%. (An exceedance of 20% indicates that the sampling procedure is not capturing the variability adequately.) Standard distance of the Control Decision Units from the Impact Decision Unit is within 50 feet.

# AMAP Guideline

2. Submit pre-con data to the CWB in e-Permitting NWP Blanket WQC Notification Form.
3. Pre-con data (turbidity and TSS highest triplicate means) will be compared to during-construction data to demonstrate that there are no impacts to water quality during the project construction.
4. Pre-con data will be compared to post construction data to demonstrate that there are no long term adverse impacts to water quality from construction activities.
5. For streams, during construction, the upstream control station data will be compared to the impact and downstream control stations to demonstrate that there are no impacts to water quality.
6. For open coastal and oceanic waters during construction, the up-current control station data will be compared to the impact and down-current control stations to demonstrate that there are no impacts to water quality.
7. If a plume emanates from the work area, the plume should also be sampled as a separate DU.



# AMAP Guideline

**3. IDENTIFY INFORMATION INPUTS** - Specify the parameters that will be measured. State detection limits, action levels, instruments/measuring devices, references, calibration procedures, precision, accuracy, etc.

a. General Information

1. State who will take the samples.
2. Photos shall be taken by the samplers of the sampling sites, BMPs and general work area. Photos shall be date/time stamped with a narrative description of what is being documented. The standard date format is MM/DD/YY and the standard time format is the 24 hour clock. Include a photo orientation map that shows the location and orientation of photos taken.
3. Station locations (i.e. Decision Units) shall be identified with GPS coordinates (latitude/longitude with datum (WGS84)).



# AMAP Guideline

4. Include a plan view map that shows the project location, a delineation of all BMPs and DUs, the location of all inputs that may impact the DUs, and GPS coordinates of all DU boundaries.
5. All sampling activities shall be documented in a field notebook/logbook (Standard Methods 20<sup>th</sup> Ed. 1060B).
6. Contractor/representative's responsibilities:
  - a) Knowledgeable of their responsibilities as specified in the AMAP.
  - b) Inspect and maintain BMPs, document in a logbook and include photos (follow procedure in step 2 above).



# AMAP Guideline

## b. Sampling

1. Clearly indicate the sampling locations for Pre-, During- and Post-construction monitoring. (Inside of BMP containments, outside of BMP containments, control Decision Units, upstream/up-current, impact, downstream/down-current, etc.)
2. Specify the number of Decision Units (by phase if it changes).
3. Note the importance of the pre-construction sample results for establishing baseline conditions, in establishing action levels, and for comparison to post-construction values to determine long term project impacts. Take at least 10 sets of MULTI INCREMENT pre-con samples (or equivalent) in triplicate and calculate the percent relative standard deviation (%RSD). %RSD should be maintained as low as possible, and not exceed 20%.
4. State the sampling frequency(ies) (by phase if it changes).
5. State the Parameters that will be measured, Units, Methods, Instruments, Minimum Detectable, Minimum Sensitivity, Hold Times, and Field Preservation (present this information in a table). See Exhibit 2 for the Matrix for minimum standard parameters and frequencies.



# AMAP Guideline

6. State that parameters are measured from MULTI INCREMENT samples or equivalent.
7. Describe the sampling procedure (or include a Sampling Standard Operating Procedure (SOP)).
8. Samplers shall include a narrative of site conditions that may impact sample results.
9. Include an example of the Chain of Custody form, Data Sheet form, and Report form.
10. Specify calibration standards and ranges for instruments including any expiration dates for supplies.
11. State that samples must be taken during work operations (i.e. at the time when the potential for pollution is greatest).
12. Address specific QA/QC issues associated with the sampling. Lab QC should be described. Improper field sampling is usually the largest source of error. Field measurement QC must be as rigorous as lab QC.



# AMAP Guideline

13. Calibrate all field instruments/probes, as applicable.
14. Perform Secondary (QC) checks prior to, and after, each day's sampling. These procedures should be documented in specific SOPs, along with the acceptable ranges for each check. Submit QC data with field measurements.
15. Streams: For projects in streams, the standard requirement is to conduct post-con erosion assessment of the downstream banks and beds quarterly, for 2 years, to verify no long term adverse impacts as a result of the project.
16. Beach nourishment: For beach nourishment projects, the standard requirement is to conduct post-con beach profile measurements of the nourished beach quarterly, for 2 years, to verify that nourished beach performs effectively as proposed and there will be no long term adverse impacts as a result of the project.



# AMAP Guideline

## c. Personnel

1. Specify Name, Title, Organization, Responsibilities and Qualifications of ALL personnel involved with this document (in a table). Samples should be collected by a Qualified Sampler. ("Qualified Sampler" means a person who actively practices environmental science, or has formal training in sampling theory, practices and techniques. Qualified Samplers must be experienced in, and thoroughly knowledgeable of, all aspects of the sampling including all equipment, instruments, SOPs, calibrations, secondary checks, limits, and reporting requirements. Samplers must be able to recognize unobvious or potential problems. The concern here is that problems are best addressed if they are immediately recognized when the samples are taken. The chances of correcting problems are reduced with delay and the further the data gets passed on.)



# AMAP Guideline

## 2. Reports and Assessments

- a. Field data (raw) shall be sent to DOH-CWB within 24 hours (or by the end of the next business day). Include photos and site conditions/comments. Sample results for TSS shall be submitted by the end of the next business day after TSS results become available.
- b. The project owner (Certifying Person of the Section 401 WQC application) or their duly authorized representative (the representative must meet 40 CFR § 122.22 requirements) is responsible for sending the reports to CWB.
- c. All reports and assessments shall be submitted to the DOH-CWB in accordance with your WQC. Refer to your WQC.





# AMAP Guideline

4. DEFINE THE BOUNDARIES OF THE STUDY - Specify the boundaries: Define the population of interest, spatial boundaries, temporal boundaries, and scale of decision making. (The scale of decision making means the DU.)

- a. Example: The Decision Unit consists of all of the water along the length of the installed BMP measures (i.e., turbidity barrier) out to one meter, from the surface to the bottom. The Temporal boundaries are from the beginning of the project (March 1, 2011) to the end of the project (April 30, 2011).
- b. Include a scaled map or construction drawing of the project site with the BMPs and indicate where the DUs are located. Note that because of the nature of water sampling, samplers may have to choose between addressing the spatial or temporal components.

# AMAP Guideline

5. DEVELOP THE ANALYTIC APPROACH - State the Decision Rule(s) as “if...then...else...” statements that incorporate the parameter of interest, the unit of decision making, the action level and the alternative actions.
  - a. The general format of a Decision Rule: **If the** [parameter of interest] **within** [decision unit] **is >** [the action level] **then** [alternate action A] **else** [alternate action B].
  - b. Example: If the mean turbidity value of the Impact Decision Unit is greater than the value at the upstream control DU, or the highest mean pre-con value, then stop work and inspect/repair BMPs, else no further action required.
  - c. Since you may have multiple parameters of interest and multiple decision units, you will probably have multiple Decision Rules.



# AMAP Guideline

6. SPECIFY PERFORMANCE OR ACCEPTANCE CRITERIA - Specify Error Tolerances.  
(Depending on the project, this section can be quite involved. The more critical the consequences of an incorrect decision, the greater the importance of this section.)
  - a. MULTI INCREMENT samples are a cheaper, alternative means of obtaining representative and more accurate sample values than traditional (grab or composite) samples. MULTI INCREMENT samples cannot determine statistical values such as the range or standard deviation; however MULTI INCREMENT samples do provide values at, or very close to the mean which are the most important values for determining impacts. Decision errors are far less likely with this method.
  - b. To verify that MULTI INCREMENT samples are providing accurate values, they should be taken in triplicate and the percent Relative Standard Deviation (%RSD) should be calculated. %RSD should be maintained as low as possible, and in no case should exceed 20%.
  - c. The action levels should be established and recorded on the data recording sheet so that the samplers will know when an exceedance has occurred and the project owner and/or general contractor needs to take appropriate corrective actions. (Example: Typical action levels could be “the highest mean pre-con turbidity value”.)



# AMAP Guideline

7. DEVELOP THE PLAN FOR OBTAINING DATA - Optimize the Sample Design. Identify the most resource effective data collection and analysis design that satisfies the DQOs specified in the last 6 steps.

a. Collect MULTI INCREMENT samples.

1. Usually, MULTI INCREMENT samples are more accurate and a cheaper alternative to traditional sampling methods.



# AMAP Guideline

## Attachments

1. List all technical documents used in preparation of this document.
2. List all technical documents associated with equipment and instruments in the AMAP.
3. List all procedural documents that will be used in the AMAP.
4. Include copies of applicable SOPs, as referenced in the AMAP. See <http://www.epa.gov/quality/qs-docs/g6-final.pdf>.
5. Include example copies of the Chain of Custody form, Datasheet form and Report form.



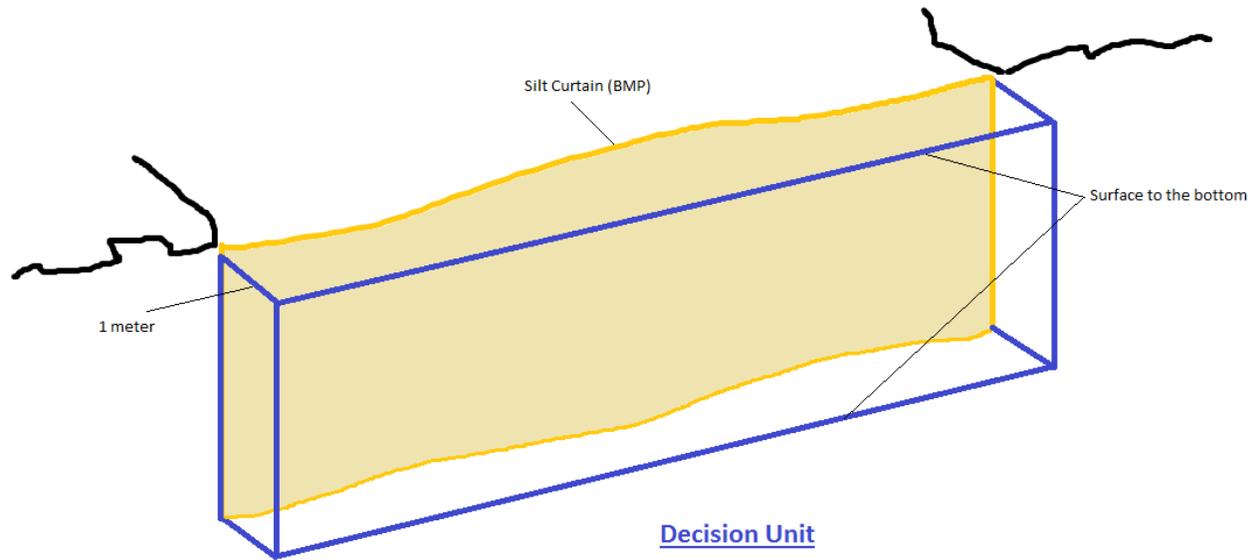
# AMAP Guideline

Additional AMAPs may be required to assess impacts upon biota or for erosion (e.g. beaches and streams).



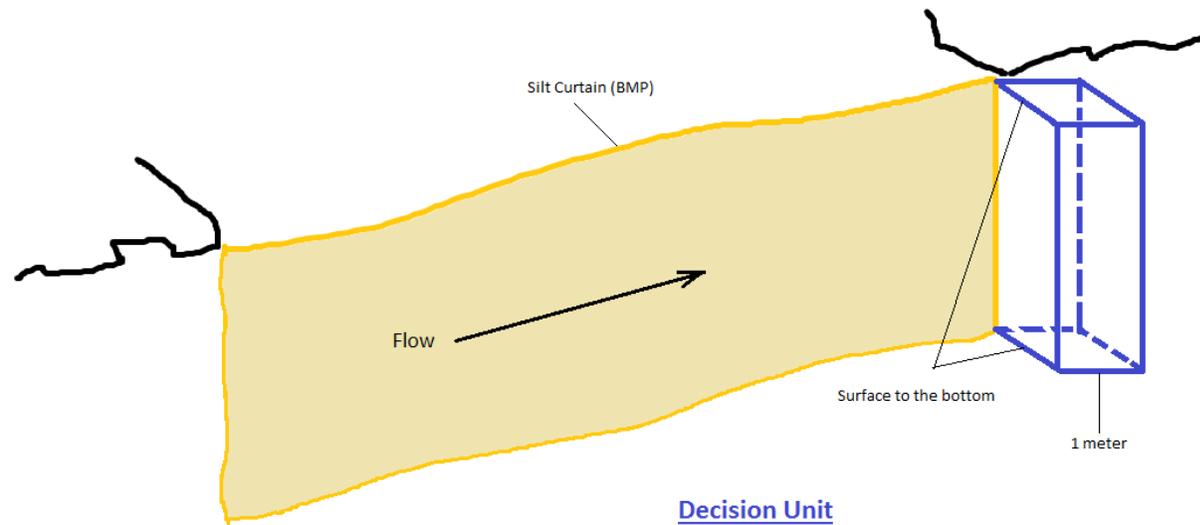
# AMAP Examples

Establishing a DU under no/low flow conditions.



# AMAP Examples

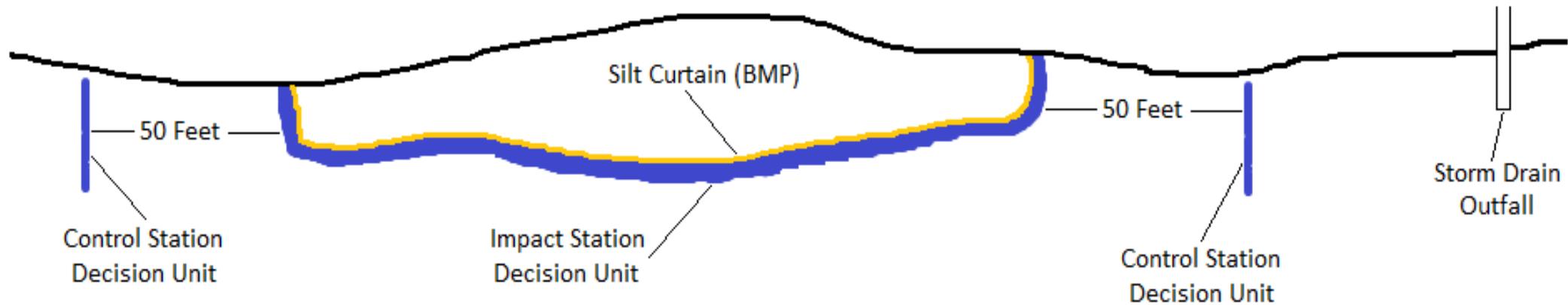
DU when the water is flowing.





# AMAP Examples

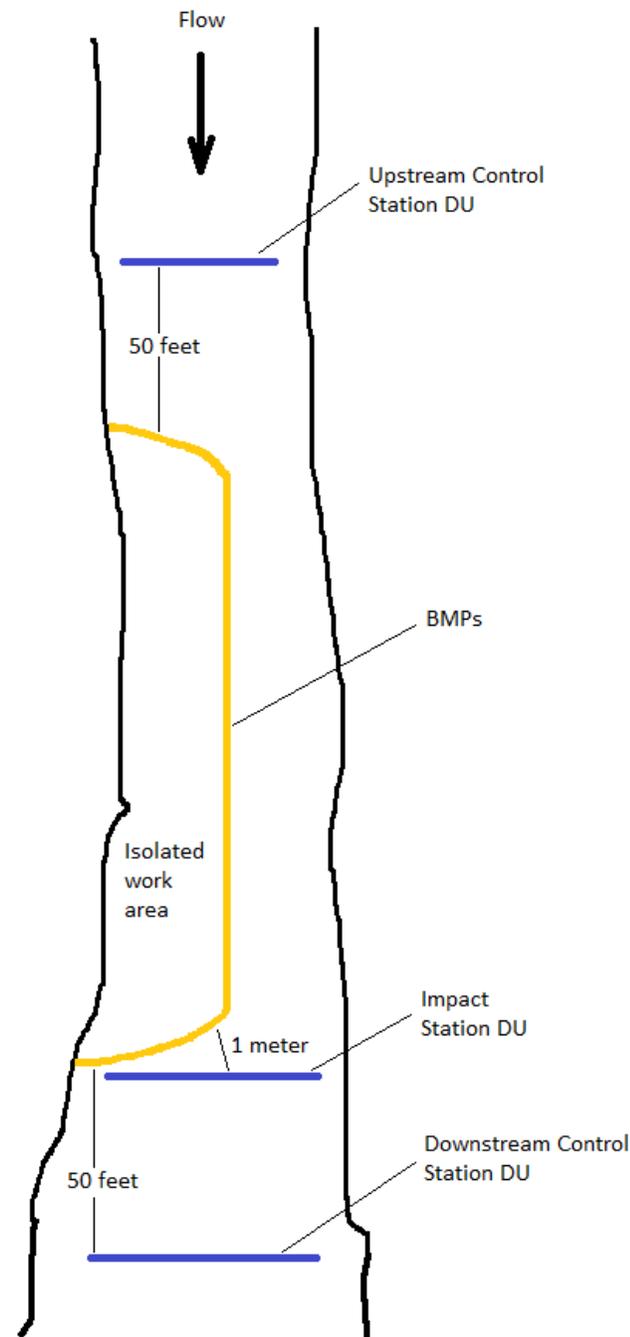
Typical standing water layout.



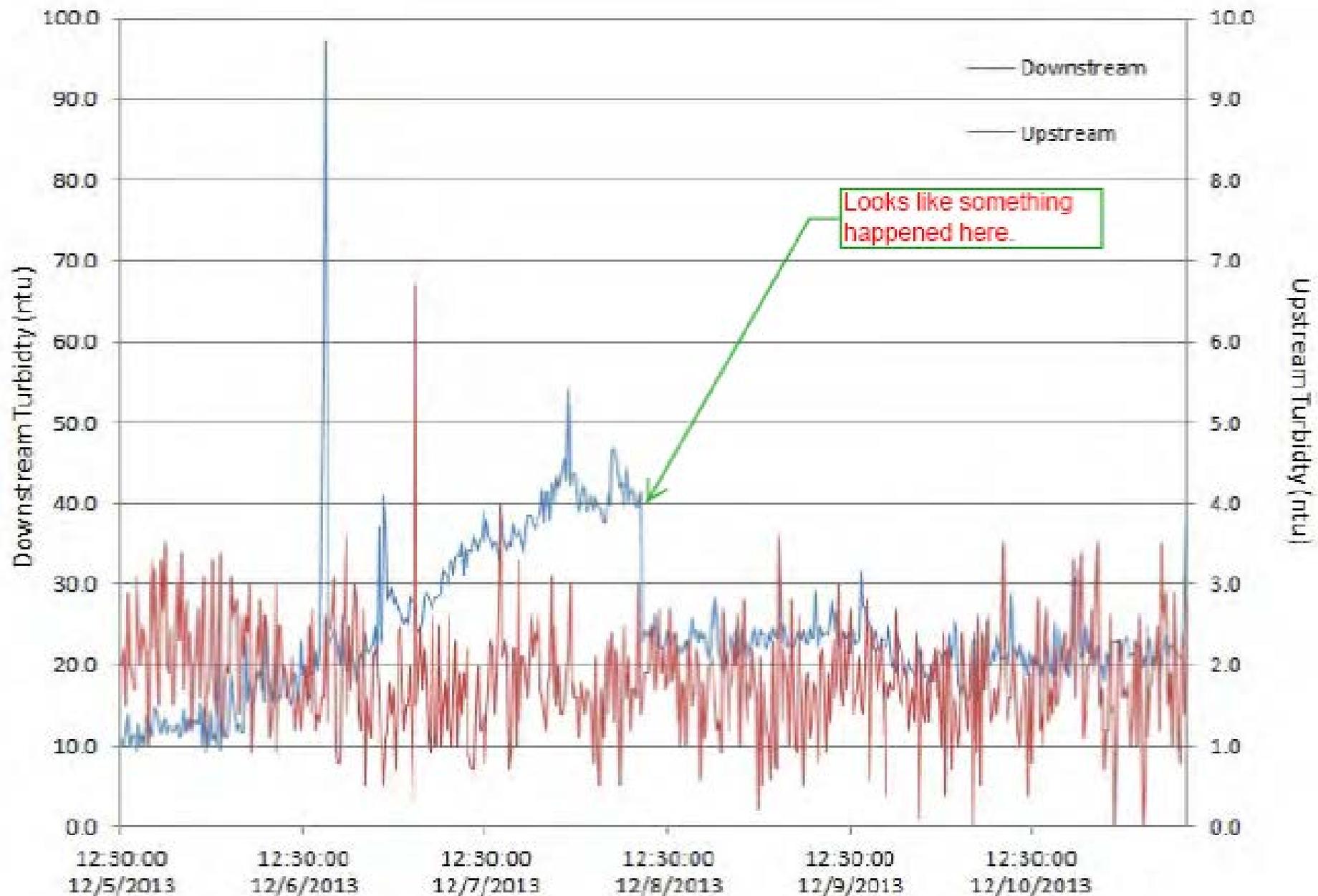
The in-water work area is 10 feet from the toe of the active Activity Decision Unit boundary. A vessel/barge may be operated outside of the isolated and confined in-water work area only if it is surrounded by a boom.

# AMAP Examples

The in-water work area is 10 feet from the toe of the active Activity Decision Unit boundary. A vessel/barge may be operated outside of the isolated and confined in-water work area only if it is surrounded by a boom.



# Real Projects



# Real Projects

TIME COLLECT	TEMPERATURE degree C	DISS. O2 % sat,	DISS. O2 mg/L	SALINITY ppt	TURBIDITY (ntu)	2.5xgm precon NTU	TURB. TIME MEASURE	pH	pH TIME MEASURE
14:29	24.82	103.53	7.00	35.07	0.60	0.88	14:37	8.24	14:26
14:30	24.66	104.95	7.12	35.09	0.72	0.85	14:38	8.25	14:27
14:40	24.86	105.94	7.16	35.07	0.72	0.90	14:39	8.25	14:28
14:41	24.57	99.91	6.79	35.09	16.9 ^	0.88	14:40	8.24	14:29

Time Travell!! Samples measured BEFORE they were taken.



# Real Projects

Turbidity (NTU):

pH, In Situ:

Temp, In Situ (C):

Depth (in):

Notes:

The AMAP identifies the instrumentation used to ensure that it is capable of measuring the expected values. While extrapolations may be accurate, they should be avoided if at all possible.

251

7.7

23

6.5

The turbidity of the sample was higher than the maximum value the nephelometer can measure. Therefore, the sample was diluted 10:1 with distilled water, measured, and then multiplied by 10 to get the reported turbidity.



# Real Projects

DISS. O2 % sat,	DISS. O2 mg/L
88.43	24.10
103.02	23.97
102.20	24.04
96.61	24.00
95.53	24.04
95.54	24.03
91.51	24.05

DO is 4X expected  
typical values.



# Real Projects

31-Oct-11	TSS (mg/l)	TURBIDITY (ntu)	pH
Pre-con Maximum	389.00	17.00	8.22
<b>Upstream Control</b>	<b>2.80</b>	<b>6.26</b>	<b>8.97</b>
<b>Upstream Impact</b>	<b>4.00</b>	<b>6.33</b>	<b>6.33</b>
<b>Downstream Control</b>	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>
<b>Downstream Impact</b>	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>
Pre-con Minimum	7.80	1.24	7.40
Geometric Mean	3.16	6.48	7.66
Standard Deviation	0.25	0.16	0.93

Does sampler recognize a problem?



# Real Projects

## LABORATORY ANALYSIS REPORT

**TO:**  
**ADDRESS:**  
**SAMPLES OF:** Stream  
**SAMPLES COLLECTED:** 10/1/08  
**SAMPLES RECEIVED:** 10/24/08

DATE SAMPLE ANALYZED		12/1/08 9:00AM	12/1/08 9:00AM
		TOTAL SUSPENDED SOLIDS	TURBIDITY
		mg/L	NTU
STREAM			
	UPSTREAM	<.1	1.30
	IMPACT	.33	1.98
	DOWNSTREAM	.66	2.00

Laboratory Remarks: . Samples received in good condition at 4 degrees Celsius.  
 SM 18<sup>th</sup> Ed 1992 TSS 2540D 0.1 mg/L.

Approved by: \_\_\_\_\_



# Real Projects

Turb. (NTU)
6.42
82.5
106
55.9
9.99

Upstream Control

Impact DU - Triplicates

Downstream Control



# Real Projects



# MI Sample Bottle





# Questions?

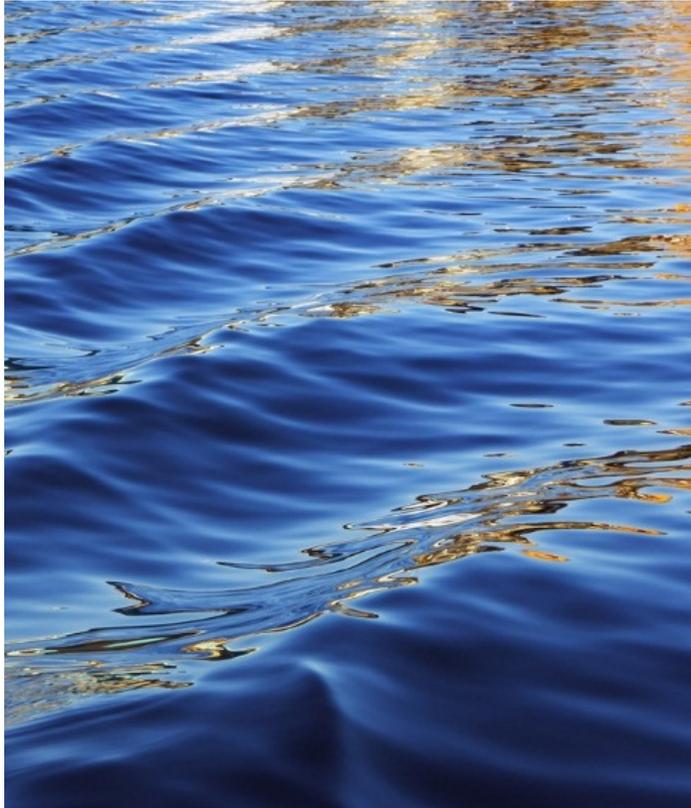
Department of Health, Clean Water Branch

919 Ala Moana Blvd., Room 301

Tel: 808-586-4309

Email: [cleanwaterbranch@doh.hawaii.gov](mailto:cleanwaterbranch@doh.hawaii.gov)

Website: <http://health.hawaii.gov/cwb/>





# Attachment A Notification Requirements

# Blanket Section 401 WQC (File No WQCo804).

- Condition No. 5 – Notification Requirements:
  - The form used to submit the notification requirements is the e-Permitting NWP Blanket WQC Notification Form. This form is available on the e Permitting Portal located at: <https://eha-cloud.doh.hawaii.gov/epermit/>.
    - (1) Enter the e-Permitting Portal website.
    - (2) Login to the e-Permitting Portal. A one-time registration is required to obtain a login and password. Anyone can register and submit through portal.
    - (3) Press the Form Finder button.
    - (4) Type “NWP Blanket WQC Notification Form.”
    - (5) Read the instructions.
    - (6) Press the submit Online Form button and complete the form.



# Blanket Section 401 WQC (File No WQCo804).

- Condition No. 5 – Notification Requirements:

- Open e-Permitting Portal website at: <https://eha-cloud.doh.hawaii.gov/epermit/>.

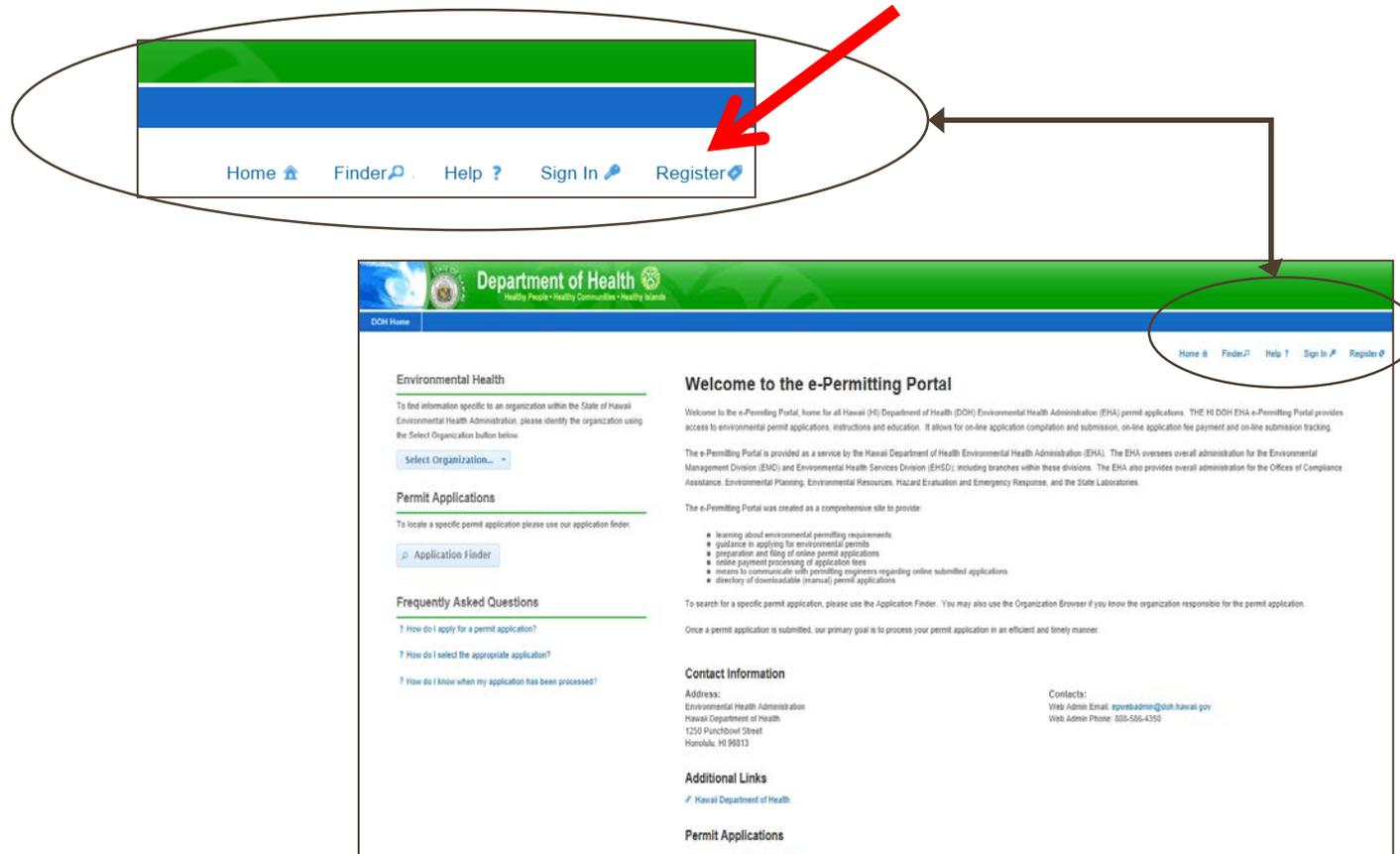
Recommended browsers: Google Chrome, Mozilla Firefox, IE 9 or higher.

The screenshot shows the homepage of the Hawaii Department of Health's e-Permitting Portal. The header features the Department of Health logo and the tagline "Healthy People • Healthy Communities • Healthy Islands". The main content area is divided into three columns. The left column contains sections for "Environmental Health" (with a "Select Organization..." button), "Permit Applications" (with an "Application Finder" button), and "Frequently Asked Questions" (with three questions). The middle column is titled "Welcome to the e-Permitting Portal" and provides a detailed introduction to the portal's services, including a list of features like "learning about environmental permitting requirements" and "preparation and filing of online permit applications". The right column contains "Contact Information" (address: 1250 Punchbowl Street, Honolulu, HI 96813) and "Additional Links" (Hawaii Department of Health). A navigation bar at the top right includes links for Home, Finder, Help, Sign In, and Register.



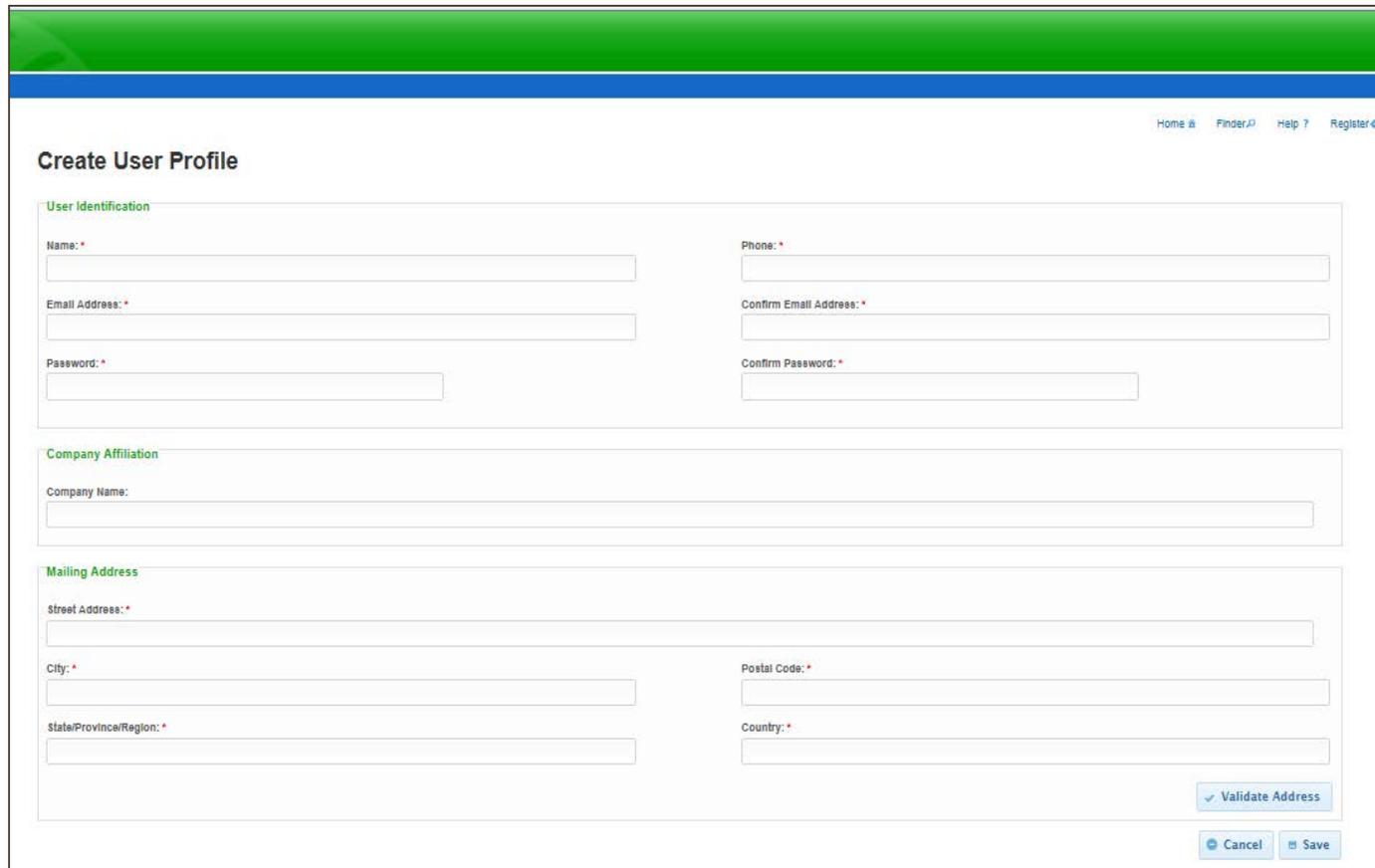
# Blanket Section 401 WQC (File No WQCo804).

- Condition No. 5 – Notification Requirements:
  - Click Register link at top of page.



# Blanket Section 401 WQC (File No WQCo804).

- Condition No. 5 – Notification Requirements:
  - Fill out registration and verify your email address.



The screenshot shows a web form titled "Create User Profile" with a green header bar and a blue navigation bar. The form is divided into three main sections: "User Identification", "Company Affiliation", and "Mailing Address".

**User Identification:** This section contains six input fields arranged in two columns. The left column includes "Name: \*", "Email Address: \*", and "Password: \*". The right column includes "Phone: \*", "Confirm Email Address: \*", and "Confirm Password: \*".

**Company Affiliation:** This section contains a single input field labeled "Company Name:".

**Mailing Address:** This section contains five input fields. The first is "Street Address: \*". The second and third are "City: \*" and "Postal Code: \*". The fourth and fifth are "State/Provincial/Region: \*" and "Country: \*".

At the bottom right of the form, there are three buttons: "Validate Address" (with a checkmark icon), "Cancel", and "Save".



# Blanket Section 401 WQC (File No WQCo804).

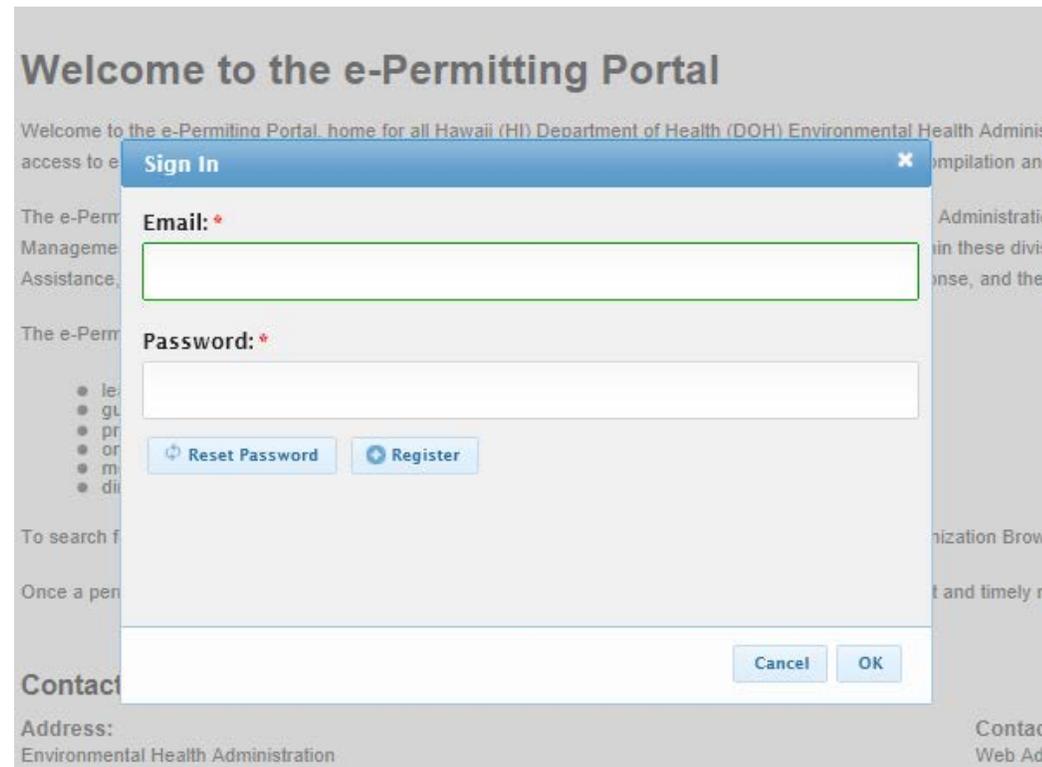
- Condition No. 5 – Notification Requirements:
  - After registration, sign in to e-Permitting Portal.

The image shows a screenshot of the Department of Health e-Permitting Portal. A red arrow points to the 'Sign In' link in the top navigation bar. A black arrow points from the 'Sign In' link to a red circle around the 'Sign In' link in the full page screenshot below. The full page screenshot shows the 'Department of Health' logo at the top, followed by a navigation bar with links for Home, Finder, Help, Sign In, and Register. The main content area includes sections for Environmental Health, Permit Applications, and Frequently Asked Questions. The 'Welcome to the e-Permitting Portal' section provides information about the portal's purpose and services. The 'Contact Information' section lists the address and contact details for the Environmental Health Administration.



# Blanket Section 401 WQC (File No WQCo804).

- Condition No. 5 – Notification Requirements:
  - Enter email address and password you provided during registration.

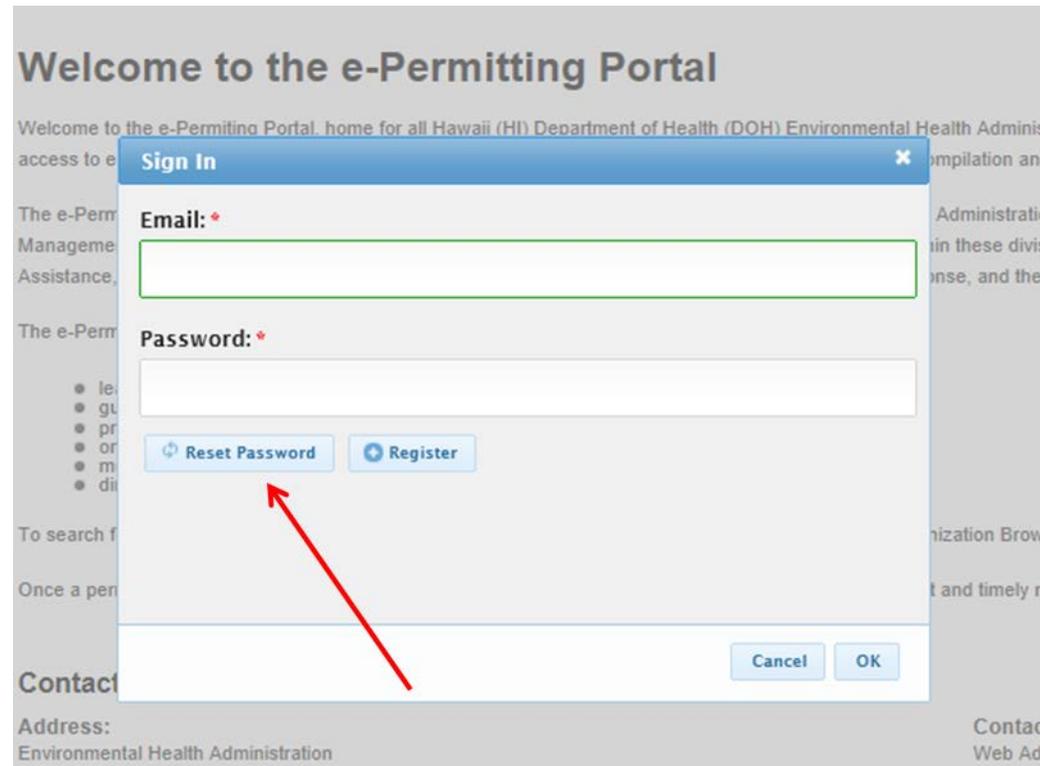


The image shows a screenshot of a web portal titled "Welcome to the e-Permitting Portal". A "Sign In" modal window is overlaid on the page. The modal contains two input fields: "Email:" and "Password:", both marked with a red asterisk. Below the password field are two buttons: "Reset Password" and "Register". At the bottom of the modal are "Cancel" and "OK" buttons. The background page is partially visible, showing text about the Department of Health (DOH) Environmental Health Administration and a list of services.



# Blanket Section 401 WQC (File No WQCo804).

- Condition No. 5 – Notification Requirements:
  - e-Permitting Portal allows you to change and/or reset your password.



The screenshot shows a web browser window titled "Welcome to the e-Permitting Portal". A modal dialog box titled "Sign In" is open, containing two input fields: "Email:" and "Password:". Below the password field are two buttons: "Reset Password" and "Register". A red arrow points to the "Reset Password" button. At the bottom of the dialog are "Cancel" and "OK" buttons. The background of the page is partially visible, showing text about the Hawaii Department of Health's Environmental Health Administration.



# Blanket Section 401 WQC (File No WQCo804).

- Condition No. 5 – Notification Requirements:
  - E-Permitting Password.
    - Protect your password.
    - Anyone with your password can view and edit all drafts and submissions created under your account.
    - e-Permitting allows users to share submissions and assign user roles.
    - If you need to reset password and do not have access to the registered email, you will lose access to all your drafts and submissions. You will have to register again. DOH will not recover your drafts and submissions.



# Blanket Section 401 WQC (File No WQCo804).

- Condition No. 5 – Notification Requirements:
  - After signing in you will be taken to e-Permitting Portal start page.

The screenshot shows the e-Permitting Portal home page. The header features the Department of Health logo and the text "Department of Health Healthy People • Healthy Communities • Healthy Islands". A navigation bar includes links for Home, Finder, Reports, Dashboard, Users, Organizations, Applications, History, Help, Darryl Lum, and Sign Out. The main content area is divided into three columns. The left column has sections for "Environmental Health" (with a "Select Organization..." button), "Permit Applications" (with an "Application Finder" button), and "Frequently Asked Questions" (with three question links). The middle column is titled "Welcome to the e-Permitting Portal" and contains a welcome message, a description of the portal's services, a list of services provided, and contact information. The right column contains "Contact Information" (address and phone number) and "Additional Links" (a link to the Hawaii Department of Health).

**Department of Health**  
Healthy People • Healthy Communities • Healthy Islands

Home | Finder | Reports | Dashboard | Users | Organizations | Applications | History | Help | Darryl Lum | Sign Out

### Environmental Health

To find information specific to an organization within the State of Hawaii Environmental Health Administration, please identify the organization using the Select Organization button below.

Select Organization...

### Permit Applications

To locate a specific permit application please use our application finder.

Application Finder

### Frequently Asked Questions

- ? How do I apply for a permit application?
- ? How do I select the appropriate application?
- ? How do I know when my application has been processed?

## Welcome to the e-Permitting Portal

Welcome to the e-Permitting Portal, home for all Hawaii (HI) Department of Health (DOH) Environmental Health Administration (EHA) permit applications. THE HI DOH EHA e-Permitting Portal provides access to environmental permit applications, instructions and education. It allows for on-line application compilation and submission, on-line application fee payment and on-line submission tracking.

The e-Permitting Portal is provided as a service by the Hawaii Department of Health Environmental Health Administration (EHA). The EHA oversees overall administration for the Environmental Management Division (EMD) and Environmental Health Services Division (EHSD); including branches within these divisions. The EHA also provides overall administration for the Offices of Compliance Assistance, Environmental Planning, Environmental Resources, Hazard Evaluation and Emergency Response, and the State Laboratories.

The e-Permitting Portal was created as a comprehensive site to provide:

- learning about environmental permitting requirements
- guidance in applying for environmental permits
- preparation and filing of online permit applications
- online payment processing of application fees
- means to communicate with permitting engineers regarding online submitted applications
- directory of downloadable (manual) permit applications

To search for a specific permit application, please use the Application Finder. You may also use the Organization Browser if you know the organization responsible for the permit application.

Once a permit application is submitted, our primary goal is to process your permit application in an efficient and timely manner.

### Contact Information

Address:  
Environmental Health Administration  
Hawaii Department of Health  
1250 Punchbowl Street  
Honolulu, HI 96813

Contacts:  
Web Admin Email: epwebadmin@doh.hawaii.gov  
Web Admin Phone: 808-586-4350

### Additional Links

- ✓ Hawaii Department of Health

### Permit Applications



# Blanket Section 401 WQC (File No WQCo804).

- Condition No. 5 – Notification Requirements:
  - Press Form Finder button.

**Organizations**

Select the organization from which you would like to submit a form.

Select Organization ▾

**Forms**

To locate a specific form, please use our form finder.

Form Finder

Department of Health  
Health, Safety, Environment, Quality, Security

Welcome to the e-Permitting Portal

Permit Applications

Application Finder



# Blanket Section 401 WQC (File No WQCo804).

- Condition No. 5 – Notification Requirements:
  - Enter name of desired form in search field (e.g. NWP Blanket WQC Notification Form)
  - You may also enter type of activity you need to permit and Portal will recommend applications.

Department of Health  
Healthy People • Healthy Communities • Healthy Islands

Home

Home Finder Reports Dashboard Users Organizations Forms History Help ? Darryl Lum Sign Out

### Help

Use this page to identify the forms which may be most appropriate for your needs.

If you know the form you are looking for, enter the name of the form in the Form Search area.

If you are not sure which forms you need, describe the activity you are looking to in the Form Search area and the system will recommend the forms that may be needed.

Once the appropriate forms are identified, click on the name of a form to view the details of that form and to initiate the form submission process.

### Organization Browser

To find information specific to an organization, please identify the organization using the Select Organization button below.

Select Organization

### Form Search

Looking for a form? Please enter the name of the form below.

Don't know the name of the form? Not a problem. Please tell us about the type of activity you need to perform and we will recommend the form which may need to be submitted.

Recommended Forms

Type name of desired form (e.g. "NWP Blanket WQC Notification Form")



# Blanket Section 401 WQC (File No WQCo804).

- Condition No. 5 – Notification Requirements:
  - Link to form will appear. Click on this link.

## Form Search

Looking for a form? Please enter the name of the form below.

Don't know the name of the form? Not a problem. Please tell us about the type of activity you need to perform and we will recommend the form which may need to be submitted.

### Recommended Forms

Based on your description, the following 1 forms match your needs.

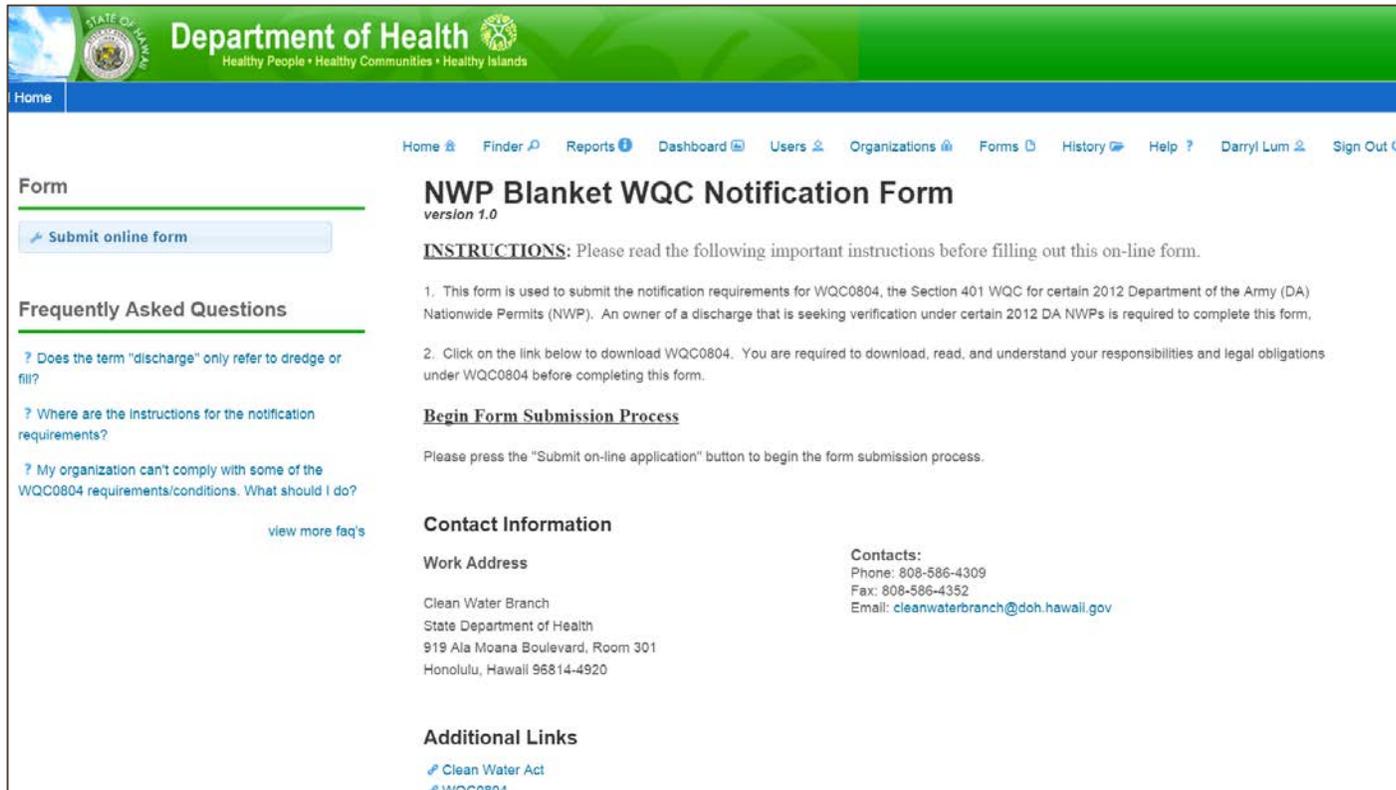
**NWP Blanket WQC Notification Form**

This form is to submit the notification requirements for the blanket Section 401 WQC (WQC0804) for any owner of a discharge that is seeking verification under certain Department of the Army, Nationwide Permits.



# Blanket Section 401 WQC (File No WQCo804).

- Condition No. 5 – Notification Requirements:
  - After clicking on link you will be taken to form start page.



The screenshot shows the Department of Health website interface. At the top, there is a green header with the Department of Health logo and the tagline "Healthy People • Healthy Communities • Healthy Islands". Below the header is a blue navigation bar with links for Home, Finder, Reports, Dashboard, Users, Organizations, Forms, History, Help, and a user profile for Darryl Lum. The main content area is titled "Form" and features a "Submit online form" button. Below this is a "Frequently Asked Questions" section with three questions: "Does the term 'discharge' only refer to dredge or fill?", "Where are the instructions for the notification requirements?", and "My organization can't comply with some of the WQC0804 requirements/conditions. What should I do?". The main heading is "NWP Blanket WQC Notification Form version 1.0". Underneath, there are "INSTRUCTIONS" and a numbered list of two steps: 1. This form is used to submit the notification requirements for WQC0804, the Section 401 WQC for certain 2012 Department of the Army (DA) Nationwide Permits (NWP). An owner of a discharge that is seeking verification under certain 2012 DA NWPs is required to complete this form. 2. Click on the link below to download WQC0804. You are required to download, read, and understand your responsibilities and legal obligations under WQC0804 before completing this form. Below the instructions is a "Begin Form Submission Process" section with a link to "Submit on-line application". A "Contact Information" section provides work address, phone, fax, and email for the Clean Water Branch. Finally, an "Additional Links" section includes links for the Clean Water Act and WQC0804.



# Blanket Section 401 WQC (File No WQCo804).

- Condition No. 5 – Notification Requirements:
  - Read the instructions.

The screenshot shows the Department of Health website interface. At the top, there is a green header with the Department of Health logo and the text 'Department of Health Healthy People • Healthy Communities • Healthy Islands'. Below the header is a blue navigation bar with links for Home, Finder, Reports, Dashboard, Users, Organizations, Forms, History, Help, Darryl Lum, and Sign Out. The main content area is titled 'Form' and features a 'Submit online form' button. Below this is a 'Frequently Asked Questions' section with three questions. The main content is titled 'NWP Blanket WQC Notification Form Version 1.0'. It includes an 'INSTRUCTIONS' section with two numbered points: 1. This form is used to submit the notification requirements for WQC0804, the Section 401 WQC for certain 2012 Department of the Army (DA) Nationwide Permits (NWP). An owner of a discharge that is seeking verification under certain 2012 DA NWPs is required to complete this form. 2. Click on the link below to download WQC0804. You are required to download, read, and understand your responsibilities and legal obligations under WQC0804 before completing this form. Below the instructions is a 'Begin Form Submission Process' section with the text 'Please press the "Submit on-line application" button to begin the form submission process.' At the bottom, there is a 'Contact Information' section with 'Work Address' and 'Contacts' details. The 'Work Address' is 'Clean Water Branch, State Department of Health, 919 Ala Moana Boulevard, Room 301, Honolulu, Hawaii 96814-4920'. The 'Contacts' are 'Phone: 808-586-4309, Fax: 808-586-4352, Email: cleanwaterbranch@doh.hawaii.gov'. There is also an 'Additional Links' section with links for 'Clean Water Act' and 'WQC0804'. A red circle highlights the 'INSTRUCTIONS' and 'Begin Form Submission Process' sections.



# Blanket Section 401 WQC (File No WQCo804).

- Condition No. 5 – Notification Requirements:
  - After you read the instructions, press Submit Online Form button.

The image shows two screenshots of the Department of Health website. The left screenshot is a zoomed-in view of the 'Form' section, highlighting the 'Submit online form' button with a red arrow. The right screenshot is the full page for the 'NWP Blanket WQC Notification Form'. A black arrow points from the 'Submit online form' button in the main content area to the 'Submit online form' button in the left sidebar.

**Form**

[Submit online form](#)

**Frequently Asked Questions**

? Does the term "discharge" only refer to dredge or fill?

? Where are the instructions for the notification requirements?

? My organization can't comply with some of the WQCo804 requirements/conditions. What should I do?

[view more faq's](#)

**Department of Health**  
Healthy People • Healthy Communities • Healthy Islands

Home | Finder | Reports | Dashboard | Users | Organizations | Forms | History | Help | Darryl Lum | Sign Out

### NWP Blanket WQC Notification Form

version 1.0

**INSTRUCTIONS:** Please read the following important instructions before filling out this on-line form.

1. This form is used to submit the notification requirements for WQCo804, the Section 401 WQC for certain 2012 Department of the Army (DA) Nationwide Permits (NWP). An owner of a discharge that is seeking verification under certain 2012 DA NWPs is required to complete this form.
2. Click on the link below to download WQCo804. You are required to download, read, and understand your responsibilities and legal obligations under WQCo804 before completing this form.

**Begin Form Submission Process**

Please press the "Submit on-line application" button to begin the form submission process.

**Contact Information**

**Work Address**

Clean Water Branch  
State Department of Health  
919 Ala Moana Boulevard, Room 301  
Honolulu, Hawaii 96814-4920

**Contacts:**  
Phone: 808-595-4309  
Fax: 808-286-4352  
Email: [cleanwaterbranch@doh.hawaii.gov](mailto:cleanwaterbranch@doh.hawaii.gov)

**Additional Links**

[Clean Water Act](#)



# Blanket Section 401 WQC (File No WQCo804).

- Condition No. 5 – Notification Requirements:

**Processing Information**

For this step, please provide the requested information for your online application.

Please note, any information you provide for your online application form will not be accessible by HI DOH staff until you submit the form in the 'Certify & Submit' step. Prior to submission, your online application form is considered a draft. At the time of submission, it will be transmitted to HI DOH and it will become part of the public record.

### NWP Blanket WQC Notification Form

version 1.0  
(Submission #: 27K-TS56-BDN1, revision 1)

Please specify the following information for your online application:

- The reason for the online application, e.g., new permit, permit renewal, permit modification, or survey. If no options are available for your online application, the value shown is the default and cannot be changed.
- The standard processing fee for your online application will be shown below, unless it is a calculated fee. Calculated fees will be finalized once the online application is ready for submittal. More than one project type may be selected by using the CTRL key with your mouse selector. To deselect, also use the CTRL key and mouse. Please note that justification is required for each project type.

Select the reason for this submission:

File Reference #:

Basic Submission Fee: \$0

Select applicable project types:

- Green House Gas Emissions Reduction
- Waste Reduction, Reuse, Recycle
- Renewable Energy
- ARRA Project

If selected, please provide referential information for your selection:

**Processing Information Step**

- Provide reason for submission (New).
- Select Base Fee (\$).
- Select applicable project type. ARRA and Renewable Energy Projects given priority.
- Hold Ctrl and left mouse click to select multiple project types.
- Hold Ctrl and left mouse click to deselect in case of mistake.
- Press Next Step button to continue to Date Entry Step.

Steps: Processing Info > Entry > Review > Certify & Submit > Payment > Confirmation

Save for Later    Next Step

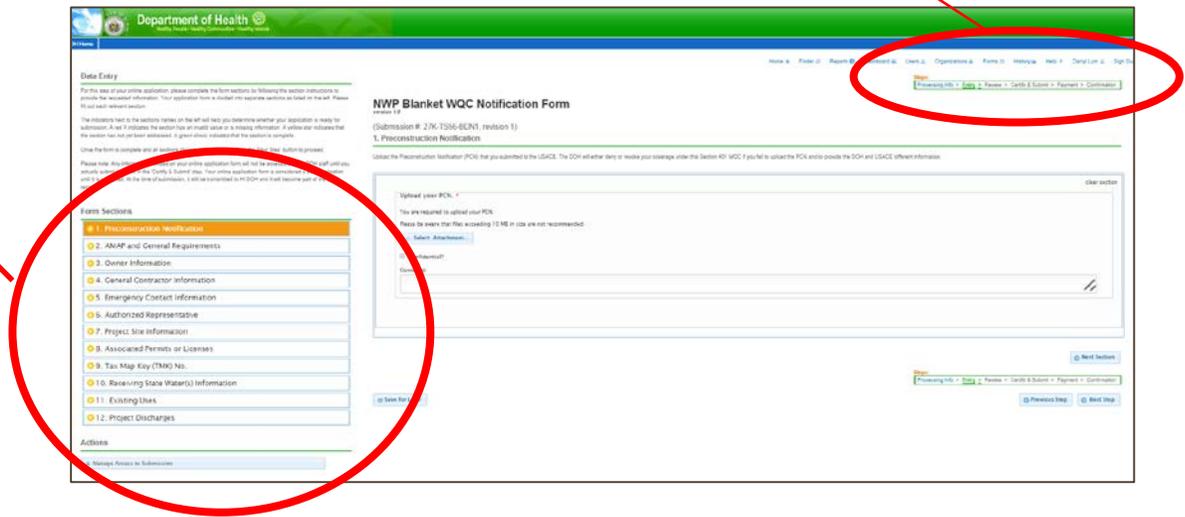


# Blanket Section 401 WQC (File No WQCo804).

- Condition No. 5 – Notification Requirements:

Form Sections
★ 1. Preconstruction Notification
★ 2. AMAP and General Requirements
★ 3. Owner Information
★ 4. General Contractor Information
★ 5. Emergency Contact Information
★ 6. Authorized Representative
★ 7. Project Site Information
★ 8. Associated Permits or Licenses
★ 9. Tax Map Key (TMK) No.
★ 10. Receiving State Water(s) Information
★ 11. Existing Uses
★ 12. Project Discharges

**Steps:** Processing Info > **Entry** > Review > Certify & Submit > Payment > Confirmation



# Blanket Section 401 WQC (File No WQCo804).

- Condition No. 5 – Notification Requirements:

**Data Entry**

Steps: Processing Info > **Entry** > Review > Certify & Submit > Payment > Confirmation

### NWP Blanket WQC Notification Form

version 1.0

(Submission #: 27K-TS56-BDN1, revision 1)

#### 1. Preconstruction Notification

Upload the Preconstruction Notification (PCN) that you submitted to the USACE. The DOH will either deny or revoke your coverage under this Section 401 WQC if you fail to upload the PCN and/or provide the DOH and USACE different information.

clear section

**Upload your PCN. \***

You are required to upload your PCN.

Please be aware that files exceeding 10 MB in size are not recommended

Select Attachment...

Confidential?

Comments:

Next Section

Steps: Processing Info > **Entry** > Review > Certify & Submit > Payment > Confirmation

Save for Later Previous Step Next Step

**Provide requested information. Fields with asterisk (\*) required.**

**Form Sections**

- ★ 1. Preconstruction Notification
- ★ 2. AMAP and General Requirements
- ★ 3. Owner Information
- ★ 4. General Contractor Information
- ★ 5. Emergency Contact Information



# Blanket Section 401 WQC (File No WQCo804).

- Condition No. 5 – Notification Requirements:

**Data Entry**

For this step of your online application, please complete the form sections by following the section instructions to provide the requested information. Your application form is divided into separate sections as listed on the left. Please fill out each relevant section.

The indicators next to the sections names on the left will help you determine whether your application is ready for submission. A red X indicates the section has an invalid value or is missing information. A yellow star indicates that the section has not yet been addressed. A green check indicates that the section is complete.

Once the form is complete and all sections show a green check, click on the 'Next Step' button to proceed.

Please note: Any information provided on your online application form will not be accessible by HI DOH staff until you actually submit the form in the 'Certify & Submit' step. Your online application form is considered a draft application until it is submitted. At the time of submission, it will be transmitted to HI DOH and it will become part of the public record.

**Form Sections**

- ★ 1. Preconstruction Notification
- ★ 2. AMAP and General Requirements
- ★ 3. Owner Information
- ★ 4. General Contractor Information
- ★ 5. Emergency Contact Information

**Steps:** Processing Info > **Entry** > Review > Certify & Submit > Payment > Confirmation

## NWP Blanket WQC Notification Form

version 1.0

(Submission #: 27K-TS56-BDN1, revision 1)

### 1. Preconstruction Notification

Upload the Preconstruction Notification (PCN) that you submitted to the USACE. The DOH will either deny or revoke your coverage under this Section 401 WQC if you fail to upload the PCN and/or provide the DOH and USACE different information.

clear section

**Upload your PCN \***

You are required to upload your PCN.

Please be aware that files exceeding 10 MB in size are not recommended.

Select Attachment...

Confidential?

Comment:

**After you provide information, press Next Section button to continue to next section.**

Next Section

**Steps:** Processing Info > **Entry** > Review > Certify & Submit > Payment > Confirmation

Save for Later Previous Step Next Step



# Blanket Section 401 WQC (File No WQCo804).

- Condition No. 5 – Notification Requirements:
  - If section meets appropriate validation rules, you will move to next step in process.
  - Visual cues provided by system:
    -  Sections not yet visited marked with yellow star.
    -  Sections with missing data marked with red x. Once all issues on section remedied green checkmark will appear.
    -  Sections with required information filled out marked with green checkmark.
  - Note: At any time, “Save for Later” button can be clicked to conclude data entry for time being. You can recommence process by clicking “History” link at top of form and selecting edit button next to your application.



# Blanket Section 401 WQC (File No WQCo804).

- Condition No. 5 – Notification Requirements:

Form Sections	
✓	1. Preconstruction Notification
✓	2. AMAP and General Requirements
✗	3. Owner Information
★	4. General Contractor Information
★	5. Emergency Contact Information
★	6. Authorized Representative
★	7. Project Site Information
★	8. Associated Permits or Licenses
★	9. Tax Map Key (TMK) No.
★	10. Receiving State Water(s) Information
★	11. Existing Uses
★	12. Project Discharges



# Blanket Section 401 WQC (File No WQCo804).

- Condition No. 5 – Notification Requirements:
  - Discharger seeking verification under the applicable NWP shall submit through the e-Permitting NWP Blanket WQC Notification Form:
    - (1) A copy of the PCN submitted to the USACE.
    - (2) A compliance certification indicating that they will comply with all conditions of this Section 401 WQC.
    - (3) The legal name(s), street address, contact person's name and position title, and telephone and email addresses of the Owner of the discharge, Owner Contact Person, Certifying Person, General Contractor, Emergency Contacts, Project Contact, and authorized representative (if applicable).
    - (4) The project name, a project location description, the Tax Map Key, and the approximate centroid location coordinate of the in-water work activity (latitude/longitude coordinates in decimal degrees).



# Blanket Section 401 WQC (File No WQCo804).

- Condition No. 5 – Notification Requirements:
  - Discharger seeking verification under the applicable NWP shall submit through the e-Permitting NWP Blanket WQC Notification Form:
    - (5) All associated applicable permits or licenses that will be required
    - (6) Name(s) of the State waters where the discharge will occur, the classification of the State waters, a determination if the State water(s) is on the CWA 303(d) impaired water body list, the associated existing uses, temporary and potential long term adverse impacts to the associated existing uses, and a certification that the associated existing uses will be maintained and protected.



# Blanket Section 401 WQC (File No WQCo804).

- Condition No. 5 – Notification Requirements:
  - Discharger seeking verification under the applicable NWP shall submit through the e-Permitting NWP Blanket WQC Notification Form:
    - (7) Disclosure of each water pollutant of concern (POC) from the Activity; certification that the BMPs will completely isolate and confine the entire volume of water within the in-water work area and prevent each water pollutant from leaving the in-water work area; the duration of the water pollutant discharge; and the quality and quantity of the POC discharge.
    - (8) BMPs and construction drawings for activities/discharges covered under this Section 401 WQC.



# Blanket Section 401 WQC (File No WQCo804).

- Condition No. 5 – Notification Requirements:
  - Discharger seeking verification under an applicable NWP shall submit through the e-Permitting NWP Blanket WQC Notification Form:
    - (g) Specification of during construction monitoring frequency based on duration of in-water work and when BMPs will be changed/moved as in-water work is performed. Minimum during construction monitoring frequency is as follows:
      - (a)  $\leq 2$  months in-water work; monitoring and reporting frequency = daily.
      - (b)  $> 2$  months and  $< 1$  year in-water work; monitoring and reporting frequency = 3 times per week.
      - (c)  $\geq 1$  year and  $< 2$  years in-water work; monitoring and reporting frequency = 2 times per month.
      - (d)  $\geq 2$  years and  $< 3$  years in-water work; monitoring and reporting frequency = monthly.
      - (e)  $\geq 3$  years in-water work; monitoring and reporting frequency = quarterly.

**Note:** These minimum monitoring frequencies are consistent with current individual Section 401 WQC guidelines.



# Blanket Section 401 WQC (File No WQCo804).

- Condition No. 5 – Notification Requirements:
  - Discharger seeking verification under the applicable NWP shall submit through the e-Permitting NWP Blanket WQC Notification Form:
    - (10) The Applicable Monitoring and Assessment Plan (AMAP) that complies with AMAP Guidelines (April 8, 2015/Version 1); HAR, Chapter 11-54; CWA, 401(d); and HRS, 342D-55.
    - (11) Certification that Discharger will stop all in-water work if a visible plume is observed emanating from the work area; plume will be sampled in accordance with the AMAP; and work will not resume until cause of plume determined and corrective action performed as required.
    - (12) Certification that Discharger will stop all in-water work if during construction Impact Station water quality parameter levels are greater than highest mean pre-construction Impact Station water quality parameter levels, and during construction Impact Station water quality parameter levels are greater than during construction Upstream water quality parameter levels. Discharge must also certify that work will not resume until the cause of these exceedances are corrected as demonstrated by water quality sampling.



# Blanket Section 401 WQC (File No WQCo804).

- Condition No. 5 – Notification Requirements:

Enter a water pollutant from your activity. \*

You are required to certify that your BMPs will isolate and confine the entire volume of water within the in-water work area and prevent this water pollutant from leaving the in-water work area; your BMPs will be inert; and your BMPs will not be sources of pollution itself. If you cannot certify, do not submit this form. \*

Yes I certify. ▾

Specify the corresponding Impact Station DU. (Example: Impact Station DU 1.) \*

Specify the duration of the water pollutant discharge. (Example: 2 days.) \*

Specify the quantity of the water pollutant discharge. (Example: 100 cubic yards.) \*

You are required to certify that the quality of the water pollutant discharge will not violate any condition of WQC0804. \*

Yes I certify. ▾

[Previous Section](#)

Steps: [Processing Info](#) > **[Entry](#)** > [Review](#) > [Certify & Submit](#) > [Payment](#) > [Confirmation](#)

[Save for Later](#) [Previous Step](#) [Next Step](#)

After you completed all sections, press Next Step button to continue to Processing Info Step.



# Blanket Section 401 WQC (File No WQCo804).

- Condition No. 5 – Notification Requirements:

**Review**

For this step, your online application form is shown with the responses you have selected. Please take a moment to review and ensure that your online application form is completed accurately, prior to the next step. If you need to make any changes, please return to the application form sections step.

As a reminder, your online application form is not accessible by HI DOH staff until you have submitted the form in the 'Certify & Submit' step. Prior to submission, your online application form is considered a draft. At the time of submission, it will be transmitted to HI DOH and it will become part of the public record.

Home Finder Reports Dashboard Users Organizations Forms History Help Darryl Lum Sig

Steps: Processing Info Entry **Review** Certify Submit Payment Confirmation

### NWP Blanket WQC Notification Form

version 1.0  
(Submission #: 27K-TS56-BDN1, revision 1)

#### 1. Preconstruction Notification

Upload your PCN. - Attachment

Copy of reserves\_marked\_Jan2015.xlsx  
Comment: NONE PROVIDED

#### 2. AMAP and General Requirements

You are required to certify that 1) you read WQC0804; 2) you understand your responsibilities and legal obligations; and 3) you can and will comply with all conditions and requirements in WQC0804. Do Not submit this notification form if you cannot comply.

Yes, I certify.

You are required to certify that you will stop all in-water work if a visible plume is observed emanating from the work area; the plume will be sampled in accordance with the AMAP; and work will not resume until the cause of the plume is determined and corrective action is performed as required. You are also required to certify that you will stop all in-water work if during construction Impact Station water quality parameter levels are greater than the highest mean pre-construction Impact Station water quality parameter levels, and during construction Impact Station water quality parameter levels are greater than during construction Upstream water quality parameter levels. You must also certify that work will not resume until the cause of these exceedances are corrected as demonstrated by water quality sampling.

Yes, I certify.

Specify your during construction monitoring frequency. The frequency of your during construction sampling depends on the length of time of your in-water work and when BMPs will be changed/moved as you perform the in-water work. Example: You have a 1000 foot long stream bank project where you will be working on 200 foot segments at a time (every 200 feet you will move the BMPs). If it takes you 1 month for each 200 foot segment, your in-water work period is 1 month. You are required to specify your in-water work period below and comply with the associated during construction monitoring frequency.

<= 2 months in-water work; monitoring and reporting frequency = daily;

Download the Applicable Monitoring and Assessment Plan (AMAP) Guidelines.

Click on the link below to download the AMAP Guidelines.

[AMAP Guidelines \(April 2015/Version 1\)](#)

Upload the completed AMAP that complies with the AMAP Guidelines (April 2015/Version 1); CWA Section 401(d); and HRS 342D-55. - Attachment

Copy of reserves\_marked\_Jan2015.xlsx  
Comment: NONE PROVIDED

#### 3. Owner Information

Owner Legal Name  
a

Owner Department  
NONE PROVIDED

Owner Division



# Blanket Section 401 WQC (File No WQCo804).

- Condition No. 5 – Notification Requirements:

**12. Project Discharges (1)**

Look at the discharge definition above. Disclose each discharge/water pollutant from your project; certify that you will isolate and confine the entire volume of water within the in-water work area and prevent all water pollutants from leaving the in-water area; specify the duration of the water pollutant discharge; specify the quality and quantity of the pollutant discharge; and specify the corresponding Impact Station DU.

---

It is your responsibility to disclose all water pollutants associated with your in-water work, including all material being placed in water, all chemicals being placed in water, impacts from stream diversion, impacts from disturbed soil, dust, fertilizer, chemical, physical, biological, thermal, petroleum products from equipment, lubricants, fuel, form oil, groundwater displaced by concrete within a drilled shaft, etc. If you do not include a water pollutant in this form, you are certifying that that water pollutant will not be present. WQC0804 will not cover undisclosed pollutants. If you discharge an undisclosed water pollutant, you will be subject to civil and criminal enforcement action. Press the "+" button to add a pollutant.

Enter a water pollutant from your activity.  
s

You are required to certify that your BMPs will isolate and confine the entire volume of water within the in-water work area and prevent this water pollutant from leaving the in-water work area; your BMPs will be inert; and your BMPs will not be sources of pollution itself. If you cannot certify, do not submit this form.  
Yes I certify.

Specify the corresponding Impact Station DU. (Example: Impact Station DU 1.)  
s

Specify the duration of the water pollutant discharge. (Example: 2 days.)  
s

Specify the quantity of the water pollutant discharge. (Example: 100 cubic yards.)  
s

You are required to certify that the quality of the water pollutant discharge will not violate any condition of WQC0804.  
Yes I certify.

Steps: Processing Info > Entry > Review > **Complete & Submit** > Payment > Confirmation

[Save for Later](#) [Previous Step](#) [Next Step](#)



# Blanket Section 401 WQC (File No WQCo804).

- Condition No. 5 – Notification Requirements:

The screenshot shows the Department of Health web portal. The header includes the Department of Health logo and the tagline "Healthy People • Healthy Communities • Healthy Islands". The navigation bar contains links for Home, Finder, Reports, Dashboard, Users, Organizations, Forms, History, Help, and a user profile for Darryl Lum. A breadcrumb trail at the top right shows the current step: Processing Info > Entry > Review > **Certify & Submit** > Payment > Confirmation. The main content area is titled "NWP Blanket WQC Notification Form" (version 1.0) for submission # 27K-TS56-BDN1, revision 1. It includes a section for "Certification Requirements" with a link to download the Transmittal Requirements and Certification Statement. Below this is a "Certification Form" section with a link to download the required certification form. A red arrow points from a text box at the bottom left to this link. A "Save for Later" button is visible at the bottom left, and a "Previous Step" button is at the bottom right. The breadcrumb trail at the bottom right also highlights the "Certify & Submit" step.

**Click link to download Certification. You must click on link to continue.**



# Blanket Section 401 WQC (File No WQCo804).

- Condition No. 5 – Notification Requirements:

The screenshot displays the Department of Health web portal interface. At the top, the header includes the Department of Health logo and the slogan "Healthy People • Healthy Communities • Healthy Islands". A navigation menu contains links for Home, Finder, Reports, Dashboard, Users, Organizations, Forms, History, Help, and a user profile for Darryl Lum. A breadcrumb trail at the top right shows the current step: "Processing Info > Entry > Review > **Certify & Submit** > Payment > Confirmation". The main content area is titled "NWP Blanket WQC Notification Form" (version 1.0) for submission # 27K-TS56-BDN1, revision 1. It includes a section for "Certification Requirements" with a link to download the form. Below this, a "Certification Form" section contains a "Save for Later" button and "Previous Step" and "Submit Form" buttons. A red arrow points to the "Submit Form" button. On the left side of the page, the "Certify and Submit" step is highlighted with a red oval.



# Blanket Section 401 WQC (File No WQCo804).

- Condition No. 5 – Notification Requirements:

(Submission Id: 13T-RSQW-DJHG, v1)

Congratulations! You have successfully submitted payment for your permit application.

Submission #:	Amount Paid:	Submitted:
13T-RSQW-DJHG	\$0.00	6/30/2011 1:13:45 PM

You can track the processing of your application on your [submission history page](#) or by viewing the details of the [permit application](#)

- Confirmation Step.
  - Confirms application submission through e-Permitting Portal.
  - Unique Submission # assigned to submission for tracking purposes.





# Attachment B Transmittal Requirements



# Blanket Section 401 WQC (File No WQCo804).

- Condition No. 5 – Notification Requirements:

 <p style="text-align: center;"><b>TRANSMITTAL REQUIREMENTS AND CERTIFICATION STATEMENT FOR E-PERMITTING SECTION 401 WQC APPLICATION SUBMISSIONS</b></p> <p>1. → Submission and File Numbers</p> <p><input type="checkbox"/> e-Permitting Submission #: _____</p> <p>→ I am submitting a (check only one)</p> <p><input type="checkbox"/> Initial Section 401 WQC application.</p> <p><input type="checkbox"/> Revised Section 401 WQC application, File Number: _____</p> <p>2. → Certification Statement</p> <p><b>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.</b></p> <p>Signature _____ Date Signed _____</p> <p>Printed First and Last Name _____</p> <p>3. → Transmittal Requirements (Check all.)</p> <p><input type="checkbox"/> I have read the instructions on Page 2.</p> <p><input type="checkbox"/> If I do not follow all of the instructions on Page 2, I acknowledge that:</p> <p>a. → This submittal will not be accepted by the Clean Water Branch (CWB);</p> <p>b. → Processing of my Section 401 WQC application will not begin;</p> <p>c. → I am delaying the processing of my Section 401 WQC application; and</p> <p>d. → The CWB may deny my request for a Section 401 WQC with or without prejudice.</p> <p><input type="checkbox"/> The signature provided in Item No. 2 is an original signature.</p> <p><input type="checkbox"/> My CD or DVD is attached. This CD or DVD contains only the downloaded e-Permitting submission identified in Item No. 1 above. I have not altered this file.</p> <p>4. → Filing Fee [Check the applicable box(es)]</p> <p><input type="checkbox"/> A \$1000 check made payable to the State of Hawaii is attached.</p> <p><input type="checkbox"/> The filing fee was paid online through the e-Permitting Portal.</p> <p><input type="checkbox"/> I am submitting a revised Section 401 WQC application. My filing fee has already been paid under the initial submittal.</p> <p><input type="checkbox"/> I am a State agency, and I am requesting a Bill for Collection.</p>	<p><b>IMPORTANT INSTRUCTIONS:</b></p> <p>You are required to follow these instructions to complete your e-Permitting Section 401 WQC application initial or revised submittal. Failure to follow all of these instructions will delay the processing of your submittal and may result in the denial of your request for a Section 401 WQC. Processing of your submission will not begin until the Clean Water Branch (CWB) receives all of the items below.</p> <p><b>Item No. 1 – Submission and File Numbers</b></p> <p>a. → Enter your e-Permitting Submission #. You may find your unique e-Permitting Submission # (e.g., 15H-ZGVV-421H) in your History Link of the e-Permitting Portal. If you are submitting a revised Section 401 WQC application, the e-Permitting Submission # will contain the version (e.g., 15H-ZGVV-421H, v1).</p> <p>b. → Check only one (1) box to indicate if you are submitting an Initial Section 401 WQC application (new submittal) or a Revised Section 401 WQC application (revised submittal to address CWB comments).</p> <p>c. → Enter your file number if you are revising an Initial Section 401 WQC application to respond to CWB comments. The CWB comments will contain the file number. You will not need to provide a file number if you are submitting an Initial Section 401 WQC application.</p> <p><b>Item No. 2 – Certification Statement</b></p> <p>a. → This is the certification statement for the e-Permitting submission # identified in Item No. 1.</p> <p>b. → Enter the Printed First and Last Name</p> <p>i. → For initial submittals, the Printed First and Last Name must be the Certifying Person identified in Section No. 2 of the e-Permitting Section 401 WQC application form.</p> <p>ii. → For revised submittals, the Printed First and Last Name may be either the Certifying Person identified in Section No. 2 of the e-Permitting Section 401 WQC application form or the duly authorized representative identified in Section No. 10 of the e-Permitting Section 401 WQC application form.</p> <p>c. → Enter the Date Signed.</p> <p>d. → Provide an original Certification signature (hard copy of this form). Someone else may sign for the individual listed in the Printed First and Last Name.</p> <p><b>Item No. 3 – Transmittal Requirements</b></p> <p>a. → You are required to check all of the boxes.</p> <p>b. → Provide a CD or DVD containing the downloaded e-Permitting submission in PDF or ZIP. To download the submission, click on the History Link in the e-Permitting Portal (after you submitted the application). Locate your submission and press the view button under the Action column. Press the Download Submission button. A PDF file will be generated if you have no attachments. A ZIP file will be created if you have attachments. Save the PDF or ZIP file on the CD or DVD. Do not add additional files to the CD or DVD. Your CD or DVD shall match your e-Permitting submission #.</p> <p><b>Item No. 4 – Filing Fee</b></p> <p>a. → You are required to check only one (1) of the boxes.</p> <p>b. → A \$1000 filing fee is required for all Initial Section 401 WQC applications.</p> <p>c. → If you are a State agency, you may request a Bill for Collection even if paying online.</p> <p><b>Additional</b></p> <p>a. → Mail or deliver this form and all attachments to the Department of Health, Clean Water Branch, 919 Ala Moana Boulevard, Room 301, Honolulu, Hawaii 96814.</p>
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# Blanket Section 401 WQC (File No WQCo804).

- Condition No. 5 – Notification Requirements:
  - During process of completing e-Permitting NWP Blanket WQC Notification Form, Discharger will be required to download the Transmittal Requirements and Certification Statement for e-Permitting NWP Blanket WQC Form Submissions. After submitting NWP Blanket WQC Notification Form through e-Permitting Portal, Discharger shall mail/deliver to the DOH-CWB the completed Transmittal Requirements and Certification Statement for e-Permitting NWP Blanket WQC Notification Form Submissions with the following information:
    - (1) The e-Permitting Submission #. A unique e-Permitting Submission # (e.g. 15H-ZGVV-421H) is assigned to each NWP Blanket WQC Notification Form submittal. It is located in the History Link of the e Permitting Portal. If Discharger submits a revised NWP Blanket WQC Form, the e-Permitting Submission # will contain the version (e.g. 15H-ZGVV-421H, v1).



# Blanket Section 401 WQC (File No WQCo804).

- Condition No. 5 – Notification Requirements:
  - (2) Indication if an initial NWP Blanket WQC Notification Form (new submittal) or a Revised NWP Blanket WQC Notification Form (revised submittal to address DOH-CWB comments) is being submitted.
  - (3) Section 401 WQC file number if revising the NWP Blanket WQC Notification Form to respond to DOH-CWB comments (e.g. WQCo962). The DOH-CWB comments will contain the file number. Initial NWP Blanket WQC Notification Form submittals will not have a file number.
  - (4) Printed First and Last Name of Certifying Person. For initial submittals, the Printed First and Last Name must be the Certifying Person identified in NWP Blanket WQC Notification Form. For revised submittals, the Printed First and Last Name may be either the Certifying Person identified in the NWP Blanket WQC Notification Form or the duly authorized representative identified in the initial NWP Blanket WQC Notification Form.



# Blanket Section 401 WQC (File No WQCo804).

- Condition No. 5 – Notification Requirements:
  - (5) The certification statement: “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.”
  - (6) Date of certification of the Transmittal Requirements and Certification Statement for e-Permitting NWP Blanket WQC Form Submissions.
  - (7) Original Certification signature. Someone else may sign “for” the individual listed in the Printed First and Last Name. Any signatures shall be provided as described in 40 CFR 122.22.

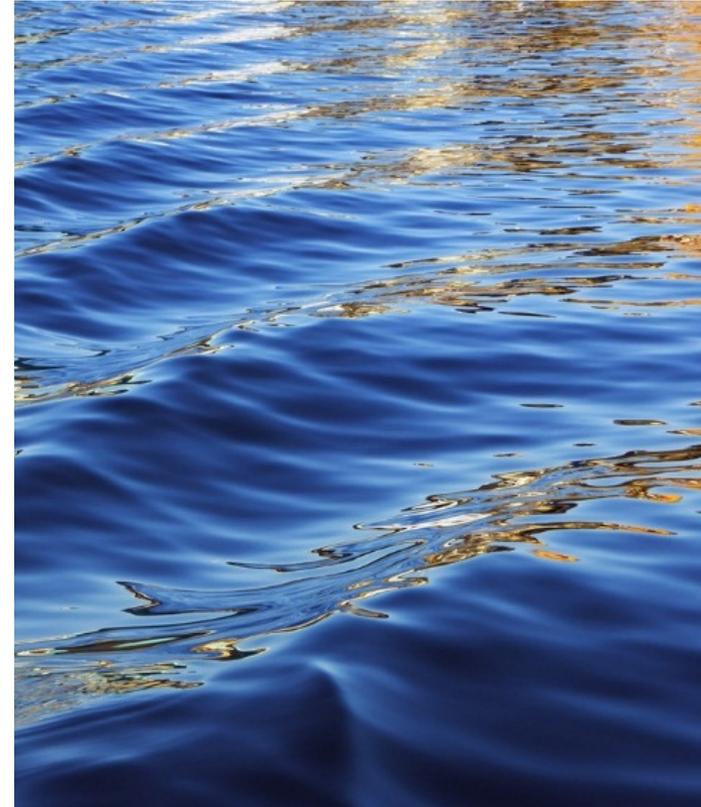


# Blanket Section 401 WQC (File No WQCo804).

- Condition No. 5 – Notification Requirements:
  - (8) A CD or DVD containing the downloaded e-Permitting submission in PDF or ZIP. To download the submission, click on the History Link in the e-Permitting Portal (after NWP Blanket WQC Notification Form is submitted). Locate the submission and press the view button under the Action column. Press the Download Submission button. A PDF file will be generated if you have no attachments. A ZIP file will be created if you have attachments. Save the PDF or ZIP file on the CD or DVD. Do not add additional files to the CD or DVD. Your CD or DVD shall match your e-Permitting submission #.

The completed Transmittal Requirements and Certification Statement for e-Permitting NWP Blanket WQC Form Submissions and all attachments shall be mailed or delivered to the DOH-CWB, 919 Ala Moana Boulevard, Room 301, Honolulu, Hawaii 96814.





Attachment C  
Revise Notification  
Submission

# Blanket Section 401 WQC (File No WQCo804).

- Condition No. 5 – Notification Requirements:
  - If DOH-CWB has comments on NOI, you will be sent comments via email.
  - To revise NOI to respond to DOH-CWB comments:
    - Select History from top menu.



# Blanket Section 401 WQC (File No WQCo804).

- Condition No. 5 – Notification Requirements:
  - Submission history displayed.

## Permit Application Submission History

Total records: 13 Showing 13 (filtered from total records) Filter:

Submission #	Submitted	Submission Name	Status	Actions
10X-7TXC-3TME		Drinking Water Well Permit (Submission Id: 10X-7TXC-3TME)	Draft	 
10W-NCE4-HYDY		Clean Water NPDES Individual (Submission Id: 10W-NCE4-HYDY)	Draft	 
10K-34GT-MZA0	2/17/2010 12:00:00 AM	Hazardous Waste Permit	Revised	
10K-34E8-QVQM	2/17/2010 12:00:00 AM	Deepwater Drilling Permit	On-Hold	
10K-33E2-PSTR	2/17/2010 12:00:00 AM	Wind Farm Permit	In-Review	
10K-337W-Y1JR	2/16/2010 12:00:00 AM	Clinic Permit	Submitted	



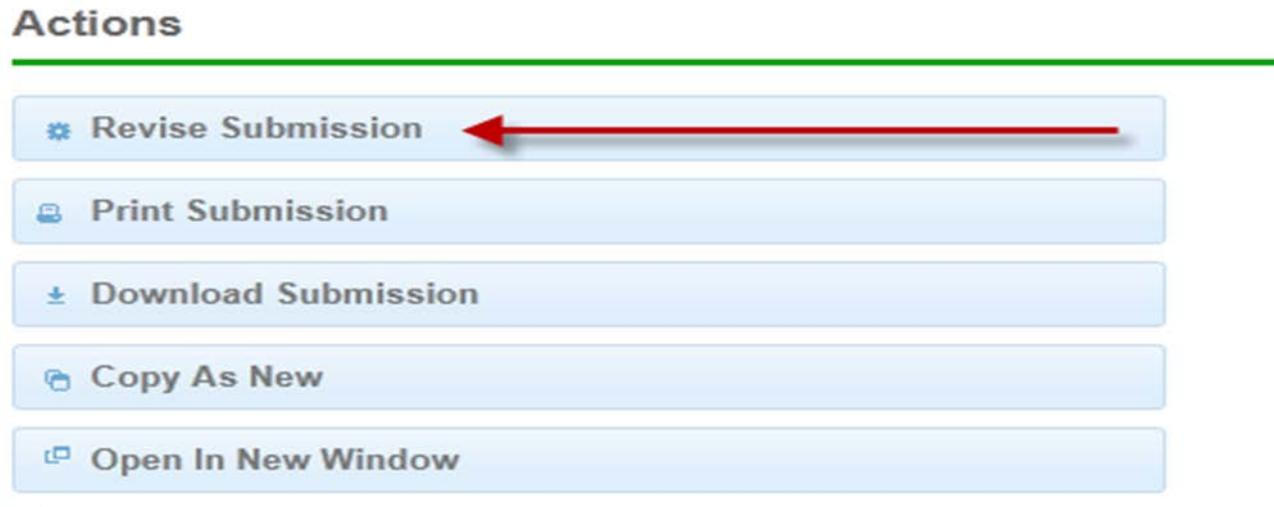
# Blanket Section 401 WQC (File No WQCo804).

- Condition No. 5 – Notification Requirements:
  - To revise application submission:
    - Select history from top menu.
    - Click view icon (  ).



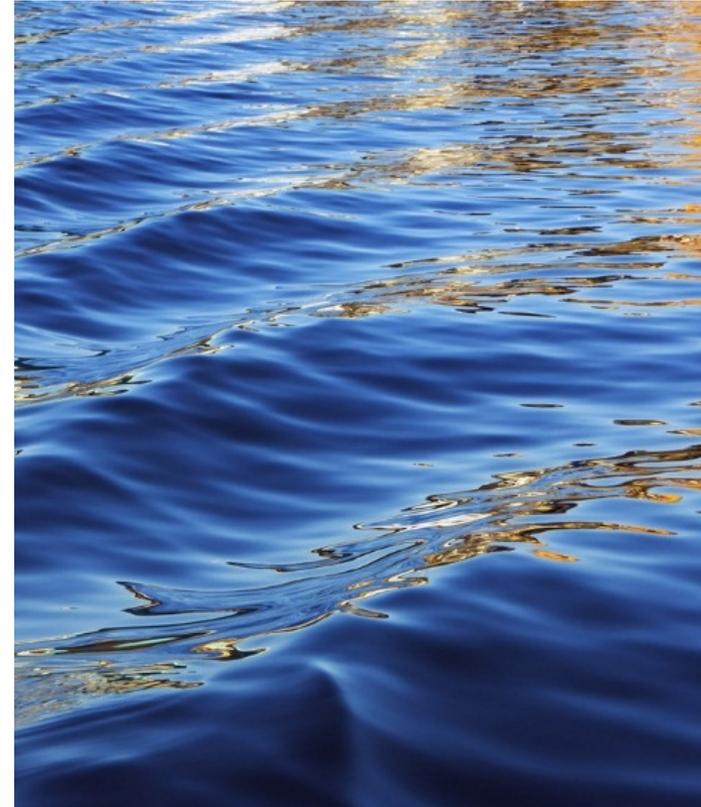
# Blanket Section 401 WQC (File No WQCo804).

- Condition No. 5 – Notification Requirements:
  - Click Revise Submission button on action panel.



- New version of submission will be created for you to edit.
- Complete and Submit Form. Submit certification and CD/DVD.





# Attachment D Compliance Reporting

# Blanket Section 401 WQC (File No WQCo804).

- Condition No. 6 – Compliance Reporting Requirements:
  - The form used to submit reporting and compliance requirements is the e Permitting CWB Compliance Submittal Form for Section 401 WQCs. This form is available on the e-Permitting Portal located at: <https://ehacloud.doh.hawaii.gov/epermit/>.
    - (1) Enter the e-Permitting Portal website.
    - (2) Login to the e-Permitting Portal.
    - (3) Press the Form Finder button.
    - (4) Type “CWB Compliance Submittal Form for Section 401 WQCs” for the form to submit reporting and compliance requirements.
    - (5) Read the instructions.
    - (6) Press the submit Online Form button and complete the form.



# Blanket Section 401 WQC (File No WQCo804).

- Condition No. 6 – Compliance Reporting Requirements:
  - The owner of the discharge shall submit through the e-Permitting Section CWB Compliance Submittal Form for Section 401 WQCs:
    - During the process of completing the e-Permitting Section 401 WQC Compliance Form, the owner of the discharge will be required to download the Transmittal Requirements and Certification Statement for e-Permitting CWB Compliance Submittal Form for Section 401 WQCs Submissions.



# Blanket Section 401 WQC (File No WQCo804).

- Condition No. 6 – Compliance Reporting Requirements:
  - After submitting CWB Compliance Submittal Form for Section 401 WQCs through the e-Permitting Portal, Discharger shall mail/deliver to DOH-CWB completed Transmittal Requirements and Certification Statement for e-Permitting CWB Compliance Submittal Form for Section 401 WQCs Submissions with the following information:
    - (1) The e-Permitting Submission #. A unique e-Permitting Submission # (e.g. 15H-ZGVV-421H) is assigned to each CWB Compliance Submittal Form for Section 401 WQCs submittal. It is located in the History Link of the e-Permitting Portal. If the owner of the discharge submits a revised CWB Compliance Submittal Form for Section 401 WQCs, the e-Permitting Submission # will contain the version (e.g. 15H-ZGVV-421H, v1).



# Blanket Section 401 WQC (File No WQCo804).

- Condition No. 6 – Compliance Reporting Requirements:
  - (2) Indication if an initial CWB Compliance Submittal Form for Section 401 WQCs (new submittal) or a revised CWB Compliance Submittal Form for Section 401 WQCs (revised submittal to address DOH-CWB comments) is being submitted.
  - (3) File number (e.g. WQCo962).
  - (4) Printed First and Last Name of Certifying Person or Authorized Representative as identified in the NWP Blanket WQC Notification Form submitted for the verification.



# Blanket Section 401 WQC (File No WQCo804).

- Condition No. 6 – Compliance Reporting Requirements:
  - (5) The certification statement: “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.”
  - (6) Date of certification of the Transmittal Requirements and Certification Statement for e-Permitting CWB Compliance Submittal Form for Section 401 WQCs.



# Blanket Section 401 WQC (File No WQCo804).

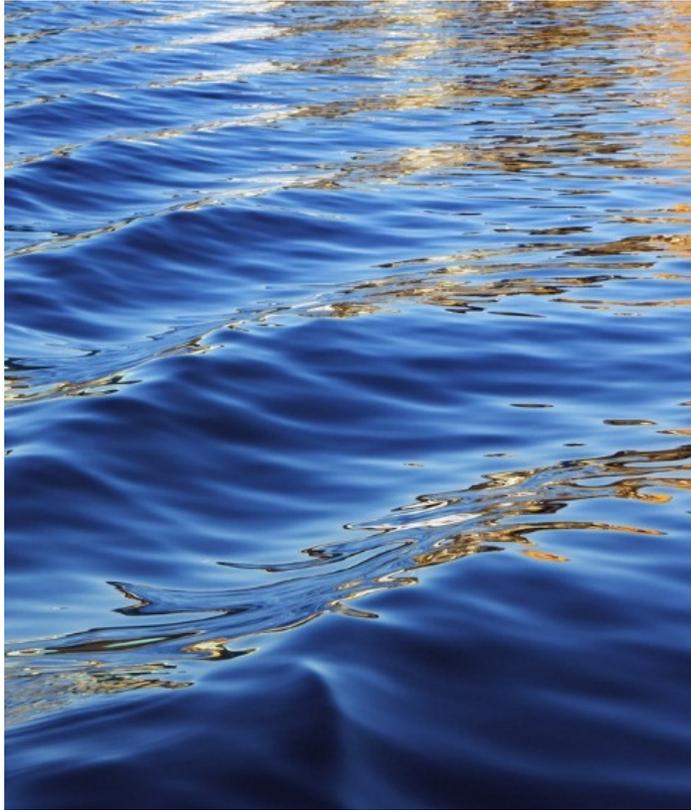
- Condition No. 6 – Compliance Reporting Requirements:
  - (7) Original Certification signature. Someone else may sign “for” the individual listed in the Printed First and Last Name. Any signatures shall be provided as described in 40 CFR 122.22(a).
  - (8) A CD or DVD containing the downloaded e-Permitting submission in PDF or ZIP. To download the submission, click on the History Link in the e-Permitting Portal (after the CWB Compliance Submittal Form for Section 401 WQCs is submitted). Locate the submission and press the view button under the Action column. Press the Download Submission button. A PDF file will be generated if you have no attachments. A ZIP file will be created if you have attachments. Save the PDF or ZIP file on the CD or DVD. Do not add additional files to the CD or DVD. Your CD or DVD shall match your e-Permitting submission #.



# Blanket Section 401 WQC (File No WQCo804).

- Condition No. 6 – Compliance Reporting Requirements:
  - Completed Transmittal Requirements and Certification Statement for e-Permitting CWB Compliance Submittal Form for Section 401 WQCs Submissions and all attachments shall be mailed or delivered to the DOH CWB, 919 Ala Moana Boulevard, Room 301, Honolulu, Hawaii 96814.





# Attachment E

## BMPs

# BMPs

- Apply best degree of treatment or control measures to the potential water pollutant discharges associated with the proposed construction activity(ies) that assures the discharges will meet requirements compatible with the basic water quality criteria applicable to all waters, uses and specific water quality criteria and recreational criteria established for the class of the receiving State waters. **(WQCo804 – Condition 3.a)**
- Only utilize Best Management Practices (BMPs) that are inert and not sources of pollution itself. **(WQCo804 – Condition 3.b)**
- Isolate and confine all upland activity to contain/retain water pollutants upland and not allow it to enter State waters, including the designated in-water work area. **(WQCo804 – Condition 3.c)**
- Collect water pollutants from localized work areas and not allow these water pollutants to enter or re-enter State waters, including the in-water work area. **(WQCo804 – Condition 3.d)**

# BMPs

- The in-water work area is 10 feet from the toe of the in-water construction boundary. A vessel/barge may be operated outside of the isolated and confined in-water work area only if it is surrounded by a boom. **(WQCo804 – Condition 3.a)**
- Deployed prior to the commencement of any construction work; are properly maintained throughout the entire period of in-water work; and are not removed until the in-water work is completed and the water quality in the in-water work area has returned to its pre-construction condition as demonstrated by the monitoring results. **(WQCo804 – Condition 3.f)**
- For a stream, ditch, or gulch: Allow unimpeded flow around the isolated and confined in-water work area to allow for aquatic animal migration and/or to prevent downstream flooding situations. The unimpeded flow shall be equivalent to a two (2) year, 24 hour duration storm event and/or the existing flow capacity of the stream, ditch, or gulch. **(WQCo804 – Condition 3.g)**

# BMPs

- Immediately cease the portion of the construction work if water quality monitoring or daily inspection or observation result(s) indicates that noncompliance to HAR, §11-54-4(a) or §11-54-4(b), will occur or is occurring. The construction activity shall not resume until adequate measures are implemented and appropriate corrective actions are taken and water quality monitoring demonstrates that the non-compliance has ceased. Note: These actions shall not preclude the DOH-CWB from taking enforcement action authorized by law. **(WQCo804 – Condition 3.o)**
- Not allow any concrete truck wash water to be disposed by percolation into the ground. **(WQCo804 – Condition 3.t)**
- Ensure that all areas temporarily impacted, either directly or indirectly, by the project construction activities are fully restored to its pre-construction conditions. For example: Incidental construction debris is cleaned up prior to removal of BMPs. **(WQCo804 – Condition 3.v)**
- Contain on land and not allow to enter or re-enter State waters any runoff, return flow, or airborne particulate pollutants, if any, from the excavated/dredged material dewatering process or from the stockpiling site.

# BMPs

- Not stockpile, store, or place construction material or construction activity-related materials in State waters or in ways that will disturb or adversely impact the aquatic environment. **(WQCo804 – Condition 3.bb)**
- Dispose of construction debris, waste products, vegetation and/or dredged material removed from the construction site at upland State and County approved sites. . **(WQCo804 – Condition 3.cc)**
- Contain on land and not allow to enter or re-enter State waters any runoff, return flow, or airborne particulate pollutants, if any, from the excavated/dredged material dewatering process or from the stockpiling site. **(WQCo804 – Condition 3.dd)**

# BMPs

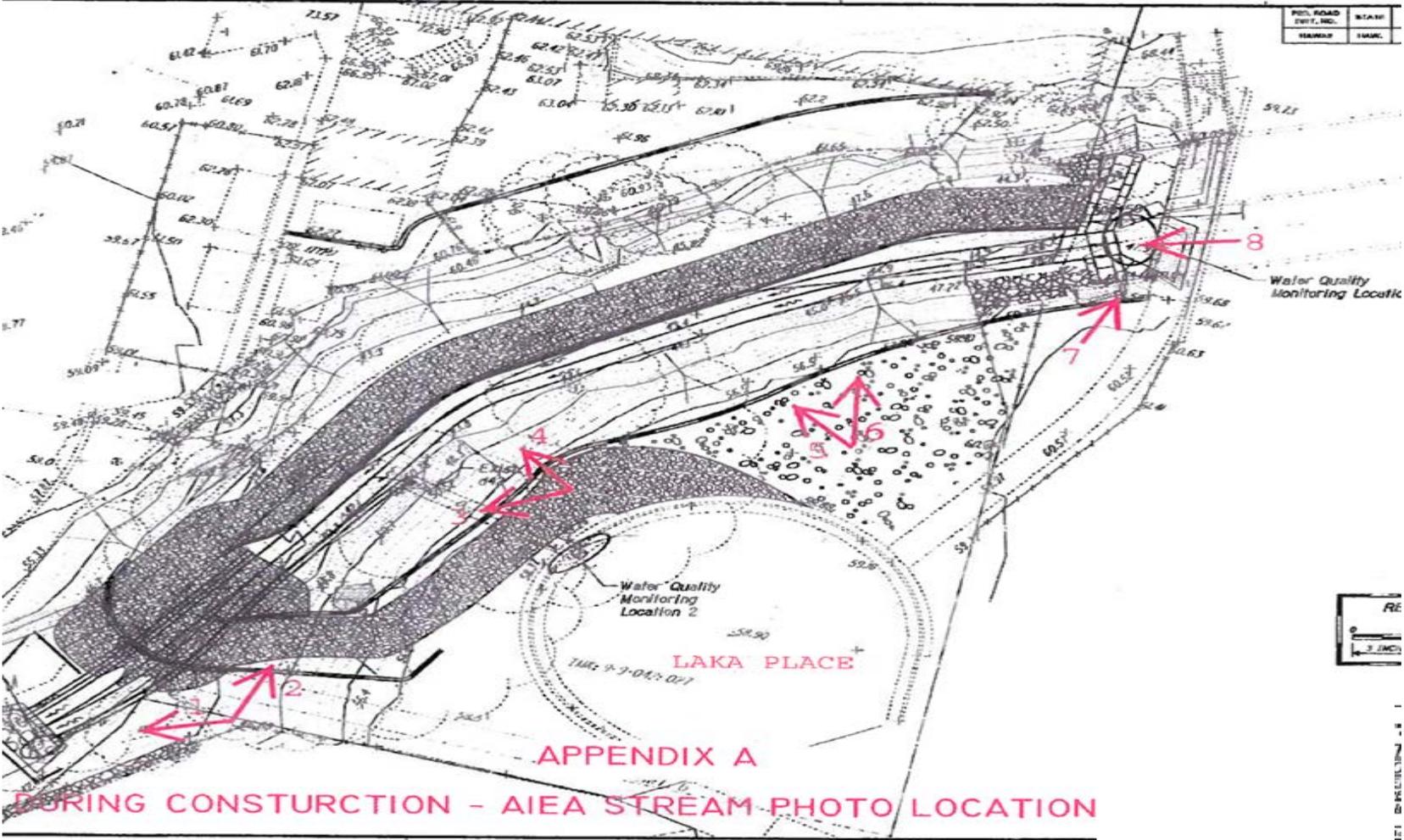


Photo Orientation Map



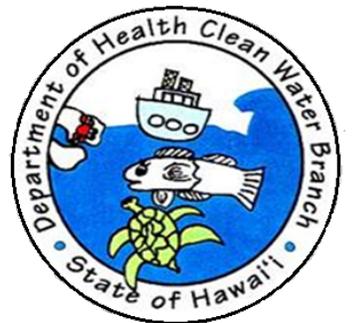
# BMPs

Photos



Notes: Downstream end of box culvert.

Upstream of the Aiea Stream Diversion (NWP #33)



# BMPs

Photos



Notes: Top of site facing downstream.

Aiea Stream Isolated Work Area (NWP #33)



# BMPs



Notes: Bottom of site facing downstream.

Downstream (Discharge) end of the Aiea Stream Diversion (NWP #33)



# BMPs

## JANUARY 22, 2013 SAMPLING PHOTOS



6-PROJECT SITE FACING UPSTREAM

Ulahawa Stream Concrete Channel Repair –Is this Aqua Dam Installed correctly ? (NWP #3)



# BMPs



7-PROJECT SITE FACING DOWNSTREAM

Ulahawa Stream Concrete Channel Repair – Is this Aqua Dam installed correctly? (NWP #3)



# BMPs



# BMPs



Manele SBH Ferry Pier Improvement – Is end of Silt Curtain properly enclosed?



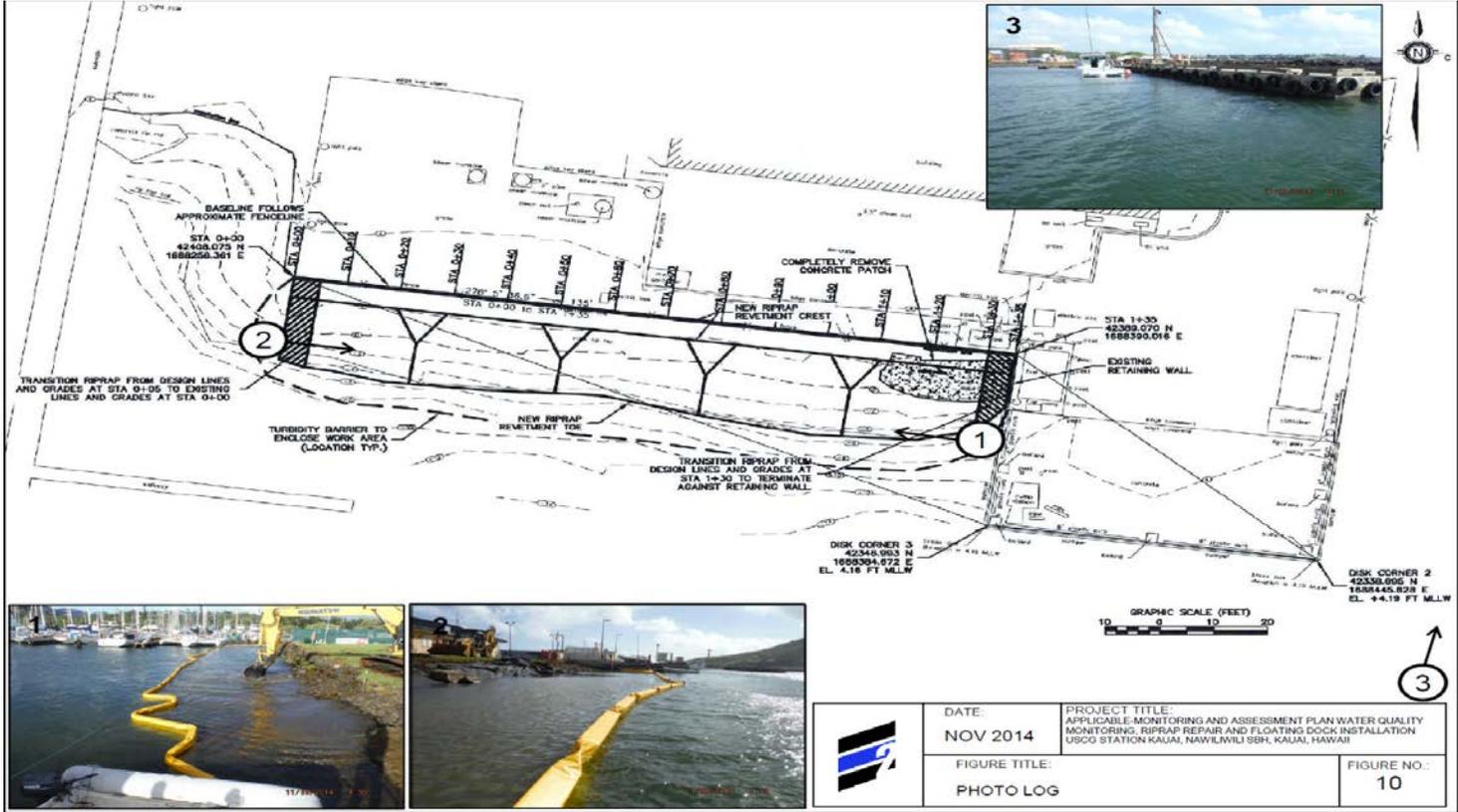
# BMPs



Manele SBH Ferry Pier Improvement – Is end of Silt Curtain properly enclosed?



# BMPs



Nawiliwili SBH Breakwater Replacement – Silt Curtain installed within 10 ft of the proposed toe?



# BMPs



# BMPs



# BMPs



**Hawaii Kai Entrance Channel Dredging Project  
Improperly Installed BMPs. Ineffective BMPs. Turbidity Plume**



# BMPs



Photo 1: Photo showing sample collection at Downstream Control Station on 8/28/13.



Photo 2: Photo showing sample collection at Impact Station on 8/28/13.



Photo 3: Photo showing plumes of turbid water at Impact Station on 8/28/13.



Photo 4: Photo showing turbid water leaking into stream next to temporary diversion structure on 8/28/13.



# BMPs



Photo 5: Photo showing condition of in-stream BMPs above Impact Station on 8/28/13.



Photo 6: Photo showing construction within stream bed on 8/28/13.



Photo 7: Photo showing construction within stream bed on 8/28/13.



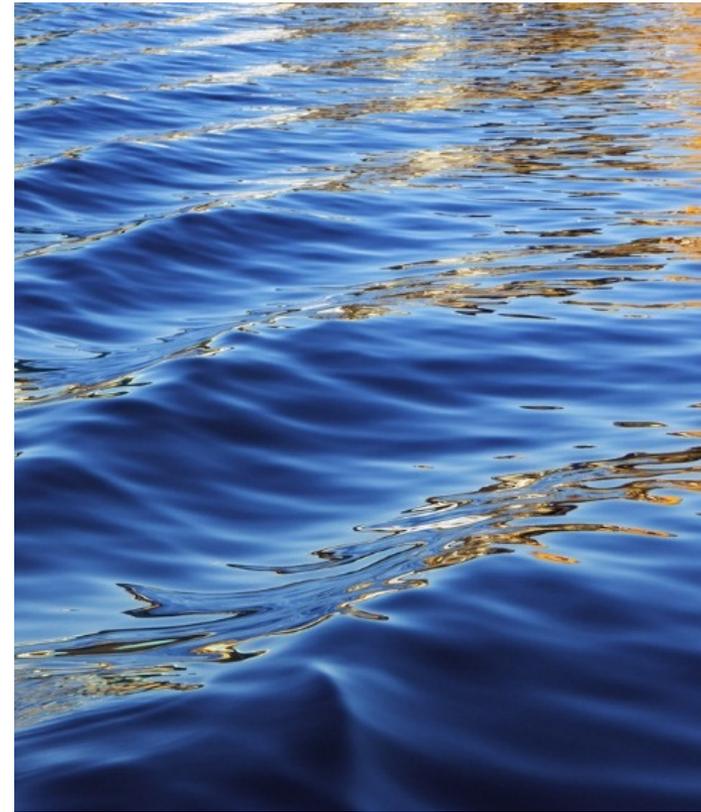
Photo 8: Photo Upstream Control Station at time of sample collection on 8/28/13.

**Lihue Mill Bridge Repair - NWP #14, BMPs at Downstream  
End of the Sandbag Berm - Repaired within 30 min.**





# Attachment F Frequently Asked Questions



# FAQ

- Is a Section 401 WQC only required for a Section 404 permit issued by USACE for the placement of dredge and fill material?

**NO.** It applies to any federal permit or license for an activity that may result in a discharge. Federal permits or licenses include, but are not limited to, Section 404 permit, Section 10 of Rivers and Harbors Act, Letter of Permission, statutory exemptions [CWA 404(f) or 402(l)], NPDES permits issued by EPA, etc.

Note: There does not have to be an actual discharge. The discharge does not have to be a certainty, only that it may occur should the federal permit or license be issued.

Reference: CWA Section 401 and EPA 2010 Handbook (*Clean Water Act Section 401 Water Quality Certification: A Water Quality Protection Tool for States and Tribes*).



# FAQ

- Does the Section 401 WQC evaluate only my construction related discharge activities covered under my Section 404 permit?

**NO.** CWA, Section 401(a) requires the Section 401 WQC to evaluate CWA, Sections 301, 302, 303, 306, and 307. CWA, Section 404 is only a small portion of CWA Section 301. The Section 401 WQC is required to evaluate the entire activity during construction and during operation. It is also required to evaluate project land activities that may impact water quality. Note: If an NPDES permit is issued by the DOH-CWB for a land activity/discharge, the Section 401 WQC will defer to the NPDES permit.

Reference: CWA Section 401 and EPA 2010 Handbook (*Clean Water Act Section 401 Water Quality Certification: A Water Quality Protection Tool for States and Tribes*).



# FAQ

- Nationwide Permits (NWP) are issued for projects that will have minimal individual and cumulative adverse effects on the environment when conducted in the manner prescribed by the conditions in the NWP. Why does my Section 401 WQC have post construction requirements?

The minimal individual and cumulative impacts by the NWP are for dredge and fill material during construction. The purpose of the Section 401 WQC post construction requirements is to determine the long term/operational water quality impacts, including impacts on existing and designated uses. Post construction monitoring is used to show that a site was returned to pre-construction conditions, stream bank hardening is not causing long term downstream erosion, and effectiveness/impacts of shoreline hardening through beach profile monitoring.

Reference: CWA Section 401 and EPA 2010 Handbook (*Clean Water Act Section 401 Water Quality Certification: A Water Quality Protection Tool for States and Tribes*).



# FAQ

- What can I do to speed up the processing of my request for a Section 401 WQC?
  - 1) Read and understand WQS in HAR, Chapter 11-54. If you want the State to give you a certification that your project will comply with WQS, you need to know what you have to comply with. WQS is comprised of designated uses, water quality criteria, and antidegradation policy.
  - 2) Go through WQS and identify which requirements apply to your specific project. Determine if your organization can and will comply with applicable requirements.
  - 3) Design your projects to comply with WQS. People often run into problems when they skip this step during design and wait until the construction is ready to commence or when the project is ready to bid.



# FAQ

- What can I do to speed up the processing of my request for a Section 401 WQC?

4) Provide all of the information requested in the Section 401 application, and provide enough information to demonstrate your compliance with WQS. A Section 401 WQC is a certification of your application. DOH cannot certify applications with responses such as “to be determined”, “contractor to provide”, “not sure”, “design not done”, etc. If you don’t know what you are going to do, DOH will not know what you are going to do, and we cannot give you a Section 401 WQC that certifies you will comply with WQS.

**Note:** Do not submit any request for a Section 401 WQC when you don’t have all of the information. This is causing backlogs. DOH may start denying these request (with or without prejudice) for Section 401 WQCs if this continues.



# FAQ

- What are common causes of delays when processing a Section 401 WQC?
  - Required application information not provided (“N/A,” blanks, “to be determined,” etc.).
  - Signatory requirements not complied with.
  - Construction drawings not submitted with application.
  - BMPs and AMAP not submitted with application.



# FAQ

- Do I have to comply with the Section 401 WQC that was issued to me?  
**YES.** The Section 401 WQC becomes a condition to the federal permit. The federal agency will enforce the Section 401 WQC conditions. DOH may also pursue enforcement action and may revoke the Section 401 WQC.



# FAQ

What is the standard Section 401 WQC process for projects that cannot be covered under the Blanket Section 401 WQC?

- Step 1: Discharger coordinates with federal agency to determine if their discharge/activity requires a federal license or permit.
  - If a federal license or permit is not required, a Section 401 WQC is not required.
  - If a federal license or permit is required, continue to Step 2.
- Step 2: Discharger reads HRS, Chapter 342D-1 (definition of water pollutant discharge).
  - If discharge/activity will not result in a water pollutant discharge, a Section 401 WQC is not required.
  - If discharge/activity may result in a water pollutant discharge, a Section 401 WQC is required, continue to Step 3.



# FAQ

- Step 3: Discharger reads HAR, Chapter 11-54; understands their responsibilities and legal obligations; and designs their project to comply. Continue to Step 4 only after Step 3 is completed.
- Step 4: Discharger obtains Section 401 WQC application from e-Permitting Portal website: <https://eha-cloud.doh.hawaii.gov/epermit/>.
- Step 5: Discharger completes Section 401 WQC application by including all requested information and by providing information demonstrating how they will comply with all applicable HAR 11-54 requirements.



# FAQ

- Step 6: Discharger submits completed Section 401 WQC application to DOH-CWB with \$1000 filing fee.
- Step 7: DOH-CWB reviews the application.
  - Pursuant to CWA, Section 401(a)(1) and HAR 11-54-9.1, DOH has 1 year to act on a request for a Section 401 WQC.
  - If application is incomplete, DOH-CWB request additional information and Discharger is required to address DOH-CWB concerns.
  - If application is complete, DOH-CWB determines whether to issue or deny a Section 401 WQC.
    - Application processing ends if determination is to deny.
    - Continue to Step 8 if determination is to issue.



## FAQ

- Step 8: DOH determines if public participation process be waived.
  - Discharger can request waiver if project/activity is covered under USACE NWP; discharge is minor due to the proposed BMPs; and the project's water quality impact is non-controversial. DOH-CWB may consider waiving the public participation process if all waiver requirements are met.
  - If a waiver is granted, DOH-CWB issues Section 401 WQC waiver.
  - If a waiver is not granted, continue to Step 9.



# FAQ

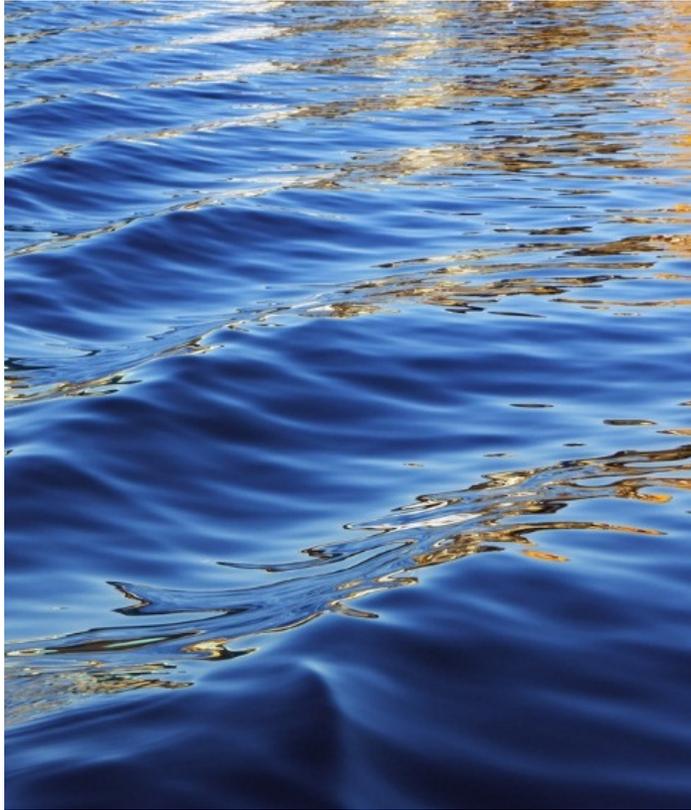
- Step 9: Public participation process (public notice and/or hearing).
  - Public Notice:
    - DOH provides discharger with Notice of Proposed Section 401 WQC.
    - Discharger publishes and pays for Notice of Proposed Section 401 WQC.
    - DOH decides if public hearing is warranted.
    - If discharger can adequately address public concerns, DOH-CWB issues Section 401 WQC.
  - Public Hearing:
    - Discharger publishes and pays for public notice of public hearing.
    - DOH holds public hearing.
    - If discharger can adequately address public concerns, DOH-CWB issues Section 401 WQC.



## FAQ

- Step 10: Discharger complies with information provided in their application and conditions and requirements specified in the issued Section 401 WQC.





# Attachment G Audience Question Sheet

Name:

Company:

Email:

Telephone:

**Question(s):**