

NPDES PERMITS AND SECTION 401 WQCS



CLEAN WATER BRANCH (CWB) BACKGROUND

- State of Hawaii, Department of Health, Environmental Health Administration, Environmental Management Division.



- Administers and enforces Statewide water pollution laws and rules. Achieved through permitting of point sources, compliance monitoring, inspections, investigations of complaints, and ambient water quality monitoring.



CWB BACKGROUND

- Hawaii Water Pollution Law:
 - Hawaii Revised Statutes (HRS), Chapters 342D and 342E.
 - HRS 342D-50(a) – “No person, including any public body, shall discharge any water pollutant into state waters, or cause or allow any water pollutant to enter state waters except in compliance with this chapter, rules adopted pursuant to this chapter, or a permit or variance issued by the director.”
- Hawaii Water Pollution Rules:
 - Hawaii Administrative Rules (HAR), Chapter 11-54 (Water Quality Standards).
 - HAR, Chapter 11-55 (Water Pollution Control). NPDES permit program for the State of Hawaii.



CWB BACKGROUND

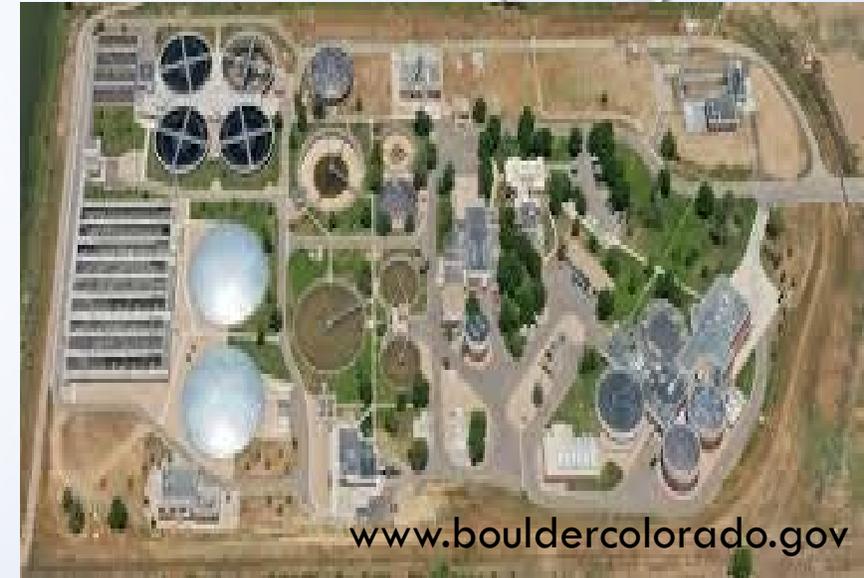
- Water Quality Standards (WQS) in HAR, Chapter 11-54:
 - Foundation of the water quality-based control program mandated by the Clean Water Act.
 - Define the goals for a waterbody by designating its uses, setting criteria to protect those uses, and establishing provisions to protect water quality from pollutants.



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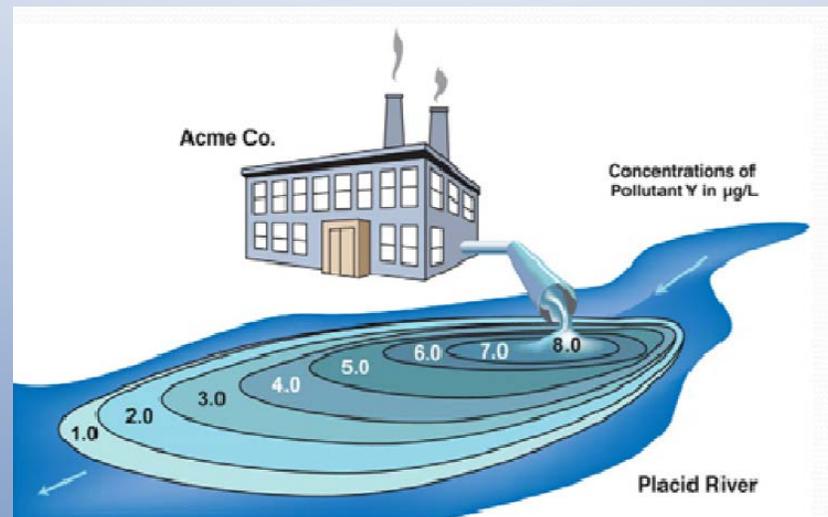
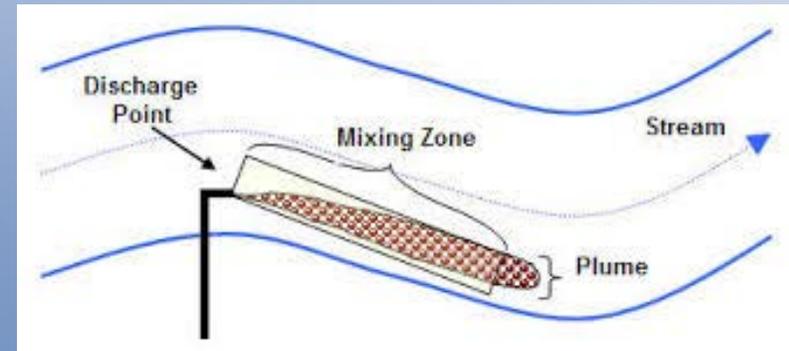


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NPDES PERMITS



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NPDES PERMITS

- Water Quality Standards (WQS) implementation tool.
- National Pollutant Discharge Elimination System (NPDES).
- Permit system required by Section 402 of Clean Water Act.
- NPDES permits required for:
 - All point source pollutant discharges (confined, discrete, discernable conveyance from which pollutants may be discharged), and
 - Three (3) situations involving storm water.
 - Storm water associated with construction activity.
 - Storm water associated with industrial activity.
 - Storm water and certain non-storm water discharges from Municipal Separate Storm Sewer Systems (MS4s).



NPDES PERMITS

- DOH delegated authority to administer NPDES program in Hawaii.
- Two (2) types of NPDES permits.
 - General permit - NPDES permit issued as a rule in HAR, Chapter 11-55. Approximately 1100 active facilities/projects covered under NPDES general permits.
 - Individual permit - NPDES permit, other than a general permit. Approximately 350 active facilities/projects covered under individual NPDES permits.



NPDES PERMITS

Twelve NPDES General Permits (HAR, Chapter 11-55, Appendices B through M)

- Appendix B – Storm Water Associated with Industrial Activity.
- Appendix C – Storm Water Associated with Construction Activity.
- Appendix D – Treated Effluent from Leaking Underground Storage Tank Remedial Activities.
- Appendix E – Once Through Cooling Water Less Than One (1) Million Gallons Per Day.
- Appendix F – Hydrotesting Water.
- Appendix G – Construction Activity Dewatering Effluent.
- Appendix H – Treated Process Wastewater Associated with Petroleum Bulk Stations and Terminals.
- Appendix I – Treated Process Wastewater Associated with Well Drilling Activities.
- Appendix J – Occasional or Unintentional Discharges from Recycled Water Systems.
- Appendix K – Storm Water and Certain Non-Storm Water Discharges from Small MS4s.
- Appendix L - Circulation Water from Decorative Ponds or Tanks.
- Appendix M – Point Source Discharges from the Application of Pesticides.



NPDES FORMS

- All NPDES forms available on e-Permitting Portal.
 - CWB NOI Form – Form to request coverage under an NPDES General Permit in HAR Chapter 11-55, Appendices B through L.
 - CWB NOI Form M – Form to request coverage under pesticide NPDES General Permit in HAR Chapter 11-55, Appendix M.
 - CWB Individual NPDES Form – Application for an individual NPDES permit.
 - CWB “No Exposure” Certification Form – Form to request a conditional exclusion from an industrial storm water NPDES permit.
 - CWB Compliance Submittal Form for Individual NPDES Permits and NGPCs – Form to submit compliance requirements for NPDES permits.



NPDES FORMS

- E-Permitting Portal located at:

<https://eha-cloud.doh.hawaii.gov/epermit/View/default.aspx>.

- Read instructions, register, and log-in.
- Press Form Finder button and type the name of the form.

Department of Health
Healthy People • Healthy Communities • Healthy Islands

HI DOH Home

Home Finder Help Sign in Register

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

Welcome to the e-Permitting Portal

Welcome to the e-Permitting Portal, home for Hawaii Department of Health (DOH) Environmental Health Administration (EHA) permit applications. The DOH EHA e-Permitting Portal provides access to environmental permit applications, related instructions and information. It allows for online application compilation and submission, online application fee payment and online submission tracking.

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

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

- tools for learning about environmental permitting requirements
- guidance in applying for environmental permits
- resources for preparing and filing online permit applications
- online payment processing of application fees
- a means for applicants to communicate with permitting engineers regarding online submitted applications
- a 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 while ensuring environment health protection.

Forms

Can't find a specific form? Please use our Form Finder





SECTION 401 WQC



SECTION 401 WQC

- WQS implementation tool.
- Section 401 Water Quality Certification (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.
 - A certification based on information submitted in a discharger's application.



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

- Purpose of Section 401 WQC:
 - Provides States with a tool to protect their water quality from potential impacts from federally issued permits and licenses.
 - 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.



SECTION 401 WQC

- Two types of Section 401 WQC applications:
 - Blanket Section 401 WQC – No projects covered under the Blanket Section 401 WQC as of yet.
 - Individual Section 401 WQC – Approximately 32 active projects covered under an individual Section 401 WQC.



BLANKET SECTION 401 WQC

- Blanket Section 401 WQC Overview:
 - A Section 401 WQC issued to the USACE (File No. WQC0804).
 - Covers 7 selected Nationwide Permits that are most frequently used by USACE in Hawaii.
 - Designed to expedite processing of Section 401 WQC applications for projects that are ready-to-go with minimal or no impacts.



BLANKET SECTION 401 WQC

- To request coverage under Blanket Section 401 WQC:
 - Download, read, and understand WQC0804.
 - Make sure your organization can and will comply.
 - Complete and submit e-Permitting NWP Blanket WQC Notification form. Form available on e-Permitting Portal located at: <https://eha-cloud.doh.hawaii.gov/epermit/>.
- Blanket Section 401 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/>.



INDIVIDUAL SECTION 401 WQC

- For all other Section 401 WQC request for projects/activities that do not meet requirements of the Blanket Section 401 WQC.:
- Complete and submit e-Permitting Section 401 WQC form. Form available on e-Permitting Portal located at: <https://eha-cloud.doh.hawaii.gov/epermit/>.
- Current application is downloadable mail-in form.
- Future on-line submission application forms will be implemented soon.

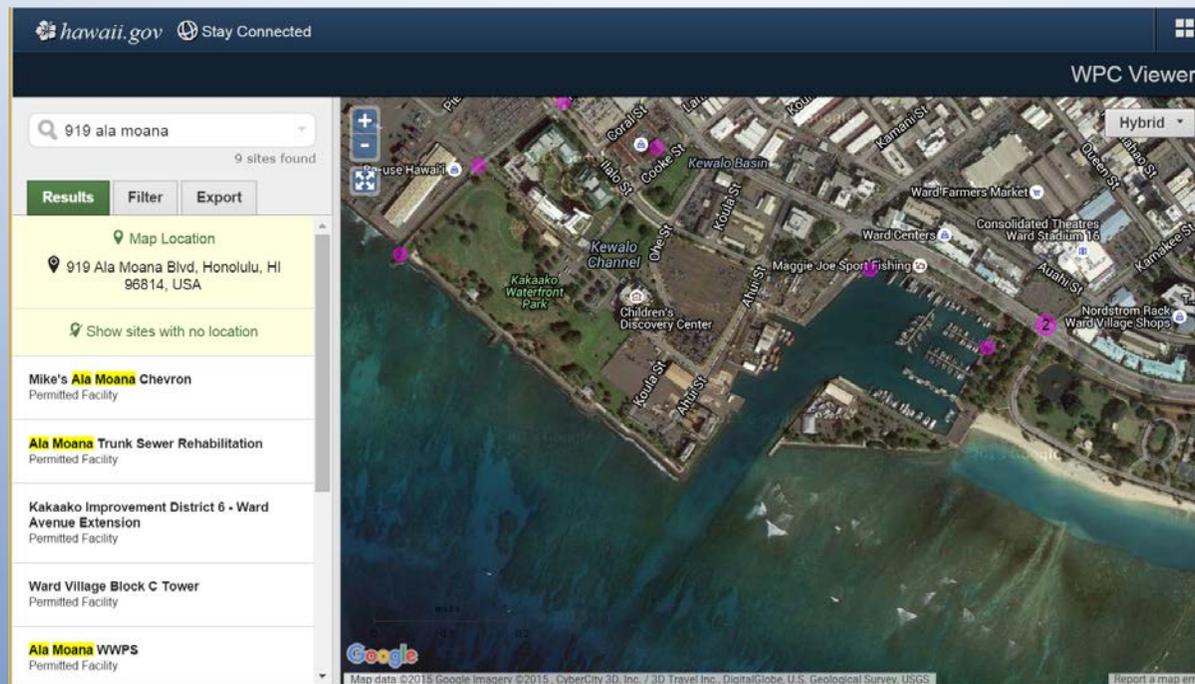


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WPC VIEWER

WATER POLLUTION CONTROL (WPC) VIEWER

- Web-based application located at: <http://eha-web.doh.hawaii.gov/wpc-viewer/>.
- Provides public access to DOH-CWB NPDES permits and Section 401 WQC information, applications, compliance submittals, inspection reports, and enforcement information.
- Ability to query database by facility/project name, owner, permit number, street address, or TMK.



QUESTIONS?

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