

Frequently Asked Questions
Department of Health (DOH), Clean Water Branch (CWB) Permitting Requirements for
Dye Tracer Studies

Dye tracer studies which involve the use of dyes injected into water features such as wells that will outlet to or applied directly to State surface waters such as streams or the ocean, do not require National Pollutant Discharge Elimination System (NPDES) permit coverage provided that the following conditions are met:

1. The dye being used for the test is an inert substance and is not harmful to the environment, aquatic wildlife, or human health. The dye must have labelling supporting this determination.
2. Notification is provided to the Department of Health, Clean Water Branch (CWB) via email at CleanWaterBranch@doh.hawaii.gov prior to the dye test. The notification shall include:
 - a. A brief summary of the purpose of conducting the dye test;
 - b. The name of the dye to be used for the test and a visual description of the dye (i.e., color so the CWB can determine if any reports from the public are a result of seeing the dye);
 - c. The day and time the dye test will be conducted;
 - d. The location where the dye test will be conducted, including any areas that are expected to be affected by the dye test (i.e., areas where it is reasonably expected for the dye to appear after application). In particular, specify whether the dye test is expected to affect any recreational waters such as beaches or other areas that are frequented by people;
 - e. The time frame that the dye is expected to appear in the project area. Where a definite time frame is unknown, provide an estimate. For example, if based on the hydrology of the project site/system, it is expected that the dye will continuously or intermittently appear for one (1) week following initial application of the dye;
 - f. The name of the company or individual(s) conducting the dye test; and
 - g. Contact information for a point of contact for the dye test project including: their name, contact phone number, and email address. The point of contact shall be an individual who will either be physically present conducting or overseeing the dye test, or will be able to quickly implement and respond to any CWB directions/concerns while the project is ongoing.
3. After reviewing the notification, any other information as required by the CWB is provided prior to the dye test.
4. Make an attempt to notify any individuals or businesses who might be impacted by the dye test. In particular, notification should be attempted if the dye test will affect areas that are highly trafficked by the public (such as a major recreational beach) or highly visible (such as a stream adjacent to many homes).

While an NPDES permit may not be required if the test follows the procedures above, the CWB would like to note the following:

1. Not being required to obtain permit coverage does not absolve any project/activity from possible enforcement action if the project/activity is found to have caused water quality issues or violated any other State Water Pollution Control laws;

2. The CWB will still respond to complaints of water pollution that are a result of any project/activity, regardless of whether or not NPDES permit coverage was required;
3. The instructions above only apply to CWB requirements; and
4. The company or individual(s) conducting the dye test is responsible for obtaining other Federal, State, or local authorizations as may be required by law and notifying other government agencies.