

**State of Hawaii
Department of Health
Indoor and Radiological Health Branch**

**GUIDE FOR FILING COMMUNITY NOISE PERMIT APPLICATIONS
(CONSTRUCTION ACTIVITIES)**

General Information

1. Every application for permit shall be submitted on forms furnished by the Department of Health.
2. Submit information on attachments, if necessary.
3. Every applicant shall pay the applicable *annual* fees.

Specific Information

All sections of the permit application must be filled out completely in order for your application to be processed. An incomplete application shall not be considered or acted upon.

I. Applicant Information

This section shall include the company's or individual's name, mailing address, phone number, and email address. In addition, the authorized individual and title shall be included. The authorized individual shall be responsible for the Community Noise Permit and shall be the respondent to all permit matters. The authorized individual shall sign the *certification section* of the permit application.

II. Community Noise Permit Fee Schedule (Annual)

\$25 per year for activities involving demolition, construction, extension, additions or renovation of a *single family dwelling or single condo unit*.

\$50 per year for all other activities, including but not limited to demolition of building structures, construction of buildings, residential subdivisions, shopping centers, bridges, reservoirs, utilities, roadway (including improvements), site work for subdivisions and golf courses.

Fees shall not be refunded or applied to any subsequent application.

Fees shall be made payable to the *State of Hawaii*.

The assessment of appropriate fees shall be based upon the estimated duration of the construction project, as indicated on the application. For example, if the estimated duration for construction of a commercial complex is submitted as April 1, 2024 through May 1, 2025. A total permit application fee of \$100.00 (\$50.00 for the first year; and \$50.00 for the second year) shall be assessed. The estimated duration should, therefore, be

submitted as accurately as possible. For projects lasting slightly more than a year's period, such as a year + a few weeks or within a month, it is recommended that an application be submitted for one year; and renewed thereafter, if necessary. Note that renewals are subject to applicable annual fees.

III. Description of Activity

Provide a brief description of the type of activity or project. This description shall specify the proposed operation, such as demolition of existing structure and construction of new single family dwelling, construction of high-rise residential building, construction of commercial complex, installation of utilities, reconstruction of roadway, etc. Include project name if known.

"Construction activities" is defined by rules as "any or all activities, including but not limited to those activities necessary or incidental to the erection, demolition, assembling, renovating, installing, or equipping buildings, public or private highways, roadways, premises, and parks."

IV. Location of Activity

Give the specific address or location of the construction site. Submit a map of the location if the site is difficult to locate. Location of equipment storage or stockpile areas shall also be included, if utilized.

"Construction site" is defined by rules as "any or all areas, necessary or incidental for the purpose of conducting construction activities."

V. Equipment to be utilized

List all equipment to be utilized on the site which may exceed the allowable decibel limit. Submit as attachment if necessary.

"Construction equipment" is defined by rules as "any device designed and intended for use in construction, including but not limited to any air compressor, pile driver, bulldozer, pneumatic hammer, steam shovel, derrick, crane tractor, grader, loader, power saw, pump, pneumatic drill, compactor, on-site vehicle, and power hand tool."

It is not necessary to list manual hand tools.

The following equipment may be restricted to 9:00 a.m. to 5:30 p.m., Monday through Friday:

- a. Pile Drivers
- b. Hydraulic Hammers
- c. Jackhammers
- d. High Pressure Sprayers
- e. Chain Saws

If pile drivers or hydraulic hammers are to be used, the following additional information shall be required:

- a. The number of pile drivers and/or hydraulic hammers to be utilized.
- b. For pile driving activities, the number of piles to be driven.
- c. Duration of the pile driving or hydraulic hammer operations.
- d. Name and on-site telephone number of the person responsible for responding to noise complaints.

For activities resulting in adverse noise impacts such as pile driving or hydraulic hammer operation, notification of the surrounding affected areas shall be required. In addition, the department may further require the contractor to conduct a public information meeting in order to provide the surrounding community with information pertaining to the proposed noise emitting activity. This requirement is subject to the duration of such operations and the extent of the impacted area.

Based on the determination that potential adverse noise impact from the construction activities may occur, the department may require submittal of plans, procedures and specifications for the abatement of noise emissions from specific construction equipment, which may include the best available control technology (BACT). In addition, information pertaining to other alternatives to replace the operation of the noise source may be required.

VI. Estimated duration of construction activity

Specific dates (month/day/year) shall be included.

Section 11-46-7(e)(1) states, "The director shall determine the effective period of the permit, which shall be for any term not exceeding five years." A separate and new application shall be submitted as needed prior to the expiration of the 5th year.

Note that every application for permit shall be subject to annual fees as indicated in section II.

A project schedule must be submitted describing the various phases of construction (e.g. demolition, excavation, utility installation, foundation, framing, exterior walls, interior work, finishing work, landscaping, etc.) and estimated duration for each phase. A bar graph type schedule is acceptable. ***The project schedule must conform to the estimated duration requested.***

Information pertaining to this section should be submitted as an attachment.

Certification of Individual Authorized to Act for Applicant

This section shall be completed and signed by the person identified as the "Authorized Individual" in section I. Certification by the applicant shall constitute an acknowledgement and agreement that the applicant shall comply with all the terms and conditions of the permit, rules and statutes.

Important Information Pertaining to Permit Requirements

1. Submission of additional information after the application has been submitted may be required to ensure that the application is complete and non-deficient.
2. The period of the permit initially granted may be extended upon showing that an extension is justified; provided that the extension request may not exceed five years, and that extensions shall be subject to annual fees.
3. Permit may be renewed upon application for any term not exceeding five years; provide that renewal shall be subject to annual fees.
4. An application for modification of a permit shall be submitted in writing.
5. The department shall be notified in writing of the permanent termination of the permit. If such notice is not received by the expiration date specified in the permit, the permit shall automatically terminate and the permittee shall be divested of all rights therein.