

APPROVAL PROCESS FOR
NEW WATER SOURCES FOR PUBLIC WATER SYSTEMS,
NEW PUBLIC WATER SYSTEMS, AND
SUBSTANTIAL MODIFICATIONS TO EXISTING PUBLIC WATER SYSTEMS

- I. Responsible Agency
Safe Drinking Water Branch
Environmental Management Division
Hawaii Department of Health
2385 Waimano Home Rd
Uluakupu, Building 4
Pearl City, HI 96782
Phone: (808) 586-4258

For neighbor island Applicants, the Safe Drinking Water Branch (SDWB) can be conveniently reached by the following toll-free numbers:

Big Island:	974-4000, ext. 64258
Kauai:	274-3141, ext. 64258
Maui:	984-2400, ext. 64258
Molokai and Lanai:	1-800-468-4644, ext. 64258

- II. Legal Authority
Hawaii Administrative Rules, Title 11, Chapter 20, "Rules Relating to Potable Water Systems," [11-20-October-29-2020-Appendices.pdf \(hawaii.gov\)](#)
Section 29, Use of new sources of raw water for public water systems
Section 29.5, Capacity demonstration and evaluation
Section 30, New and modified public water systems

- III. Applicability
Approval by the Director of Health is required for:
- A. Anyone proposing to substantially modify an existing public water system (HAR 11-20-30);
 - B. Anyone proposing to use a new source of raw water to supply a public water system (HAR 11-20-29); and
 - C. Anyone proposing to construct or use a new public water system to deliver water to any user (HAR 11-20-29.5).

- IV. General Guidelines and Procedures
A. Review and Approval of Proposed Substantial Modification to an Existing Public Water System (PWS) or New, Proposed PWS Construction Plans:

If the Applicant is proposing a substantial modification to an existing water system or is proposing to construct or use a new, proposed PWS, the Applicant must submit construction plans and other SDWB-required

documentation and receive approval to construct the substantial modification.

Following a satisfactory review of the construction plans, the Applicant shall submit the cover sheet tracing for signature by the Chief, Environmental Management Division, Department of Health. The signed tracing constitutes approval of the construction plans, unless the plans are for the construction of a new, proposed PWS (see “C” below).

B. Review and Approval of New Sources of Raw Water to Supply a PWS:

1. If the Applicant is proposing to use a new source of raw water to supply a PWS, a comprehensive engineering report of the proposed project shall be prepared and sealed by a registered engineer and submitted to the SDWB. The report must include all information specified in the latest revision of the “*Guidelines for Preparation of Engineering Reports for New Drinking Water Sources for Regulated Public Water Systems.*”
2. Conditional approval to use the raw water source as a drinking water source for a PWS will be provided following satisfactory interagency review, unless the raw water source is part of a new, proposed PWS (see “C” below).
3. If you are using a surface water or ground water under the direct influence of surface water source or alternative treatment technologies (e.g., membrane filtration, reverse osmosis, UV disinfection, GAC, ion exchange) to treat the raw water, it is recommended that you contact the SDWB Engineering Section, prior to preparing the Engineering Report to discuss additional requirements.

C. Review and Approval of a New, Proposed Public Water System

1. If the Applicant is proposing to construct or use a new, proposed PWS (publicly- or privately-owned), the Applicant shall satisfactorily demonstrate pre-construction and start-up Technical, Managerial, and Financial (TMF) capacity, in addition to meeting the requirements for construction plans and new sources of raw water to supply a PWS.

NEW: In addition to HAR 11-20-30(e), projects modifying an existing PWS by substantially expanding the water system infrastructure or service population may be required to prove adequate Capacity still exists, as defined in HAR 11-20-29.5.

A change in ownership may trigger a limited financial Capacity analysis requirement, which may be expanded to technical and managerial Capacity depending on the new owner’s proposed plans.

2. Pre-construction TMF capacity is primarily demonstrated by submittal of a report addressing the requirements of the latest edition of the “*Pre-Construction Capacity Evaluation for New Community and New Nontransient Noncommunity Water Systems.*”
3. Following satisfactory demonstration of pre-construction TMF capacity, interagency review of the raw water source as a drinking water source for a PWS and review of the construction plans for the water system, approval to construct the water system will be provided.
4. Start-up TMF capacity is primarily demonstrated by submittal of a report addressing the requirements of the latest edition of the “*Startup Capacity Evaluation for New Community and New Nontransient Noncommunity Water Systems.*”

Following satisfactory demonstration of startup TMF capacity, including the completion of a sanitary survey conducted by SDWB staff and submission of as-built plans of the water system, approval to operate the water system and a conditional approval to use the raw water source to supply a PWS will be provided.

V. SDWB Reference Documents

- Guidelines for Preparation of Engineering Reports for New Drinking Water Sources for Regulated Public Water Systems; [New Source Report Guidelines \(FINAL\).pdf](#)
- *Pre-Construction Capacity Evaluation for New Community and New Nontransient Noncommunity Water Systems*
[..\..\Capacity\1 PROCEDURES - NEW SYSTEMS\NewSystems-PreConstruction_CapEval.January2012.pdf](#)
- *Startup Capacity Evaluation for New Community and New Nontransient Noncommunity Water Systems.*
[..\..\Capacity\1 PROCEDURES - NEW SYSTEMS\NewSystems-Startup_CapEval.January2012.pdf](#)

VI. Special Notes

- A. Incomplete submittals will delay the review and approval process. The Applicant should contact the SDWB, Engineering Section as soon as questions arise as to the applicability of regulations and data requirements.
- B. *Except for County-owned systems using a surface water or ground water under the direct influence of a surface water source, the Director may waive the construction plans approval required for substantial modification for County-owned PWSs (including new sources) and new infrastructure designed and constructed in accordance with County Water System Standards and then dedicated to the County.*

**Proposed Substantial
Modification to an existing PWS**

Submit:

- Construction Plans
- Other SDWB-Required Documents



Receive:

- Construction Plans signed by DOH, Environmental Management Division Chief, which constitutes Approval to Construct

**New Raw Water Source
Serving a PWS**

Submit:

- Engineering Report
- Construction Plans (Non-County owned)



Receive:

- Conditional Approval to Use Source to serve the PWS
- Construction Plans signed by DOH, Environmental Management Division Chief, which constitutes Approval to Construct (Non-County owned)

New PWS

Submit:

- Engineering Report thru Interagency Review
- Pre-construction TMF Capacity Report
- Construction Plans



Receive:

- Construction Plans signed by DOH, Environmental Management Division Chief
- Approval to Construct



Submit

- Startup TMF Capacity Report, including As-Built Plans



SDWB Conducts:

- Sanitary Survey



Receive:

- Approval to Operate the PWS
- Conditional Approval to Use Source to serve the PWS