



**NPDES Construction Permitting Guidance for NOI-C Submittals to DOH**  
**State of Hawai'i**  
**Department of Transportation – Airports (DOTA)**



This document provides guidance for filling out and submitting Department of Health Clean Water Branch (DOH CWB) forms relating to National Pollutant Discharge Elimination System (NPDES) Permits for construction projects. All projects with one or more acres of disturbed area are required to obtain an NPDES permit for the discharge of stormwater associated with construction activities. Construction activities include all clearing, grading, excavation, and construction support activities. Construction support activities must be specific to the construction project and include concrete or asphalt batch plants, rock crushing plants, equipment staging yards/areas, material storage areas, excavated material disposal areas, and borrow areas. Airport projects typically qualify for coverage under a NPDES General Permit, and applications would submit a Notice of Intent (NOI-C) to obtain permit coverage. More information is available on DOH's website: <https://health.hawaii.gov/cwb/npdes-permits-and-how-to-apply/#General-Permits>

*Note: This guidance is for informational purposes only and the Department of Transportation - Airports (DOTA) assumes no responsibility for applicants' permit compliance by providing this document. Please also note that DOTA will not certify or accept the content of the NOI application. The applicant is entirely responsible for completing the appropriate permit application, for submitting a complete application by any regulatory deadline or before beginning ground-disturbing activities on a construction project, for coordinating with DOH CWB to provide additional information requested, and for meeting all requirements of the granted permit.*

## **E-Permitting Portal Submittal Process**

In the guidance below, the e-Permitting question is provided in bold font, with suggested responses shown in *italics*. The guidance includes only questions where guidance may be helpful; for simple yes/no answers, the questions are not included in the guidance below.

1. Create an account or log in to the e-Permitting Portal  
<https://eha-cloud.doh.hawaii.gov/epermit/>
2. Locate the **Electronic Signature CWB NOI Form**
  - *Use the Form Finder tool and search "NOI Form" OR*
  - *Use the Select Organization option > Environmental Management Division > Clean Water Branch > National Pollutant Discharge Elimination System > General Permits*
3. Read the instructions and click: *Begin Form Entry*
4. Complete the e-Permitting sections. The **numbered bold section headers** correspond to tabs in the e-Permitting form. Click the 'save progress' button at the upper right of the form at any time or if needed to leave the portal. DOH does not review application info until it has been officially submitted at the end of the portal process. The tab on the left will indicate any section that has not been fully completed in "red."

### **1) NPDES General Permit Requirements**

- **Select the general permit you are requesting coverage under.** *Select 'Appendix C – Storm Water Associated with Construction Activity.'*
- **Is this an NOI to request new or amended coverage (including non-automatic transfers of ownership) for an already permitted facility? Please note that a new NGPC must be issued**



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prior to the project commencing the new activities that are not covered under the currently issued NGPC or NPDES permit. Select 'Yes' if you already have an NGPC but need to increase disturbed area for construction or construction support activities that would need additional permit coverage.

## 2) Permittee Information

- **Is the Permittee the operator of the facility or activity applying on behalf of the facility or activity owner?** Select "No" for DOTA and tenant projects. Select 'Yes' if the applicant is not the facility or activity owner and is applying on the owner's behalf. This could apply, for example, if a construction contractor applies for the permit on behalf of a tenant owner, or if a fueling business (owner of the activity) has an operator that applies for the permit.
  - a. If 'yes' - **Owner Authorization:** for tenants who have contractors who are Authorized Representatives. Click on the 'Operator on Behalf of Owner Agreement' link and download the 'CWB Authorization to Allow Operator to Apply for NPDES Permit or NGPC on Behalf of Owner.' Follow the instructions on the form and upload the completed form to the 'Owner Authorization' box in the e-permitting portal.
- **Select the Permittee Organization Type:**
  - For DOTA projects, select "State" and provide the following information:
    - a. **Permittee Legal Name:** Autofills to 'State of Hawaii.'
    - b. **Permittee Department/Office:** Select 'Department of Transportation.'
    - c. **Permittee Division/Program (Optional):** Type 'Airports.'
    - d. **Permittee Mailing Address:** '869 Punchbowl Street, Honolulu, HI 96813.' Note: it is not necessary to "validate address."
    - e. **Permittee Street Address:** same as above.
  - For tenant projects, select the appropriate entity and information.
- **Select the appropriate signatory type and confirm that the Certifying Person meets the requirements for the corresponding type. The Certifying Person must meet the applicable requirement and be employed by the Permittee.** For DOTA projects, select 'State.' For Tenants, choose the appropriate option. **All permittees (i.e., Certifying Person and Authorized Representatives) must now gain electronic signature approval to certify and submit Electronic Signature Forms through the e-Permitting Portal. See guidance for the Electronic Signature Procedure in Attachment A.**
- **Certifying Person Salutation, Information, Email:** For DOTA projects, provide the Director's information: Mr. Edwin Sniffen, 808-587-2150, [edwin.h.sniffen@hawaii.gov](mailto:edwin.h.sniffen@hawaii.gov). See section on "Electronic Signature Approval" below for more information about Certifying Persons.
- **Permittee Salutation, Contact Information:** Provide the permittee contact information. This is typically an environmental manager or someone who will receive inquiries on behalf of the Certifying Person. For DOTA projects, provide the State Project Manager's information.



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- **Do you wish to designate an authorized representative?** *This section is to authorize an individual other than the Certifying Person to certify certain NPDES submissions, such as notices and compliance submittals. Review the information provided in the portal and determine if an authorized representative should be named. An authorized representative may also be designated later with the CWB Compliance Submittal Form for Individual NPDES Permits and NGPC forms. If an authorized representative will be designated with this application, provide the information requested. For DOTA projects, a representative of the General Contractor shall be named as the authorized representative for the project.*
- **Are you designating an individual or position?** *Selecting a “position,” such as “maintenance supervisor” provides the permittee with more flexibility in the case of personnel change. For example, if an individual is named and that person leaves the company or is transferred to a different job, a new form would be required to transfer responsibility.*

### 3) Facility/Project Information

- **Facility Type of Ownership:** *For DOTA projects, select ‘State.’ For tenant projects, select the appropriate option.*
- **Facility Organization Name:** *This is the legal name of the person, firm, public organization, or other entity that operates the facility. The operator of the facility is the legal entity that controls the facility’s operation rather than the facility or site manager.*
- **Facility Site or Project Name, City, Island, Mailing Address:** *Provide the project title and information requested.*
- **Provide the Facility/Project site address.** *Provide the street address of the project site. If there are multiple locations, list the street address of the Airport District Office. If no formal street address exists (e.g., for projects constructing new developments with no currently existing roads), enter a location description instead. **Do not** click the button to “validate address.”*
- **Tax map key (TMK) Nos.:** *All the tax map keys for the property must be provided, and a minimum of one (1) TMK is required. This information can be found on the County’s property tax website.*
- **Facility/Project Site Front Gate Location Coordinates or Start of Linear Construction Location Coordinates:** *Use the map feature to identify the coordinates.*
- **Facility Contact Affiliation, Salutation, Information, and Email:** *For DOTA projects, select Main Contact and provide the State Project Manager’s information.*
- **SIC and NAICS Code:** *For DOTA projects, use NAICS 488119 and SIC 4581. For tenants, use the link to identify the SIC and NAICS code for the facility.*
- **Existing or Pending Permits, Licenses or Approvals:** *Read the directions for the types of permits or approvals for which information shall be provided.*
- **Are there any other existing or pending NPDES permits/NGPCs associated with this facility?** *Examples include dewatering or hydrotesting NGPCs.*



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- **Are there any other existing or pending (non-NPDES) permits, licenses or approvals associated with this facility?** *Examples include Individual Wastewater System permits and Underground Injection Control permits.*
- **Is the facility on the Superfund Amendments and Reauthorization Act (SARA) 313 list?** *Select 'No.' There are only three (3) Superfund SARA sites in Hawaii, and none are at DOTA Airport sites. Resource: <https://www.epa.gov/superfund/superfund-national-priorities-list-npl>.*
- **Topographic Maps**
  - a) **Receiving state water(s) and receiving storm water drainage system(s) identified and labeled:** *The receiving State water must be a surface water. A receiving State water is the first State water that receives the discharge (e.g., if the discharge enters a stream that later flows to the ocean, the receiving State water is the stream). Identify the receiving State water name in relation to the facility or project site based on the topography or contours of the land, excluding evaporation, percolation, retention, detention, etc. All receiving waters that will receive discharge from the construction project limits must be shown.*

#### 4) Permitted Feature(s) Information

A permitted feature is an external outfall that is being requested to be covered under this NPDES Permit or NGPC.

- **Receiving State Waters Name for Permitted Feature:** *This is the name of the waterbody (per the guidance in the previous section) that is or will likely receive the discharge from the facility via the permitted feature(s).*
- **Watershed Name for Permitted Feature:** *Look up the watershed for each airport using this resource: <https://hstagis.maps.arcgis.com/apps/mapviewer/index.html?layers=cfe1f5708d944a15a-da695fc18f423a0>*
- **Receiving State Water Classification:** *If the discharge enters a receiving State waters canal or gulch, select 'Class 2, Inland.' If the discharge enters oceanic waters, select 'Class A, Marine.' If discharge enters a lagoon or embayment, select 'Class A, Embayment.' Refer to HAR, Chapter 11-54 and the Water Quality Standards Map available at: <https://health.hawaii.gov/cwb/clean-water-branch-home-page/water-quality-standards/>*
- **Receiving Water Type:** *Select the receiving water type. If the receiving State waters is a canal or gulch, select 'Stream, Natural Ditch, Natural Gulch.' If discharge enters an estuary such as Ahua Lagoon, select 'Estuary.' If discharge enters oceanic waters, select 'Open Coastal.' If discharge enters a bay, select 'Embayment.'*
- **Permitted Feature Identifier (Name, e.g., 001, 002, 003, etc.):** *Check with AIR-EE to obtain the identifier (EID) for each permitted feature that will receive flow from the facility.*
- **Permitted Feature Location:** *Use the map feature to identify the coordinates.*



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- **Is the receiving State Water on the Section 303(d) List?** Base the response on the most recent Section 303(d) List: <https://mywaterway.epa.gov/state/HI/advanced-search>

## 5) Receiving Drainage System(s) Information

Does the discharge enter a **STORMWATER DRAINAGE SYSTEM** before discharging into the receiving State Waters? (e.g., County or State drainage system or privately owned discharge swale, etc.) If 'Yes,' provide the following information for each separate drainage system:

- **Drainage System Owner's Name.** In almost all cases, this will be the "State of Hawaii Department of Transportation, Airports." However, if the project is at the periphery of an airport, stormwater runoff may enter a County, DOT-Highways, or private drainage system. Evaluate topography and drainage systems and determine the drainage system likely to receive flow from the site.
- **Is the Drainage System Owner the same as the Permittee?** Select 'Yes' if DOT is the permittee and the drainage owner. Select 'No' for tenant projects or, for DOTA projects, if the drainage enters a County or DOT-Highways drainage system.
  - If the answer is "Yes," an extra window requires choosing between two options for private ownership or "municipal" ownership. "Municipal" is DOH's term for government-owned.
- **Do you have the Drainage System Owner's Approval to Discharge?**
- **Drainage System Owner's Approval to Discharge.**  
For DOTA projects where DOTA is the owner of the drainage system, select 'Yes;' no attachment is necessary. For tenant projects where DOTA is the owner of the drainage system, select 'Yes' and attach the Construction Connection, Discharge, and Surface Runoff Permit if one has already been issued, or select 'No' and submit it once it's been issued and at least 30 days before construction. For DOTA or tenant projects where the discharge occurs to a County, private, or DOT-Highways drainage system, select 'Yes' and attach the drainage system owner's permission if it has already been obtained, or select 'No' and submit it once it's been obtained and at least 30 days before construction.

## 6) NOI Form C

### C.2 - Existing Pollution Sources/History of Land Use

- **Describe the history of land use at the existing Facility/Project site:** Provide documentation of known land use, especially former activities such as fueling stations or other potential sources of pollution.
- **Determine if the Existing Facility/Project site may contain any existing pollution source(s) by using the following references. Select all references you utilized to determine existing pollution source(s). You are required to check at least one reference.** Include the results of the Contaminated Soil and Groundwater Review Form provided to you by DOTA.
- **Describe any existing pollution source(s) identified in the references you selected above.** If there are no known existing pollution sources at the site, state that here.





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- **Hazard Evaluation and Emergency Response (HEER) Office.** *Use this reference to zoom in and find your project site to see if there are any prior incidents that occurred at or near your project location. <https://eha-cloud.doh.hawaii.gov/iheer#!/viewer>*
  - a. Describe any existing pollution source(s) identified in the references checked above and from the HEER Office Sites, Incidents and Records. *If there are no prior reports/incidences at your site or within the immediate vicinity of your site, state that here.*
  - b. Note: You are required to contact the Department of Health, Office of Hazard Evaluation and Emergency Response at (808) 586-4249 and through e-permitting “Notification of Construction Activities” (*accessible here: <https://eha-cloud.doh.hawaii.gov/epermit/app/#/formversion/b743e213-83c7-4081-a2e8-ac818101da8b>*) if contaminated soil, vapor, or groundwater is known to be present at your project site. Notify at least 90 days prior to surface and subsurface disturbing activities (demolition, building/site configuration changes, grading, excavation, or prior to or any other activities) that may disturb the ground surface at HEER sites. If you missed the 90 days notification time frame, notify the HEER Office as soon as possible to avoid any potential delays regarding your project.

### **C.3 – Construction Site Estimates**

- *For the category “Construction site area to be disturbed including storage and staging areas,” include all clearing, grading, excavation, and construction support activities, using the description of “land disturbance” in HAR 11-55 Appendix C, Section 1.4. DOH provides suggestions on how to calculate the disturbed area, including buffers for trenches, etc., in an FAQ sheet provided here:*

[NPDES-Construction-Storm-Water-General-Permit-FAQs.pdf \(hawaii.gov\)](#)

### **C.4 – Quantity of Storm Water Runoff**

- **Estimate the quantity of storm water runoff during construction.** *This calculation should be done by a qualified civil engineer using an acceptable method (e.g., USDA NRCS Technical Release #20 (TC20) Methodology using Hydrocad to model storm events at the site) and upload associated calculations/maps.*

### **C.5 – Soil Characterization**

- **Describe the nature of the soil on the project site** (including the potential to encounter contaminated soil) and the nature of the fill material to be used. *A commonly used source of soil data is the USDA NRCS Web Soil Survey map: <https://websoilsurvey.sc.egov.usda.gov/App/WebSoilSurvey.aspx>. Regarding contaminated soil, summarize the information you found in Section C.2.*

### **C.6 – Nature and Sequence of Construction Activity**

- **What is the nature of the construction activity** (Select all applicable activity(ies))?
- **What is being constructed?** *Describe the final infrastructure after construction.*



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- **Describe the scope of work and major construction activities you wish to be covered** as noted in the NOI Form.
- **Is a County-approved Erosion Sediment Control Plan and/or Grading Permit**, where applicable for the activity and schedule for implementing each control, required? *Select “No”. Construction projects on DOTA property follow DOTA Stormwater Control requirements.*

**C.7 – Project Site Maps and Construction Plans/Drawings**

- **Title, attach, and identify all maps.** *Identify which maps show the features listed on the NOI Form.*

**C.8 – Construction Schedule**

- **Provide the estimated dates:**
  - a. The date when construction activity will begin.
  - b. The date when each major construction activity begins. This includes those activities identified in Section 7.2.5 of HAR 11-55 Appendix C. *Rules are available online at: <https://health.hawaii.gov/cwb/hawaii-administrative-rules-har/har-11-55/>.*
  - c. The date when the Notice of Cessation form will be submitted. *This is the project end date.*

**7) Additional Information**

*Examples of additional information or documentation include site photographs, maps, or other pertinent information.*

**8) Payment Information**

*State how the filing fee will be paid. Select the applicable option (online payment or check) from the dropdown menu.*

**9) Review**

- *This tab allows review of the application responses. Review and ensure all information are properly completed. Download and review the submission zip file.*
- *Provide the application to AIR-EE with all the attachments. AIR-EE review and approval is required prior to submission to DOH.*
  - *You can download a copy of the e-Permitting submission at any time by navigating to your “My Submissions” Page > Application > Download/Export > Generate pdf.*

**10) Signing**

- *Once the application is approved by AIR-EE, it can be signed.*
- *Share the document with the Certifying Person (i.e., Application Submitter) to sign the document (see section how to “Share a Submission” below. For DOTA projects, provide the Director’s information: Mr. Edwin Sniffen, [edwin.h.sniffen@hawaii.gov](mailto:edwin.h.sniffen@hawaii.gov). To become a Certifying Person, see “Electronic Signature Approval” section below.*



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### 11) Payment

- *Once the application has been signed, the Application Preparer who has shared the document will receive a notification via email. Sign into your account, go to “My Submissions” Page, and navigate to the NPDES submittal.*
- *Online Payment: The ePermitting portal employs PayPal for online payment processing. If online payment is selected, the ePermitting portal will send the user to PayPal to handle the payment processing. PayPal will prompt the user to log in or to check out as a guest to complete the payment transaction. PayPal allows for credit cards, bank accounts, etc. as part of the PayPal wallet to fund the PayPal account.*
- *Check: send in a check to DOH CWB with the permit number clearly referenced.*

*Clean Water Branch  
State of Hawaii Department of Health  
2827 Waimano Home Road #225  
Pearl City, HI 96782*

### 12) NGPC Issuance

- *Check the status of the permit by logging onto the e-Permitting Portal and going to the “My submissions” page.*
- *Once the NGPC has been issued by CWB, email a copy of the NGPC to AIR-EE.*

## **Electronic Signature Approval**

Anyone with an e-Permitting Portal account can prepare an application, but only the Certifying Person and Authorized Representative can sign and submit. The Certifying Person can sign and submit any submittal type, including the Certifying Person and Authorized Representative Information, but the Authorized Representative is restricted to the following.

- Initial as well as revised/subsequent submittals
  - Notification of Start
  - Notification of Non-Compliance
  - Discharge Monitoring Report
  - General Contract Information
  - Reports and Other Documents
  - Notice of Cessation
- Revised/subsequent submittals only (initial submittals of these items can only be submitted by the Certifying Person)
  - Notice of Intent
  - NPDES Permit Application
  - Transfer of Ownership
  - Owner Name Change
  - Modification Request

To sign and submit documents via the online portal, the signatory must request an Electronic Signature approval, download the form from the e-Permitting portal (<https://eha-cloud.doh.hawaii.gov/epermit/>).





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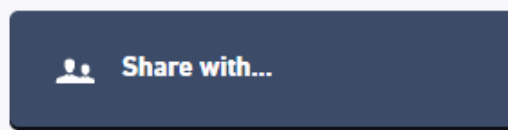
Click on the Finder button and type “Electronic Signature Subscriber Agreement”. Download, fill out, and mail in the completed notarized Electronic Subscriber Agreement (ESA). Electronic Signature approval/denial will be sent via email. Upon receipt of the Electronic Signature approval, log into the e-Permitting Portal and set up Security Questions.

### **Share a Submission**

- 1) To share an application or submission with another person (e.g., Certifying Person to sign), sign into your account on the e-Permitting website. Click the “My Submissions” link at the top. Look for the submission and press the “View Submission Overview” button (see below).



- 2) On the bottom right of the screen, click the “Share with...” button (see below).



- 3) Share the submission with the Application Submitter (Certifying Person or Authorized Representative), AIR-EE, and the project team by adding their names and emails. Check off “Can Manage Access to Submission?” Button to allow the Application Submitter to submit.
- 4) Notify the Application Submitter that the application is ready to be submitted.

### **Add an Authorized Representative**

Once a contractor has been selected for construction, an authorized representative from the contractor’s team will need to be added to the NPDES NOI-C permit. To add an authorized representative:

- 1) Go to the Department of Health e-Permitting Site: <https://eha-cloud.doh.hawaii.gov/epermit/>
- 2) Use the “Finder” tool and search for “Electronic Signature CWB Compliance Submittal Form for Individual NPDES Permits and NGPCs” (Version 1.10)
- 3) Read the page and click “Begin Form Entry” on the bottom
- 4) Processing Info – Select “Basic Submission Fee (\$0)
- 5) Permit or File Number – Provide assigned NPDES or NGPC File number
- 6) Submission Type(s) – Select “Change of Authorized Representative Information”
- 7) Fill in the Authorized Representative’s company/organization, and contact information. You can select either a specific person or a position (e.g., site manager) as the Authorized Representative.
- 8) Signatory Information – Enter the Certifying Person information (\*NOTE: Only the Certifying Person can sign)
- 9) Review
- 10) Signing – Once the application is approved by AIR-EE, it can be signed.



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## **Notice of Cessation**

Once construction work has been completed a Notice of Cessation (NOC) Compliance Submittal must be submitted. To prepare an NOC:

- 1) Go to the Department of Health e-Permitting Site: <https://eha-cloud.doh.hawaii.gov/epermit/>
- 2) Use the “Finder” tool and search for “Electronic Signature CWB Compliance Submittal Form for Individual NPDES Permits and NGPCs” (Version 1.10)
- 3) Read the page and click “Begin Form Entry” on the bottom
- 4) Processing Info – Select “Basic Submission Fee (\$0)
- 5) Permit or File Number – Provide assigned NPDES or NGPC File number
- 6) Submission Type(s) – Select “Notice of Cessation”
- 7) Enter the date the discharge and/or activity was ceased
- 8) Signatory Information – Enter the Certifying Person or Authorized Representative information
- 9) Review
- 10) Signing – Once the application is approved by AIR-EE, it can be signed.