

NEIL ABERCROMBIE  
GOVERNOR OF HAWAII



LORETTA J. FUDDY, A.C.S.W., M.P.H.  
DIRECTOR OF HEALTH

STATE OF HAWAII  
DEPARTMENT OF HEALTH  
P. O. BOX 3378  
HONOLULU, HI 96801-3378

In reply, please refer to:  
EMD/CWB

WQC833.FNL.12

October 16, 2012

Mr. Jared Blumenfeld  
Regional Administrator, Region 9  
U.S. Environmental Protection Agency  
75 Hawthorne Street  
San Francisco, California 94105

Dear Mr. Blumenfeld:

**Subject: Section 401 Water Quality Certification (WQC) for  
U.S. Environmental Protection Agency (EPA), Region 9  
Proposed 2013 Vessel General Permit (VGP) for  
Discharges Incidental to the Normal Operation of Commercial Vessels  
into Waters of the State of Hawaii  
File No. WQC0833/EPA 2013 VGP (Renewal for 2008 VGP/WQC0742)**

In accordance with the provisions of the Clean Water Act, as amended (33 U.S.C. §1251 et seq.; the "CWA"); Hawaii Revised Statutes (HRS), Chapters 91, 92 and 342D; Title 40, Code of Federal Regulations (CFR), Part 121; and Hawaii Administrative Rules (HAR), Chapter 11-54; the Department of Health (DOH) has reviewed your Section 401 WQC Application. The DOH bases its Section 401 WQC on the evaluation of the "Proposed 2013 Vessel General Permit (VGP) Fact Sheet," "Proposed 2013 Vessel General Permit (VGP)" and "Economic Analysis" in a CD transmitted with the December 8, 2011, request for a Section 401 WQC from Mr. David Smith, Manager of NPDES Permits Office, EPA, Region 9 and Federal Register (FR) "Notice of draft permit issuance and Notice of Public Hearing" (76 FR 76716 - 76725, dated December 8, 2011). This conditional Section 401 WQC is required for EPA, Region 9, to issue the final 2013 VGP to conditionally allow the 27 categories of effluent discharges into waters of the State of Hawaii incidental to the normal operation of applicable types and size of vessels (including those specified in Part 5 of the "Proposed 2013 Vessel General Permit (VGP)," hereafter the "proposed 2013 VGP") operated in a capacity as a means of transportation that are eligible for permit coverage under Part 1.2 of the proposed 2013 VGP to be authorized under the provisions of Section 402 of the CWA (33 U.S.C. 1342) and becomes effective on December 19, 2013.

The Director of Health (Director) attests that, when all terms, requirements, restrictions, and limitations contained in the proposed 2013 VGP and this conditional Section 401 WQC are fully complied with, there is a reasonable assurance that the discharge activities will be conducted in a manner which will not violate the Basic Water Quality

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activities will be conducted in a manner which will not violate the Basic Water Quality Criteria applicable to all waters and the Specific Water Quality Criteria applicable to the class of State waters where the proposed discharges would take place.

1. Coverage of this Conditional WQC

- a. In issuing this conditional Section 401 WQC, the DOH has relied on the information contained in the proposed 2013 VGP Fact Sheet and the proposed 2013 VGP in a CD transmitted with the December 8, 2011, request for a Section 401 WQC for the subject proposed 2013 VGP from Mr. David Smith, Manager of NPDES Permits Office, EPA, Region 9 and Federal Register (FR) "Notice of draft permit issuance and Notice of Public Hearing" (76 FR 76716 - 76725, dated December 8, 2011). Conditions, terms, requirements, restrictions, and limitations specified in the proposed 2013 VGP constitutes the minimal requirements acceptable, with some exceptions, to the DOH in issuing this conditional Section 401 WQC.

This conditional Section 401 WQC may be modified, revoked, or revoked and reissued should any future modifications/changes to the proposed/final 2013 VGP contain any requirement, condition, effluent limitation, or restriction that is less stringent than those specified in the proposed 2013 VGP. EPA, Region 9, shall submit the modification(s)/change(s) to the DOH for review and concurrence. The Director will determine whether the modification(s)/change(s) to the condition(s) of this conditional Section 401 WQC is warranted.

- b. This conditional Section 401 WQC covers the discharge from an applicable vessel of one or more of the following 27 categories of effluent that have received the best control or treatment into waters of the State of Hawaii incidental to the normal operation of the applicable vessels (operated in a capacity as a means of transportation) that are eligible for permit coverage under Part 1.2 of the proposed 2013 VGP and subject to comply with "Technology-Based Effluent Limits and Related Requirements Applicable to all Vessels," "Effluent Limits and Related Requirements for Specific Discharge Categories," "Additional Water Quality-Based Effluent Limits," and "Vessel-Class-Specific Requirements" as specified in §§2.1, 2.2, 2.3 and 5, respectively, of the proposed 2013 VGP:
- (1) Deck Washdown and Runoff and Above Water Line Hull Cleaning. (proposed 2013 VGP, §1.2.2.1)
  - (2) Bilgewater/Oily Water Separator Effluent. (proposed 2013 VGP, §1.2.2.2)
  - (3) Ballast Water. (proposed 2013 VGP, §1.2.2.3)
  - (4) Anti-fouling Hull Coatings/Hull Coating Leachate. (proposed 2013 VGP, §1.2.2.4)
  - (5) Aqueous Film Forming Foam (AFFF). (proposed 2013 VGP, §1.2.2.5)

- (7) Cathodic Protection. (proposed 2013 VGP, §1.2.2.7)
- (8) Chain Locker Effluent. (proposed 2013 VGP, §1.2.2.8)
- (9) Controllable Pitch Propeller and Thruster Hydraulic Fluid and other Oil Sea Interfaces including Lubrication Discharges from Paddle Wheel Propulsion, Stern Tubes, Thruster Bearings, Stabilizers, Rudder Bearings, Azimuth Thrusters, and Propulsion Pod Lubrication, and Wire Rope and Mechanical Equipment Subject to Immersion. (proposed 2013 VGP, §1.2.2.9)
- (10) Distillation and Reverse Osmosis Brine (proposed 2013 VGP, §1.2.2.10)
- (11) Elevator Pit Effluent. (proposed 2013 VGP, §1.2.2.11)
- (12) Firemain Systems. (proposed 2013 VGP, §1.2.2.12)
- (13) Freshwater Layup. (proposed 2013 VGP, §1.2.2.13)
- (14) Gas Turbine Wash Water. (proposed 2013 VGP, §1.2.2.14)
- (15) Graywater.  
Except that Graywater from commercial vessels within the meaning of CWA section 312 that are operating in the Great Lakes is excluded from the requirement to obtain an NPDES permit (see CWA section 502(6)), and thus is not within the scope of this permit. (proposed 2013 VGP, §1.2.2.15)
- (16) Motor Gasoline and Compensating Discharge. (proposed 2013 VGP, §1.2.2.16)
- (17) Non-Oily Machinery Wastewater (proposed 2013 VGP, §1.2.2.17)
- (18) Refrigeration and Air Condensate Discharge. (proposed 2013 VGP, §1.2.2.18)
- (19) Seawater Cooling Overboard Discharge (Including Non-Contact Engine Cooling Water; Hydraulic System Cooling Water, Refrigeration Cooling Water). (proposed 2013 VGP, §1.2.2.19)
- (20) Seawater Piping Biofouling Prevention. (proposed 2013 VGP, §1.2.2.20)
- (21) Boat Engine Wet Exhaust. (proposed 2013 VGP, §1.2.2.21)
- (22) Sonar Dome Discharge. (proposed 2013 VGP, §1.2.2.22)
- (23) Underwater Ship Husbandry. (proposed 2013 VGP, §1.2.2.23)
- (24) Welldeck Discharges. (proposed 2013 VGP, §1.2.2.24)
- (25) Graywater Mixed with Sewage from Vessels. (proposed 2013 VGP, §1.2.2.25)
- (26) Exhaust Gas Scrubber Washwater Discharge. (proposed 2013 VGP, §1.2.2.26)
- (27) Fish Hold Effluent. (proposed 2013 VGP, §1.2.2.27)

c. Geographical Area Exclusions:

In addition to water bodies specified in Appendix G of EPA proposed 2013 VGP, discharges into following State waters are also excluded from coverage under this conditional Section 401 WQC. "Owner" or "operator" of a vessel seeking coverage under the proposed 2013 VGP may submit an individual Application to the Clean Water Branch (CWB), DOH, for review and consideration for the processing for an individual Section 401 WQC:

(1) (A) Natural freshwater lakes, saline lakes, and anchialine pools will be maintained in the natural state through Hawaii's "no discharge" policy for these waters. Waste discharge into these waters is prohibited. (see HAR, paragraph 11-54-3 (b) (1)). [HAR, Paragraph 11-54-5.2]

(B) It is the objective of Inland Class 1 waters that these waters remain in their natural state as nearly as possible with an absolute minimum of pollution from any human-caused source. To the extent possible, the wilderness character of these areas shall be protected. Waste discharge into these waters is prohibited. Any conduct which results in a demonstrable increase in levels of point or nonpoint source contamination in class 1 waters is prohibited. [HAR, Paragraph 11-54-3(b)(1)]

"Waste" means sewage, industrial and agricultural matter, and all other liquid, gaseous, or solid substance, including radioactive substance, whether treated or not, which may pollute or tend to pollute the waters of the State. [HRS, §342D-1]

(2) Sewage, whether commingled with graywater or not, shall be disposed at pier side collection or treatment system or outside of estuaries or embayments. No new treated sewage discharges shall be permitted within estuaries. [HAR, Paragraph 11-54-3(b)(2)] No new sewage discharges will be permitted within embayments. [HAR, Paragraph 11-54-3(c)(2)]

(3) No new industrial discharges shall be permitted within estuaries. [HAR, Paragraph 11-54-3(b)(2)] No new industrial discharges shall be permitted within embayments. [HAR, Paragraph 11-54-3(c)(2)]

(4) This conditional Section 401 WQC does not cover any discharges identified in § 1.2.3 (§§1.2.3.1 through 1.2.3.10) as "not eligible" for coverage under the proposed 2013 VGP.

2. Terms of this conditional Section 401 WQC:

- a. This conditional Section 401 WQC for each of the 27 categories of the effluent discharges listed Item No. 1.b, above, shall become effective on December 19, 2013.
- b. This conditional Section 401 WQC shall expire at 11:59 p.m, (HST) December 18, 2017 or until such time as the proposed 2013 VGP is modified, suspended, revoked or reissued or the applicable State Water Quality Standards(s) (WQS) is revised or modified whichever is earliest. If the applicable State WQS is revised or modified and the discharge activities comply with the revisions or modifications, this conditional Section 401 WQC shall remain valid until 11:59 p.m, (HST) December 18, 2017.
- c. This conditional Section 401 WQC may be modified, revoked, or revoked and reissued when the Director finds it is in the public interest in accordance with HRS, Chapters 91, 92, and 342D.
- d. This conditional Section 401 WQC coverage for effluent discharges from each covered vessel may be revoked when:
  - (1) New State WQS are subsequently established before this conditional Section 401 WQC expires and the vessel's effluent discharge activity is violating or the Director determines that the vessel's discharge activity is violating the new State WQS. The Director will notify the "owner" or "operator" of the vessel of the violation. The "owner" or "operator" of the vessel shall cease the violation within 180 calendar days of the date of the notice. If the "owner" or "operator" of the vessel fails within 180 calendar days of the date of the notice to cease the violation, the Director may revoke the vessel's Section 401 WQC coverage; or
  - (2) The Director determines that the vessel's effluent discharge(s) activity is violating the existing State WQS or any condition specified in this conditional Section 401 WQC. The Director will notify the "owner" or "operator" of the vessel of the violation. The "owner" or "operator" of the vessel shall cease the violation within seven (7) calendar days of the date of the notice. If the "owner" or "operator" of the vessel fails within seven (7) calendar days of the date of the notice to cease the violation, the Director may revoke the vessel's Section 401 WQC coverage

These actions shall not preclude the DOH from taking appropriate enforcement action authorized by law.

Written notification by the Director under this section is complete upon mailing or sending a facsimile or an email transmission of the document or actual receipt of the document by the "owner" or "operator" of the vessel.

- e. The "owner" or "operator" of a vessel shall comply with all conditions and requirements specified in the proposed 2013 VGP. All terms, requirements, limitations, and restrictions specified in this conditional Section 401 WQC shall constitute as Part 6 of the proposed 2013 VGP conditions and shall be primarily enforced by the EPA, Region 9, through the compliance of the proposed 2013 VGP. DOH reserves the right to take appropriate enforcement action authorized by law.
3. Validation of this conditional Section 401 WQC coverage for each category of treated effluent discharges from a vessel into waters of the State of Hawaii shall become effective when the "owner" or "operator" of a vessel submits to the DOH-CWB the notification information as required in Item 4, below, except otherwise notified by the Director in writing or through an email that an individual Section 401 WQC is required for the proposed effluent discharges from the vessel. Coverage under this conditional Section 401 WQC shall remain valid during the period the Director processing the individual Application until such time the Director renders its final determination on an individual Application for a Section 401 WQC.

4. Notification Requirements:

The "owner" or "operator" of a vessel seeking coverage for treated effluent discharges to be authorized under this conditional Section 401 WQC shall submit the following information through DOH-CWB website at:

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

a. Vessel "Owner" or "Operator" Information:

Provide the full legal name(s), street address, contact person's name and position title, telephone and fax numbers, and email address of the owner(s) and, if applicable, its duly authorized representative. When the notification is prepared and submitted by the owner's duly authorized representative, an authorization statement with the owner's original signature shall also be submitted. Any signatures required in this conditional Section 401 WQC shall be provided as described in 40 CFR, §122.22(a).

b. Vessel Information

Provide:

- (1) Vessel Name
- (2) EPA VGP tracking number (or permit number or both, if applicable)
- (3) Vessel Registered Number
- (4) Vessel International Maritime Organization (IMO) number, if applicable
- (5) Vessel Call Sign
- (6) Flag State/Port of Registry (Complete spellings of state and port city names required)
- (7) Type of Vessel (list one primary vessel type, and secondary vessel type where appropriate)

c. Vessel Discharge Information

List all applicable discharges, from the 27 applicable categories specified in Item 1.b, above, vessel may generate.

d. Industrial Effluent Discharge Information

If the vessel ever engage in or have capacity to engage in industrial operations, provide the type of industrial operation that will generate effluent discharges, i.e., (1) Seafood processing (2) Energy Exploration (3) Mining or (4) other.

As specified in §1.2.3.1 of the proposed 2013 VGP, for any discharges identified in the proposed 2013 VGP, discharges are not eligible if they contain materials resulting from industrial or manufacturing processes onboard or other materials not derived from the normal operations of a vessel.

e. Vessel Onboard Treatment Systems and/or Best Control or Best Management Practices (BMPs) Measures Information

Provide onboard treatment system is or to be used for any waste stream(s) covered by the proposed 2013 VGP such as Ballast Water, Bilgewater, Exhaust Gas Scrubber Effluent, Graywater, Graywater mixed with Sewage, and any other treatment system and/or control measures, etc., to be used for the category of the proposed effluent discharges:

- (1) Specify Discharge stream(s) treated.
- (2) Treatment system type/design and manufacturer.
- (3) Treatment System Capacity.
- (4) Normal Treatment System Flow Rate (gallons/day or liters/day).

- (5) Residuals (wastes) generated by this treatment system.
- (6) How they are disposed.

f. Ballast Water Information

- (1) If the vessel is or will be using an experimental ballast water treatment system which discharges residual biocides:
  - (A) Are residual biocide concentrations expected to be below those listed in Part 2.2.3.5.1.1.5 of the proposed 2013 VGP or this Section 401 WQC, whichever is more stringent.
  - (B) List the biocide residuals or derivatives that may be discharged by the ballast water treatment system.

(2) Ballast Water and Invasive Species Management

Specify:

- (A) How often is the ballast tank cleaned and sediment disposed of?
- (B) How and where do you typically dispose of ballast tank sediment?
- (C) Does vessel have an existing ballast water management plan? If yes, please provide a pdf copy of the ballast water management plan.

g. Hull Anti-fouling Information

Provide:

- (1) Type of anti-fouling hull coating on the vessel and list specific product: Copper Based or Non-Copper Based.
- (2) When was anti-fouling hull coating last applied.
- (3) Describe hull husbandry practices, such as frequency of hull cleaning, method used, how niches and propellers are cleaned, etc.
- (4) Date of last hull cleaning.
- (5) Date of next scheduled/anticipated hull cleaning.

5. Discharge Limitations and Reporting Requirements

- a. Pursuant to HAR, §11-54-4(a), all waters shall be free of substances attributable to the discharge activities authorized under this conditional Section 401 WQC and EPA 2013 VGP, including:
  - (1) Materials that will settle to form objectionable sludge or bottom deposits.

- (2) Floating debris, oil, grease, scum, or other floating materials.
- (3) Substances in amounts sufficient to produce taste in the water or detectable off flavor in the flesh of fish, or in amounts sufficient to produce objectionable color, turbidity or other conditions in the receiving waters.
- (4) High or low temperatures; biocides; pathogenic organisms; toxic, radioactive, corrosive, or other deleterious substances at levels or in combinations sufficient to be toxic or harmful to human, animal, plant, or aquatic life, or in amounts sufficient to interfere with any beneficial use of the water.
- (5) Substances or conditions or combinations thereof in concentrations which produce undesirable aquatic life.
- (6) Soil particles resulting from erosion on land involved in earthwork, such as the construction of public works; highways; subdivisions; recreational, commercial, or industrial developments; or the cultivation and management of agricultural lands.

An electronic copy of the HAR, Chapter 11-54 is available at:  
<http://hawaii.gov/health/environmental/water/cleanwater/forms/wqc-index.html> or  
<http://gen.doh.hawaii.gov/sites/har/admrules/default.aspx>.

- b. Discharges authorized under EPA proposed 2013 VGP shall be monitored and effluent quality shall comply with effluent limits specified in §2 "Effluent Limits and Related Requirements" of the proposed 2013 VGP. Discharges authorized under EPA proposed 2013 VGP shall not cause the applicable specific water quality criteria to be violated in the receiving waters of the State of Hawaii. When conflict occurs, the most stringent limitation applies. Applicable specific water quality criteria are:
  - (1) HAR, §11-54-5 Uses and specific criteria applicable to inland waters; definitions;
  - (2) HAR, §11-54-5.1 Inland water areas to be protected;
  - (3) HAR, §11-54-5.2 Inland water criteria;
  - (4) HAR, §11-54-6 Uses and specific criteria applicable to marine waters;
  - (5) HAR, §11-54-7 Uses and specific criteria applicable to marine bottom types; and
  - (6) HAR, §11-54-8 Specific criteria for recreational.
- c. Parameter and Limitation contained in Table 1, below, applicable to all discharges from a vessel:

Table 1

Parameter	Limitation In Fresh waters	Limitation in Salt waters	Units
Chlorine, Total Residual Chlorine (TRC)	19.0	13.0	µg/l
pH	shall not deviate more than 0.5 units from ambient conditions and shall not be lower than 5.5 nor higher than 8.0	shall not deviate more than 0.5 units from a value of 8.1, except at coastal locations where and when freshwater from stream, storm drain or groundwater discharge may depress the pH to a minimum level of 7.0	pH Unit
Turbidity	25.0	5.0	NTU
Temperature	Shall not vary more than one degree Celsius from ambient conditions.	Shall not vary more than one degree Celsius from ambient conditions.	°C
Enterococcus	Enterococcus content shall not exceed a geometric mean of 33 per one hundred milliliters in not less than five samples which shall be spaced to cover a period between 25 and 30 days. No single sample shall exceed the single sample maximum of 89 CFU per 100 milliliters or the site-specific one-sided 82 per cent confidence limit.	Within 300 meters (one thousand feet) of the shoreline, including natural public bathing or wading areas, enterococcus content shall not exceed a geometric mean of 35 CFU per 100 milliliters in not less than five samples which shall be spaced to cover a period between twenty-five and thirty days. No single sample shall exceed the single sample maximum of 104 CFU per 100 milliliters or the site-specific one-sided 75 per cent confidence limit. Marine recreational waters along sections of coastline where enterococcus content does not exceed the standard, as shown by the geometric mean test described above, shall not be lowered in quality.	CFU

- d. Ballast water discharges from "Qualifying Vessels" shall also comply with the provisions of HAR, Chapter 13-76. An electronic copy of HAR, Chapter 13-76 is available at: <https://hawaii.gov/dlnr/dar/rules/ch76.pdf>.

The term "Qualifying Vessels," as defined in HAR, Section 13-76-12, means all vessels, United States or foreign flagged, carrying ballast water into state marine waters after operating outside the EEZ.

The term "EEZ," as defined in HAR, Section 13-76-12, means the United States exclusive economic zone established by Presidential Proclamation No. 5030, dated March 10, 1983, which extends from the baseline of the territorial sea of the United States seaward 200 nautical miles, substantially as defined in federal law 33 CFR 151.2025, dated July 1, 2005.

- e. Discharges from "Commercial Passenger Vessels" shall comply with requirements specified in HRS, Sections 342D-102, 342D-103, 342D-104, 342D-105 and 342-106 of PART VI of HRS, Chapter 342D titled "DISCHARGES FROM COMMERCIAL PASSENGER VESSELS."

"Commercial passenger vessel," as defined in HRS, Section 342D-101, means a vessel that carries passengers for hire. The term does not include a vessel:

- (1) Authorized to carry fewer than fifty passengers;
  - (2) That does not provide overnight accommodations for at least 50 passengers for hire, determined with reference to the number of lower berths and based on an average of two persons per cabin; or
  - (3) Operated by the United States or a foreign government.
- f. There shall be no net increase in loadings of pollutant of concerns (POC) attributable to vessel's effluent discharges into water quality-limited segments as listed by the DOH under CWA, § 303(d). POC information for each water body is included in 2008/2010 State of Hawaii Water Quality Monitoring and Assessment Report which is available at: <http://hawaii.gov/health/environmental/water/cleanwater/integrated/index.html>.
- g. The discharge incidental to normal operation of commercial vessels and commercial fishing vessels permitted under the authorization of the proposed 2013 VGP shall not interfere with or become injurious to any assigned uses made of (designated uses, as defined in HAR, Section 11-54-1, and specified in HAR, Section 11-54-3), or presently in (existing uses, as defined in HAR, Section 11-54-1, and specified in HAR, Subsection 11-54-1.1), those waters

- g. Except for non-compliance to Part 2 of the proposed 2013 VGP effluent limits or non-compliance to HAR, Chapter 11-54 requirements, Permittee of the proposed 2013 VGP shall retain on board all records, inspection reports, monitoring data, including analytical monitoring results from specific discharge types as identified in Parts 2.2.3, 2.2.15, and 2.2.26 of the proposed 2013 VGP and for specific vessel types in Part 5 of the proposed 2013 VGP. EPA proposed 2013 VGP Permittee shall submit all records, inspection reports, monitoring data to DOH-CWB upon request by the Director.

EPA proposed 2013 VGP permittee shall report all non-compliance to basic water quality criteria applicable to all State waters and analytical monitoring data that exceeds the numerical criteria of the State WQS to the DOH-CWB as soon as the Permittee becomes aware of such non-compliance or exceedence. All report(s) shall be submitted on a non-compliance reporting form provided by the Director in website at <https://eha-cloud.doh.hawaii.gov/epermit/View/default.aspx>.

6. Pursuant to HRS, Section 342D-8, the DOH-CWB may conduct routine inspection of vessel covered under this conditional Section 401 WQC, taking color photographs, and to sample any effluent discharges.
7. EPA 2013 VGP Permittee (the "owner" or "operator" of the vessel) shall undertake immediate corrective measure(s) to mitigate the noncompliance or violations of HAR, Chapter 11-54 or any terms, requirements, limitations, or restrictions specified in this conditional Section 401 WQC.
8. It shall constitute a violation under HRS, Chapter 342D; HAR, Chapter 11-54; and this WQC if any discharges resulting from the activities authorized under the EPA VGP, resulting in any noncompliance to terms, requirements, restrictions, or limitations as specified in this WQC. The DOH reserves the right to take enforcement actions authorized by law.

The DOH has published a "Notice of Proposed Section 401 Water Quality Certification" in Honolulu Star-Advertiser, Maui News, Garden Island Newspaper, West Hawaii Today, and Hawaii Tribune Herald on September 14, 2012 (Doc. No. 12-CW-WQC-06).

After consideration of the expressed views of all interested persons and agencies and pertinent State statutes and rules, the DOH hereby issues this conditional Section 401 WQC to EPA, Region 9, for the proposed 2013 VGP.

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Should you have any questions, please contact Mr. Alec Wong, Branch Chief, or have your staff contact Mr. Edward Chen of the Engineering Section, CWB, at (808) 586-4309.

Sincerely,



FOR LORETTA J. FUDDY, A.C.S.W., M.P.H.  
Director of Health

EC:np

- c: Pacific Islands Contact Office (PICO), U.S. EPA, Region 9
- U.S. Fish and Wildlife Service
- U.S. National Marine Fisheries Service
- CZM Program, Office of Planning, DBEDT
- Division of Aquatic Resources, DLNR
- Division of Boating and Ocean Recreation, DLNR
- Harbors Division, DOT
- DHO, Hawaii (Hilo)
- DHO, Hawaii (Kona)
- DHO, Maui
- DHO, Kauai
- EHS, Molokai/Lanai (Route file copy)
- Mr. David Smith, EPA, Region 9 [via e-mail only]
- Mr. Eugene Bromley, EPA, Region 9 [via e-mail only]
- Ms. Deborah Nagle, EPA, Head Quarter [via e-mail only]
- Ms. Wendy Wiltse, PICO, EPA, Region 9 [via e-mail only]
- Ms. Caitlyn Stewart, The American Waterways Operators