



ORIGINAL

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

August 13, 2013

Jesse K. Souki, Director
Office of State Planning
State Office Tower
235 S. Beretania St., Room 600
Honolulu, Hawaii 96813

In reply, please refer to:
File: SDWB
Souki01.docx
2013 AUG 15 P 3:57
LAND USE COMMISSION
STATE OF HAWAII

Dear Mr. Souki:

SUBJECT: PETITION FOR AMENDMENT OF THE STATE LAND USE DISTRICT
BOUNDARIES: LAND USE COMMISSION DOCKET NO. A13-797,
CMBY 2011 INVESTMENTS, LLC

Requested Change: State Agricultural to State Urban District
Approx. 86.030 acres
Proposed Use: Puunene Heavy Industrial Subdivision
Location: Wailuku, Maui, Hawaii
Tax Map Key No.: (2) 3-8-008:019

The Department of Health (DOH) agrees generally with the "Pollution Prevention Best Management Practices" condition you proposed in your memorandum of August 6, 2013, to mitigate potential impacts on resources from the heavy industrial subdivision. The DOH recommends the following additions to the "Pollution Prevention Best Management Practices" condition:

1. Please revise the condition to apply during construction and development as well as during operations. The first paragraph of the proposed condition (with proposed additions underlined) would read:

#. **Pollution Prevention Best Management Practices.** Petitioner shall prepare and implement a pollution prevention plan that incorporates Best Management Practices ("BMPs") for use during construction and development and during the operational phase of the Project. BMPs shall be implemented during construction to control fugitive dust, minimize infiltration and runoff from construction and vehicle operations, and reduce or eliminate soil erosion and groundwater and surface water pollution in accordance with Department of Health ("DOH") rules and guidelines and County of Maui rules and ordinances. BMPs for the operational phase of the Project shall be directed at preventing all pollutants that may be

associated with a specified industrial use from being released into the environment, including structural BMPs such as oil/water separators, detention ponds, lined containment pits, and stormwater filtration units designed to contain and remove industrial contamination. The pollution prevention plan shall include but not be limited to:

2. At the end of paragraph "a" of the proposed condition, please add the following sentences: "The separated fluids shall be handled and disposed of in compliance with applicable Department of Health requirements for disposal of such materials. This material must be tested to determine whether it qualifies as hazardous waste and if determined to be hazardous waste, must be disposed of in compliance with hazardous waste rules."
3. Groundwater needs to be protected from contaminants and debris entering through drainage injection wells (sometimes called drywells). Please add the following condition: "All drainage injection wells or subsurface drainage structures shall be designed with a debris catch basin to allow the detention, before flowing into the drainage well, of rubbish and sediments that are often carried and deposited by runoff. The debris catch basin shall be periodically inspected and cleaned. An environmental precautionary sign shall be installed at, or painted on the ground next to, each drainage injection well that reads: 'DUMP NO WASTE. GOES TO GROUNDWATER AND OCEAN. HELP PROTECT HAWAII'S ENVIRONMENT.'"
4. The Project Summary that was provided indicated that a brackish water source with a reverse osmosis treatment system would be used to meet the subdivision's potable water needs. This would necessitate compliance with state and federal safe drinking water regulations, including for underground injection wells. Please add the following condition: Any injection well or drywell that would dispose of desalinization wastewater or other types of wastewater such as industrial process wastewater, sewage, or rainfall runoff, shall comply with Hawaii Administrative Rules (HAR), Title 11, Chapter 23, titled Underground Injection Control, and shall demonstrate that the injections shall not adversely affect downgradient streams, Kealia Pond National Wildlife Refuge, and coastal waters. "
5. Please add the following condition: Stormwater Management and Drainage. Petitioner shall fund the design and construction and cause to be maintained stormwater and drainage system improvements for the Petition Area, and incorporate in the design and construction of backbone infrastructure low impact development features for stormwater capture and reuse, to the extent practicable and allowed by the County of Maui, to prevent runoff from adversely affecting downstream properties and facilities and receiving streams, Kealia Pond National Wildlife Refuge, and coastal waters, consistent with federal, State, and County laws, rules, and ordinances. Petitioner shall include in the CCRs for the Project the requirement that low impact development features be incorporated in individual

site design and development, to the extent practicable and allowed by the County of Maui.

I hope these comments meet your needs. Should you have any questions, please contact the following individuals on the following aspects:

Stormwater management and drainage, Clean Water Branch, Alec Wong, 586-4309

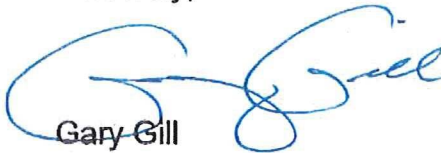
Safe Drinking Water Branch, Joanna Seto, 586-4258

Underground Injection Control, Norris Uehara, 586-4275

Solid and Hazardous Waste Branch, Steve Chang 586-4226

Fugitive dust, Clean Air Branch, Nolan Hirai, 586-4359.

Sincerely,



Gary Gill
Deputy Director for Environmental Health
Department of Health

cc: Stuart Yamada, Environmental Management Division
Laura McIntyre, Environmental Planning Office
Alec Wong, Clean Water Branch
Joanna Seto, Safe Drinking Water Branch
Steven Chang, Solid and Hazardous Waste Branch
Nolan Hirai, Clean Air Branch