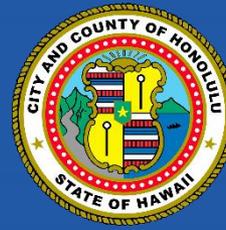


Dewatering Permit: Tips for how to Stay in Compliance





Introduction

- Welcome
- Introduction
 - Bobbie Teixeira, DOH CWB* Enforcement Section
 - Mike Young, Bowers + Kubota Consulting, Construction Management



*Hawaii State Department of Health Clean Water Branch

Learning Objectives

- ❑ Alternate Considerations for handling your Dewatering
- ❑ Understand requirements of NPDES Dewatering Permit
- ❑ Understand Potential Enforcement Actions due to noncompliance with NPDES Dewatering Permit
- ❑ Dewatering Considerations during
 - Preconstruction
 - Construction
 - Post Construction
- ❑ Questions



Alternate Considerations for handling your Dewatering



Alternate Considerations for handling your Dewatering

- Back to the same trench
 - Direct discharge
 - Store and then discharge
- Irrigate/Infiltrate
- Dust Control
- Injection Wells
- Treat and discharge to State Waters

2 Types of NPDES Permits

Individual

- Tailored to an individual facility/site
- ~6 months processing
- Proximity to Classified Waters

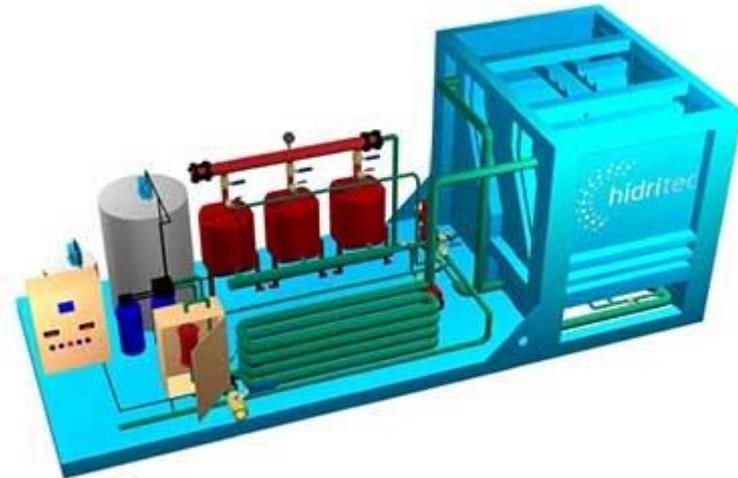
General

- Covers a group of dischargers
- 30 days minimum
- Cost-effective

Dewatering Discharge Parameters

What is out of the ordinary about your discharge?

- ✓ What is your volume of water?
- ✓ What is the Quality of your water?
- ✓ What are your discharge options?
- ✓ What are your treatment options?
- ✓ What is your budget and time constraint?





Understand requirements of NPDES Dewatering Permit



Basic Requirements

- Permittee/Activity shall not cause or contribute to violations of the basic water quality criteria which states "All waters shall be free of substances attributable to domestic, industrial, or other controllable sources of pollutants..."



Basic Requirements

- Timely inspect the receiving water, effluent and BMPs to detect violations.
- Immediately stop, reduce, or modify construction or implement a new plan to stop or prevent a violation.



If you see a violation, FIX IT IMMEDIATELY!

Sampling Requirements

- Must comply with sampling frequency set forth by permit

CHAPTER 11-55 APPENDIX G

TABLE 34.5

EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS FOR CONSTRUCTION DEWATERING DISCHARGES

Effluent Parameter	Effluent Limitations {1}	Minimum Monitoring Frequency	Type of Sample
Quantity of Discharge (GPD or gpm)	{2}	{3}	Calculated or Estimated
Total Suspended Solids (mg/l)	{2}	{4}	Grab
Turbidity (NTU)	{2}	{4}	Grab
Oil and Grease (mg/l)	15	{4}	Grab {5}
pH (standard units)	{6}	{4}	Grab {7}
Toxic Pollutants {8}	{9}	{4}	{10}

GPD = gallons per day

gpm = gallons per minute

mg/l = milligrams per liter

NTU = nephelometric turbidity units

Reporting Requirements

- ❑ Must submit DMRs by the 28th day of the following month
- ❑ Include all data and supporting documents
- ❑ Must be certified
- ❑ Orally report any:
 - Violation of an effluent violation
 - Discharge endangering health or environment
 - Unanticipated bypass or upset
- ❑ 5-day written report includes:
 - Description of noncompliance
 - Period of noncompliance
 - Estimated time
 - Steps taken



Understand Potential Enforcement Actions due to noncompliance with NPDES Dewatering Permit



Understand Potential Enforcement Actions due to noncompliance with NPDES Dewatering Permit

- ❑ **Warning Letter/Administrative Action** – Notice of Apparent Violation (NAV) letter or monetary penalty (Field Citation)
- ❑ **Civil Enforcement** – Notice of Violation and Order (NOVO) monetary penalties up to \$25,000 per day, per violation
- ❑ **Criminal Enforcement** – Monetary penalties up to \$50,000 per day, per violation and possible jail time

The local County, State and the EPA can take separate civil and criminal actions for the analogous violations. Private citizens can also sue.



Dewatering Considerations during

- Preconstruction
- Construction
- Post Construction



Dewatering Considerations during Preconstruction, Construction and Post Construction

- Treat your dewatering plan like a wastewater bypass plan
 - Site Constraints
 - Is the dewatering plan you were given realistic?
 - Know what you're dealing with
 - What kind of spill prevention do you need?
 - Redundancy?
 - SCADA of full-time monitoring
 - Do you need a contingency discharge plan?
 - Do you need and Water Treatment Expert or engineered pumping/treatment system?

Dewatering Considerations during Preconstruction, Construction and Post Construction cont.

- Who will be your responsible person
 - Ensure proper sampling
 - Ensure proper notifications/reporting (pre/during/post)
 - Coordinate Maintenance

Summary

- ❑ Consider all Discharge Alternatives
 - **Avoid Discharging to State Waters if at all possible**
- ❑ Understand your Dewatering Permit and required Notification/Reporting Requirements
- ❑ Do a reality check on your dewatering plan and make sure you implement a solid plan with contingencies
- ❑ Make sure you have an experienced/capable person in charge of your dewatering operation
- ❑ Protect our precious natural resource





Online Participation

Join with the **Kahoot! App** or at **Kahoot.it**



Poll Question #1

Company A has NPDES general permit coverage for continuous discharges from dewatering process of construction activities. What is Company A sampling frequency?

- A. Never
- B. Once per discharge
- C. Once a week
- D. Once a month



Poll Question #2

Company A submitted a DMR for the month of June indicating that 4 samples were collected. Each sample result exceeded effluent limits for TSS and Aluminum. How many violation counts would DOH find?

A. 0

B. 2

C. 4

D. 8



Poll Question #3

Upon review of the June DMR, DOH finds that Company A failed to orally report the effluent limit exceedances for each sample collected. How many total violation counts would DOH find?

A. 0

B. 4

C. 9

D. 12





HRS 342D-30, provides for penalties of up to \$25,000, per violation, per day.

$$**12 X \$25,000 = \$300,000**$$

For permit limit exceedances and reporting violations



Poll Question #4

Who is allowed to notify DOH of non-compliances?

A. Nosy Neighbor

B. Anyone involved with the project

C. Operator

D. Certifying Person

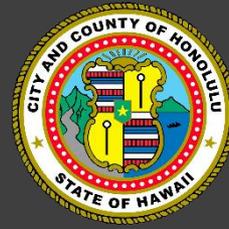


Poll Question #5

A worker for Company A observes a turbid plume at the receiving water. What should the worker do?

- A. Cease the discharge
- B. Notify DOH of Non- compliance
- C. Both A and B**
- D. Notify supervisor after lunch break





Questions?

