

**CHAPTER 11-55 APPENDIX J**

**NPDES GENERAL PERMIT  
AUTHORIZING OCCASIONAL OR UNINTENTIONAL DISCHARGES  
FROM RECYCLED WATER SYSTEMS**

October 2007

1. Coverage under this General Permit
  - (a) This general permit covers occasional or unintentional discharges composed entirely of:
    - (1) R-1 water, or
    - (2) R-1 water with any combination of stormwater or potable water or water used primarily for irrigation,  
  
where the R-1 water is supplied from a treatment works and is conveyed or used by a recycled water system.
  - (b) This general permit covers all areas of the State except for discharges in or to state waters classified by the department as "class 1, inland waters," "class AA, marine waters," and areas restricted in accordance with the State's "No Discharge" policy in chapter 11-54 titled "Water Quality Standards."
2. Limitations on Coverage under this General Permit
  - (a) This general permit does not cover the following:
    - (1) Recycled water system discharges into a sanitary sewer system;
    - (2) Recycled water system discharges which initially enter separate storm water drainage systems, unless a permit, license, or equivalent written approval

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is granted by the owner(s) of the drainage system(s) allowing the subject discharge to enter their drainage system(s);

- (3) Recycled water system discharges which are regulated by an existing individual permit;
- (4) Recycled water systems which the director finds to have violated, be violating, or contributing to a violation of chapter 11-62;
- (5) Recycled water system discharges that the director finds more appropriately should be regulated under an individual permit; and
- (6) Treatment works discharges that are not from an approved recycled water system.

- (b) The director may require any permittee authorized by this general permit to apply for and obtain an individual permit, in accordance with sections 11-55-34.05 and 11-55-34.10.

3. Term of General Permit

- (a) This general permit becomes effective when section 11-55-34.02(b)(9) becomes effective ten days after filing with the office of the lieutenant governor. This general permit expires five years after the effective date or when amendments to section 11-55-34.02(b)(9) are adopted, whichever is earlier.

- (b) A notice of general permit coverage under this general permit expires:

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- (1) Five years after the effective date of this general permit;
- (2) When the notice of general permit coverage specifies; or
- (3) When amendments to section 11-55-34.02(b)(9) are adopted,

whichever is earliest, unless the notice of general permit coverage is administratively extended under section 11-55-34.09(d).

4. Notice of Intent (NOI) Requirements

- (a) The owner or its duly authorized representative shall submit a complete notice of intent no later than thirty days before the proposed starting date of the discharge or thirty days before the expiration date of the applicable notice of general permit coverage.
- (b) The owner or its duly authorized representative shall include the following information in the notice of intent:
  - (1) Information required in section 34 of appendix A of chapter 11-55;
  - (2) Activity for which the recycled water is to be used and the amount in gallons per day of recycled water to be used or conveyed;
  - (3) Name of the owner or operator of treatment works producing or supplying the R-1 water, if different from the permittee;
  - (4) Copy of the agreement(s) relating to R-1 water use between the permittee and the owner or operator of treatment works

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producing the R-1 water, if the owner or operator is different from the permittee; and

- (5) Quantitative data of the R-1 water in the recycled water system.
  - (6) If the recycled water system discharges recycled water to a state water for which a total maximum daily load has been approved by the EPA, the permittee shall develop and submit an implementation and monitoring plan with the notice of intent or within ninety days after the issuance date of the notice of general permit coverage or by the date the permittee claimed automatic coverage as specified in section 11-55-34.09(e)(2). The permittee shall incorporate the total maximum daily load into the recycled water system's best management practices plan within sixty days of the date of submittal of the plan and implement necessary steps to meet the plan.
- (c) The director may require additional information to be submitted.
  - (d) The owner or its duly authorized representative shall submit a complete notice of intent to the director at the following address or as otherwise specified:

Director of Health  
Wastewater Branch  
Environmental Management Division  
Department of Health  
P.O. Box 3378  
Honolulu, Hawaii 96801-3378

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### 5. Standard Conditions

The permittee shall comply with the standard conditions as specified in appendix A of chapter 11-55. In case of conflict between the conditions stated here and those specified in the standard general permit conditions, the more stringent conditions shall apply.

### 6. Implementation of Best Management Practices

(a) The permittee shall:

(1) Implement the best management practices approved by the director under chapter 11-62 before and during the use or conveyance of recycled water;

(2) Minimize discharges to state waters to the maximum extent practicable; and

(b) The permittee shall implement or supplement the best management practices as needed to improve the quality of discharges to state waters, reduce the risk of discharges to state waters, reduce contamination of R-1 water after it is produced, or when instructed by the director.

### 7. Effluent Limitations and Monitoring Requirements

(a) The discharges shall be limited and monitored by the permittee's supplier as specified under chapter 11-62. (Daily maximum effluent limitations for saline water apply only when discharges to saline water occur and daily maximum effluent limitations for fresh water apply only when discharges to fresh water occur.)

(b) Basic Water Quality Criteria and Inspections

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- (1) The permittee shall not cause or contribute to a violation of the basic water quality criteria as specified in section 11-54-4.
- (2) The permittee shall timely inspect the receiving state waters, the recycled water, and the implementation of control measures and best management practices to prevent and detect violations of and conditions which may cause violations of the basic water quality criteria as specified in section 11-54-4.
- (3) During each discharge or as soon afterwards as possible, the permittee shall inspect the discharge area and receiving state waters for turbidity, color, floating oil and grease, floating debris and scum, materials that will settle, substances that will produce taste in the water or detectable off-flavor in fish, and inspect for items that may be toxic or harmful to human or other life.
- (4) Discharge and receiving water quality may also be monitored by grab samples or other means, and it shall be monitored by any means and at times specified by the director.

8. Corrective Action

- (a) If the permittee notices any item(s) which adversely affects receiving water quality, the permittee shall immediately stop, reduce, or modify operations, or implement new or revised best management practices as needed to stop or prevent a violation of the basic water quality criteria as specified in section 11-54-4.

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- (b) If the discharge is not of R-1 quality or the best management practices as approved by the director were not being implemented, then the permittee shall immediately stop, reduce, or modify operations, or implement new or revised best management practices as needed to stop or prevent a violation of the basic water quality criteria as specified in section 11-54-4.

9. Reporting Requirements

- (a) If the discharge is of R-1 quality water and the best management practices as approved by the director were implemented, then the permittee shall orally report within twenty-four hours information regarding the discharge and the best management practices implemented. A summary of all discharges shall be tabulated quarterly and submitted to the wastewater branch within thirty days after the quarters ending March, June, September, and December.
- (b) If the discharge is not of R-1 quality, best management practices approved by the director were not being implemented, or water quality is adversely affected, then the permittee shall immediately notify the director of any discharge to state waters, corrective measures taken, and shall report in writing all of a month's discharges and corrective measures within five days after that month.
- (c) The permittee shall make oral reports by telephone to the Wastewater Branch at (808) 586-4294 during regular office hours which are Monday through Friday (excluding holidays) from 7:45 a.m. until 4:15 p.m. or the Hawaii State Hospital Operator at (808) 247-2191 outside of regular office hours.

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10. Submittal Requirements

- (a) The owner or its duly authorized representative shall submit signed copies of monitoring and all other reports required by this general permit to the director at the following address or as otherwise specified:

Director of Health  
Wastewater Branch  
Environmental Management Division  
State Department of Health  
P.O. Box 3378  
Honolulu, HI 96801-3378

- (b) The owner or its duly authorized representative shall include the following certification statement and an original signature on each submittal in accordance with section 11-55-34.08(e) or (f):

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine or imprisonment for knowing violations."

- (c) The owner or its duly authorized representative shall include the notice of general permit coverage file number on each submittal. Failure to provide the assigned notice of general permit coverage file number for this facility on future correspondence or

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submittals may be a basis for delay of the processing of the document(s).

11. Additional Conditions

The director may impose additional conditions under section 11-55-34.09(b).

12. Record Retention

The permittee shall retain all records and information resulting from the activities required by this general permit for a minimum of five years. This period of retention shall be extended during the course of any unresolved litigation or administrative enforcement action regarding the discharge of pollutants by the permittee or when requested by the director or Regional Administrator.

13. Falsifying Report

Knowingly making any false statement on any report required by this general permit may result in the imposition of criminal penalties as provided for in Section 309 of the Act and in section 342D-35, HRS.