



REPLY TO
ATTENTION OF:

DEPARTMENT OF THE ARMY
US ARMY INSTALLATION MANAGEMENT COMMAND, PACIFIC REGION
HEADQUARTERS, UNITED STATES ARMY GARRISON, HAWAII
851 WRIGHT AVENUE, WHEELER ARMY AIRFIELD
SCHOFIELD BARRACKS, HAWAII 96857-5000

10 FEB 2010

IMPC-HI-ZA

MEMORANDUM FOR

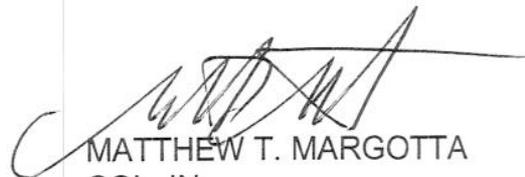
TECHNICAL SUPPORT BRANCH, US ARMY CORPS OF ENGINEERS, HONOLULU
DISTRICT, BUILDING 230, FT SHAFTER, HI 96858-5440
CONSTRUCTION BRANCH, US ARMY CORPS OF ENGINEERS, HONOLULU
DISTRICT, BUILDING 230, FT SHAFTER, HI 96858-5440
DIRECTORATE OF PUBLIC WORKS, ENGINEERING DIVISION, BUILDING 108,
WHEELER ARMY AIRFIELD, HI
DEVELOPMENT OFFICE, ARMY HAWAII FAMILY HOUSING, 215 DUCK ROAD,
BUILDING 950, SCHOFIELD BARRACKS, HI 96857
PROJECT DIRECTOR, ARMY HAWAII FAMILY HOUSING, 215 DUCK ROAD,
BUILDING 950, SCHOFIELD BARRACKS, HI 96857

SUBJECT: United States Army Garrison, Hawaii Enforcement Policy For Construction Sites

United States Army Garrison, Hawaii (USAG-HI) holds a National Pollutant Discharge Elimination System (NPDES) permit, issued by the Hawaii State Department of Health, Clean Water Branch. Within the permit, USAG-HI must develop, implement and enforce a program for construction site activities. The enclosed enforcement policy document describes the enforcement procedures and actions of the USAG-HI program for construction sites and satisfies the requirements of the NPDES permit.

The point of contact for this action is Directorate of Public Works, Environmental Division, attention: Jim Rice, PE who can be reached at 656-3105 or james.c.rice1@us.army.mil.

Encl


MATTHEW T. MARGOTTA
COL, IN
Commanding

ENFORCEMENT PROCEDURES AND ACTIONS FOR CONSTRUCTION SITES

as required by State Department of Health, Clean Water Branch

in accordance with

the U.S. Army Garrison, Hawaii

National Pollutant Discharge Elimination System Permit No. S000090



Prepared by

Directorate of Public Works, Environmental Division

January 2010

ENFORCEMENT PROCEDURES AND ACTIONS FOR CONSTRUCTION SITES

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ENFORCEMENT PROCEDURES AND ACTIONS FOR CONSTRUCTION SITES (cont)

BACKGROUND

The State Department of Health (SDOH), Clean Water Branch (CWB) issued U.S. Army Garrison, Hawaii (USAG-HI) a National Pollutant Discharge Elimination System (NPDES) permit effective February 7, 2007. This report is being prepared in compliance with Part C, Section 2.d. and Section 2.d.i of the USAG-HI NPDES permit. It describes the USAG-HI program for construction inspections and enforcement.

Part C, Section 2.d. of the NPDES permit requires USAG-HI to perform the following:

“The Permittee shall develop, implement and enforce a program to reduce pollutants in storm water runoff from construction activities disturbing one (1) acre or more, including construction activities less than one (1) acre that are part of a larger common plan of development or sale that would disturb one (1) acre or more, that at a minimum, includes the following:

i. Establishment of installation-wide instructions, directives, or other regulatory mechanism, including enforcement procedures and actions, that require erosion and sediment controls.”

As identified in the USAG-HI NPDES permit Annual Report, the following City and County of Honolulu design documents serve as guidelines for design, construction and inspections of erosion and sediment controls on the USAG-HI Installation. They are:

- Department of Planning and Permitting, City and County of Honolulu. “Rules Relating to Erosion Control Standards and Guidelines.” January 2000. A new version is currently being prepared.
- Department of Environmental Services, City and County of Honolulu. “Best Management Practices Manual for Construction Sites in Honolulu.” May 1999.

An additional resource that may be useful is the following:

- State of Hawaii Department of Transportation Highways Division. “Appendix A: Construction Activities Best Management Practices Field Manual.” January 2008. A new version is currently being prepared.

Additionally, a letter of authorization to discharge storm water associated with construction activity, which identifies ways to reduce pollutants, shall be obtained from USAG-HI Directorate of Public Works (DPW), Environmental Division prior to coverage under the State’s General permit and the start of construction activities.

ENFORCEMENT PROCEDURES AND ACTIONS FOR CONSTRUCTION SITES (cont)

PURPOSE

The purpose of this enforcement policy is to ensure that the design and construction agents comply with the requirements of the USAG-HI NPDES permit and the State's General NPDES permit for construction activities disturbing larger than one (1) acre. The intent of this policy is to include all construction activity.

This enforcement policy will be updated annually or as needed.

INSPECTIONS

The construction that occurs on USAG-HI consists primarily of three categories. They are Military Construction-Army administered by the Army Corps of Engineers (COE), Residential Communities Initiative currently awarded to Actus Lend Lease under the Army Hawaii Family Housing (AHFH) Partnership and Sustainment Restoration and Modernization or capital improvement type projects administered by in-house DPW program management/engineering staff.

1. Military Construction-Army

Site inspections will be conducted by USAG-HI, DPW Environmental personnel quarterly, and upon complaints from citizen's or concerned groups. For each inspection, a checklist will be completed and follow-up actions identified. A follow-up inspection will be conducted as needed.

2. Residential Communities Initiative (RCI)

Site inspections will be conducted by USAG-HI, DPW Environmental personnel quarterly, and upon complaints from citizen's or concerned groups. For each inspection, a checklist will be completed and follow-up actions identified. A follow-up inspection will be conducted as needed.

3. Sustainment Restoration and Modernization or capital improvement type projects

Site inspections will be conducted by USAG-HI, DPW Environmental personnel quarterly, and upon complaints from citizen's or concerned groups. For each inspection, a checklist will be completed and follow-up actions identified. A follow-up inspection will be conducted as needed.

ENFORCEMENT

1. For all projects, inconsistencies between the approved site plan and the site conditions will be identified on site between the DPW Environmental inspector, site

ENFORCEMENT PROCEDURES AND ACTIONS FOR CONSTRUCTION SITES (cont)

superintendent and design and construction agent (DCA) or AHFH representative. The DCA/AHFH representative will have two weeks to make the corrective action. Once the corrective action has been made, a follow-up inspection will be conducted. If the corrective measures are satisfactory, then no further action is required.

2. For all projects, if the corrective measures are not completed, then the deficiency will be elevated to the DPW Director. A written correspondence will be sent to the DCA Commander in the case of the COE or to the principal executive officer within the AHFH Partnership requesting a timeline and resolution.

3. In the case of the COE, if a resolution is not provided, then the contracting officer will issue a cure notice in accordance with the Defense Federal Acquisition Regulations/Federal Acquisition Regulations. If the contractor has not remedied the situation, then the contracting officer has several options, which may include stopping work, termination for convenience or default.

4. In the case of RCI, provisions identified in the "Ground Lease" and Municipal Services Agreement will be implemented to remedy the situation and shall be resolved at the lowest level.

5. In the event that the deficiency is not resolved, then the SDOH, CWB Enforcement section will be notified and details of the infraction will be provided.

RECORD KEEPING

Inspection reports shall be kept on file with the DPW, Environmental Division. Records shall be kept for three (3) years in accordance with the NPDES permit.

**ENFORCEMENT PROCEDURES AND ACTIONS FOR CONSTRUCTION SITES
(cont)**

CERTIFICATION

"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 gathered and evaluated 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."



MATTHEW T. MARGOTTA
Colonel, US Army
Commander
US Army Garrison, Hawaii

11 FEB 2010

Date