What HDOT Contractors Need to Know About STAGING AREAS

According to the Hawaii Department of Health (DOH), contractor staging areas are included as part of a project's "disturbed area" for the purposes of the National Pollutant Discharge Elimination System (NPDES) Program and must be included in a project's Storm Water Pollution Prevention Plan (SWPPP). When selecting a staging area for work being performed for the Hawaii Department of Transportation (HDOT), please refer to this handout. It is also important that you refer to the project's Notice of General Permit Coverage (NGPC) or Individual NPDES Permit as provided to you by HDOT.

Staging Areas

The contractor must verify if the staging area was included in the project's NGPC or Individual NPDES Permit for construction storm water.

If an NGPC was issued for the project's construction storm water discharges, verify if the staging area and staging area discharge points were already included in the Notice of Intent (NOI):

- No action necessary if already included.
- If not included, an NOI or Individual NPDES application with applicable filing fee must be submitted to obtain NPDES permit coverage for construction storm water. The NGPC issued for the project cannot be modified.

If an Individual NPDES Permit was issued for the project's construction storm water discharges, verify if the staging area was already included in the NPDES application:

- No action necessary if already included.
- If not included:
  - And if the staging area is less than one (1) acre and has the same discharge point(s) covered under the Individual NPDES Permit for the project, update the SWPPP to include the staging area.
  - And the staging area is greater than one (1) acre and/or has new discharge point(s), an NOI or Individual NPDES permit modification request with applicable filing fee must be submitted to obtain NPDES permit coverage for construction storm water discharges.

What if the Staging Area I Propose is Used for Multiple Projects?

For shared staging areas, responsibilities must be clearly defined. If the staging area is divided by well-defined boundaries for each project, each area can be covered under its respective projects' NGPC/NPDES permit. If the staging area is shared in its entirety, a separate NGPC/NPDES permit may be obtained for the staging area itself. All areas within a shared staging area must be accounted for and there should be no overlapping areas for which responsibilities are shared by more than one contractor.

Off-Site Staging Areas Still Count

Typically, staging areas are located on or near a project site. Sometimes, however, due to the project site constraints, a staging area may be located at an off-site location, possibly miles away. This off-site location needs to be included in the project's SWPPP and is subject to the conditions listed herein.

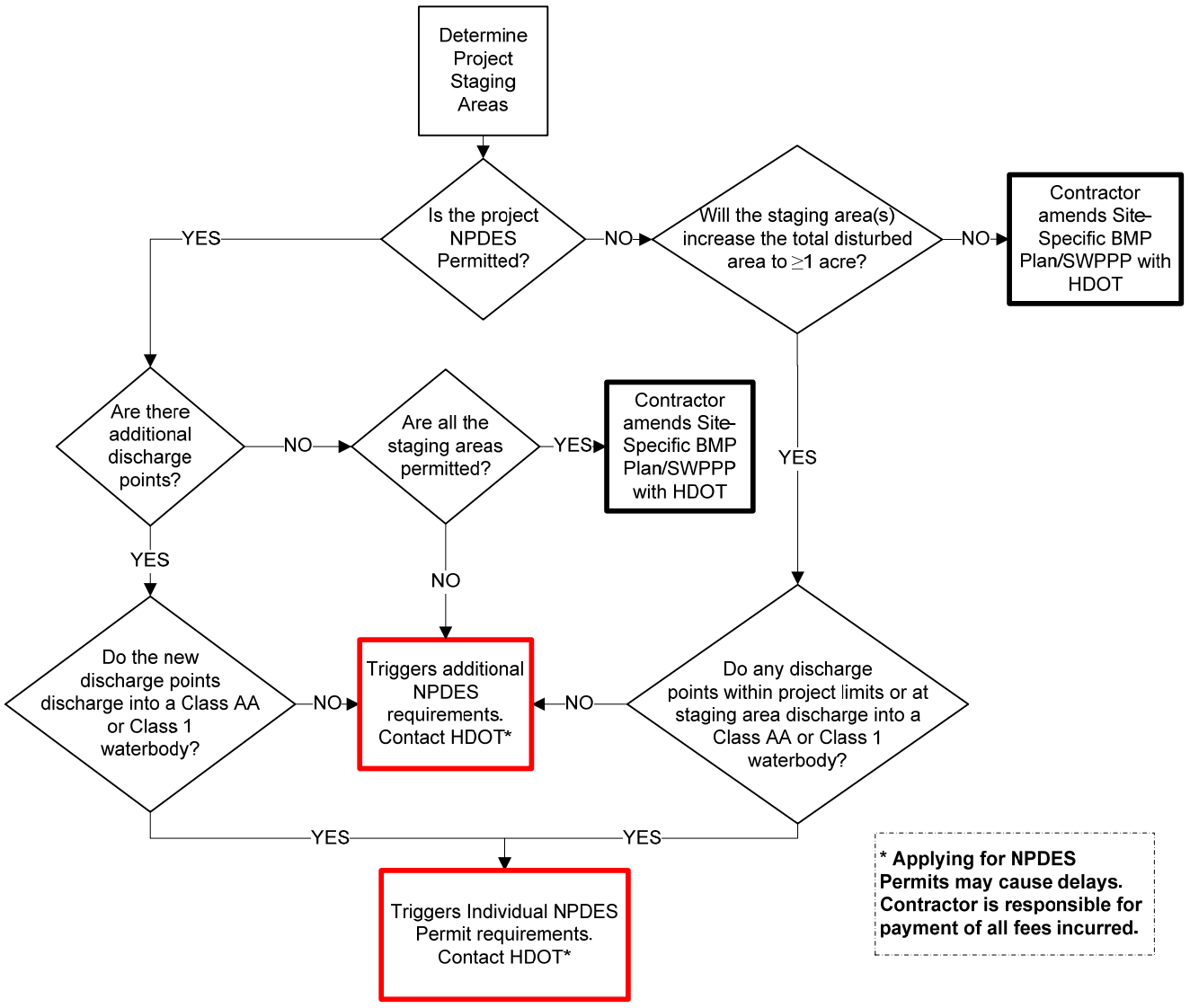
A Warning About Individual NPDES Permits

According to DOH, an Individual NPDES Permit Application must be submitted at least 180 days prior to the start of construction. This may result in delay of Notice to Proceed.

Therefore, please keep in mind that there are actions that will require you to reapply/ apply for an Individual NPDES Permit.

If you need further assistance in making these determinations, please contact DOH.

STAGING AREAS AND ADDITIONAL DISCHARGE POINTS



This simple decision chart takes you through a step-by-step process to determine if your proposed staging area could trigger additional NPDES requirements.

Payment of Fees

HDOT Highways' Standard Specification Section 107.02 Permits and Licenses states *"As part of the contract price, the Contractor shall obtain all permits and licenses required by law to perform the work and pay charges, fees, and taxes incidental to obtaining such permits and licenses. The Contractor assumes exclusive responsibility for identifying and acquiring all permits and licenses necessary to perform the work, except for those permits and licenses identified in the contract documents as being the responsibility of the State."*

Airports & Harbors' General Provisions Article 7.6 states *"The Contractor shall procure all permits and licenses, pay all charges, fees, and taxes, and give all notices necessary and incidental to the due and lawful prosecution of the work."*

QUESTIONS?

For questions regarding projects with NPDES coverage, please contact the DOH representative listed on the NGPC or Individual NPDES Permit.

For questions regarding projects that are not covered under the NPDES Program, please contact the DOH Clean Water Branch at 586-4309 and ask to speak to an engineer regarding the NPDES Program.

Feel free to contact your HDOT representative with any questions or concerns that you have.