Industrial Storm Water Requirements

State of Hawaii, Department of Health, Clean Water Branch

Address: 919 Ala Moana Boulevard, Room 301

Honolulu, Hawaii 96814

Phone: (808) 586-4309

Email: cleanwaterbranch@doh.hawaii.gov

Website: http://health.hawaii.gov/cwb/



Overview

- What is an NPDES Permit?
- Do I Need an NPDES Permit?
- What is a "No-Exposure" Exclusion?
 - Do I qualify for a "No-Exposure" Exclusion?
- Obtaining "No-Exposure" Certification
 - 1. CWB NOI Form to Request Coverage under HAR 11-55, Appendix B.
 - a. NGPC.
 - b. NGPC Compliance Submittals.
 - 2. CWB "No Exposure" Certification Form (Conditional "No Exposure" Exclusion)
- Questions.





- National Pollutant Discharge Elimination System (NPDES) is permit system required by federal Clean Water Act.
- Environmental Protection Agency (EPA) delegated Department of Health (DOH) authority to administer NPDES permit system in State of Hawaii.



- ► Hawaii Administrative Rules (HAR), Chapter 11-55, Water Pollution Control is NPDES permit program in State of Hawaii.
- ► HAR, Chapter 11-54 is State Water Quality Standards (WQS). According to State law, everyone is required to comply with State WQS whether you need an NPDES permit or not.
- ► HAR 11-54 and 11-55 are available on the DOH-CWB website located at:
 - http://health.hawaii.gov/cwb/.



- NPDES permit required for all point source discharges to State waters <u>and</u> three (3) situations involving storm water.
 - 1. Storm water associated with construction activities that disturb one (1) acre or more.
 - 2. Storm water associated with industrial activities.
 - 3. Storm water from Municipal Separate Storm Sewer Systems.





- All facilities with Standard Industrial Classification (SIC) Code(s) regulated in 40 CFR §122.26(b)(14)(i) through 122.26(b)(14)(ix) and 122.26(b)(14)(xi) are required to obtain NPDES permit coverage for discharges of storm water runoff associated with an industrial activity(ies).
- List of regulated SIC Codes available at: https://eha-cloud.doh.hawaii.gov/epermit/docs/ Industrial%20Storm%20Water%20SIC%20Codes.pdf.



- You can verify your facility's SIC Code(s) on your federal tax form.
- If your facility has a regulated SIC Code, you will be required to:
 - Obtain NPDES permit coverage for storm water associated with industrial activities,

or

 If your facility has a regulated SIC Code, but your industrial materials and activities are not exposed to storm water, you may be eligible for a conditional "No Exposure" exclusion.

- North American Industry Classification System (NAICS) Codes
 - Newer coding
 - http://www.census.gov/eos/www/naics/
- Standard Industrial Classification (SIC) Codes
 - Older coding
 - Conversion Tables NAICS to SIC

https://www.census.gov/epcd/ec97brdg/



What is a "No Exposure" Exclusion

If your facility has a regulated Standard Industrial Classification (SIC) code, but your industrial materials and activities are not exposed to storm water, you may be eligible for a conditional "No Exposure" exclusion from NPDES industrial storm water permitting.



Do I Qualify for a "No Exposure" Exclusion?

A condition of "no exposure" exists at an industrial facility when all industrial materials and activities are protected by a storm resistant shelter to prevent exposure to rain, snow, snowmelt, and/or runoff.



Do I Qualify for a "No Exposure" Exclusion?

- Industrial materials or activities include, but are not limited to:
 - material handling equipment or activities,
 - industrial machinery,
 - raw materials,
 - intermediate products,
 - by-products,
 - final products, or
 - waste products.

Material handling activities include the storage, loading and unloading, transportation, or conveyance of any raw material, intermediate product, final product or waste product.

Do I Qualify for a "No Exposure" Exclusion?

- A storm resistant shelter is <u>not</u> required for the following industrial materials and activities:
 - Drums, barrels, tanks, and similar containers that are tightly sealed, provided those containers are not deteriorated and do not leak. "Sealed" means banded or otherwise secured and without operational taps or valves;
 - Adequately maintained vehicles used in material handling; and
 - Final products other than products that would be mobilized in storm water discharges (e.g. rock salt).



Obtaining "No Exposure" Certification Through the Department of Health's e-Permitting Portal



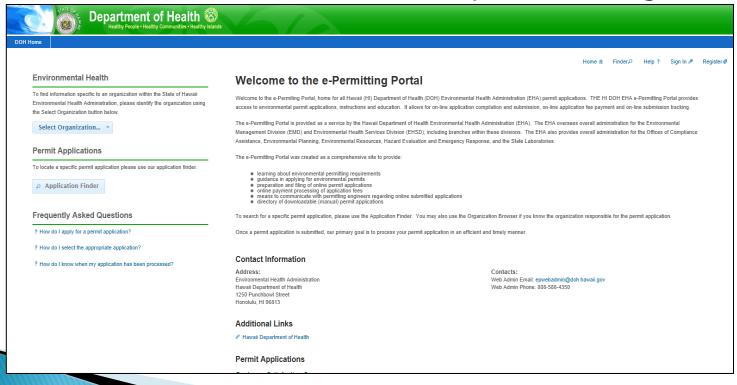
- E-Permitting Portal
 - One time registration:
 - Create user profile (e.g. provide name, company, telephone number, email, etc.).
 - Provide valid email address.
 - Create password.
 - Sign in using email address and password.
 - Anyone can register and submit through portal.



Open e-Permitting Portal at:

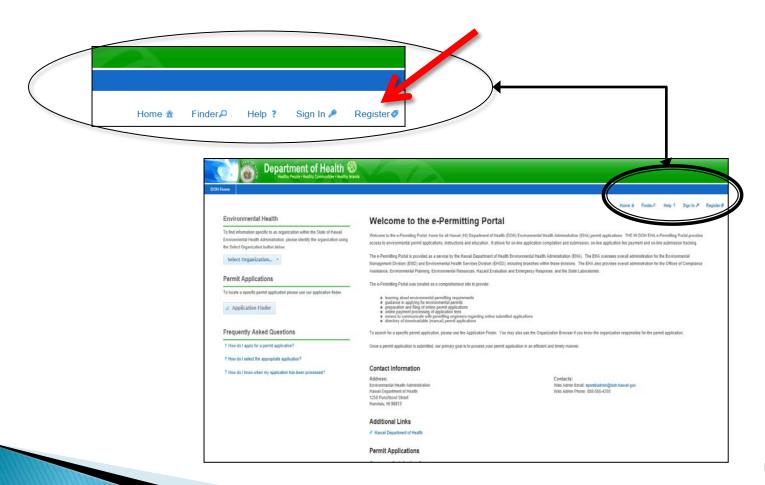
https://eha-cloud.doh.hawaii.gov/epermit/.

Recommended browsers: Google Chrome, Mozilla Firefox, Internet Explorer 9 or higher.





Click Register link at top of page.



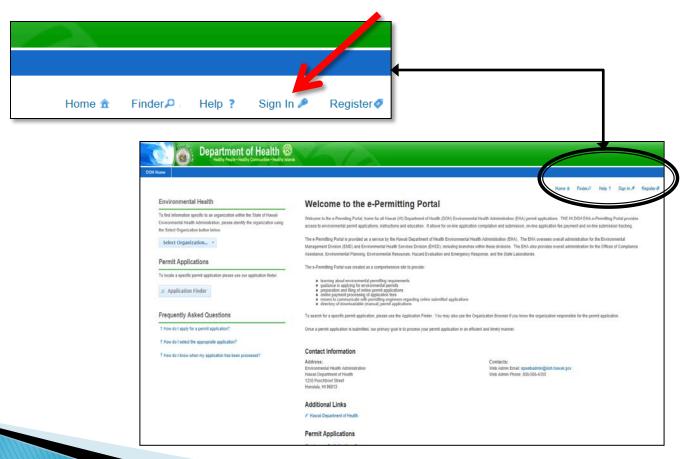


Fill out registration and verify your email address.

reate User Profile		Home & Finder P Help ?
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ame:	Phone: *	
nall Addrees: *	Confirm Email Address: *	
saword: *	Confirm Password: *	
ompany Affiliation		
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rest Address: *	Postal Code: *	



After registration, sign in to e-Permitting Portal.





Enter email address and password you provided during registration.

Welcome to the e-Permitting Portal				
	the e-Permiting Portal, home for all Hawaii (HI) Department of Health (DOH) Environmental I			
access to e	Sign In ×	mpilation and		
The e-Perm Manageme Assistance,	Email: *	Administration in these divisionse, and the		
The e-Perm	Password: *			
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To search f		nization Brows		
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Contact	Cancel OK			
Address: Environmen	tal Health Administration	Contact Web Adn		



 e-Permitting Portal allows you to change and/or reset your password.

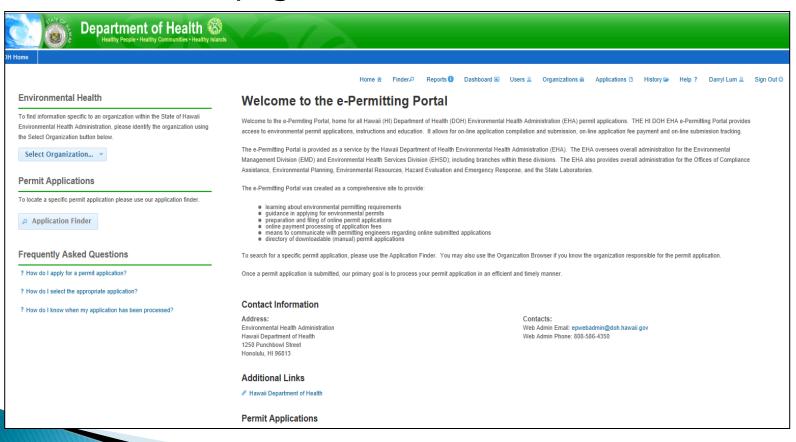
Welcome to the e-Permitting Portal				
Welcome to the e-Permiting Portal, home for all Hawaii (HI) Department of Health (DOH) Environmental Health Administ				
access to e	Sign In ×	mpilation and		
The e-Perm Manageme Assistance,	Email: *	Administration in these divisionse, and the		
The e-Perm	Password: *			
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Address: Environmen	tal Health Administration	Contact Web Adn		



- E-Permitting Password.
 - Protect your password.
 - Anyone with your password can view and edit all drafts and submissions created under your account.
 - In future, e-Permitting will be upgraded to allow users to share submissions and assign user roles.
 - If you need to reset password <u>and</u> do not have access to the registered email, you will lose access to all your drafts and submissions. You will have to register again. DOH will not recover your drafts and submissions.



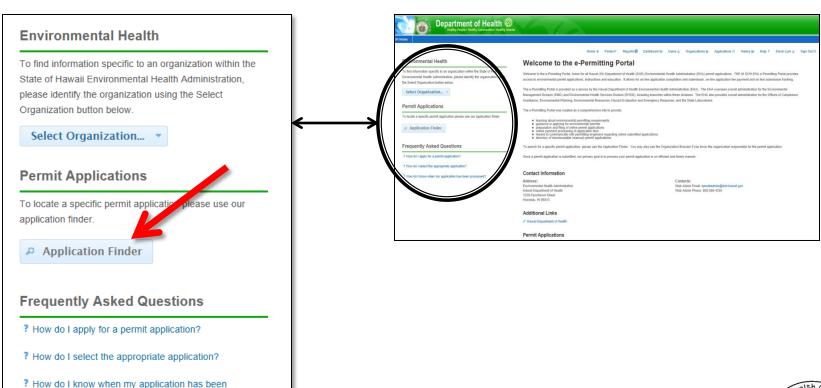
After signing in you will be taken to e-Permitting Portal start page.





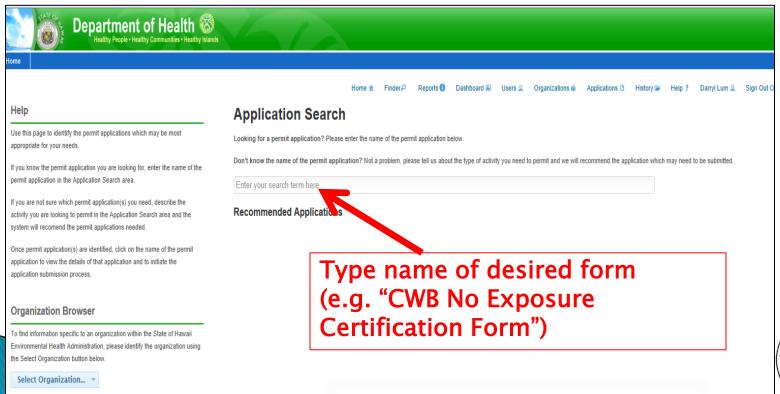
Press Application Finder button.

processed?



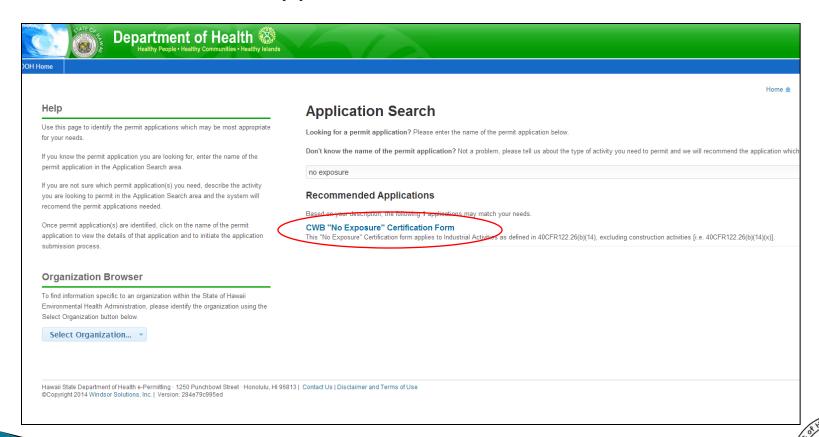


- Enter name of desired form in search field (e.g. CWB No Exposure Certification Form)
- You may also enter type of activity you need to permit and the Portal will recommend applications.

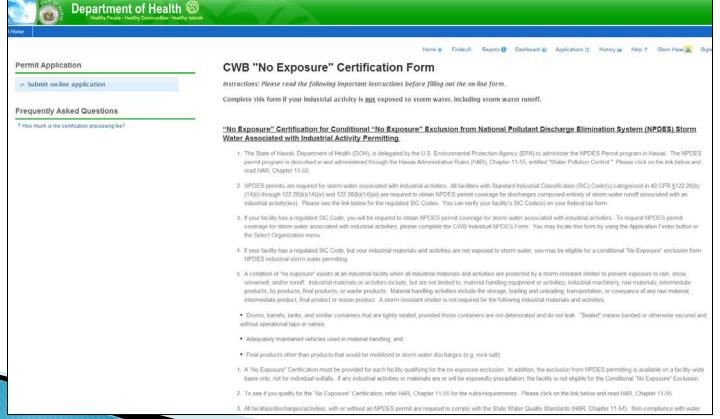




Link to form will appear. Click on this link.

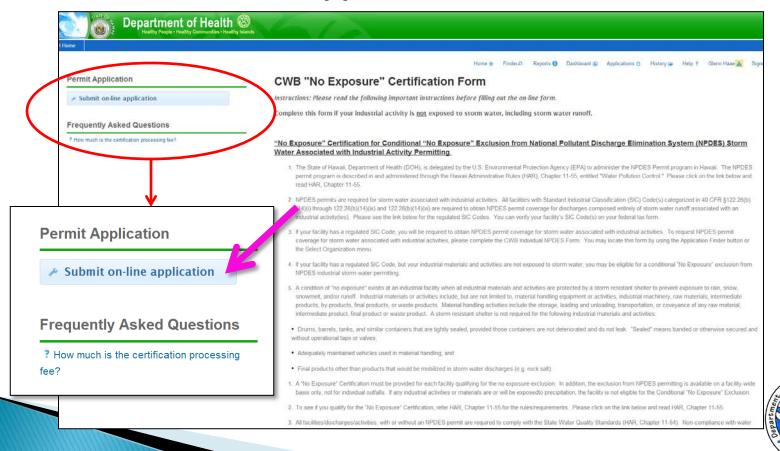


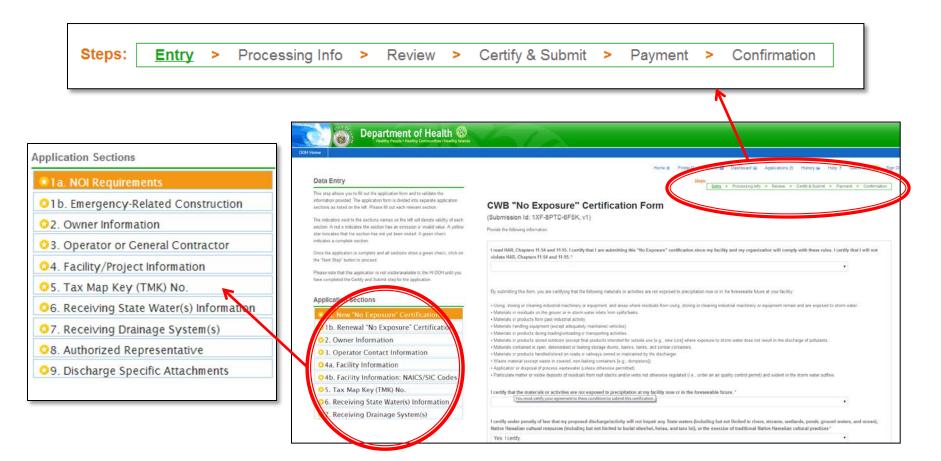
You are taken to the Form Start Page. Please make sure to read the instructions.



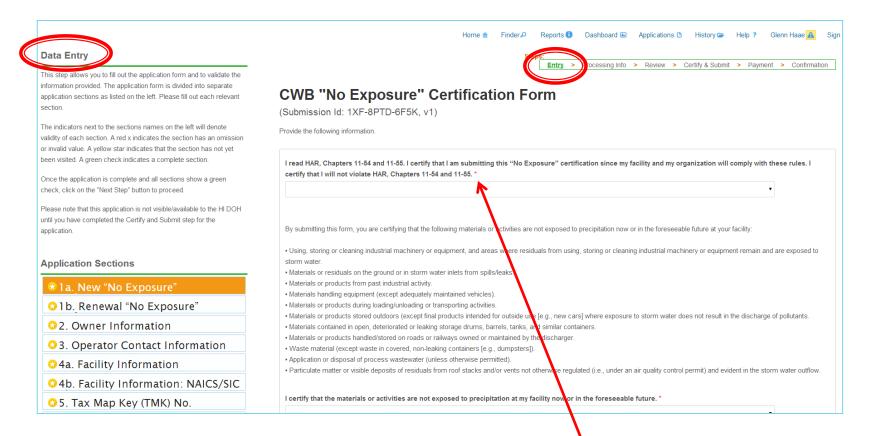


After you read the instruction, press "Submit On-Line Application" button.





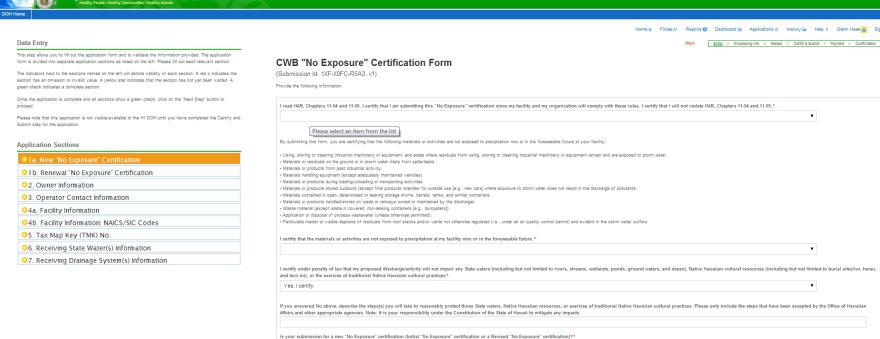




Fields with asterisk (*) required.







Save for Later

If you selected "Yes" above, please skip Section 1.b. and proceed to Section 2. If you selected "No" above, please proceed to Section 1.b.

> After you provide information, press **Next Section button** to continue to next section.



Entry > Processing info > Review > Certify & Submit > Payment > Confirmation

- If section meets appropriate validation rules, you will move to next step in process.
- Visual cues provided by system:
- Sections not yet visited marked with yellow star.
- Sections with missing data marked with red x. Once all issues on section remedied green checkmark will appear.
- Sections with required information filled out marked with green checkmark.
- Note: At any time, "Save for Later" button can be clicked to conclude data entry for time being. You can recommence process by clicking "History" link at top of form and selecting edit button next to your application.



2. Requesting Coverage

Application Sections

- ✓ la. New "No Exposure"
- **⊘**1b. Renewal "No Exposure"
- 2. Owner Information
- 3. Operator Contact
- 84a. Facility Information
- **★** 4b. Facility Information:

- 7. Receiving Drainage



Application Sections

★ 1a. New "No Exposure"
☼ 1b. Renewal "No Exposure"
☼ 2. Owner Information
ῷ 3. Operator Contact
భ 4a. Facility Information
భ 4b. Facility Information:
ῷ 5. Tax Map Key (TMK) No.
ῷ 6. Receiving State Water(s)
ῷ 7. Receiving Drainage

<u>CWB "No Exposure" Certification Form</u> (Section 1a)

- Certify you read, will comply with, and will not violate HAR Chapters 11-54 and 11-55.
- Certify your materials and activities will not be exposed to precipitation.
- Certify your proposed discharge will not impair State waters, Native Hawaiian cultural resources (e.g. burial sites, heiau, or taro loi) or exercise of traditional Native Hawaiian cultural practices. Provide steps accepted by OHA and other appropriate agencies if you will so impair. You are responsible under Hawaii Constitution to mitigate impacts.

Application Sections

- ✓ la. New "No Exposure"
- ★ 1b. Renewal "No Exposure"
- 🗘 2. Owner Information
- 3. Operator Contact
- 4a. Facility Information
- 4b. Facility Information:
- 5. Tax Map Key (TMK) No.
- 6. Receiving State Water(s)
- 7. Receiving Drainage

<u>CWB "No Exposure" Certification Form</u> (Section 1b.)

- If you are issued a "No Exposure" certification, it is valid for 5 years.
 After 5 years, you will need to renew your certification.
- If you are renewing your "No Exposure" certification, complete both sections 1a. and 1b.
- Enter your previous file number for your "No Exposure" certification.
- If you are obtaining a new certification, skip this section.



Application Sections

- ☑ 1a. New "No Exposure"
- ★ 2. Owner Information
- 🗘 3. Operator Contact
- 🗘 4a. Facility Information
- 4b. Facility Information:
- 5. Tax Map Key (TMK) No.
- 7. Receiving Drainage

<u>CWB "No Exposure" Certification Form</u> (Section 2)

- A "No Exposure" certification can be issued to Owner (of the activity) or Operator (of the activity). The Owner may not necessarily be the landowner.
- If you wish to have the "No Exposure" certification issued to Operator, must provide written evidence that Owner authorized Operator to apply on their behalf, and Owner needs to agree to comply with the "No Exposure" certification conditions.
- Certifying Person must meet one of signatory type descriptions and be employed by entity being issued the "No Exposure" certification.

Application Sections

- ✓ 1a. New "No Exposure"
- 1b. Renewal "No Exposure"
- 2. Owner Information
- ★ 3. Operator Contact
- 🗘 4a. Facility Information
- 4b. Facility Information:
- 5. Tax Map Key (TMK) No.
- 6. Receiving State Water(s)
- 7. Receiving Drainage

CWB "No Exposure" Certification Form (Section 3)

Provide operator information.



Application Sections

- ✓ la. New "No Exposure"
- **⊘**1b. Renewal "No Exposure"
- 2. Owner Information
- 3. Operator Contact
- 🕏 4a. Facility Information
- 🗘 4b. Facility Information:
- ∴ 5. Tax Map Key (TMK) No.
- 7. Receiving Drainage

<u>CWB "No Exposure" Certification Form</u> (Section 4)

- Provide facility name.
- Facility street address is either physical address or, if no physical address is available, a description of the location (i.e. northwest corner of 1st Street and X Avenue).
- Facility Contact person can be design consultant.



Application Sections

- ✓ 1a. New "No Exposure"
- **⊘**1b. Renewal "No Exposure"
- 2. Owner Information
- 3. Operator Contact
- 4a. Facility Information
- 🕏 4b. Facility Information:
- ∴ 5. Tax Map Key (TMK) No.
- 6. Receiving State Water(s)
- 7. Receiving Drainage

CWB "No Exposure" Certification Form (Section 4b)

- Provide NAICS code and description.
- Provide corresponding SIC code and description.
- Click on the plus (+) tab to enter more than one set of codes; enter all applicable codes for industrial activities.



Application Sections

- ✓ la. New "No Exposure"
- 2. Owner Information
- 3. Operator Contact
- 4b. Facility Information:
- € 5. Tax Map Key (TMK) No.
- 7. Receiving Drainage

CWB "No Exposure" Certification Form (Section 5)

- Provide TMKs of project or facility.
- Download TMK spreadsheet.
- Input all TMKs associated with facility.
- Upload completed TMK spreadsheet.



Application Sections

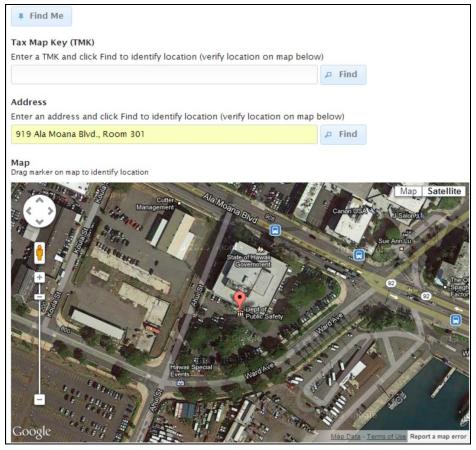
- ✓ la. New "No Exposure"
- 2. Owner Information
- 3. Operator Contact
- 4a. Facility Information

- ★ 6. Receiving State Water(s)
- 7. Receiving Drainage

CWB "No Exposure" Certification Form (Section 6)

- Read definition of State waters.
- Receiving State water is first State water that receives discharge.
- Must specify receiving State waters before the "No Exposure" certification can be issued.
- Provide receiving State water classification. Use links to HAR 11-54 and Water Quality Standards Maps.





CWB "No Exposure" Certification Form (Section 6) Continued

- Use map tool to enter discharge point coordinate.
- Enter TMK, nearby address, or drag marker on map tool to obtain discharge point coordinate.
- Press "+" button at top of section to add additional discharge points.



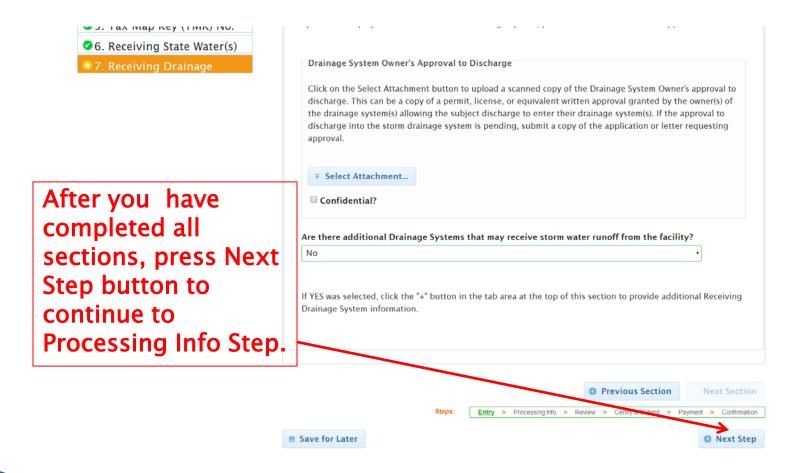
Application Sections

- ✓ 1a. New "No Exposure"
- 2. Owner Information
- 3. Operator Contact
- 4b. Facility Information:
- **②** 6. Receiving State Water(s)
- ₱ 7. Receiving Drainage

<u>CWB "No Exposure" Certification Form</u> (Section 7)

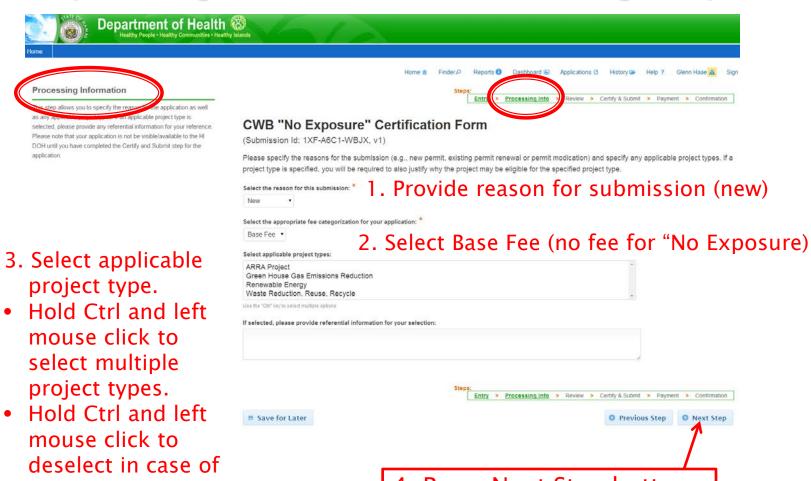
- Indicate if discharge enters a drainage system prior to discharge to State water.
- Provide drainage system information.
- Attach Drainage System Owner's Approval to Discharge in this section.







Requesting Exclusion - Processing Step



mistake.

4. Press Next Step button when done to continue to Review Step.



Requesting Exclusion - Review Step



by you to review the application to confirm the application is populated completely and accurately, prior to certification and submission. Please note that your application is not be visible/available to the HI DOH until you have completed the Certify and Submit step for the application.

Review



CWB "No Exposure" Certification Form

(Submission Id: 1XF-XZBV-1YT8, v1)

1a. New "No Exposure" Certification

I read HAR, Chapters 11-54 and 11-55. I certify that I am submitting this "No Exposure" certification since my facility and my organization will comply with these rules. I certify that I will not violate HAR, Chapters 11-54 and 11-55.

Yes.

By submitting this form, you are certifying that the following materials or activities are not exposed to precipitation now or in the foreseeable future at your facility:

- . Using, storing or cleaning industrial machinery or equipment, and areas where residuals from using, storing or cleaning industrial machinery or equipment remain and are exposed to storm water.
- · Materials or residuals on the ground or in storm water inlets from spills/leaks.
- · Materials or products from past industrial activity.
- · Materials handling equipment (except adequately maintained vehicles).
- · Materials or products during loading/unloading or transporting activities.
- . Materials or products stored outdoors (except final products intended for outside use [e.g., new cars] where exposure to storm water does not result in the discharge of pollutants.
- · Materials contained in open, deteriorated or leaking storage drums, barrels, tanks, and similar containers
- · Materials or products handled/stored on roads or railways owned or maintained by the discharger
- Waste material (except waste in covered, non-leaking containers [e.g., dumpsters]).
- Application or disposal of process wastewater (unless otherwise permitted).
- · Particulate matter or visible deposits of residuals from roof stacks and/or vents not otherwise regulated (i.e., under an air quality control permit) and evident in the storm water outflow.

I certify that the materials or activities are not exposed to precipitation at my facility now or in the foreseeable future.

Yes, I certify that the above is true.

I certify under penalty of law that my proposed discharge/activity will not impair any State waters (including but not limited to rivers, streams, wetlands, ponds, ground waters, and ocean),
Native Hawaiian cultural resources (including but not limited to burial sites/iwi, heiau, and taro loi), or the exercise of traditional Native Hawaiian cultural practices

Yes, I certify

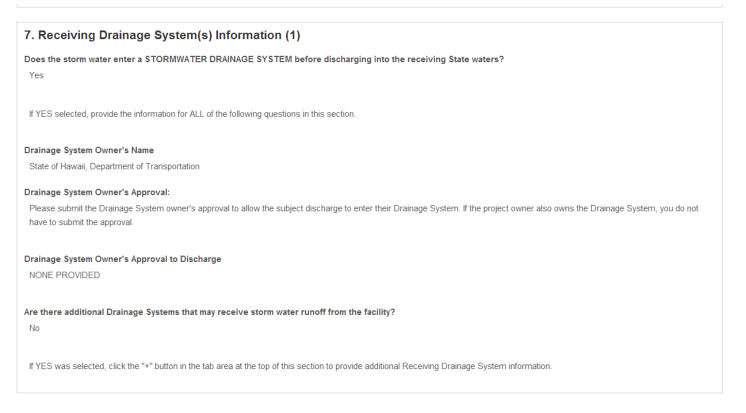
If you answered No above, describe the steps(s) you will take to reasonably protect those State waters, Native Hawaiian resources, or exercise of traditional Native Hawaiian cultural practices. Please only include the steps that have been accepted by the Office of Hawaiian Affairs and other appropriate agencies. Note: It is your responsibility under the Constitution of the State of Hawaii to mitigate any impacts.

NONE PROVIDED

Is your submission for a new "No Exposure" certification (Initial "No Exposure" certification or a Revised "No Exposure" certification)?

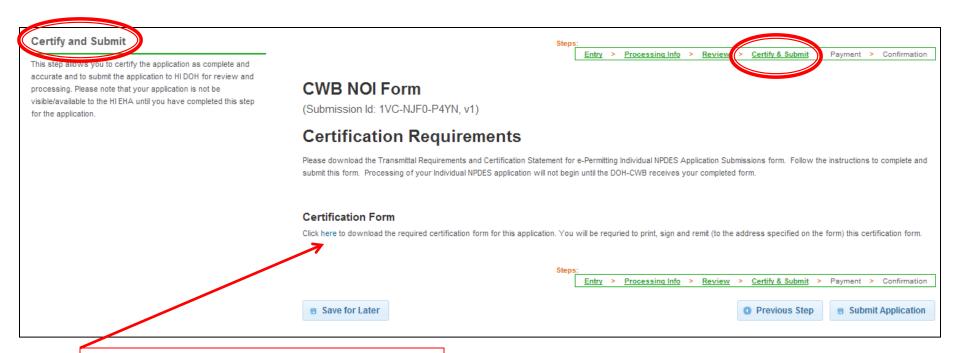


Requesting Exclusion - Review Step









Click link to download Certification. You must click on link to continue.





TRANSMITTAL REQUIREMENTS AND CERTIFICATION STATEMENT FOR E-PERMITTING "NO EXPOSURE" CERTIFICATION SUBMISSIONS

1.	Submission and File Numbers e-Permitting Submission #:	
	I am submitting a (check only one):	
	☐ Initial "No Exposure" certification.	
	☐ Revised "No Exposure" certification, File N	umber:
	☐ Renewal "No Exposure" certification, File N	lumber:
2.	Certification Statement	
	under my direction or supervision in acc that qualified personnel properly gather Based on my inquiry of the person or I persons directly responsible for gathering is, to the best of my knowledge and belie	ocument and all attachments were prepared ordance with a system designed to assure and evaluate the information submitted. persons who manage the system, or those the information, the information submitted f, true, accurate, and complete. I am aware submitting false information, including the lowing violations.
	Signature	Date Signed
	Printed First and Last Name	
3.	Transmittal Requirements (Check all.) I have read the instructions on Page 2. If I do not follow all of the instructions on Page 2, I acknowledge that: a. This submittal will not be accepted by the Clean Water Branch (CWB); b. Processing of my "No Exposure" certification will not begin; c. I am delaying the processing of my "No Exposure" certification; and d. The CWB may deny my request with or without prejudice. The signature provided in Item No. 2 is an original signature. My CD or DVD is attached. This CD or DVD contains only the downloaded e-Permitting submission identified in Item No. 1 above. I have not altered this file.	
	e-Permitting submission identified in Item	The Fabers France for allered the me.
	e-remiung submission identified in item	

- Submit to DOH-CWB 1) Original certification signature (hard copy) and 2) a CD or DVD containing only downloaded e-Permitting submission, including all attachments.
- Link in the e-Permitting Portal (after you submitted the application). Locate your submission and press view button under the Action column. Press Download Submission button. A PDF file will be generated if you have no attachments. A ZIP file will be created if you have attachments. Check ZIP file to confirm that all of your attachments uploaded successfully in e-Permitting Portal. Save PDF or ZIP file on CD or DVD.
- Processing does not begin until original signature and CD/DVD received.

Requesting Exclusion – Certify & Submit Step

processing. Please note that your application is not be visible/available to the HI EHA until you have completed this step for the application.



CWB "No Exposure" Certification Form

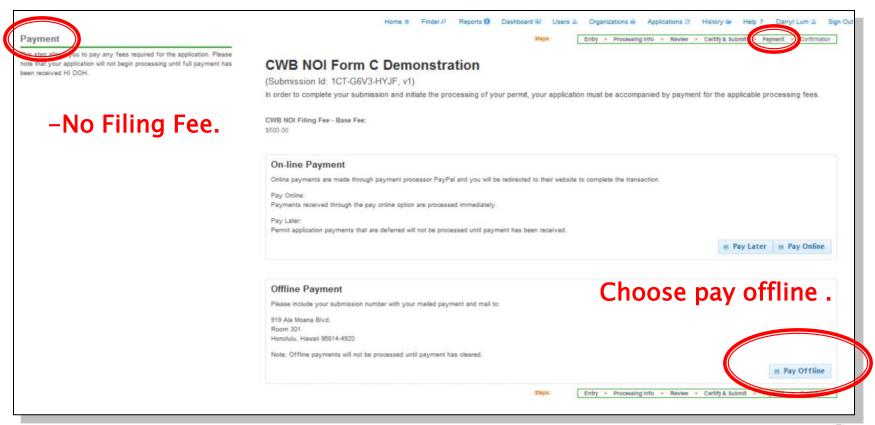
(Submission Id: 1XF-A6C1-WBJX, v1)

Certification Requirements

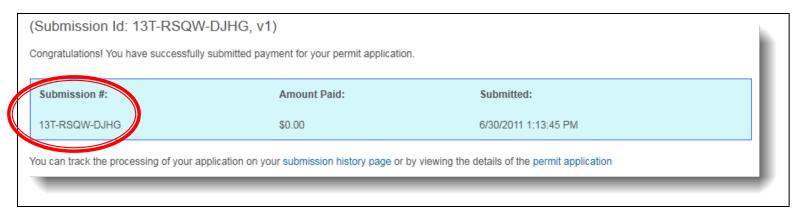
Please download the Transmittal Requirements and Certification Statement for e-Permitting "No Exposure" Certification Submissions form. Follow the instructions to complete and submit this form. Processing of your "No Exposure" Certification will not begin until the DOH-CWB receives your completed form.











- Confirmation phase.
 - Confirms application submission through e-Permitting Portal.
 - Unique Submission # assigned to submission for tracking purposes.



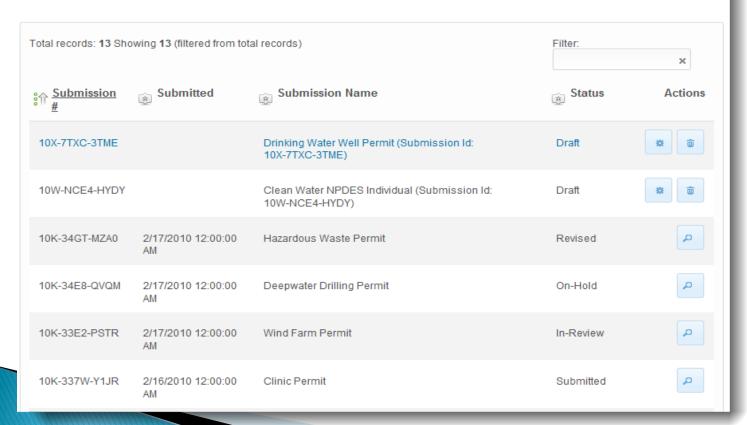
- If DOH-CWB has comments on your "No Exclusion" Certification Form, you will be sent comments via email.
- To revise your submission to respond to DOH–CWB comments:
 - Select History from top menu.





Application submission history displayed.

Permit Application Submission History





Status

- Draft = "No Exclusion" Certification Form was <u>not</u> submitted through e-Permitting Portal.
- Submitted = "No Exclusion" Certification Form submitted through e-Permitting Portal.
- In Review = DOH-CWB is reviewing your submission.
- Action Required = DOH-CWB has comments on your submission. Comments will be sent via email.
- Issued = "No Exposure" certification will be issued.
- Denied = Request for "No Exposure" exclusion will be denied.



To revise application submission:

- Select history from top menu.
- Click view icon (_____).



Click Revise Submission button on action panel.



- New version of submission will be created for you to edit.
- Complete and Submit Form. Submit certification and CD/DVD.

Conditional "No Exposure" Exclusion (CNEE)



CNEE

- DOH issues a letter notifying you that you are excluded from NPDES industrial storm water permitting.
- You must maintain your "No Exposure" condition or obtain NPDES permit coverage for industrial storm water.



NEIL ABERCROMBIE



STATE OF HAWAII DEPARTMENT OF HEALTH P. O. BOX 3378 HONOLULU, HI 96801-3378 LINDA ROSEN, M.D., M.P.H. DIRECTOR OF HEALTH

In reply, please refe

14B###.FNL.14

Month ##, 2014

Certifying Person Name Certifying Person Title Certifying Person Company Certifying Person Address

Attention: Owner Contact Person Name

Owner Contact Person Title

Dear Mr./Ms. Certifying Person Last Name:

Subject: National Pollutant Discharge Elimination System (NPDES)

Conditional "No Exposure" Exclusion (CNEE) for

Facility Name

City, Island of Project, Hawaii

File No. HI 14B####

The Department of Health, Clean Water Branch (CWB), acknowledges receipt of your No Exposure Certification for CNEE from NPDES Storm Water Permitting, dated Month ##, 2014.

In accordance with Hawaii Administrative Rules, Section 11-55-04(e), the "conditional 'no exposure' exclusion is effective upon receipt by the department of the certification, assuming all other conditions are met. . ." The conditions include those listed in 40 CFR §122.26(g)(1)(iii).

The CWB may conduct a site inspection to confirm that the activity qualifies for the CNEE.

This CNEE took effect on Month ##, 2014, and will expire at midnight, Month ##, 2019.

All reports, notifications, and updates to information on file shall be submitted through the CWB Compliance Submittal Form for Individual NPDES Permits and NGPCs. This form is accessible through the e-Permitting Portal website at: https://eha-cloud.doh.hawaii.gov/epermit/Niew/home.aspx. If not already registered, you will be asked to do a one-time registration to obtain your login and password. After you register, click on the Application Finder tool to locate the form. Follow the instructions to complete and submit this form. All submissions shall include a CD or DVD containing the downloaded e-Permitting submission and a completed Transmittal Requirements and Certification Statement for e-Permitting NPDES/NGPC Compliance Submissions Form, with original signature and date.



Any future submittals shall contain the assigned file number, **HI** 14B####, and the following certification with your signature:

"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 and imprisonment for knowing violations."

Failure to provide the assigned file number, HI 14B###, and certification for this project on future correspondence or submittals may be a basis for delay of the processing of the document(s).

Please note that, in general, anyone discharging pollutants from a point source into the waters of the United States (i.e., drainage canal, storm drain inlets, etc.), including the Pacific Ocean, must apply for an NPDES permit coverage. Point sources include vehicle wash discharges or a discharge of processed wastewater from your business activity. If there is a discharge of any pollutant to State waters, Hawaii Revised Statutes, Section 342D-30, provides for penalties of up to \$25,000 per day for each violation. The CWB reserves its right to seek penalties for all violations.

Please complete the DOH Customer Satisfaction Survey regarding your experience in applying for this CNEE. This brief survey is available on the e-Permitting Portal located at: https://eha-cloud.doh.hawaii.gov/epermit/view/home.aspx. Please use the Application Finder button and search for the "Customer Satisfaction Survey."

If you have any questions, please contact the Enforcement Section, CWB, at 586-4309.

Sincerely,

ALEC WONG, P.E., CHIEF Clean Water Branch

GH:np

e-Permitting Submitter [via-email] (w/o encl.)
Owner Contact Person [via e-mail] (w/o encl.)
Facility Contact Person [via e-mail] (w/o encl.)
Operator [via e-mail] (w/o encl.)
DHO CWB Staff (if outer island project) [via e-mail] (w/o encl.)



Questions?

- Contact information for e-Permitting Portal questions.
 - Web Admin Email: epwebadmin@doh.hawaii.gov
 - Web Admin Phone: (808) 586–4350
 - Address: Environmental Health Administration Hawaii Department of Health 1250 Punchbowl Street Honolulu, Hawaii 96813
- Contact information for NPDES General Permit questions.
 - DOH–CWB Email: cleanwaterbranch@doh.hawaii.gov
 - DOH Phone: (808) 586–4309
 - Address: DOH-CWB
 919 Ala Moana Blvd, Room 301
 Honolulu, Hawaii 96814

