



**P** a'ina Hawaii  
PO Box 30542  
Honolulu, HI 96820

Anthony Gaines  
Sr. Health Physicist  
Division of Nuclear Materials Safety  
611 Ryan Plaza Dr., Suite 400  
Arlington, TX 76011-4005

Mr. Gaines,

Enclosed please find our response to the Clean Water Branch's letter dated August 31, 2005.  
Because we do not emit pollutants we do not fall under any of their permit requirements.

Regards,

A handwritten signature in black ink, appearing to read "Andrew E. Buchan". The signature is stylized with a large, sweeping "A" and "B".

Andrew E. Buchan  
RSO/Production Manager



a'ina Hawaii  
PO Box 30542  
Honolulu, HI 96820

Denis R. Lau, P.E., Chief  
Clean Water Branch  
Environmental Management Division  
State Department of Health  
P.O. Box 3378  
Honolulu, HI 96801-3378

Dear Mr. Lau,

I am writing in response to your letter to the Nuclear Regulatory Commission dated August 31, 2005; regarding **Water Pollution Control Requirements in the State of Hawaii**. I would like to address each point you have brought to our attention.

1. Need for a Section 401 Water Quality Certification (WQC), for any applicant for a Federal license or permit to conduct any activity including, but not limited to, the construction or operation of facilities, which may result in any discharge into the navigable water.
  - a. We are currently applying for a radioactive material possession license from the NRC under the authority of the Atomic Energy Act of 1954 as amended. This is a license to possess radioactive material for use in an underwater irradiator. It is not a permit to build the facility. Any construction permits will be solely local in nature, not Federal, and further will not result in a discharge of pollutants<sup>1</sup> to the waters.
  - b. The license specifies that the isotopes are sealed sources. There will be no discharge of radioisotopes or other pollutants to the waters.
2. National Pollutant Discharge Elimination System (NPDES) for effluent discharges into State waters:
  - a. Individual permit: Pa'ina Hawaii will not be discharging any pollutants into the waters, and will not be applying for an individual permit.
  - b. General Permit:
    - i. Storm water associated with industrial activities.

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<sup>1</sup> 40CFR122.2 *Pollutant* means dredged spoil, solid waste, incinerator residue, filter backwash, sewage, garbage, sewage sludge, munitions, chemical wastes, biological materials, radioactive materials (except those regulated under the Atomic Energy Act of 1954, as amended (42 U.S.C. 2011 *et seq.*)), heat, wrecked or discarded equipment, rock, sand, cellar dirt and industrial, municipal, and agricultural waste discharged into water...

1. Pa'ina Hawaii does not fall under any of the items found in 40CFR122.26(b)(14)(i)- 122.26(b)(14)(ix) or 122.26(b)(14)(xi)
- ii. Construction activities:
  1. The entire site Pa'ina Hawaii will be performing construction on is less than one acre.
- iii. Discharges of treated effluent from leaking underground storage tank remedial activities.
  1. Pa'ina Hawaii does not conduct nor handle the effluent generated from such activities.
- iv. Discharges of once through cooling water less than one million gallons per day.
  1. Pa'ina Hawaii does not discharge cooling water.
- v. Discharges of hydrotesting water.
  1. Pa'ina Hawaii does not discharge hydrotesting water.
- vi. Discharges of construction dewatering effluent.
  1. Any dewatering effluent associated with the construction of the facility will be collected in tanker truck and disposed of by a licensed facility.
- vii. Discharges of treated effluent from petroleum bulk stations and terminals.
  1. Pa'ina Hawaii will not generate or discharge such effluent.
- viii. Discharges of treated effluent from well drilling activities.
  1. Pa'ina Hawaii will not generate or discharge such effluent.
- ix. Discharges of treated effluent from recycled water distribution systems.
  1. Pa'ina Hawaii will not generate or discharge such effluent.
- x. Discharges of storm water from small municipal separate storm sewer systems.
  1. Pa'ina Hawaii will not generate or discharge such effluent.
- xi. Discharges of circulation water from decorative ponds or tanks.
  1. Pa'ina Hawaii will not generate or discharge such effluent.

Regards,

A handwritten signature in black ink, appearing to read 'Andrew E. Buchan', written in a cursive style.

Andrew E. Buchan  
RSO/Production Manager

Cc: Nuclear Regulatory Commission, Nuclear Materials Licensing Branch