

DAVID Y. IGE  
GOVERNOR OF HAWAII



ELIZABETH A. CHAR, M.D.  
DIRECTOR OF HEALTH

**STATE OF HAWAII**  
**DEPARTMENT OF HEALTH**  
P. O. BOX 3378  
HONOLULU, HI 96801-3378

In reply, please refer to:  
File:

June 28, 2021

Yoichi Ebisu  
Y. Ebisu & Associates  
1126 12<sup>th</sup> Avenue, Room 305  
Honolulu, HI 96816

Dear Mr. Ebisu:

Enclosed is the VARIANCE (Docket No. 21-NR-VN-09) for Community Noise Control which was granted on June 28, 2021. The Decision and Order specifies the conditions and restrictions that are applicable to your project.

Non-compliance with the conditions and restrictions of the Decision and Order may bring about additional restrictions, possible suspension of the variance and/or monetary fines. Should you have any questions relative to the variance, please do not hesitate to contact me at (808) 586-4700 or [shawn.haruno@doh.hawaii.gov](mailto:shawn.haruno@doh.hawaii.gov).

Sincerely,

A handwritten signature in blue ink, appearing to read "Shawn Haruno".

Shawn Haruno  
Acting Noise Section Supervisor  
Indoor and Radiological Health Branch

STATE OF HAWAII  
DEPARTMENT OF HEALTH

In the Matter of the Application	)	
For Variance for:	)	
	)	
Y. EBISU AND ASSOCIATES	)	Docket No. 21-NR-VN-09
Noise – Freeway Management System,	)	V-1212
Phase 3, Along H1 Aala to Pali, H1 Keehi	)	
Interchange, & H1 Waiawa Interchange,	)	
Honolulu, Oahu	)	
_____	)	

**DECISION AND ORDER**

Pursuant to Chapter 342F, Hawaii Revised Statutes (H.R.S.), and Chapter 11-46, Hawaii Administrative Rules (H.A.R.), Community Noise Control; and based upon the application and review by the Indoor and Radiological Health Branch, the variance request from the provisions of Section 11-46-6(a), H.A.R., is hereby GRANTED with the following restrictions and conditions:

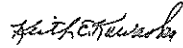
1. The variance shall be granted to install fiber optic communication cables in existing conduits along H-1 Freeway from the vicinity of the Aala Street to Pali Highway, install electrical and fiber optic communication raceways and cables over ramps connecting H-1 Freeway to Dillingham Boulevard and Nimitz Highway at Keehi Interchange, and install electrical and fiber optic communication raceways and cables over ramps and H-1 Freeway lanes at Waiawa Interchange.
2. The variance shall be granted from June 1, 2022 to October 31, 2025 (including holidays).
3. The variance shall be granted for the following days/times:
  1. H-1 Freeway between Aala Street and Pali Highway:  
Mondays through Thursdays 8:00 p.m. - midnight  
Tuesdays through Fridays midnight - 4:00 a.m.
  2. Keehi Interchange:  
Mondays through Thursdays 7:00 p.m. - midnight  
Tuesdays through Fridays midnight - 4:00 a.m.
  3. Waiawa Interchange:  
Mondays through Thursdays 8:00 p.m. - midnight  
Tuesdays through Fridays midnight - 4:00 a.m.

4. The variance shall be granted with the following restriction:

The use of the concrete drills, electrical metal saws, and rivet buster/chipping gun/hammer, shall be prohibited after midnight within 500 feet of residences.

5. The applicant shall notify the Indoor and Radiological Health Branch as to the date and time of any variance hour activity as soon as the dates are confirmed and when the project is completed.
6. The applicant shall make every effort to minimize noise emanating from the project.
7. The use of reverse signal alarms is prohibited from 8:00 p.m. to 7:00 a.m. Alternative methods such as utilizing a ground guide for signaling shall be employed. The operation of the white noise back-up alarms shall be granted during the days & times allowed by the variance.
8. Traffic noise from heavy vehicles travelling to and from the project site shall be minimized near residences.
9. The applicant shall have a job-site inspector to whom immediate complaints can be forwarded for prompt response, and who shall have the general responsibility of monitoring quiet work procedures.
10. Residents and businesses that may be impacted by the activity shall be given sufficient notice regarding the project. The notification for the planned nighttime activity shall contain the name and telephone number of the job-site inspector. In addition, a copy of any notifications, as well as progress reports shall be sent to the Indoor and Radiological Health Branch.
11. If the noise level is such that numerous complaints are received by the Department, the applicant shall cease operations upon receipt of an order and complete the project during hours on weekdays and weekends as directed.
12. Pursuant to Section 342F-5(d)(3), H.R.S., the applicant shall be required to perform noise sampling during the variance hours and report the results of such sampling to the Indoor and Radiological Health Branch.
13. Should the duration of the project continue beyond the expiration date, the applicant shall submit a request for extension along with an updated work schedule prior to October 31, 2025.

DATED: Honolulu, Hawaii, JUN 28 2021.



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KEITH E. KAWAOKA, D. Env  
Deputy Director for Environmental Health