COMMUNITY NOISE PERMIT FOR CONSTRUCTION ACTIVITIES

Pursuant to the provisions of Chapter 342F, Hawaii Revised Statutes, and Chapter 11-46, Hawaii Administrative Rules, this permit is hereby granted to:

TMT INTERNATIONAL OBSERVATORY, LLC
COMPANY OR INDIVIDUAL

JOSE TERANU, AIA - PROJECT MANAGER/OWNER'S AGENT
NAME OF AUTHORIZED INDIVIDUAL

AT ________________
LOCATION OF ACTIVITY

MAUNA KEA SUMMIT

DURING THE HOURS OF 7:00 A.M. TO 6:00 P.M., MONDAY THROUGH FRIDAY AND 9:00 A.M. TO 6:00 P.M., SATURDAY (EXCEPT SUNDAYS AND HOLIDAYS)

DECEMBER 7, 2019
DATE ISSUED

DECEMBER 6, 2020
EXPIRATION DATE

This permit is granted upon the expressed provision that the holder will comply with all rules, regulations and orders of the department and the conditions precedent to the granting of this permit.

DIRECTOR OF HEALTH

NOISE SECTION SUPERVISOR

SPECIAL RESTRICTIONS AND CONDITIONS:

________________________________________

________________________________________

*SEE GENERAL RESTRICTIONS AND CONDITIONS ON BACK
This permit is granted in accordance with the following restrictions and conditions:

1. No permit shall allow any construction activities which emit noise in excess of the maximum permissible sound levels for the hours before 7:00 a.m. and after 6:00 p.m. of the same day, Monday through Friday.

2. No permit shall allow any construction activities which emit noise in excess of the maximum permissible sound levels for the hours before 9:00 a.m. and after 6:00 p.m. on Saturday.

3. No permit shall allow any construction activities which emit noise in excess of the maximum permissible sound levels on Sundays and on Holidays.

4. No person shall operate nor shall its owner permit the operation of an on-site vehicle, construction equipment, or device, with a motor or exhaust system or both, without a muffler. This subparagraph shall not apply to pile hammers and pneumatic hand tools weighing less than fifteen pounds.

5. No person shall operate nor shall its owner permit the operation of an on-site vehicle, construction equipment, tool or device on any premises or a construction site, with a motor or exhaust system or both, which has been altered, modified, or repaired; provided this subparagraph shall not apply if the operator or owner can show that the altered, modified or repaired component is equally or more effective than the original component in reducing noise.

6. Should complaints occur as a result of the construction activity, the holder of this permit shall implement abatement procedures to reduce noise emissions from the activity.

7. Should noise emissions interfere with activities within school classrooms, libraries or multipurpose facilities; or disturb patients in hospitals or rest homes, the holder of this permit shall coordinate with facility administration toward minimizing potential adverse noise impacts.

8. Each permit is nontransferable either from one location to another, from one activity to another, or from one person to another without the written approval of the Director.

9. Any modification to the permit shall be submitted in writing.

10. This permit shall be posted at the location of the activity at all times.

11. This permit does not release the permittee from any liability for any loss due to damage to persons or properties caused by, resulting from, or arising out of any noise abatement procedures.

12. This permit in no manner implies or suggests that the Department of Health, or its officers, agents or employees assumes any liability, directly or indirectly, for any loss due to damage to persons or properties caused by or resulting from or arising out of any noise abatement procedures.

13. The Director is authorized to enter and inspect the location of activity for ascertaining compliance or noncompliance with any rules, regulations or standards promulgated by the Department, to make reasonable noise tests in connection therewith, and to recommend requirements of any noise attenuation measures.

14. The Director shall be notified, in writing, of the permanent termination of the activity for which the permit has been granted. If such notice is not received by the expiration date specified in the permit, the permit shall automatically terminate and the permittee shall be divested of all rights therein.

15. This permit may be suspended or revoked for cause.
November 26, 2019

TO: Community Noise Permit Applicant

FROM: James E. Toma
       Noise Section Supervisor
       Indoor and Radiological Health Branch

SUBJECT: Community Noise Permit #H 19-013 Approval

Please be advised that your Community Noise Permit is hereby granted.

If additional time is necessary for the project, the applicant shall submit a request for extension, along with an updated work schedule, prior to the expiration date. Extensions to Community Noise Permits are subject to annual fees.

Extensions or modifications of a permit shall be submitted in writing to the following address:

   Department of Health
   Indoor and Radiological Health Branch
   99-945 Halawa Valley Street
   Aiea, Hawaii  96701

Should you have any questions, please call me at (808) 586-4700.

Thank you for your cooperation.
**Happy Thanksgiving**

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<th>Source Code</th>
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<th>Fee Amount</th>
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<tr>
<td>1117</td>
<td>Noise Permit and Variance Fees</td>
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<td>Sum</td>
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Comments: Community noise permit fee for construction of site grading, across road and underground utility conduits. Work includes improvements associated with the existing road and structure construction. Located at Mauna Kea Summit.

Check writer:
M3 Engineering & Technology Corp
2051 W Sunset Rd, Suite 101
Tucson, AZ 85704

State of Hawaii - Dept. of Health
Indoor & Rad Health Branch
99-945 Halawa Valley Street
Aiea, HI 96701
Phone: (808) 586-4700 Fax: (808) 586-5838

Receipt Date: 11/19/2019
Receipt Number: 2020-55663
Check Number: 228422
Delivery method: Receipt Mailed
November 13, 2019

James Toma
Noise Section Supervisor
State of Hawaii – Department of Health
Indoor and Radiological Health Branch
Noise Section
99-945 Halawa Valley Street
Aiea, Hawaii 96701

RE: Application for Community Noise Permit
Thirty Meter Telescope Civil Package
Hamakua District, Island of Hawaii, State of Hawaii

Dear Mr. Toma:

M3 Engineering & Technology Corp. (‘M3’) acting as agent for TMT International Observatory, LLC (‘TIO’) is pleased to the enclosure Community Noise Permit application for the above referenced project.

We appreciate your consideration of this application. If you have any questions regarding this application or the project in general, please feel free to contact me by phone at (520) 822-8613 or via email at jose.teran@m3eng.com.

Sincerely,

M3 ENGINEERING & TECHNOLOGY CORPORATION

José Terán U., AIA
Project Manager

Attachments:

- Exhibit A – Project Location, dated February 5, 2019.
- Check 228422, payable to State Department of Healthy, $50.00.
State of Hawaii
Department of Health

Application for Community Noise Permit
Permit is required by Title 11, Administrative Rules, Department of Health, Chapter 46, Community Noise Control.

**Part I. Applicant Information**

<table>
<thead>
<tr>
<th>Name of Company</th>
<th>Authorized Individual</th>
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<tbody>
<tr>
<td>TMT International Observatory, LLC</td>
<td>José Terán U., AIA</td>
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<thead>
<tr>
<th>Mailing Address</th>
<th>Title</th>
</tr>
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<tbody>
<tr>
<td>100 W. Walnut St., Suite 300</td>
<td>Project Manager / Owner's Agent</td>
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<table>
<thead>
<tr>
<th>City</th>
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<tbody>
<tr>
<td>Pasadena</td>
<td>CA</td>
<td>91105</td>
<td>626-395-1602</td>
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**Part II. Community Noise Permit Fee Schedule (Annual)**

- Activities involving demolition, construction, extension, additions, or renovation of a single family dwelling
  - $25

- All other construction activities
  - $50

- Operation of stationary noise sources
  - $50

- Equipment related to agricultural activities
  - $50

- Equipment related to industrial activities
  - $50

**Part III. Description of Activity**

Construction of site grading, access road and underground utility conduits. Work includes improvements associated with the existing road and structure construction.

**Part IV. Location of Activity**

Mauna Kea Summit. See location map attached ("Exhibit A").

**Part V. Equipment to be utilized**

See equipment list attached ("Exhibit B").

**Part VI. Estimated duration of construction activity**

*Attach activity schedule for construction activities or attenuation of stationary sources.

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<th>To</th>
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<tr>
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<td>December 2024</td>
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**Certification of Individual Authorized to Act for Applicant**

I certify that I have knowledge of the facts herein set forth and that the same are true and correct to the best of my knowledge and belief. Acceptance of this permit constitutes an acknowledgement and agreement that the permittee will comply with all rules, regulations and orders of the department and the conditions precedent to the granting of this permit.

Signature: [Signature]
Date: November 13, 2019
Please make checks payable to: **STATE DEPARTMENT OF HEALTH**

Return this application with the appropriate attachments to: Indoor and Radiological Health Branch
Noise Section
99-945 Halawa Valley Street
Aiea, Hawaii 96701

**All fees are non-refundable.**
**There will be a service fee of $25.00 for any check dishonored by the bank.**
If you have any questions call our office at (808) 586-4700.

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<td>Date Approved</td>
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EXHIBIT A – PROJECT LOCATION

Date: November 13, 2019  Project No.: M3-PN130104
To: State of Hawaii  Project Name: Thirty Meter Telescope
Department of Health  Civil Package
From: M3 Engineering &
Technology Corp.

Project Location Map
Highlighted items depict area of construction

ISLAND MAP

LOCATION MAP

ASTRONOMY PRECINCT MAP
Equipment to be Utilized

- Pickup Truck (F150, Ranger, or similar)
- Pickup Truck (F250, or similar)
- Ecoline Van (F350 4x4, or similar)
- Utility Truck (F350, or similar)
- Laborer's Truck (F550, or similar)
- Flatbed Truck (Single Axle)
- Lube Truck (10-12 ton dual rear axle fuel/lube truck)
- Tandem Dump Truck (Dual rear axle dump truck with 10 cy capacity)
- Cat 740 Artic Truck, or similar
- Water truck (4000 gallon)
- Cat D-6 Dozer w/rippers, or similar
- Cat D-9 Dozer w/rippers, or similar
- Cat D-10 Dozer w/rippers, or similar
- Vibratory Roller (20-ton)
- Cat 140 Motor grader, or similar
- Cat 420 Backhoe, or similar
- 80 Mini Excavator, or similar
- 120 Class Excavator, or similar
- 220 Class Excavator, or similar
- 330 Class Excavator, or similar
- 450 Class Excavator, or similar
- BTI 980 Hammer, or similar
- BTI 1680 Hammer, or similar
- BTI 2080 Hammer, or similar
- Cat 938 Loader, or similar
- Cat 950 Loader, or similar
- Skidsteer Bobcat, or similar
- Chieftain Warrior 2400, or similar (Portable screening plant for aggregate)
- HP 300 Cone Portable track mounted cone crusher (Track Mounted)
- Telestack TC421 Conveyor, or similar (Portable stacking conveyor)
- Nordberg Track Jaw LT105, or similar (Portable track mounted jaw crusher)
- 36kW Generator

General Notes

1. For this portion of work, the closest point that hydraulic hammers and/or crushers will be operational are more than 1,500 ft from any of the surrounding scientific facilities with intermittent occupancy.