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August 22, 2019

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CITY OF MAUI
COUNTY CLERK

MEMO TO: Governance, Ethics and Transparency Committee

F R O M: Michael J. Molina, Chair 
Governance, Ethics and Transparency Committee

SUBJECT: **TRANSMITTAL OF INFORMATIONAL DOCUMENT RELATING TO
HAWAII WILDLIFE FUND ET AL., V. COUNTY OF MAUI
RELATING TO THE CLEAN WATER ACT (GET -26)**

The attached informational document pertains to Item 26 on the Committee's agenda.

Attachment

[REDACTED]
Kihei, HI 96753

Large Capacity Cesspool Closure Requirement at [REDACTED]; TMK [REDACTED]

Dear Mr. & [REDACTED]:

The United States Environmental Protection Agency (EPA) has received information that indicates you may be the owner and/or operator of a large capacity cesspool (LCC). In 1999, EPA promulgated regulations under the Safe Drinking Water Act, Underground Injection Control (UIC) Program which prohibited the construction of new large capacity cesspools as of April 2000 and required the closure of all existing large capacity cesspools by April 5, 2005. Cesspools allow raw sewage to be discharged into the ground and are a public health and environmental concern. Large capacity cesspools are residential cesspools which serve multiple dwellings, or non-residential cesspools which serve 20 or more persons in any 24 hour period. Any large capacity cesspool operating beyond the April 5, 2005 deadline is out of compliance with the regulations and needs to come into compliance.

An owner or operator of a large capacity cesspool is required by federal regulations to complete and submit the enclosed inventory form. **Please submit the enclosed form by November 15, 2005.** You may also provide EPA with a compliance plan and schedule for upgrading the wastewater treatment and closure of the cesspool. We encourage all cesspool owners to submit compliance plans and any efforts made toward compliance, including submission of a compliance schedule, will be considered prior to EPA enforcement. Additional information on the regulations and how they impact owners and/or operators in Hawaii can be found at EPA's website:

<http://www.epa.gov/region09/water/groundwater/uic-hicesspools.html>.

The alternative wastewater treatment system you choose to replace your large capacity cesspool must meet the Hawaii Department of Health's (DOH) rules and requirements. Plans for all new or replacement wastewater systems must be submitted to the DOH Wastewater Branch for review and approval prior to construction. For information, contact the Wastewater Branch at (808) 586-4294. Closure of the cesspool must also be performed in compliance with federal and state requirements.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105-3901

October 27, 2005

[REDACTED]
[REDACTED]
Kihei, HI 96753

Re: TMK [REDACTED]

Dear Ms. [REDACTED]:

Thank you for your prompt response to our letter regarding the federal regulations requiring the closure of large capacity cesspools. Your response on the above referenced property indicates that you have 2 cesspools, each serving an individual dwelling. Individual cesspools serving a single dwelling are specifically exempt from the regulations. We will update our records with this information and will share it with the Hawaii Department of Health which regulates these systems at the state level.

If you have any additional questions, please do not hesitate to contact me at (415) 972-3538 or by email at bose.laura@epa.gov.


Sincerely,

A handwritten signature in cursive script that reads "Laura Tom Bose".

Laura Tom Bose
Senior Policy Advisor

Type or print all information. See reverse for instructions.

OMB No. 2040-0042 Approval Expires 1/31/05

 <h2 style="margin: 0;">INVENTORY OF INJECTION WELLS</h2> <p style="margin: 0;">UNITED STATES ENVIRONMENTAL PROTECTION AGENCY OFFICE OF GROUND WATER AND DRINKING WATER</p> <p style="margin: 0; font-size: small;">[This information is collected under the authority of the Safe Drinking Water Act]</p>	<p>1. DATE PREPARED (Year, Month, Day)</p> <table border="1" style="width:100%; border-collapse: collapse; text-align: center;"> <tr> <td style="width:33%;">YR</td> <td style="width:33%;">MO</td> <td style="width:33%;">DY</td> </tr> <tr> <td style="height: 20px;"> </td> <td style="height: 20px;"> </td> <td style="height: 20px;"> </td> </tr> </table> <p>2. FACILITY ID NUMBER (TMK)</p> <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:20px; height: 20px;"> </td><td style="width:20px; height: 20px;"> </td><td style="width:20px; height: 20px;"> </td><td style="width:20px; height: 20px;"> </td><td style="width:20px; height: 20px;"> </td><td style="width:20px; height: 20px;"> </td><td style="width:20px; height: 20px;"> </td><td style="width:20px; height: 20px;"> </td><td style="width:20px; height: 20px;"> </td><td style="width:20px; height: 20px;"> </td><td style="width:20px; height: 20px;"> </td><td style="width:20px; height: 20px;"> </td><td style="width:20px; height: 20px;"> </td><td style="width:20px; height: 20px;"> </td><td style="width:20px; height: 20px;"> </td> </tr> </table>	YR	MO	DY																		
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<p style="text-align: center; font-weight: bold;">PAPERWORK REDUCTION ACT NOTICE</p> <p style="font-size: x-small;">The public reporting burden for this collection of information is estimated at about 0.5 hour per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to Chief, Information Policy Branch, 2136, U.S. Environmental Protection Agency, 401 M Street, SW, Washington, DC 20460, and to the Office of Management and Budget, Paperwork Reduction Project, Washington, DC 20503.</p>	<p>3. TRANSACTION TYPE (Please mark one of the following)</p> <table style="width:100%;"> <tr> <td><input type="checkbox"/> Deletion</td> <td><input type="checkbox"/> First Time Entry</td> </tr> <tr> <td><input type="checkbox"/> Entry Change</td> <td><input type="checkbox"/> Replacement</td> </tr> </table>	<input type="checkbox"/> Deletion	<input type="checkbox"/> First Time Entry	<input type="checkbox"/> Entry Change	<input type="checkbox"/> Replacement
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5. LEGAL CONTACT:					
<p>A. TYPE (mark "x")</p> <p><input type="checkbox"/> Owner <input type="checkbox"/> Operator</p>	<p>B. NAME (last, first, and middle initial)</p>	<p>C. PHONE (area code and number)</p>	<p>D. ORGANIZATION</p>		
<p>E. STREET/P.O. BOX</p>	<p>F. CITY/TOWN</p>		<p>G. STATE</p>	<p>H. ZIP CODE</p>	<p>I. OWNERSHIP (mark "x")</p> <p><input type="checkbox"/> PRIVATE <input type="checkbox"/> PUBLIC <input type="checkbox"/> SPECIFY OTHER</p> <p><input type="checkbox"/> STATE <input type="checkbox"/> FEDERAL</p>

6. WELL INFORMATION:																								
A. CLASS AND TYPE	B. NUMBER OF WELLS		C. TOTAL NUMBER OF WELLS	D. WELL OPERATION STATUS					<p>COMMENTS (Optional):</p> <p>KEY:</p> <table style="font-size: x-small; width:100%;"> <tr> <td style="width:50%;">DEG = Degree</td> <td style="width:50%;">COMM = Commercial</td> </tr> <tr> <td>MIN = Minute</td> <td>NON-COMM = Non-Commercial</td> </tr> <tr> <td>SEC = Second</td> <td>AC = Active</td> </tr> <tr> <td>SECT = Section</td> <td>UC = Under Construction</td> </tr> <tr> <td>1/4 SECT = Quarter Section</td> <td>TA = Temporarily Abandoned</td> </tr> <tr> <td></td> <td>PA = Permanently Abandoned and Approved by State</td> </tr> <tr> <td></td> <td>AN = Permanently Abandoned and not Approved by State</td> </tr> </table>		DEG = Degree	COMM = Commercial	MIN = Minute	NON-COMM = Non-Commercial	SEC = Second	AC = Active	SECT = Section	UC = Under Construction	1/4 SECT = Quarter Section	TA = Temporarily Abandoned		PA = Permanently Abandoned and Approved by State		AN = Permanently Abandoned and not Approved by State
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SECTION 1. DATE PREPARED: Enter date in order of year, month, and day.

SECTION 2. FACILITY ID NUMBER: In the first two spaces, insert the appropriate U.S. Postal Service State Code. In the third space, insert one of the following one letter alphabetic identifiers:

- D - DUNS Number.
- G - GSA Number, or
- S - State Facility Number.

In the remaining spaces, insert the appropriate nine digit DUNS, GSA, or State Facility Number. For example, A Federal facility (GSA - 123456789) located in Virginia would be entered as : VAG123456789.

SECTION 3. TRANSACTION TYPE: Place an "x" in the applicable box. See below for further instructions.

Deletion. Fill in the Facility ID Number.

First Time Entry. Fill in all the appropriate information.

Entry Change. Fill in the Facility ID Number and the information that has changed.

Replacement.

SECTION 4. FACILITY NAME AND LOCATION:

- A. **Name.** Fill in the facility's official or legal name.
- B. **Street Address.** Self Explanatory.
- C. **Latitude.** Enter the facility's latitude (all latitudes assume North Except for American Samoa).
- D. **Longitude.** Enter the facility's longitude (all longitudes assume West except Guam).
- E. **Township/Range.** Fill in the complete township and range. The first 3 spaces are numerical and the fourth is a letter (N,S,E,W) specifying a compass direction. A township is North or South of the baseline, and a range is East or West of the principal meridian (e.g., 132N, 343W).
- F. **City/Town.** Self Explanatory.
- G. **State.** Insert the U.S. Postal Service State abbreviation.
- H. **Zip Code.** Insert the five digit zip code plus any extension.

SECTION 4. FACILITY NAME & LOCATION (CONT'D.):

- I. **Numeric County Code.** Insert the numeric county code from the Federal Information Processing Standards Publication (FIPS Pub 6-1) June 15, 1970, U.S. Department of Commerce, National Bureau of Standards. For Alaska, use the Census Division Code developed by the U.S. Census Bureau.
- J. **Indian Land.** Mark an "x" in the appropriate box (Yes or No) to indicate if the facility is located on Indian land.

SECTION 5. LEGAL CONTACT:

- A. **Type.** Mark an "x" in the appropriate box to indicate the type of legal contact (Owner or Operator). For wells operated by lease, the operator is the legal contact.
- B. **Name.** Self Explanatory.
- C. **Phone.** Self Explanatory.
- D. **Organization.** If the legal contact is an individual, give the name of the business organization to expedite mail distribution.
- E. **Street/P.O. Box.** Self Explanatory.
- F. **City/Town.** Self Explanatory.
- G. **State.** Insert the U.S. Postal Service State abbreviation.
- H. **Zip Code.** Insert the five digit zip code plus any extension.
- I. **Ownership.** Place an "x" in the appropriate box to indicate ownership status.

SECTION 6. WELL INFORMATION:

- A. **Class and Type.** Fill in the Class and Type of injection wells located at the listed facility. Use the most pertinent code (specified below) to accurately describe each type of injection well. For example, 2R for a Class II Enhanced Recovery Well, or 3M for a Class III Solution Mining Well, etc.
- B. **Number of Commercial and Non-Commercial Wells.** Enter the total number of commercial and non-commercial wells for each Class Type, as applicable.
- C. **Total Number of Wells.** Enter the total number of injection wells for each specified Class/Type.
- D. **Well Operation Status.** Enter the number of wells for each Class/Type under each operation status (see key on other side).

CLASS I Industrial, Municipal, and Radioactive Waste Disposal Wells used to inject waste below the lowermost Underground Source of Drinking Water (USDW).

- TYPE 1I** Non-Hazardous Industrial Disposal Well.
- 1M** Non-Hazardous Municipal Disposal Well.
- 1H** Hazardous Waste Disposal Well injecting below the lowermost USDW.
- 1R** Radioactive Waste Disposal Well.
- 1X** Other Class I Wells.

CLASS II Oil and Gas Production and Storage Related Injection Wells.

- TYPE 2A** Annular Disposal Well.
- 2D** Produced Fluid Disposal Well.
- 2H** Hydrocarbon Storage Well.
- 2R** Enhanced Recovery Well.
- 2X** Other Class II Wells.

CLASS III Special Process Injection Wells.

- TYPE 3G** *In Situ* Gassification Well
- 3M** Solution Mining Well.

CLASS III (CONT'D.)

- TYPE 3S** Sulfur Mining Well by Frasch Process.
- 3I** Geothermal Well.
- 3U** Uranium Mining Well.
- 3X** Other Class III Wells.

CLASS IV Wells that inject hazardous waste into above USDWs.

- TYPE 4H** Hazardous Facility Injection Well.
- 4R** Remediation Well at RCRA or CERCLA site.

CLASS V Any Underground Injection Well not included in Classes I through IV.

- TYPE 5A** Industrial Well.
- 5B** Beneficial Use Well.
- 5C** Fluid Return Well.
- 5D** Sewage Treatment Effluent Well.
- 5E** Cesspools (non-domestic).
- 5F** Septic Systems.
- 5G** Experimental Technology Well.
- 5H** Drainage Well.
- 5I** Mine Backfill Well.
- 5J** Waste Discharge Well.