

U.S. Environmental Protection Agency,
Ground Water Office (WTR-9)
75 Hawthorne Street, San Francisco, CA 94105,
Attn: Nancy Rumrill;

Aug 20, 2009

From: Sierra Club, Maui Group
PO Box 791180, Paia. HI 96779

Re: COMMENTS ON DRAFT UNDERGROUND INJECTION CONTROL (UIC) PERMIT
FOR THE LAHAINA WASTEWATER RECLAMATION FACILITY

The Hawaii Chapter of Sierra Club has a long history of working with the EPA to improve water quality in our freshwater and marine environment. The Maui Group of the Sierra Club is part of the DIRE coalition. At the November 2008 EPA hearing on the Lahaina UIC the Maui Group presented testimony in support of setting a specific timetable for the conversion of the injection well disposal at the Lahaina wastewater plant to a system which allows all the reclaimed water to be processed to a level that meets state and federal standards for reuse. We also supported the UIC permit including conditions which require planning and implementation of infrastructure to deliver the plant's reclaimed water to non-potable use in water deficient West Maui. We are grateful that EPA staff has returned to Maui for an update, before a final decision is made on the UIC permit and its conditions.

Sierra Club Maui was among the earliest groups to question the assumption that injection of nutrient rich waters into the nearshore waters would have no effects. Now scientific studies have come to support the presence of those same nutrients in algae that is smothering west Maui reefs in the immediate vicinity of the Lahaina injection wells.

We are in full support of Mayor Tavares' stated goal to have a solid, practical plan to phase out injection wells and produce reclaimed water in all of Maui's wastewater facilities. This sensible strategy can help alleviate water shortages and return a valuable resource to a more natural ecological cycle. One thing is clear. It is time to act, and we are counting on the EPA, the watchdog of our irreplaceable natural resources, to lead the way.

Maui's reefs are extremely important to Hawaiian cultural practices, which are protected under Article 12, chapter 7 of the state's constitution. In the chant, which details the evolution of all creation in the Hawaiian island, the very first life form to emerge was the coral polyp, building block of the living reef. Traditional Hawaiian land management considered the effect actions would have, from the summit of the mountain peak out to the reefs that fringed the shore. We cannot stand by and watch one of the cornerstones of Hawaiian culture be degraded to the point of lifelessness, simply because change comes with a price tag.

Maui's reefs are also an integral part of the island's economic infrastructure. A Sierra Club survey done of 1000 randomly selected visitors in 1998 found that swimming in the ocean waters and observing reef life was the activity most drawing visitors to Maui. A similar survey by the Hawaii Tourism authority in 2006 found the same response.

We at Sierra Club have used the courts for years to seek compliance with Clean Water Act policies and provision. We note that a group of citizens in Maui recently got impatient and filed suit to compel the county to phase out injection wells in South Maui and create the infrastructure to treat and distribute reclaimed water. We were approached to consider becoming part of this suit, but felt that there were better opportunities to work in partnership with the Mayor Tavares' administration and the EPA to achieve the same goals through a collaborative process.

Based upon the stated intentions of the Mayor and her administration, Sierra Club Maui Group asks the EPA to craft a shorter term permit, with strong benchmarks and conditions that will result in support for turning good intentions into sound actions. The draft proposal does not meet this need. Please keep in mind that between 3000 and 6000 new residential units and scores of new commercial units are being supported by county planners to be built in the West Maui area. This does not even take into account the thousands of units that could be built on Hawaiian Homelands parcels that flank the Ka'anapali area and will not be subject to county review.

The majority of these new units will all depend upon this same wastewater treatment facility. These units will be constructed over the next 20 years and are a potential source of funding for repaying bonds which may be necessary to finance the improvements needed in Lahaina to make the changeover from injection wells to high quality recycled water. If there is no vision and no plan to make this change, every new unit will just become part of the problem, rather than part of the solution.

Sierra Club asks this agency to craft a permit that gets the answers to the tough questions regarding the LWTF's compliance with Clean Water Act rules. We note that the nearshore waters around Honokowai stream, the nearest natural water course to the treatment facility produced test results that qualified them to be listed as "impaired" on the State's 303(d) list. We can and must do a better job of protecting our marine resources and public health through the current permit process. The Lahaina UIC permit should address the following concerns:

- Clear transition plan, produced in a timely manner, to deal with physical infrastructure and economic aspects of ending injection of wastewater and producing and distributing reclaimed water.
- Specific benchmarks and timetables to help set incremental goals for the transition process.
- Reduction of Nitrogen and Phosphorus levels in effluent while injection wells are being phased out
- State of the art treatment, testing and monitoring for pathogens in effluent under injection well and reclaimed water use regimes.
 - Improved and continuing monitoring of ground and ocean water quality
 - Improved compliance with Clean water Act Rules and policies

Sierra Club Maui looks forward in working with the EPA and Maui County to find the best ideas, technologies and sources of funding to make 100% reuse of Maui's wastewater a practical reality in the next 5 years.

Mahalo for your efforts.

Lucienne de Naie on behalf of Lance Holter, Chair, Sierra Club Maui Group