

From: Alex Smith
To: Nancy Rumrill/R9/USEPA/US|||EPA
Date: 06/22/2009 09:33 PM
Subject: REQUEST for PUBLIC HEARING ON LAHAINA WASTEWATER
INJECTION WELL PERMIT

I oppose the granting of the permit unless additional conditions are placed on the permit as set forth in the letter of the DIRE Coalition to EPA. While they have identified a range of issues and concerns to which EPA has not spoken previously or which they have newly identified, they have not provided you with anywhere near all the supporting data in their letter. They are in the process of gathering these data (and preparing their presentation) and will provide them to you at the public hearing we are requesting.

Thank You,

Alex Smith

From: zenobia lakdawalla
To: Nancy Rumrill/R9/USEPA/US|||EPA
Date: 06/23/2009 01:20 PM
Subject: REQUEST for PUBLIC HEARING ON LAHAINA WASTEWATER
INJECTION WELL PERMIT

I oppose the granting of the permit unless additional conditions are placed on the permit as set forth in the letter of the DIRE Coalition to EPA. While they have identified a range of issues and concerns to which EPA has not spoken previously or which they have newly identified, they have not provided you with anywhere near all the supporting data in their letter. They are in the process of gathering these data (and preparing their presentation) and will provide them to you at the public hearing we are requesting.

Mahalo
Zenobia Lakdawalla

From: yvette hill
To: Nancy Rumrill/R9/USEPA/US|||EPA
Date: 06/22/2009 11:54 PM
Subject: REQUEST for PUBLIC HEARING ON LAHAINA WASTEWATER
INJECTION WELL PERMIT

Title: REQUEST for PUBLIC HEARING ON LAHAINA WASTEWATER INJECTION
WELL PERMIT

I oppose the granting of the permit unless additional conditions are placed on the permit as set forth in the letter of the DIRE Coalition to EPA. While they have identified a range of issues and concerns to which EPA has not spoken previously or which they have newly identified, they have not provided you with anywhere near all the supporting data in their letter. They are in the process of gathering these data (and preparing their presentation) and will provide them to you at the public hearing we are requesting.

Thank You,
Yvette Hill
Lahaina, Maui, Hawaii

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West Maui Taxpayers Association

P.O. Box 10338 • Lahaina, HI 96761 • Office (808) 280-9682 • Fax (808) 661-7992 • wmta@maui.net

Board of Directors

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Uwe Schulz

Executive Director:

Ezekiela I. Kalua

WMTA is a non profit 501 c 4. WMTA, as a dedicated Lobbyist organization, has a mission for our West Maui Community. The objectives of this Organization are to associate the interests, concerns, and efforts of residents and taxpayers of the West Maui area, and others interested in the orderly development and improvement of the area, in a cooperative effort. whether provided by, or to be provided by, the State or County governments, or by others.

June 16, 2009

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

Fax to 1-415-947-3549
E-mail to: Rumrill.nancy@epa.gov

The West Maui Taxpayers Association (WMTA) appreciates the opportunity to comment on the EPA's proposed Lahaina Wastewater Reclamation Facility (LWRF) injection control permit. WMTA is a broad-based community association dedicated to improving West Maui through infrastructure investment, and has a long-standing interest in improving LWRF facilities.

WMTA understands there are no alternatives to injecting reclaimed water at this time, but urges the EPA to approve a new permit only if LWRF meets certain conditions. At a minimum, the conditions should require that LWRF immediately develop and implement a plan to shift from injection to greater reuse. This would include construction of a higher elevation storage facility and a distribution system capable of reusing a majority of the reclaimed water produced at LWRF.

WMTA also suggests that EPA require the plan to include long overdue efficiency upgrades to the LWRF facilities, and remedial measures to address the odor problems at both the Kaanapali and Honokawai facilities. These facilities are at the entrances to high value tourist areas that produce a significant percentage of the County's tax revenues. In these trying economic times it makes no sense to fail to remedy a situation where a tourist's first impression of the area is sewer odor. A definitive plan of action to address these issues is long overdue, and it makes sense to have a comprehensive plan to combine remedial actions for all the issues at LWRF.

Thank you for considering WMTA's comments on the permit. If you have any questions please feel free to contact WMTA at 808-280-9682 or 808-661-7990.

Sincerely,

Donald Lehman
President

Ezekiela Kalua
Executive Director

CC: The Honorable Mayor Charmaine Tavares, Maui County
Charvi Okuma

From: Willy Uribe
To: Nancy Rumrill/R9/USEPA/US|||EPA
Date: 06/23/2009 03:38 AM
Subject: Request for public hearing

Dear friends:

I oppose the granting of the permit unless additional conditions are placed on the permit as set forth in the letter of the DIRE Coalition to EPA. While they have identified a range of issues and concerns to which EPA has not spoken previously or which they have newly identified, they have not provided you with anywhere near all the supporting data in their letter. They are in the process of gathering these data (and preparing their presentation) and will provide them to you at the public hearing we are requesting.

Thanks a lot for your attention.

--

Willy Uribe

From: "Warren Blum"

To: Nancy Rumrill/R9/USEPA/US|||EPA

Date: 06/22/2009 09:17 PM

Subject: REQUEST for PUBLIC HEARING ON LAHAINA WASTEWATER
INJECTION WELL PERMIT

REQUEST for PUBLIC HEARING ON LAHAINA WASTEWATER INJECTION
WELL PERMIT

Wastewater is only a waste when you throw it away without reusing it. Our water resource on Maui is limited and we need to be smart with the precious water that we have. Additionally, the impact that injection wells have on the coral reefs is well documented and is killing our reefs due to algae overgrowth.

I oppose the granting of the permit unless additional conditions are placed on the permit as set forth in the letter of the DIRE Coalition to EPA. While they have identified a range of issues and concerns to which EPA has not spoken previously or which they have newly identified, they have not provided you with anywhere near all the supporting data in their letter. They are in the process of gathering these data (and preparing their presentation) and will provide them to you at the public hearing we are requesting.

Thank you,

Warren Blum

From: "Walter Seeschaaf"

To: Nancy Rumrill/R9/USEPA/US|||EPA

Date: 06/23/2009 03:57 AM

Subject: Request for public hearing on Lahaina wastewater injection well permit

Title: REQUEST for PUBLIC HEARING ON LAHAINA WASTEWATER
INJECTION WELL PERMIT

I oppose the granting of the permit unless additional conditions are placed on the permit as set forth in the letter of the DIRE Coalition to EPA. While they have identified a range of issues and concerns to which EPA has not spoken previously or which they have newly identified, they have not provided you with anywhere near all the supporting data in their letter. They are in the process of gathering these data (and preparing their presentation) and will provide them to you at the public hearing we are requesting.

Thank You,

Walter Seeschaaf

From: Vivian Hager
To: Nancy Rumrill/R9/USEPA/US|||EPA
Date: 06/22/2009 06:08 PM
Subject: HONOLUA BAY

I OPPOSE THE GRANTING OF PERMIT FOR WELL INJECTION.

VIVIAN HAGER
REGISTERED VOTER STATE OF HAWAII

Hotmail® has ever-growing storage! Don't worry about storage limits. Check it out.

From: Vincent Dodge
To: Nancy Rumrill/R9/USEPA/US|||EPA
Date: 06/22/2009 07:24 PM
Subject: Lahaina Wastewater Injection Well Permit

Title: REQUEST for PUBLIC HEARING ON LAHAINA WASTEWATER
INJECTION WELL PERMIT

I oppose the granting of the permit unless additional conditions are placed on the permit as set forth in the letter of the DIRE Coalition to EPA. While they have identified a range of issues and concerns to which EPA has not spoken previously or which they have newly identified, they have not provided you with anywhere near all the supporting data in their letter. They are in the process of gathering these data (and preparing their presentation) and will provide them to you at the public hearing we are requesting.

Mahalo nui loa,
Vince Kana`i Dodge

From: Victor Quitan
To: Nancy Rumrill/R9/USEPA/US|||EPA
Date: 06/23/2009 01:57 AM
Subject: Save Honolua

Title: REQUEST for PUBLIC HEARING ON LAHAINA WASTEWATER
INJECTION WELL PERMIT

I oppose the granting of the permit unless additional conditions are placed on the permit as set forth in the letter of the DIRE Coalition to EPA. While they have identified a range of issues and concerns to which EPA has not spoken previously or which they have newly identified, they have not provided you with anywhere near all the supporting data in their letter. They are in the process of gathering these data (and preparing their presentation) and will provide them to you at the public hearing we are requesting.

Thank You,

From: Vmcarty
To: Nancy Rumrill/R9/USEPA/US|||EPA
Date: 06/22/2009 05:53 PM
Subject: PUBLIC HEARING ON LAHAINA WASTEWATER INJECTION
WELL PERMIT.

I REQUEST A PUBLIC HEARING ON LAHAINA WASTEWATER INJECTION
WELL PERMIT.

Vicki McCarty
P O Box 12245
Lahaina, HI 96761
An Excellent Credit Score is 750. See Yours in Just 2 Easy Steps!

From: Uli Martin
To: Nancy Rumrill/R9/USEPA/US|||EPA
Date: 06/23/2009 11:59 AM
Subject: request for puplic hearing

Re:REQUEST for PUBLIC HEARING ON LAHAINA WASTEWATER INJECTION
WELL PERMIT

I oppose the granting of the permit unless additional conditions are placed on the permit as set forth in the letter of the DIRE Coalition to EPA. While they have identified a range of issues and concerns to which EPA has not spoken previously or which they have newly identified, they have not provided you with anywhere near all the supporting data in their letter. They are in the process of gathering these data (and preparing their presentation) and will provide them to you at the public hearing we are requesting.

Thank You,

Uli Martin

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From: Tony Povilitis
To: Nancy Rumrill/R9/USEPA/US|||EPA
Date: 06/22/2009 04:20 PM
Subject: Comments on the Revised Draft Permit for LWRF, Maui, Hawaii

Nancy Rumrill
EPA

Dear Nancy,

Please consider the attached comments. Thank you for this opportunity to comment.

Sincerely,

Tony Povilitis, Ph.D.
www.lifenetnature.org

From: Tony Lee
To: Nancy Rumrill/R9/USEPA/US|||EPA
Date: 06/22/2009 10:59 PM
Subject: REQUEST for PUBLIC HEARING ON LAHAINA WASTEWATER
INJECTION WELL PERMIT

I oppose the granting of the permit unless additional conditions are placed on the permit as set forth in the letter of the DIRE Coalition to EPA. While they have identified a range of issues and concerns to which EPA has not spoken previously or which they have newly identified, they have not provided you with anywhere near all the supporting data in their letter. They are in the process of gathering these data (and preparing their presentation) and will provide them to you at the public hearing we are requesting.

Thank You for your time and consideration,

Tony Lee
=

From: toby adkins
To: Nancy Rumrill/R9/USEPA/US|||EPA
Date: 06/23/2009 10:15 AM
Subject: Re:

I oppose the granting of the permit unless additional conditions are placed on the permit as set forth in the letter of the DIRE Coalition to EPA. While they have identified a range of issues and concerns to which EPA has not spoken previously or which they have newly identified, they have not provided you with anywhere near all the supporting data in their letter. They are in the process of gathering these data (and preparing their presentation) and will provide them to you at the public hearing we are requesting.

Thank You, Toby Adkins

From: tim rosemeyer
To: Nancy Rumrill/R9/USEPA/US|||EPA
Date: 06/22/2009 06:11 PM
Subject: REQUEST for PUBLIC HEARING ON LAHAINA WASTEWATER
INJECTION WELL PERMIT

To whom it may concern,

I oppose the granting of the permit unless additional conditions are placed on the permit as set forth in the letter of the DIRE Coalition to EPA. While they have identified a range of issues and concerns to which EPA has not spoken previously or which they have newly identified, they have not provided you with anywhere near all the supporting data in their letter. They are in the process of gathering these data (and preparing their presentation) and will provide them to you at the public hearing we are requesting.

Thank You, Tim Rosemeyer

From: Terry Sakevitz
To: Nancy Rumrill/R9/USEPA/US|||EPA
Cc: Angelika Hofmann
Date: 06/23/2009 10:28 AM
Subject: Lahaina Wells

Aloha,

Please support the initiatives in the islands to preserve our 'special condition' fresh water system on a series of volcanic islands. For too long the condition and status of water here has been ignored. Please implement ALL processes and procedures to make sure the use of our agrarian resources are legally compliant. Please, no behind closed doors support of abusive (chemicals into water table) agricultural conglomerates.

Mahalo,

Theresa Sakevitz

Kihei, Maui

From: "Theresa Daly"

To: Nancy Rumrill/R9/USEPA/US|||EPA

Date: 06/22/2009 07:10 PM

Subject: REQUEST for PUBLIC HEARING ON LAHAINA WASTEWATER
INJECTION WELL PERMIT

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Thank You,
Theresa Daly
20 Alaeloa #19
Lahaina

From: "Terri AbayAbay"
To: Nancy Rumrill/R9/USEPA/US|||EPA
Date: 06/23/2009 11:28 AM
Subject: injection well

REQUEST for PUBLIC HEARING ON LAHAINA WASTEWATER INJECTION
WELL PERMIT

I oppose the granting of the permit unless additional conditions are placed on the permit as set forth in the letter of the DIRE Coalition to EPA. While they have identified a range of issues and concerns to which EPA has not spoken previously or which they have newly identified, they have not provided you with anywhere near all the supporting data in their letter. They are in the process of gathering these data (and preparing their presentation) and will provide them to you at the public hearing we are requesting.

Mahalo,

Terri C. Abay-Abay
tcabay

From: "Teri Leonard"
To: Nancy Rumrill/R9/USEPA/US|||EPA
Date: 06/23/2009 12:57 PM
Subject: injection wells permit process

Aloha Ms. Rumrill,

I have worked at Maui Dreams Dive Co. for 10 years. In that time I have dove thousands of dives and watched the ongoing degradation of our reef system. I believe there has been too little water-quality testing and too little education of the public regarding the effects of pollutants and contaminants entering the ocean from injection wells.

With water shortages always imminent here on Maui, the waste of 15 million gallons of water per day that could be used for irrigation purposes is the second major concern I have. With these permits lasting 10 years I feel it is important that the public be allowed to comment on the precedents set by the wording and intentions of the permit. 10 years is a long time to continue with the status quo. I would like to see a mandate demanding the investigation into alternative methods of water disposal included in the permit, as well as shorter permit life-spans.

Please consider allowing public testimony on these issues. I am concerned that the precedents set with the Lahaina permit will affect the permit process when it comes to my home in Kihei.

Mahalo,

Teri Leonard
PADI Course Director #172607
Manager
Maui Dreams Dive Co.
808-268-2628
808-874-5332
Fax 808-874-5332
teridiver
mauidreamsdiveco.com

From: t~
To: Nancy Rumrill/R9/USEPA/US|||EPA
Date: 06/22/2009 05:52 PM
Subject: Lahaina Wastewater Injection Well Hearing

Title: REQUEST for PUBLIC HEARING ON LAHAINA WASTEWATER
INJECTION WELL PERMIT

I oppose the granting of the permit unless additional conditions are placed on the permit as set forth in the letter of the DIRE Coalition to EPA. While they have identified a range of issues and concerns to which EPA has not spoken previously or which they have newly identified, they have not provided you with anywhere near all the supporting data in their letter. They are in the process of gathering these data (and preparing their presentation) and will provide them to you at the public hearing we are requesting.

Mahalo nui loa~

Terez Amato-Lindsey

phone/fax: 808.874.1446
cell: 808.276-1650
email: terez_lindsey

From: Taryn Muschietti
To: Nancy Rumrill/R9/USEPA/US|||EPA
Date: 06/22/2009 06:41 PM
Subject: REQUEST for PUBLIC HEARING ON LAHAINA WASTEWATER
INJECTION WELL PERMIT

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Thank You,
Taryn Gillespie

From: Tamara
To: Nancy Rumrill/R9/USEPA/US|||EPA
Date: 06/23/2009 09:07 PM
Subject: Wastewater treatment plant

If it was only about the lack of water ok Maui ... If it was only about the risk of diseases growing in our warm and tropical waters ... If it was only about the excess nitrogen causing algae to smother the reef we wouldn't need another public hearing to phase out injection wells. Since all of these and more are factors in dealing with our sewage, it is the pono thing to do to hear out the community.

Mahalo

Tamara Paltin
4790 L. Honoapiilani Rd
Lahaina HI 96761
808-870-0052

From: tamara
To: Nancy Rumrill/R9/USEPA/US|||EPA
Date: 06/03/2009 10:33 PM
Subject: letter to the editor

Water is our most fundamental natural resource. Here on Maui we don't have enough water to satisfy all of the competing demands: Restored stream flow, aquifer recharge, kuleana/riparian rights, corporate agriculture, golf courses, resorts and housing developments all want more than current levels and yet we continue to "waste" water at a rate of 3-5 million gallons a day. Not only is this water being "wasted" through the use of injection wells, studies by marine scientist have shown this nutrient rich effluent is destroying our precious coral reefs by over-feeding algae which in turn smothers the reef. However bleak the situation seems right now, there is room for hope; the technology and political will exist to use this opportunity to transition to a better long term water management strategy. There are economic stimulus funds going around right now. May we please have funds to update our waste water facility to a water management system that phases out the use of injection wells to create a win-win-win solution for people, environment and economy. Phasing out the use of injection wells will have long term benefits for ALL of Maui. We all need water, we all use the toilet and most all of us want to protect our reefs and oceans.

Tamara Paltin
4790 Lower Honoapiilani Rd
Lahaina, Hi 96761

From: sue lundquist
To: Nancy Rumrill/R9/USEPA/US|||EPA
Date: 06/22/2009 08:58 PM
Subject: Stop Lahaina Injection wells

Title: REQUEST for PUBLIC HEARING ON LAHAINA WASTEWATER
INJECTION WELL PERMIT

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Thank You,

Susan Lundquist

From: susan lawson
To: Nancy Rumrill/R9/USEPA/US|||EPA
Date: 06/23/2009 02:22 PM
Subject: Re:

Title: REQUEST for PUBLIC HEARING ON LAHAINA WASTEWATER
INJECTION WELL PERMIT

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Thank You,

From: heeronymos
To: Nancy Rumrill/R9/USEPA/US|||EPA
Date: 06/23/2009 12:50 AM
Subject: REQUEST for PUBLIC HEARING ON LAHAINA WASTEWATER
INJECTION WELL PERMIT

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Thank You,

Susan Denning

From: 808 Surf N Skate

To: Nancy Rumrill/R9/USEPA/US|||EPA

Date: 06/22/2009 06:01 PM

Subject: REQUEST for PUBLIC HEARING ON LAHAINA WASTEWATER
INJECTION WELL PERMIT

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Thank You,

From: scoleman34
To: Nancy Rumrill/R9/USEPA/US|||EPA
Date: 06/22/2009 08:46 PM
Subject: REQUEST for PUBLIC HEARING ON LAHAINA WASTEWATER
INJECTION WELL PERMIT

Dear Nancy,

I oppose the granting of the permit unless additional conditions are placed on the permit as set forth in the letter of the DIRE Coalition to EPA. While they have identified a range of issues and concerns to which EPA has not spoken previously or which they have newly identified, they have not provided you with anywhere near all the supporting data in their letter. They are in the process of gathering these data (and preparing their presentation) and will provide them to you at the public hearing we are requesting. Thanks for your time and attention to this matter.

Aloha, Stuart Coleman
Save energy, paper and money -- get the Green Toolbar.

From: Steven Josefseberg
To: Nancy Rumrill/R9/USEPA/US|||EPA
Date: 06/23/2009 06:23 AM
Subject: Title: REQUEST for PUBLIC HEARING ON LAHAINA
WASTEWATER INJECTION WELL PERMIT

Dear Ms. Rumrill,

I oppose the granting of the permit unless additional conditions are placed on the permit as set forth in the letter of the DIRE Coalition to EPA. While they have identified a range of issues and concerns to which EPA has not spoken previously or which they have newly identified, they have not provided you with anywhere near all the supporting data in their letter. They are in the process of gathering these data (and preparing their presentation) and will provide them to you at the public hearing we are requesting.

Thank You,

Steven Josefsberg
skj

From: srossier42

To: Nancy Rumrill/R9/USEPA/US|||EPA

Date: 06/22/2009 07:53 PM

Subject: REQUEST for PUBLIC HEARING ON LAHAINA WASTEWATER
INJECTION WELL PERMIT

I oppose the granting of the permit unless additional conditions are placed on the permit as set forth in the letter of the DIRE Coalition to EPA. While they have identified a range of issues and concerns to which EPA has not spoken previously or which they have newly identified, they have not provided you with anywhere near all the supporting data in their letter. They are in the process of gathering these data (and preparing their presentation) and will provide them to you at the public hearing we are requesting.

Thank You,

Steve Rossier

From: Steve Phillips
To: Nancy Rumrill/R9/USEPA/US|||EPA
Date: 06/16/2009 05:56 PM
Subject: Wastewater Public Hearing

To: Nancy Rumrill (rumrill.nancy@epa.gov).

From: Upcountry Sustainability (Maui)

Re: Request for Public Hearing and Opportunity to Testify on Lahaina Wastewater Injection Wells Permit

Date: [before June 23, 2009]

Dear Ms. Rumrill,

On behalf of Upcountry Sustainability, a group of Maui residents, committed to building a sustainable community, I would like to respectfully request that EPA conduct a public hearing on the Lahaina wastewater injection well 10-year permit that EPA has proposed approving. I would further like to request the opportunity for a representative of Upcountry Sustainability to testify at that hearing.

We believe that EPA's decision on the Lahaina permit is likely to have implications for the permit applications to follow for Kihei and Kahului's wastewater injection wells. Moreover, we believe that each of these decisions could have significant implications for the water supply that is (or is not) available for various important uses in the upcountry area and for ensuring a sustainable future. Some 1,900 communities around the country have found alternative, productive uses for the effluent other than disposal, and Maui County itself is successfully reclaiming and reusing some of its wastewater rather than disposing of it in these injection wells.

Accordingly, we want to ensure that the public, including our members, and others interested in a wise, appropriate, and sustainable use of resources have the opportunity to better understand the implications of the Lahaina permit, set forth our concerns about the adequacy of Maui's water supply, and discuss how creative solutions can be developed to provide more safe and beneficial re-use of the wastewater and ensure a more sustainable Maui and upcountry community.

We appreciate EPA's consideration of these requests.

Sincerely,

Steve Phillips

for Upcountry Sustainability

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From: Steve Barca
To: Nancy Rumrill/R9/USEPA/US|||EPA
Date: 06/22/2009 05:48 PM
Subject: REQUEST for PUBLIC HEARING ON LAHAINA WASTEWATER
INJECTION WELL PERMIT

Title: REQUEST for PUBLIC HEARING ON LAHAINA WASTEWATER
INJECTION WELL PERMIT

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Thank You,

Steven Barca

From: franco franco
To: Nancy Rumrill/R9/USEPA/US|||EPA
Date: 06/23/2009 09:30 AM
Subject: Lahaina Wastewater Injection Well Permit

Please hold a hearing on this very important matter. Our reefs are so important to what is Maui and Hawaii. Report after report are telling us that our reefs are dying and one of the causes is wastewater from injection wells. The people of Maui need to be heard on this important matter.

Thanks,

Deacon Stan Franco, MSW
214-3575

From: Soren Pearson
To: Nancy Rumrill/R9/USEPA/US|||EPA
Date: 06/22/2009 07:24 PM
Subject: Request for Public Hearing on Lahaina Wastewater Injection Well Permit

Dear Nancy,

I oppose the granting of the permit unless additional conditions are placed on the permit as set forth in the letter of the DIRE Coalition to EPA. While they have identified a range of issues and concerns to which EPA has not spoken previously or which they have newly identified, they have not provided you with anywhere near all the supporting data in their letter. They are in the process of gathering these data (and preparing their presentation) and will provide them to you at the public hearing we are requesting.

Thank You,

Sincerely,

Soren

Soren Pearson
Fairfield, IA 52556

- email: spearson
- homepage / blog:

<http://soren0.blogspot.com/>

P Only print this email if you absolutely have to.

From: shira smith
To: Nancy Rumrill/R9/USEPA/US|||EPA
Date: 06/22/2009 06:02 PM
Subject: Title: REQUEST for PUBLIC HEARING ON LAHAINA
WASTEWATER INJECTION WELL PERMIT

I oppose the granting of the permit unless additional conditions are placed on the permit as set forth in the letter of the DIRE Coalition to EPA. While they have identified a range of issues and concerns to which EPA has not spoken previously or which they have newly identified, they have not provided you with anywhere near all the supporting data in their letter. They are in the process of gathering these data (and preparing their presentation) and will provide them to you at the public hearing we are requesting.

Thank You,

From: Shelly Engster
To: Nancy Rumrill/R9/USEPA/US|||EPA
Date: 06/23/2009 07:33 AM
Subject: Request for public hearing on Lahaina wastewater injection well permit

I oppose the granting of the permit unless additional conditions are placed on the permit as set forth in the letter of the DIRE coalition to the EPA. While they have identified a range of issues and concerns of which the EPA has not spoken previously or which they have newly identified, they have not provided you with anywhere near all the supporting data in their letters. They are in the process of gathering this data (and preparing their presentation) and will provide them to you at the public hearing we are requesting.

Thank you,

Shelly Engster

From: "Shawn Reid"
To: Nancy Rumrill/R9/USEPA/US|||EPA
Date: 06/23/2009 10:00 AM
Subject: REQUEST for PUBLIC HEARING ON LAHAINA WASTEWATER
INJECTION WELL PERMIT

Dear Nancy Rumrill.

My name is Shawn Reid, a long time Hawaii resident, homeowner , fisherman and ocean conservationist. I was the founder of the Hawaii State Chapter of The Surfrider Foundation and Co-Founder of the Save Honolua Coalition.

I have worked on many projects on the North Shore of Oahu and around the island of Oahu regarding the archaic and out dated use of injection well sewage treatment plants around Oahu and on the island of Maui.

I have recently been made aware of that another public meeting on the Lahaina injection well permit will not be allowed by you or your department because of the supposed lack of requests for such another meeting.

I am writing this in urgency to OPPOSE the granting of the proposed underground injection permit renewal for the Lahaina Wastewater Reclamation Facility unless additional conditions are placed on the permit as set forth in the letter of the DIRE Coalition to EPA.

It is my belief that this treatment plant should not be granted any new permits until it is brought up to current standards an regulations as well as upgraded to more efficient and environmentally sound system.

I am further more submitting this request for another, most needed public hearing on our Lahaina injection well permit.

I believe that more public meetings are crucial to allow not only the public (concerned RESIDENTS) conservation groups, experts and others to be allowed to bring data and other gathered information since the last meeting to the EPA, but also to show how outdated this type of treatment plant is and how it IS and HAS affected our EPA protected waters and reef ecosystems.

I myself was unable to attend the last meeting and I am aware of at least 50 other opponents that have data to support their opposition as well that were unable to attend that would like a chance to speak.

While the group DIRE has currently identified a wide range of issues and concerns to which EPA has not spoken previously or which they have newly identified, they have not been able to provide you with anywhere near all the supporting data in their letter. They are in the process of gathering these data (and preparing their presentation) and will provide them to you at the public hearing I am requesting.

Please grant this much needed meeting to allow more data and information to be delivered.

Mahalo nui loa, Malama E Ke Kai,
Shawn Reid

From: Delilah Hepburn
To: Nancy Rumrill/R9/USEPA/US||EPA
Date: 06/16/2009 01:00 PM
Subject: Lahaina Waste Treatment

Dear Nanacy Rumrill,

I have lived in Kaanapali for 23 years. I have seen the growth explode over the last five years. Our waste treatment is getting smelly from the road, just driving by the pump stations in Wiaokuli and the entrance of the Kaanapali Resort is enough to make you gasp and eyes tier. There has been problems with this in years past. But it is really the worst I have encountered right now. This is with tourism down about 40%. What would happen if all the rooms were full! In the past it has been shortly admitted that maintenance because of lack of funds to pay employees was the culprit. With a new approach to water treatment, this could be a very good quick fix to the problem. There seems to be more funds available for new projects as opposed to daily chores. I have for years walked along the beach between Puukolii Road and The Embassy Suites, and during the winter time you can smell a slight sewage kind of smell coming from the sand along the waterline. This area is directly downhill from the sewage plant. There is a new Resort built on the land between the sewage plant and the beach that has a slight sewage smell in the wet sand. This is where they expect their guests to go swimming. Something I would never do! When the guests at this Resort experience what I have during the winter rains, the Resort will get complaints, then the Resort will have a reputation of being in the wrong spot for beach fun. Then the owners will sell or go after the government to fix it. So as far as I can see, the problem can be addressed now or through some lawsuit down the road. And you will have been forewarned. Not good. Let's do the right thing. Is that so hard? Thank you for your efforts, Sharon Benoit

From: Shannon Wianecki
To: Nancy Rumrill/R9/USEPA/US|||EPA
Date: 06/22/2009 05:04 PM
Subject: REQUEST for PUBLIC HEARING ON LAHAINA WASTEWATER
INJECTION WELL PERMIT

Aloha,

I am a Maui resident requesting further public hearings for the Lahaina Wastewater Injection Well Permit. I oppose the granting of the ten-year permit unless additional conditions are placed it, as set forth in the letter of the DIRE Coalition to EPA. (View the letter here: http://dontinject.org/?page_id=155)

DIRE has identified a range of newly identified issues and concerns related to the well. They will present these at the aforementioned public hearing.

Mahalo,
Shannon Wianecki
553 Pahi Ka
Paia HI 96779

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From: Shannon Paul
To: Nancy Rumrill/R9/USEPA/US|||EPA
Date: 06/23/2009 07:47 AM
Subject: REQUEST for PUBLIC HEARING ON LAHAINA WASTEWATER
INJECTION WELL PERMIT

REQUEST for PUBLIC HEARING ON LAHAINA WASTEWATER INJECTION
WELL PERMIT

I oppose the granting of the permit unless additional conditions are placed on the permit as set forth in the letter of the DIRE Coalition to EPA. While they have identified a range of issues and concerns to which EPA has not spoken previously or which they have newly identified, they have not provided you with anywhere near all the supporting data in their letter. They are in the process of gathering these data (and preparing their presentation) and will provide them to you at the public hearing we are requesting.

Shannon Paul

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From: "Scott Rollins"
To: Nancy Rumrill/R9/USEPA/US|||EPA
Cc: "Cheryl Okuma" , "Dave Taylor" , "Gregg Kresge"
Date: 06/23/2009 02:06 PM
Subject: Lahaina UIC Permit Renewal - County of Maui comments

Aloha Ms. Rumrill,

Attached for your review and consideration is a comment letter with attachments regarding the revised permit for the Lahaina WWRF. If you need full copies of any attachments please contact me. A hard copy of this transmission is following in the mail.

Cheryl Okuma, our Director of Environmental Management or Dave Taylor, Wastewater reclamation division chief are available should you have any questions or wish to discuss any issues in further detail.

Thank you

Scott

Scott R. Rollins, CE-VI
Department of Environmental Management
Wastewater Reclamation Division
2200 Main Street, Suite 610
Wailuku, HI 96793

Phone: (808) 270-7427
Fax: (808) 270-7425
E-mail: scott.rollins

From: scott baquie
To: Nancy Rumrill/R9/USEPA/US|||EPA
Date: 06/24/2009 01:33 AM
Subject: Public Hearing Request for Lahaina, HI Injection Wells

Title: REQUEST for PUBLIC HEARING ON LAHAINA WASTEWATER
INJECTION WELL PERMIT

I oppose the granting of the permit unless additional conditions are placed on the permit as set forth in the letter of the DIRE Coalition to EPA. While they have identified a range of issues and concerns to which EPA has not spoken previously or which they have newly identified, they have not provided you with anywhere near all the supporting data in their letter. They are in the process of gathering these data (and preparing their presentation) and will provide them to you at the public hearing we are requesting.

Thank You,
Scott Baquie
Alfa Manzano Baquie

From: Sasha Ratcliffe
To: Nancy Rumrill/R9/USEPA/US|||EPA
Date: 06/23/2009 03:11 PM
Subject: Request Public Hearing for Lahaina Wastewater Injection Well Permit

Title:
REQUEST for PUBLIC HEARING ON LAHAINA WASTEWATER INJECTION
WELL PERMIT

I oppose the granting of the permit unless additional conditions are placed on the permit as set forth in the letter of the DIRE Coalition to EPA. While they have identified a range of issues and concerns to which EPA has not spoken previously or which they have newly identified, they have not provided you with anywhere near all the supporting data in their letter. They are in the process of gathering these data (and preparing their presentation) and will provide them to you at the public hearing we are requesting. (This is the link for the letter DIRE sent to EPA http://dontinject.org/?page_id=155)

Send YOUR email asap to:
<Rumrill.Nancy@epamail.epa.gov>
U.S. Environmental Protection Agency, Region 9
Ground Water Office, WTR-9
75 Hawthorne Street
San Francisco, CA 94105
415-972-3293
415-947-3545 (FAX)

><<;>

REFER to DIRE FAQ page if you'd like more information:

http://dontinject.org/?page_id=15

Q3. How do you know that the Lahaina injection well wastewaters are flowing into the ocean?

A3. We know this for several reasons. First, Dave Taylor, Division Chief, Wastewater Reclamation Division, Maui County said so in his Nov. 2008 testimony at the EPA hearing: "The other water, about four million gallons, maybe a little less, goes down the injection wells. The injection well water is — does not go through the ultraviolet treatment. It goes down these deep pipes into the ground, they go down a couple hundred feet. And that water moves outward through the ground, eventually it comes out into the ocean." – Testimony of November 6, 2008, "EPA Public Hearing on Lahaina Waste Water Injection Permit," p. 8, lines 15-21. See also Mr. Taylor's exchange with Mr. Seebart at p. 13, lines 10-25.

Second, Maui County's web site (answer to Q. 10) says that "independent studies detected injection well discharge in some areas of algae blooms . . ." Third, former Mayor Arakawa, who also previously was responsible for running the Lahaina wastewater treatment plant testified at the same hearing that the wastewaters go into the ocean: "in Kahului, the water goes into the injection well, it comes out almost immediately at the ocean side. We can even see traces of it bubbling up almost as a stream. In Lahaina, we're not much further. I believe the effects of the water getting into the ocean is a lot sooner than what we think." See p. 81, lines 15-21.

Finally, Hawaii Department of Lands and Natural Resources (DNLR) concurs and cites University of Hawaii data to support this concern: ". . . recent scientific studies have provided evidence that the injection well plumes are percolating up into the near shore waters where the reef degradation is occurring."

--

Sasha Ratcliffe
808/280-7320

From: Sarah Peterson
To: Nancy Rumrill/R9/USEPA/US|||EPA
Date: 06/22/2009 05:54 PM
Subject: REQUEST for PUBLIC HEARING ON LAHAINA WASTEWATER
INJECTION WELL PERMIT

I oppose the granting of the permit unless additional conditions are placed on the permit as set forth in the letter of the DIRE Coalition to EPA. While they have identified a range of issues and concerns to which EPA has not spoken previously or which they have newly identified, they have not provided you with anywhere near all the supporting data in their letter. They are in the process of gathering these data (and preparing their presentation) and will provide them to you at the public hearing we are requesting.

Thank You!

Sarah Peterson

3500 Lwr Honoapiilani Rd
Lahaina HI 96761

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From: Sarah Egan
To: Nancy Rumrill/R9/USEPA/US|||EPA
Date: 06/23/2009 01:38 PM
Subject: aloha, here's a request for public hearing on Lahaina wastewater injection well permit

Title: REQUEST for PUBLIC HEARING ON LAHAINA WASTEWATER INJECTION WELL PERMIT

I oppose the granting of the permit unless additional conditions are placed on the permit as set forth in the letter of the DIRE Coalition to EPA. While they have identified a range of issues and concerns to which EPA has not spoken previously or which they have newly identified, they have not provided you with anywhere near all the supporting data in their letter. They are in the process of gathering these data (and preparing their presentation) and will provide them to you at the public hearing we are requesting.

Thank You,
Sarah Egan

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From: Ross Cromwell
To: Nancy Rumrill/R9/USEPA/US|||EPA
Date: 06/24/2009 01:52 PM
Subject:

Regarding THE PUBLIC HEARING ON LAHAINA WASTEWATER INJECTION
WELL PERMIT

I am opposed to granting the permit until the information gathered and being gathered has been checked and presented to a public hearing.

Thank you
Ross Cromwell

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From: Roseline Frye
To: Nancy Rumrill/R9/USEPA/US|||EPA
Date: 06/22/2009 08:12 PM
Subject: REQUEST for PUBLIC HEARING ON LAHAINA WASTEWATER
INJECTION WELL PERMIT

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Aloha,

My name is Roseline Frye & I live in the Kahului District. I used to live in Lahaina, the place where I grew up. I was born in Honoheana, Napili. There were so many changes that happened on Maui. I just want to know what is this thing about "Lahaina Waste Water Injection" about? Why do we need such a thing about Injecting Waste Water? What is the Purpose for this? If you think that by Injecting this Waste Water to make it drinkable....I so much opposed to this type of method. We used to have lots of water. The only problem every one was GREEDY for the Water & started to build more Hotels & Golf Course's, that no one really was concerned about where the water would come from. Then the Trees played an important role in how we got the water. The Trees made the rain.....which was normal. Now when you cut the Trees even those close to the mountains, you end up with hardly any rain. Then they divert the water to go other places, which makes it hard for certain communities to have water. Which ends up in a Drought in some areas of the island. When I grew up we had plenty of Water & no one had to use this injection of Waste Water.

I STRONGLY OPPOSE TO THIS INJECTION OF WASTE WATER.
AND YES I AM WITH THE "SAVE HONOLUA" COALITION.

REQUEST for PUBLIC HEARING ON LAHAINA WASTEWATER INJECTION
WELL PERMIT

I oppose the granting of the permit unless additional conditions are placed on the permit as set forth in the letter of the DIRE Coalition to EPA. While they have identified a range of issues and concerns to which EPA has not spoken previously or which they have newly identified, they have not provided you with anywhere near all the supporting data in their letter. They are in the process of gathering these data (and preparing their presentation) and will provide them to you at the public hearing we are requesting.

Mahalo, Save Honolua

Compose Email:
Rumrill.Nancy@epamai...

Add to Contacts

From: "Ravi Dass"

To: Nancy Rumrill/R9/USEPA/US|||EPA

Date: 06/23/2009 09:30 AM

Subject: REQUEST for PUBLIC HEARING ON LAHAINA WASTEWATER
INJECTION WELL PERMIT

I oppose the granting of the permit unless additional conditions are placed on the permit as set forth in the letter of the DIRE Coalition to EPA. While they have identified a range of issues and concerns to which EPA has not spoken previously or which they have newly identified, they have not provided you with anywhere near all the supporting data in their letter. They are in the process of gathering these data (and preparing their presentation) and will provide them to you at the public hearing we are requesting.

Regards,

Ron 'Ravi Dass' Zimardi

'Tara Mangala'

29 Nalu Place

PO Box 790503

Paia, HI 96779

808 269 8506 new

From: Ron Montgomery
To: Nancy Rumrill/R9/USEPA/US|||EPA
Cc: Gina Flammer
Date: 06/22/2009 04:06 PM
Subject: Request for Public Hearing: Lahaina Injection Well Permit

Dear Ms. Rumrill,

I write today as a resident of Maui to request EPA to hold a new public hearing on the Lahaina Wastewater Injection Well permit, and also request the opportunity to testify in that hearing.

I am the Vice President of the Kula Community Association and the Chair of the Water and Sustainability Committee. I support the request for a public hearing submitted by Hannah Bernard, Irene Bowie, and Wayne Cochran on behalf of the residents of Kula and the Upcountry Maui areas.

If given the opportunity to testify I will provide additional information pertinent to the Maui General Planning Advisory Committee (GPAC)'s recommendations related to Maui's Marine Resource Special Management Zones.

In addition to my position as the above noted Chair I also hold a B.A. degree in zoology from U.C.L.A and a Masters of Science in Forestry (wildlife management) from Stephen F. Austin State University in Nacogdoches Texas.

I appreciate your consideration regarding holding a new public hearing and for the request to testify.

Regards

Ron Montgomery
68 Ka Drive
Kula, HI 96790

cell: 808 283-9079

cc: Gina Flammer, President, Kula Community Association

From: Ron Finer
To: Nancy Rumrill/R9/USEPA/US|||EPA
Date: 06/23/2009 01:48 PM
Subject: Aloha

This e mail is in regards to a permit for an injection well in Lahaina, Maui. First, I am from Sonoma county, west county, in Northern Ca, and the wastewater plant in Santa Rosa does not inject their wastewater, they use it for irrigation. I have seen it. I am shocked you would give Lahaina a permit to do this because in Sonoma county you have to go through a ton of red tape to just install a septic system, and those systems do not inject wastewater into the ground. We need that wastewater for irrigation here on Maui as we do not have the supply of water you do in Ca. We are an ISLAND, not the mainland, and our environment is a very delicate one which is already too overdeveloped with the infrastructure we have which is years behind anyone else. Next to the wastewater plant is a very dry old cane field which could be turned green and save on future fires from all that dead brush and grass. We could irrigate the golf course and save all the good water for

home use. I live on a 40 acre property in Kaanapalli and we could use that wastewater for irrigation instead of you just throwing it down a hole which does end up in our ocean. In Honokowai we have serious algae bloom growing on the reef from your wastewater injection method. I have seen over the years how you let the Russian River become polluted by dumping wastewater down it but now they got smart and use a lot of that water for irrigation. How can anyone that works for the environmental Protection agency let this injection process happen without a huge review of our area and the effect on our ocean from this. Now you have the new Westin time share hotel in Kaanapalli which is close to Airport beach, one of the best beaches on the west side and Honua Kai, build an injection well close to the ocean. Who exactly are you protecting, the developer or the people that live here full time. I begin to wonder as you are so strict in Sonoma county Ca. but let

them do whatever here on Maui? Please, review this plan and come up with an alternative plan that does not inject wastewater into the ground. That's absolutely ludicrous. Thank you for your time, Aloha, Ron Finer. naokomaui

June 23, 2009

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

ATTN: Nancy Rumrill

RE: Comments on Revised Draft Lahaina, HI WWRF UIC Permit Number HI50710003

Dear Ms Rumrill:

I am providing comments herein regarding the referenced Underground Injection Control (UIC) Permit that U.S. Environmental Protection Agency (EPA) has proposed issuing to the applicant, County of Maui for the Lahaina Wastewater Reclamation Facility (WWRF).

Comment No. 1 – Request for Additional Public Hearing

I want to thank the EPA for having a public hearing on the draft permit and for making changes in the proposed revised draft permit to reflect the concerns expressed by our community at the public hearing. I support in concept the injection volume/rate limitation, injection fluid limitations, the limitation of total nitrogen mass loading, the interim injection fluid limitations on fecal indicator bacteria, and the wastewater treatment requirement for attaining R-1 standards by non-chlorine disinfection. However, specific comments are submitted herein in regards to further development of these permit conditions.

I am requesting a public hearing in order that additional time is allowed to develop these comments and provide public input to EPA on the revised draft permit conditions.

Comment No. 2 - Classify facility as a major permit and provide a full Fact Sheet

In the Statement of Basis, EPA proposes mass nitrogen limitations to minimize the potential for impacts to down gradient sources of drinking water and the environment. Given the real and potential adverse impacts to public health and the environment, a greater level of detail should be provided to the public including an explanation of why the discharges are not being regulated under the Clean Water Act NPDES permits, and the technical and regulatory basis for the proposed limitations. For example, describe how the proposed injection rate limits were derived from the County injectate data or provide the technical basis for the Total Nitrogen action level of 10 mg/L.

Comment No. 3 - Part II.C. 3. Injection Volume Rate Limitation

The draft permit proposes 7.0 MGD as the average weekly injection rate and 10.0 MGD as the maximum for any one day. The Statement of Basis says the County can meet these limits based on review of last 4.5 years of flow data. It also says that the average design treatment capacity is 9 MGD if both the 1975 and 1985 sides of the plant are used and that the facility currently treats 4-6 MGD using the 1985 side only. I request that the permit limit total effluent (combined injectate and reuse flows) to the reliable plant capacity to treat to required

standards. I request that the Statement of Basis or Fact Sheet describe the current plant treatment capacity and how the limits were derived, including any consideration of current plant performance data. If allowances are included for future growth or restoration of capacity from the 1975 plant, these allocations should be explicitly identified.

According to information available on the County of Maui website, “the reliable plant capacity for liquids treatment is currently approximately 4.5 mgd on an ADW basis. The estimated ADW capacity is below the average observed flow to the plant. It is probable that the plant has not had any problems meeting permit requirements because the third clarifier has been available during peak months. If it is assumed that all secondary clarifiers are in service, the maximum month capacity is 6.6 mgd, which translates to an ADW capacity of 5.5 mgd.” (Schematic **Design Report Lahaina Wastewater Reclamation Facility; CH2M HILL, September 20, 2006 Project Number: 176853.PS.02** available on the web at <http://www.co.maui.hi.us/documents/Environmental%20Management/Wastewater%20Division/wwrfreport.PDF>)

Comment No. 4 - Part II.C.d Injection Fluid Limitations for BOD₅ and TSS

I request that the permit limitations reflect the minimum secondary treatment standards as defined by EPA at Code of Federal Regulations (CFR) Title 40 Part 133 (40 CFR Part 133). Specifically, for composite samples, in addition to a 30-day average concentration of 30 mg/L for BOD₅ and TSS, I request a 7-day average concentration limit of 45 mg/L for BOD₅ and TSS. I request mass limitations in addition to concentration limits for BOD₅ and TSS. I request that the proposed grab sample concentration limit of 60 mg/L limit for BOD₅ and TSS be maintained. If EPA does not honor these requests, I request an explanation of why these minimum treatment standards would not apply.

According to [U.S. EPA NPDES Permit Writer's Manual](#) [PDF Format] - Chapter 5, Section 5.2, the 1972 CWA required POTWs to meet performance-based requirements based on available wastewater treatment technology that all Publicly Owned Treatment Works were required to meet by July 1, 1977. More specifically, Section 301(b) (1) (B) of the CWA requires that EPA develop secondary treatment standards for POTWs as defined in Section 304(d) (1) of the Act. Based on this statutory requirement, EPA developed secondary treatment regulations which are specified in 40 CFR Part 133. These technology-based regulations apply to all municipal wastewater treatment plants and identify the minimum level of effluent quality attainable by secondary treatment in terms of BOD₅, TSS, and pH. Secondary treatment standards, therefore, are defined by the limitations provided in Exhibit 1

EXHIBIT 1

Secondary Treatment Standards

Parameter 30-Day /Average 7-Day Average

5-Day BOD 30 mg/l 45 mg/l

TSS 30 mg/l 45 mg/l

pH 6 - 9 s.u. (instantaneous) –

Removal 85% BOD5 and TSS –

According to 40 CFR §122.45(f), permit writers must apply these secondary treatment standards as mass-based limits using the design flow of the plant. Permit writers may also apply concentration-based effluent limitations for both 30-day and 7-day average limitations.

Comment No. 5- Part II.C. 4.e Total Nitrogen Action Levels

I previously requested that the action level be lowered to 7 mg/L total nitrogen with a daily maximum effluent limitation of 10 mg/L. Please provide the basis for the proposed action level of 10 mg/L total nitrogen. I request that the permit conditions include increased monitoring frequency to daily monitoring if the action level is exceeded in order that the required reporting and corrective actions take place in a shorter time frame than currently proposed.

Comment No. 6 - Part II.C. 5 Total Nitrogen Mass Limits

I support having total nitrogen mass limitations. However, I request an expedited schedule for nitrogen reductions (ie. greater reduction of nitrogen in a shorter time frame). Exhibit 2 is a table of estimated current nitrogen mass loading to the injection wells derived from monthly average effluent total nitrogen concentration, effluent flow, and injection rates provided by County of Maui Wastewater Reclamation Department.

Exhibit 2 – Estimated Current Lahaina Treatment Plant Total Nitrogen Loads

Year	Avg Effluent /Injectate Total Nitrogen (mg/L)	Injection Well Volumetric Flow Rate (MGD)	Injectate Total Daily Nitrogen Load (lbs/day)	Injectate Nitrogen Mass (lbs/30-day month)
2006	7.38	3.49	216	6,469
2007	6.63	3.15	174	5,228
2008	6.60	3.40	187	5,607
mean	6.87	3.34	192	5,768

The proposed permit has phased reduction in total nitrogen limits with the final effluent limits of 6000 lbs/ calendar month, and 15,000 per calendar quarter by December 31, 2015. The proposed permit requirements, while representing significant reductions from previously permitted loads, do not seem to propose a significant reduction in actual monthly nitrogen loads being released to the environment from the treatment plant. I request that the Statement of Basis of Fact Sheet include comparison of proposed limits to current pollutant loads, and percent reduction over current discharges.

I request that mass limits be expressed as pounds per day, in keeping with pending Total Maximum Daily Load (TMDL) requirements. I request that reporting of Total Nitrogen mass be monthly rather than quarterly. I request that the permit contain a reopener clause to allow limits to be changed in the future based on a TMDL. I request EPA set a high

priority on completion of TMDL studies in areas where waters may be impaired due to the injection of the Lahaina WWRF effluent.

Comment 7 PART II C.6. Interim Injection Fluid Limitations

I support the interim requirement to monitor the effluent for fecal indicator bacteria. I request that EPA require the permittee to conduct a microbial characterization of effluent to include identification of pathogens, indicator organisms, and antibiotic resistant organisms. Study should include a demonstration that effluent does not contain levels of microorganisms that are harmful to human health. This characterization should be done for effluents for any method of disposal considered (injection or reuse). This characterization is necessary to determine if greater levels of disinfection or different indicators are needed in order to protect public health and the environment. Emerging issues include that existing disinfection technology and fecal indicators do not adequately protect against viruses, and emerging antibiotic resistant bacteria.

According to the *Report of the Experts Scientific Workshop On Critical Research Needs for the Development of New or Revised*

Recreational Water Quality Criteria (EPA 823-R-07-006), wastewater treatment/disinfection may be effective in reducing the number of these traditional fecal indicators but ineffective in reducing/inactivating some pathogens of concern (Blatchley et al., 2007). Whether the criteria are protective would depend on the effectiveness of treatment in reducing the levels of pathogens and the relative reduction in indicator organisms. According to the findings of the experts' workgroup, "Secondary wastewater treatment with chlorination could provide a false sense of security for protozoa and viruses. This reflects the higher degree of effectiveness of chlorine in killing/deactivating bacteria relative to viruses and protozoa. Given that current indicators are bacteria and would be reduced to a greater extent than viruses and protozoa, low indicator levels might suggest that waters impacted by POTWs were relatively pathogen-free when they still contained a significant virus and protozoan load"

Blatchley, ER, III; Gong, WL; Alleman, JE; Rose, JB; Huffman, DE; Otaki, M; Lisle, JT. 2007. Effects of wastewater disinfection on waterborne bacteria and viruses. *Water Environment Research* 79(1): 81-92

In addition I request that a maximum chlorine residual limit be set rather than the vague "lowest possible residual chlorine". I request that the permit require injectate monitoring and reporting for total residual chlorine concentration.

Comment 8 - PART II C.7. Wastewater Treatment Requirements

I support the requirement for R-1 treatment standards. I repeat previous requests that EPA require the permittee to conduct a microbial characterization of effluent to include identification of pathogens, indicator organisms, and antibiotic resistant organisms. The study should include a demonstration that effluent does not contain levels of microorganisms that

are harmful to human health. This characterization should be done for effluents for any method of disposal considered (injection or reuse). This characterization is necessary to determine if greater levels of disinfection or different indicators are needed in order to protect public health and the environment. Emerging issues include that existing disinfection technology and fecal indicators do not adequately protect against viruses, and emerging antibiotic resistant bacteria.

Comment 9 – Part II. D.3 Monitoring Frequency

BOD₅ and TSS are not included in the table of monitoring frequencies. Please clarify the proposed monitoring frequency. I request that the monitoring frequency for BOD₅, TSS, Nitrate-Nitrogen and Total Nitrogen to be three times per week. I request that monitoring frequency be once per day for fecal coliform, total residual chlorine or other indicators of disinfection process performance.

Comment 10 – Part II. D.9 Reporting Frequency

I request that all monthly data be reported monthly. I request that data reported under UIC permits be made available to the public online.

Comment 11 – Request Additional Monitoring

I request that the EPA require monitoring of groundwater and ocean waters to determine the fate and transport of pollutants released by the injection wells, and the impact of injectate on groundwater and ocean water quality. The monitoring wells should be adequate to delineate the effluent plume. This is necessary to demonstrate protection of the Underground Source of Drinking Water (USDW) under the Lahaina Treatment Plant (per the Statement of Basis and 1994 initial permit application), as well as shallow brackish water that may in the future be used as a source of drinking water with reverse osmosis treatment. In addition the monitoring wells will provide information needed to determine the level of treatment needed to protect uses (aquatic life, recreation) in nearshore waters.

Comment 12 – Compliance with State Water Quality Standards

EPA did not provide response to a number of requests and issues raised by my comments on the original permit including requests for an NPDES permit, aquatic toxicity testing, and compliance with coastal zone management policy. I request that EPA demonstrate in the record of decision how the permit limits and conditions ensure that the injectate does not cause or contribute to exceedances of state water quality standards. There are documented water quality impairments in which the injection well effluents are implicated as a cause. It is the duty of EPA and the permittee to demonstrate that this permit is not in violation of state water quality standards.

Closing

Thank you for your time and attention to these matters. Please notify me of your decision by email at wqcinc@hawaii.rr.com.

Best regards,
Robin S. Knox
728A Kupulau Dr.
Kihei, HI 96753

From: Robin Newbold
To: Nancy Rumrill/R9/USEPA/US|||EPA
Cc: Jeff Schwartz
Date: 06/22/2009 06:47 PM
Subject: Re: Request for Public Hearing: Lahaina Injection Well Permit

Dear Ms. Rumrill:

I serve on the DIRE committee and am vice-chair of the Maui Nui Marine Resource Council (MNMRC). Members of both groups voted unanimously to request a new public hearing to present additional information as outlined by Jeff Schwartz below. Both DIRE and MNMRC represent a broad cross-section of Maui County, with each member answering directly to their constituency; thus I am very sure there is broad support in Maui County for this request.

Thank you in advance for your kind consideration and for providing the residents of Maui to present new information which we feel will make a big difference.

Sincerely,

Robin Newbold
808-875-7661

On Jun 22, 2009, at 12:27 PM, Jeffrey H. Schwartz wrote:

Dear Ms. Rumrill,

I write today as a resident of Maui to request EPA to hold a new public hearing on the Lahaina Wastewater Injection Well permit, and also request the opportunity to testify in that hearing. I am a member of the DIRE Coalition and support the request for a public hearing submitted by Hannah Bernard, Irene Bowie, and Wayne Cochran on behalf of the individuals and organizations comprising that Coalition.

If given the opportunity to testify I will provide additional information pertinent to several of the issues identified in that letter. Among other points, I will submit a documented presentation on the Agency's authority to under the Safe Drinking Water Act, the Clean Water Act, and the Pollution Prevention Act to limit the length of the permit and to condition its granting on the conduct of certain studies and the phasing out of the wells as soon as practical.

I am perhaps in a unique position to testify on these points as I was formerly Environmental Counsel to the House Energy and Commerce Committee in 1974 when the original Safe Drinking Water Act was passed containing the Agency's first authority to regulate underground injection wells. I therefore have a unique understanding of the concerns and intention of Congress when it enacted this legislation. (In addition, I formerly served as a member of the Office of General Counsel in Headquarters at EPA.)

While time since the notice has not permitted me to do a complete review of the Agency's broad authority when issuing permits under all pertinent statutes, I believe the Agency would be mistaken to say that it lacks authority to limit the time frame for the permit to the time necessary to find alternative and safe and practical means of reusing the water in keeping with the policy of the Pollution Prevention Act. I would like the opportunity to further explain and support that position in a public hearing. Likewise, I think that under the factual circumstances revealed at the earlier hearing about the injected wastewaters entering the ocean, the Agency has the authority to require the County to obtain an NPDES permit for the injection wells and, as part

of that
permit, to require that the injectate not harm or endanger the ocean,
fish,
reefs, and beneficial uses of the ocean. Again, this is something on
which I
would like to testify and supply supporting citations.

Please count me as one requesting a public hearing on the EPA's
proposed permit
to allow 10 more years of injection of wastewaters from the Lahaina
POTW.

Sincerely,
Jeff Schwartz
310 Piliwale Rd.
Kula, HI 96790
808-878-1314 (office)
1240-505-2120 (cell)
jeff

From: "Robin Knox"
To: Nancy Rumrill/R9/USEPA/US|||EPA
Date: 06/23/2009 04:06 PM
Subject: Lahaina UIC Permit Comments

Aloha Nancy –
Please find my comments on the referenced permit attached. Please note that my email address has changed. Please update your contacts list.

Best regards,
Robin S. Knox
(808)281-6416
wqcinc
728A Kupulau Dr.
Kihei, HI 96753

From: Robert Knourek
To: Nancy Rumrill/R9/USEPA/US|||EPA
Date: 06/22/2009 06:11 PM
Subject: Title: REQUEST for PUBLIC HEARING ON LAHAINA
WASTEWATER INJECTION WELL PERMIT

I oppose the granting of the permit unless additional conditions are placed on the permit as set forth in the letter of the DIRE Coalition to EPA. While they have identified a range of issues and concerns to which EPA has not spoken previously or which they have newly identified, they have not provided you with anywhere near all the supporting data in their letter. They are in the process of gathering these data (and preparing their presentation) and will provide them to you at the public hearing we are requesting.

Thank You,

From: Robert Knourek
To: Nancy Rumrill/R9/USEPA/US|||EPA
Date: 05/22/2009 10:07 PM
Subject: Re: Public Notice of a Revised Draft Underground Injection Control (UIC) Permit for the Lahaina Wastewater Reclamation Facility

thank you very much.

my principal concern is regarding potential damage to coral reefs.

i would like to see more due diligence regarding this possibility.

thanks,

robert knourek

On Fri, May 22, 2009 at 12:11 PM, <Rumrill.Nancy@epamail.epa.gov> wrote:

Please see the attached Public Notice of a new public comment period for a revised Draft UIC Permit for the Lahaina Wastewater Reclamation Facility. The public notice will be published in the Maui News legal classifieds on Sunday, May 24, 2009, and the documents listed in the notice will be posted to the EPA website at <http://www.epa.gov/region09/water/groundwater/uic-permits.html> on May 24, 2009 for public review and comment through June 23, 2009.

This message is being sent to all persons who commented on the prior draft permit by e-mail. Thank you for all your comments.

Sincerely, Nancy Rumrill

Nancy Rumrill
U.S. Environmental Protection Agency, Region 9
Ground Water Office, WTR-9
75 Hawthorne Street
San Francisco, CA 94105
415-972-3293
415-947-3545 (FAX)

From: Richard Bennett
To: Nancy Rumrill/R9/USEPA/US|||EPA
Cc: "Reiner, Jeff"
Date: 06/25/2009 12:42 PM
Subject: EPA role in UIC permitting in Hawaii

Dear Nancy.

I write you to seek some clarification. I see the EPA is taking the lead in the UIC permit process for the Lahina WWTP. Yet, I am under the impression that the state DOH UIC program is the permitting authority. Please clarify.

There is to be a workshop on injection wells on the Big Island sponsorec by the county water agency on July 22 in Kailua Kona. I hope you can be there as the speakers seem to be lined up to advocate for the ongoing use of injection wells for waste waters.

We at surfrider have expertise in hydrology and have the data the shows that most if not all ground water moves into the sea via a network of fissures and lava tubes. In our view this creates a "hydrologic connection" per the CWA. What is EPA's position in this regard. The USGS data from Kihei is very very clear. Waste water and its pollutant constituents move into the sea.

As you may know hawaiian waters are very nutrient limited and anthropogenic waste nutrient alter the ecosystem detrimentally. The list of 303 D impaired waters on the Kona coast grows with each cycle and are nearby to many injection wells. According to the CWA, adding more nutrients and pollutants in the watershed, even if it is underground yet hydrologically connected is prohibited. However the state and county seem to selectively ignore this provision of the CWA.

We await you responses.

Rick Bennett PhD, Chairman
Surfrider Foundation, Kona Kai Ea

From: "Rick Long"

To: Nancy Rumrill/R9/USEPA/US|||EPA

Date: 06/22/2009 08:54 PM

Subject: Request for Public Hearing on Lahaina Wastewater Injection Well Permit

Dear Nancy Rumrill,

I attended the past EPA public hearing on the Lahaina, Maui, Hawaii injection well permit.

I am not a member of any coalitions or political groups or state of Hawaii agencies. I am clinical social worker, retired from Illinois state government and returning to work for the state of Hawaii. I speak only for myself.

The state of Hawaii and Maui County have fallen asleep at the wheel when it comes to protecting the public and living up the Clean Water Act. Look what just happened in Crestwood, Illinois, when the elected leaders also "fell asleep at the wheel". Poisoned water.

The public injection at Lahaina needs to redirect as much reclaimed water as is possible rather than injecting into the ground.

My scientist friends have additional data they would like to introduce at a public hearing in order to educate our policy makers at the County and State level, and to give support to the federal EPA.

Can we have another hearing on the Lahaina injection well permit?

Thank you.

Rick Long
Kihei, Hawaii

From: "Rick Long"
To: Nancy Rumrill/R9/USEPA/US||EPA
Date: 06/09/2009 09:05 PM
Subject: Comments: Lahaina Injection Well

Nancy Rumrill
Environmental Protection Agency
Ground Water Office
San Francisco, CA 94105

RE: Injection Well Permit for Lahaina, Maui, Hawaii
HIWWRFUICPermit NumberHI50710003

Dear Ms. Rumrill,

I am a resident of the island of Maui where I work as a clinical social worker in healthcare for a State of Hawaii agency.
I speak only for myself, and I do not speak for any organization or governmental agency.

I ask the Environmental Protection Agency to hold the State of Hawaii and the County of Maui accountable to the Clean Water Act.
Human populations have grown too fast for our drinking water systems, and waste treatment systems to keep up.
State and county government have been negligent in being informed of the problem, and negligent in studying solutions to the problem.

The injection well system being used by the County of Maui is contributing to pollution in our near shore (coastal) waters.
These waters are protected by the Clean Water Act with the requirement to be "fishable and swimmable".
I find I am risking my health by swimming in the near shore waters of South and West Maui.
I am getting sick on an increasingly frequent basis, probably as a result of spending time on reef surveys in proximity to the Lahaina injection well.

My friends volunteer as "citizen scientists" and go out daily to sample water quality and hold our local government accountable.
The more data we collect, the more the quality of our data improves, and it seems to point back to the injection wells.

As a healthcare worker, I prided myself on frequent hand washing, and I practice universal precautions at the appropriate times.
Yet, I experience frequent illness that results in time lost from work and social relationships.

Please do not give a “rubber stamp” of approval to the Lahaina Injection Well permit.
Require the County of Maui to look at the independent data being collected by University researchers, and by “citizen scientists”,
And to develop a plan to fix the problem with the injection wells.

Clean water is our right as citizens, and is the infrastructure for a health and prosperous country.

Thank you.

Rick J. Long, L.C.S.W.
2191 S. Kihei Road, #1307
Kihei, HI 96753
Email: dhsc6411

From: Rich Owen
To: Nancy Rumrill/R9/USEPA/US|||EPA
Date: 06/22/2009 04:56 PM
Subject: REQUEST for PUBLIC HEARING ON LAHAINA WASTEWATER
INJECTION WELL PERMIT

REQUEST for PUBLIC HEARING ON LAHAINA WASTEWATER INJECTION
WELL PERMIT

I oppose the granting of the permit unless additional conditions are placed on the permit as set forth in the letter of the DIRE Coalition to EPA. While they have identified a range of issues and concerns to which EPA has not spoken previously or which they have newly identified, they have not provided you with anywhere near all the supporting data in their letter. They are in the process of gathering these data (and preparing their presentation) and will provide them to you at the public hearing we are requesting.

--

Aloha
Rich Sundance Owen, Executive Director
Environmental Cleanup Coalition
808-563-9963
www.gyrecleanup.org

From: "Richard Houghton"

To: Nancy Rumrill/R9/USEPA/US|||EPA

Date: 06/22/2009 09:58 PM

Subject: REQUEST for PUBLIC HEARING ON LAHAINA WASTEWATER
INJECTION WELL PERMIT

REQUEST for PUBLIC HEARING ON LAHAINA WASTEWATER INJECTION
WELL PERMIT

I oppose the granting of the permit unless additional conditions are placed on the permit as set forth in the letter of the DIRE Coalition to EPA. While they have identified a range of issues and concerns to which EPA has not spoken previously or which they have newly identified, they have not provided you with anywhere near all the supporting data in their letter. They are in the process of gathering these data (and preparing their presentation) and will provide them to you at the public hearing we are requesting.

Rich Houghton
107 Hakui Loop
Lahaina, HI 96761
808-280-1712

From: "Rene Umberger"

To: Nancy Rumrill/R9/USEPA/US|||EPA

Date: 06/22/2009 06:22 PM

Subject: Public Hearing Request for Lahaina Injection Well Permit

Dear Ms. Rumrill,

I am writing as a Maui resident to request EPA to hold a new public hearing on the Lahaina Injection Well permit and also request the opportunity to testify at that hearing. I am the administrator of the Maui Nui Marine Resource Council, but don't get to vote, so I'm submitting it separately. I am also a member of the DIRE coalition, which submitted lengthy comments to you, and with which I agree.

Mahalo,
Rene Umberger

From: "Rene Umberger"

To: Nancy Rumrill/R9/USEPA/US||EPA

Date: 06/22/2009 05:42 PM

Subject: Comments & Public Hearing Request on Lahaina Injection Well Permit

Dear Ms. Rumrill,

Attached are the comments and request for public hearing from the Maui Nui Marine Resource Council. Our council consists of 35 members, 25 of whom are voting members representing a large constituency of Maui residents, and 10 of whom are affiliated with various government agencies and are members in an advisory capacity.

On June 11, our Council voted unanimously in favor of the comments and request for public hearing, per the attached letter. We sincerely hope that a way can be found to have more discussion on this important issue.

Mahalo!

Rene Umberger

Administrator

From: Rachel Keenan
To: Nancy Rumrill/R9/USEPA/US|||EPA
Date: 06/22/2009 06:21 PM
Subject: REQUEST for PUBLIC HEARING ON LAHAINA WASTEWATER
INJECTION WELL PERMIT

I oppose the granting of the permit unless additional conditions are placed on the permit as set forth in the letter of the DIRE Coalition to EPA. While they have identified a range of issues and concerns to which EPA has not spoken previously or which they have newly identified, they have not provided you with anywhere near all the supporting data in their letter. They are in the process of gathering these data (and preparing their presentation) and will provide them to you at the public hearing we are requesting.

Thank You,

From: PFierroRob
To: Nancy Rumrill/R9/USEPA/US|||EPA
Date: 06/22/2009 07:22 PM
Subject: Public Hearing Request

Title: REQUEST for PUBLIC HEARING ON LAHAINA WASTEWATER
INJECTION WELL PERMIT

I oppose the granting of the permit unless additional conditions are placed on the permit as set forth in the letter of the DIRE Coalition to EPA. While they have identified a range of issues and concerns to which EPA has not spoken previously or which they have newly identified, they have not provided you with anywhere near all the supporting data in their letter. They are in the process of gathering these data (and preparing their presentation) and will provide them to you at the public hearing we are requesting.

Thank You,

Phyllis Robinson

Phyllis Robinson, Ed.D.
Creative Conflict Solutions (CCS)
3505A Malina Place
Kihei, HI 96753
(808) 874-1239
cell: (808) 647-4066
www.creativeconflictsolutions.com
pfierroRob or phyllis

From: "Philip Thomas (www.philipt.com)"
To: Nancy Rumrill/R9/USEPA/US|||EPA
Date: 06/22/2009 06:01 PM
Subject: REQUEST for PUBLIC HEARING ON LAHAINA WASTEWATER
INJECTION WELL PERMIT

Ms. Rumrill,

I oppose the granting of the permit unless additional conditions are placed on the permit as set forth in the letter of the DIRE Coalition to EPA, or at the very least, unless a public hearing is granted to hear additional arguments.

The DIRE Coalition letter reportedly does not contain all relevant evidence, and the DIRE Coalition is reportedly in the process of gathering additional data (and preparing their presentation) and will provide them to you at the public hearing that is being requested. Therefore, unless a public hearing is granted, IMPORTANT EVIDENCE that is directly related to the EPA activity will omitted from the decision-making process.

Thank you,
Philip Thomas

--

Philip A. Thomas - -
P.O. Box 1272, Puunene (Maui), Hawaii 96784 USA

...trying to make the web a better place, one URL at a time... and
...trying to make the WORLD a better place, one action at a time...

From: Paulo
To: Nancy Rumrill/R9/USEPA/US|||EPA
Date: 06/22/2009 05:00 PM
Subject: REQUEST for PUBLIC HEARING ON LAHAINA WASTEWATER
INJECTION WELL PERMIT

I oppose the granting of the permit unless additional conditions are placed on the permit as set forth in the letter of the DIRE Coalition to EPA. While they have identified a range of issues and concerns to which EPA has not spoken previously or which they have newly identified, they have not provided you with anywhere near all the supporting data in their letter. They are in the process of gathering these data (and preparing their presentation) and will provide them to you at the public hearing we are requesting. (This is the link for the letter DIRE sent to EPA http://dontinject.org/?page_id=155)

Aloha,

Paulo Mendes

Photographer/Creative Director
Web: www.elementstudios.us
Blog: <http://elementstudios.us/blog>
Email: paulo
Phone: 808.298.7045

From: "Paul Dunlap"
To: Nancy Rumrill/R9/USEPA/US|||EPA
Date: 06/22/2009 05:59 PM
Subject: RE: REQUEST for PUBLIC HEARING ON LAHAINA
WASTEWATER INJECTION WELL PERMIT

Dear Madam,

I'm writing to you as I oppose the granting of the permit unless additional conditions are placed on the permit as set forth in the letter of the DIRE Coalition to EPA. While they have identified a range of issues and concerns to which EPA has not spoken previously or which they have newly identified, they have not provided you with anywhere near all the supporting data in their letter. They are in the process of gathering these data (and preparing their presentation) and will provide them to you at the public hearing we are requesting.

Thank you from a concerned citizen,

Paul Dunlap

Paul Dunlap
Office: 760-494-7042
Email: losdunlap

From: "Stillwell"
To: Nancy Rumrill/R9/USEPA/US|||EPA
Date: 06/23/2009 04:47 PM
Subject: US Environmental Protection Agency, Reg. 9

Nancy Rumrill
U.S. Environmental Protection Agency, Region 9
Ground Water Office, WTR-9
75 Hawthorne Street
San Francisco, CA 94105

We oppose the granting of the Lahaina injection well permit unless additional conditions are placed on the permit as set forth in the letter of the DIRE Coalition to EPA. While they have identified a range of issues and concerns to which EPA has not spoken previously or which they have newly identified, all the supporting data was not provided to you in their letter. They are in the process of gathering these data (and preparing their presentation) and will provide them to you at the public hearing we are requesting. There are too many unanswered questions at this point and it's much too important of an issue to judge without all the research and data at your disposal to review. Please conduct this hearing to inform and guide the oversight necessary to ensure environmental protection.

Thank you,
Patricia and Jefferson Stillwell

From: Odette Polintan
To: Nancy Rumrill/R9/USEPA/US|||EPA
Date: 06/22/2009 07:01 PM
Subject: REQUEST for PUBLIC HEARING ON LAHAINA WASTEWATER
INJECTION WELL PERMIT

Dear Ms. Rumrill:

I oppose the granting the renewal of the permit for wastewater injection well, unless additional conditions are placed on the permit as set forth in the letter of the DIRE Coalition to EPA. While the Dire Coalition has identified a range of issues and concerns to which EPA has not spoken previously, this coalition has not yet provided EPA with anywhere near all the supporting data in their letter. They are in the process of gathering these data (and preparing their presentation) and will provide them to you at the public hearing, once such public hearing is scheduled.

It is of utmost importance to get the public's input on this issue. Thank you for your consideration of this request.

Very truly yours,

Odette Polintan

From: "Norm Bezane"
To: Nancy Rumrill/R9/USEPA/US|||EPA
Date: 06/23/2009 06:06 PM
Subject: LAHAINA INJECTION WELLS

It has just come to my attention that an injection well is planned for the Lahaina area.
This issue merits full discussion and disclosure.

Please schedule a public meeting so all can be informed.

norm bezane

From: Nikki Stange
To: Nancy Rumrill/R9/USEPA/US|||EPA
Date: 06/22/2009 06:02 PM
Subject: REQUEST for PUBLIC HEARING ON LAHAINA WASTEWATER
INJECTION WELL PERMIT

Title: REQUEST for PUBLIC HEARING ON LAHAINA WASTEWATER
INJECTION WELL PERMIT

I oppose the granting of the permit unless additional conditions are placed on the permit as set forth in the letter of the DIRE Coalition to EPA. While they have identified a range of issues and concerns to which EPA has not spoken previously or which they have newly identified, they have not provided you with anywhere near all the supporting data in their letter. They are in the process of gathering these data (and preparing their presentation) and will provide them to you at the public hearing we are requesting.

Thank You,
Nikki Stange
Lahaina, HI

From: Nicole Lambertson
To: Nancy Rumrill/R9/USEPA/US|||EPA
Date: 06/23/2009 02:26 PM
Subject: REQUEST for PUBLIC HEARING ON LAHAINA WASTEWATER
INJECTION WELL PERMIT

Title: REQUEST for PUBLIC HEARING ON LAHAINA WASTEWATER
INJECTION WELL PERMIT

I oppose the granting of the permit unless additional conditions are placed on the permit as set forth in the letter of the DIRE Coalition to EPA. While they have identified a range of issues and concerns to which EPA has not spoken previously or which they have newly identified, they have not provided you with anywhere near all the supporting data in their letter. They are in the process of gathering these data (and preparing their presentation) and will provide them to you at the public hearing we are requesting.

Thank You,
Nicole Lambertson
Lahaina

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From: Nestor Ugale
To: Nancy Rumrill/R9/USEPA/US|||EPA
Date: 06/23/2009 03:19 PM
Subject: REQUEST for PUBLIC HEARING ON LAHAINA WASTEWATER
INJECTION WELL PERMIT

I oppose the granting of the permit unless additional conditions are placed on the permit as set forth in the letter of the DIRE Coalition to EPA. While they have identified a range of issues and concerns to which EPA has not spoken previously or which they have newly identified, they have not provided you with anywhere near all the supporting data in their letter. They are in the process of gathering these data (and preparing their presentation) and will provide them to you at the public hearing we are requesting.

From: nancy harter
To: Nancy Rumrill/R9/USEPA/US|||EPA
Date: 06/23/2009 03:36 PM
Subject: REQUEST for PUBLIC HEARING ON LAHAINA WASTEWATER
INJECTION WELL PERMIT!

To:

U.S. Environmental Protection Agency, Region 9
Ground Water Office, WTR-9
75 Hawthorne Street
San Francisco, CA 94105
415-972-3293
415-947-3545 (FAX)

Title: Request for public hearing on lahaina wastewater injection well permit

I oppose the granting of the permit unless additional conditions are placed on the permit as set forth in the letter of the DIRE Coalition to EPA. While they have identified a range of issues and concerns to which EPA has not spoken previously or which they have newly identified, they have not provided you with anywhere near all the supporting data in their letter. They are in the process of gathering these data (and preparing their presentation) and will provide them to you at the public hearing we are requesting. (This is the link for the letter DIRE sent to EPA http://dontinject.org/?page_id=155)

THank you for your time and your attention to this matter!

Sincerely,

Nancy Harter

. How do you know that the Lahaina injection well wastewaters are flowing into the ocean?

A3. We know this for several reasons. First, Dave Taylor, Division Chief, Wastewater Reclamation Division, Maui County said so in his Nov. 2008 testimony at the EPA hearing: "The other water, about four million gallons, maybe a little less, goes down the injection wells. The injection well water is — does not go through the ultraviolet treatment. It goes down these deep pipes into the ground, they go down a couple hundred

feet. And that water moves outward through the ground, eventually it comes out into the ocean.” – Testimony of November 6, 2008, “EPA Public Hearing on Lahaina Waste Water Injection Permit,” p. 8, lines 15-21. See also Mr. Taylor’s exchange with Mr. Seebart at p. 13, lines 10-25.

Second, Maui County’s web site (answer to Q. 10) says that “independent studies detected injection well discharge in some areas of algae blooms . . .” Third, former Mayor Arakawa, who also previously was responsible for running the Lahaina wastewater treatment plant testified at the same hearing that the wastewaters go into the ocean: “in Kahului, the water goes into the injection well, it comes out almost immediately at the ocean side. We can even see traces of it bubbling up almost as a stream. In Lahaina, we’re not much further. I believe the effects of the water getting into the ocean is a lot sooner than what we think.” See p. 81, lines 15-21.

Finally, Hawaii Department of Lands and Natural Resources (DNLR) concurs and cites University of Hawaii data to support this concern: “. . . recent scientific studies have provided evidence that the injection well plumes are percolating up into the near shore waters where the reef degradation is occurring.”

Lauren found her dream laptop. Find the PC that’s right for you.

From: everestn
To: Nancy Rumrill/R9/USEPA/US|||EPA
Date: 06/23/2009 09:08 AM
Subject: REQUEST for PUBLIC HEARING ON LAHAINA WASTEWATER
INJECTION WELL PERMIT

I oppose the granting of the permit unless additional conditions are placed on the permit as set forth in the letter of the DIRE Coalition to EPA. While they have identified a range of issues and concerns to which EPA has not spoken previously or which they have newly identified, they have not provided you with anywhere near all the supporting data in their letter. They are in the process of gathering these data (and preparing their presentation) and will provide them to you at the public hearing we are requesting.

Thank You,

Nancy Glor

A Good Credit Score is 700 or Above. See yours in just 2 easy steps!

From: Nancy Conover
To: Nancy Rumrill/R9/USEPA/US|||EPA
Date: 06/22/2009 10:32 PM
Subject: REQUEST for PUBLIC HEARING ON LAHAINA WASTEWATER
INJECTION WELL

Title: REQUEST for PUBLIC HEARING ON LAHAINA WASTEWATER
INJECTION WELL
PERMIT

I oppose the granting of the permit unless additional conditions are placed on the permit as set forth in the letter of the DIRE Coalition to EPA. While they have identified a range of issues and concerns to which EPA has not spoken previously or which they have newly identified, they have not provided you with anywhere near all the supporting data in their letter. They are in the process of gathering these data (and preparing their presentation) and will provide them to you at the public hearing we are requesting.

Thank You,

Nancy Conover

From: Surf Runner
To: Nancy Rumrill/R9/USEPA/US|||EPA
Date: 06/22/2009 05:49 PM
Subject: REQUEST for PUBLIC HEARING ON LAHAINA WASTEWATER
INJECTION WELL PERMIT

To whom it may concern,

I oppose the granting of the permit unless additional conditions are placed on the permit as set forth in the letter of the DIRE Coalition to EPA. While they have identified a range of issues and concerns to which EPA has not spoken previously or which they have newly identified, they have not provided you with anywhere near all the supporting data in their letter. They are in the process of gathering these data (and preparing their presentation) and will provide them to you at the public hearing we are requesting.

Thank You,
Monika Czerska

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From: MMMMahalo2000
To: Nancy Rumrill/R9/USEPA/US|||EPA
Date: 06/23/2009 01:17 PM
Subject: Testimony on injection wells for public hearing

REQUEST for PUBLIC HEARING ON LAHAINA WASTEWATER INJECTION
WELL PERMIT

Aloha,

As a resident of Kihei, site of one of Maui County's injection well systems, I oppose the granting of the permit unless additional conditions are placed on the permit as set forth in the letter of the DIRE Coalition to EPA. While they have identified a range of issues and concerns to which EPA has not spoken previously or which they have newly identified, they have not provided you with anywhere near all the supporting data in their letter. They are in the process of gathering these data (and preparing their presentation) and will provide them to you at the public hearing we are requesting. Please let us not make yet another error here in a rush to judgement. After years of inaction, a lawsuit has now been filed against the County to halt this practice.

Mahalo,
Mike Moran
Kihei, HI.

From: Pete155
To: Nancy Rumrill/R9/USEPA/US|||EPA
Date: 06/23/2009 11:40 AM
Subject: Maui Injection Wells

Aloha Ms. Rumrill,

This is a request for the EPA to conduct public hearings on the use of injection wells on Maui.

There is ample evidence and testimony that wastewater from County injection wells are damaging Maui reefs and compromising nearshore water quality.

All wastewater should be adequately treated and then used for irrigation in Maui parks and our 14 golf courses.

Mike Foley, former Maui County Planning Director
An Excellent Credit Score is 750. See Yours in Just 2 Easy Steps!

From: Mike Allen
To: Nancy Rumrill/R9/USEPA/US|||EPA
Date: 06/22/2009 07:14 PM
Subject: Lahaina

REQUEST for PUBLIC HEARING ON LAHAINA WASTEWATER INJECTION
WELL PERMIT

I oppose the granting of the permit unless additional conditions are placed on the permit as set forth in the letter of the DIRE Coalition to EPA. While they have identified a range of issues and concerns to which EPA has not spoken previously or which they have newly identified, they have not provided you with anywhere near all the supporting data in their letter. They are in the process of gathering these data (and preparing their presentation) and will provide them to you at the public hearing we are requesting.

From: livingst
To: Nancy Rumrill/R9/USEPA/US|||EPA
Date: 06/23/2009 01:42 PM
Subject: REQUEST for PUBLIC HEARING ON LAHAINA WASTEWATER
INJECTION WELL PERMIT

I oppose the granting of the permit unless additional conditions are placed on the permit as set forth in the letter of the DIRE Coalition to EPA. While they have identified a range of issues and concerns to which EPA has not spoken previously or which they have newly identified, they have not provided you with anywhere near all the supporting data in their letter.

They are in the process of gathering these data (and preparing their presentation) and will provide them to you at the public hearing we are requesting.

Thank you for your time,
Michael and Kamarie Livingston

From: "Dreams Come True"

To: Nancy Rumrill/R9/USEPA/US|||EPA

Date: 06/11/2009 04:02 PM

Subject: Lahaina Maui underground waste water disposal.....

Aloha, My name is Michael Hunter.....telp..... 808 565-6961.

As you are probably aware the Lahaina wastewater facility disposes of treated wastewater through injection wells. These wells have been drilled into porous rock and hence leach out in to the ocean and surrounding areas. The surrounding areas happen to be one of the largest tourist resorts in Mauifurthermore the County of Maui is still approving high density condominiums and homes with little or no regard to where the waste goes.....they have taken an out of sight out of mind approach.....the smell however is prevalent in many areas and I am not kidding!!

More importantly this disposed of waste water makes its way into the ocean and the surrounding beaches.....hence algae blooms(from the high sugar content from Pineapple processing waste water) and MRSA is rampant in these areas.

My son has had first hand experience of this after having been living on a boat at Mala wharf.....he along with many ended up in Maui Memorial after a cut became infected on his finger with in three days of being in the water.....it is a well know fact to many health professionals that Methyl resistant staph aureus is all around Lahaina and Kaanapali.....they believe that the antibiotics taken by the public that end up in the ocean through the injection wells are one of the causes!!

My son who lived on his boat also told me of a broken pipe since Hurricane Iniki.....discharging raw sewerage also toilet paper feces , bubbling to the surface.....this pipe is the one they use when the system gets overloaded.....instead of it going out a mile into the channel it discharges much closer to a few hundred yards..... There seems to be no reporting as to when they discharge raw sewage.....and it goes on a lot more than people are aware. Talk to the boaters at Mala Wharf!!

Still the construction projects are approved.....let me be clear I am not anti development.....but Maui County and the Mayor need to be held accountable for polluting our shorelines. The financial damage that will be done to our Islands and industries as tourists become aware of what they are swimming in will only become more apparent.

Perhaps we need people with billboards on beaches letting people know how many trillions of gallons of treated sewage were dumped in the last year in front of their million dollar homes , Hotels and Condos, before we get action!!

We need the EPA to do their jobMaui County in the past has said that they monitor the situation. They need to be monitored by an independent authority and not be allowed to increase any discharge until they deal with the problems at hand. This is a huge problem that the county has been aware of for along time!! Records need to be made public and need to be kept by an independent organization and need to be readily accessible, and any time raw sewage is discharged the whole coastline should be warned.

In closing let me say Please DO NOT Renew their permit without finding out What is Really going on over here!!! Action needs to be taken before the County is given any go ahead.....The reliability of the County to Police itself had been overrun by financial considerations, and cronyism!!

Thanks for the opportunity to input.....Please EPA enough is enough!!

Sincerely Michael J Hunter

P.O. Box 630525

Lanai city Hi 96763

From: Michael Howden
To: Nancy Rumrill/R9/USEPA/US|||EPA
Date: 06/23/2009 02:18 PM
Subject: Lahaina Wastewater Injection Well Permit

Dear Ms Rumrill: I am against the granting of the permit unless and until additional conditions are placed on the permit as set forth in the letter of the DIRE Coalition to EPA. As Chair of the Maui County Board of Water Supply, I am concerned with what I consider "waste" of otherwise useable (for agriculture)water and the potential pollution of our near shore waters and coral reefs. Please grant us a public hearing before issuing any further permits. Thank you, Michael S. Howden, Kula, Maui

From: Micah Wolf
To: Nancy Rumrill/R9/USEPA/US|||EPA
Date: 06/22/2009 10:30 PM
Subject: REQUEST for PUBLIC HEARING ON LAHAINA WASTEWATER
INJECTION WELL PERMIT

Aloha Nancy,

Please read the following link in Maui news after you read the message below.

<http://www.mauinews.com/page/content.detail/id/511895.html>

My children and family near a beach where nitrogen rich water up wells from an injection well. Please let the people voice be heard. Better safe then sorry. When it comes the oceans we don't get second chances...

I oppose the granting of the permit unless additional conditions are placed on the permit as set forth in the letter of the DIRE Coalition to EPA. While they have identified a range of issues and concerns to which EPA has not spoken previously or which they have newly identified, they have not provided you with anywhere near all the supporting data in their letter. They are in the process of gathering these data (and preparing their presentation) and will provide them to you at the public hearing we are requesting.

Thank You,

Micah Wolf
PO Box 13009
Lahaina, Hawaii.96761
<http://www.micahwolf.com/>
E-mail: micah
808 385-3192

From: Max Fancher

To: Nancy Rumrill/R9/USEPA/US|||EPA

Date: 06/22/2009 05:54 PM

Subject: REQUEST for PUBLIC HEARING ON LAHAINA WASTEWATER
INJECTION WELL PERMIT

To Whom it May Concern,

I oppose the granting of the permit unless additional conditions are placed on the permit as set forth in the letter of the DIRE Coalition to EPA. While they have identified a range of issues and concerns to which EPA has not spoken previously or which they have newly identified, they have not provided you with anywhere near all the supporting data in their letter. They are in the process of gathering these data (and preparing their presentation) and will provide them to you at the public hearing we are requesting.

Thank You,

Max Fancher

June 22, 2009

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

Delivered via email to: rumrill.nancy@epa.gov


Re: Request for Public Hearing on Revised Version of Proposed Permit for
Lahaina (Maui) Wastewater Underground Injection Wells

Dear Ms. Rumrill,

Maui Tomorrow Foundation, Inc. would like to express our appreciation and support for most of the changes that EPA has proposed in the revised permit for the Lahaina wastewater treatment plant's underground injection wells but feel the need to request a public hearing on this proposed revised permit. We hope that, even before a new public hearing, EPA would encourage the county to meet in an informal, inter-active forum with interested parties to discuss key issues and varying perspectives and find a mutually satisfactory path for working together to address all relevant concerns (with EPA's participation). We ask that such a discussion also include Clean Water Act staff, in particular, its safe drinking water/groundwater protection staff.

As part of the DIRE Coalition, Maui Tomorrow Foundation will be submitting a letter further detailing both recognition of improvements in the revised permit for Lahaina Wastewater Treatment Facility and continued areas of concern.

Sincerely,

A handwritten signature in dark ink, appearing to read "Irene Bowie". The signature is written in a cursive, flowing style.

Irene Bowie/Executive Director
Maui Tomorrow Foundation, Inc.



June 20, 2009

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

RE: Request for Public Hearing on Revised Draft UIC Permit for the Lahaina, Maui, HI Wastewater Reclamation Facility

Dear Ms. Rumrill:

Thank you for the opportunity to request a public hearing and to comment on the proposed revisions of the permit to inject wastewater from the Lahaina Wastewater Reclamation facility.

I speak on behalf of The Maui Nui Marine Resource Council (MNMRC), a broad-based community group which includes fishermen, scientists, Hawaiian cultural practitioners, business people and residents dedicated to the restoration of our nearshore waters and marine life.

Members of MNMRC have worked with the DIRE coalition on Maui. DIRE proposals received unanimous support from the Council at our last meeting.

We appreciate that the current permit proposal is an improvement over the original, however many of the concerns expressed at the hearing have not been addressed. In addition, Mayor Tavares has recently expressed her commitment to zero wastewater injection. Thus we hereby request the following:

1. EPA participate in a forum that includes both drinking water and clean water act groups, and hold a public hearing on the permit after the forum has been held.
2. This open, interactive forum would include a representative group of concerned citizens, agency, and subject matter experts to explore how to meet the Mayor's stated goal and to develop a realistic plan and schedule for phasing out Maui County injection wells and transition to land-based reclamation and beneficial re-use of the wastewater.

3. Another EPA public hearing is held to address related marine environment concerns.

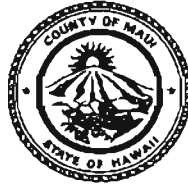
4. A time table is established for the following:

- Maui County meets all EPA clean water act requirements
- Deeper cuts are made to nitrogen loading as soon as possible
- Groundwater, ocean water quality, and marine resource monitoring is implemented with resolution that can detect change over time from the mandated change in management to determine if the mandated changes are sufficient.

We appreciate your consideration of these requests which we believe will fulfill the EPA mandate to protect the waters and reefs of Maui County.

Sincerely,
Robin Newbold
Vice-chair

CHARMAINE TAVARES
Mayor
CHERYL K. OKUMA
Director
GREGGORY R. KRESGE
Deputy Director



DAVID TAYLOR, P.E.
Wastewater Reclamation Division
TRACY TAKAMINE, P.E.
Solid Waste Division

**COUNTY OF MAUI
DEPARTMENT OF
ENVIRONMENTAL MANAGEMENT**
2200 MAIN STREET SUITE 100
WAILUKU, MAUI, HAWAII 96793

June 23, 2009

Mr. David Albright, Manager
Ground Water Office, WTR-9
U.S. Environmental Protection Agency, Region 9
75 Hawthorne Street
San Francisco, CA 94105

**SUBJECT: LAHAINA WASTEWATER RECLAMATION FACILITY (LWRF)
UIC CLASS V PERMIT # HI50710003
COMMENTS ON REVISED DRAFT PERMIT**

Dear Mr. Albright,

We have reviewed the latest draft of the permit and continue to have serious concerns about the basis for this permit issuance and the specific actions that are required of the County of Maui.

We have reviewed the scientific data collected since the permit was originally issued and considered the concerns raised by the public at the November 6, 2008 public hearing. Based on our review of the permit record as well as the scientific data collected since the original permit was issued, it is our position that the requirements imposed on the County of Maui by this draft permit is unwarranted based on published scientific data.

Some of our specific issues are defined as follows:

1. The Statement of Basis states that "since the LWRF was initially constructed as a reclamation facility, using federal grant money, EPA finds it appropriate to place reasonable conditions in the permit that will shift practices at LWRF from injection to higher levels of reuse." This conclusion by EPA is not supported by language in the 1972 Pre-Design Report as well as the 1983 Final Environmental Impact Statement (portions attached). These documents indicate the intent to use these federal monies to construct a wastewater treatment facility to treat sewage. At that time, using effluent for irrigation was an option considered as a resource of beneficial use and was an option that required economic considerations of its cost. Based on what we find in the

records, it is not appropriate for EPA to base its proposed permit requirements on the federal grant program.

2. To date, EPA has not identified any current drinking water sources which might be impacted by these injection wells. The Statement of Basis mentions a proposed well which might be used for cooling and potable purposes. Our understanding is that the developer may use this well for irrigation and that it is not intended for drinking water purposes. It should be noted that such a well would be located ocean-side of the Underground Injection Control limit. As such, it is the developer's responsibility to treat the water appropriately or acquire water from another source. This is another example of a local water resource and development issue that should be resolved at the state and local level, not by a federal discharge permit.
3. All of the concerns raised by the public focus on ocean water quality and resource availability, not drinking water quality. This permit sets requirements that are not based on scientific evidence, and inappropriately directs local resources and development issues.
4. There is no scientific data quantifying the nitrogen loading from the injection wells compared to other sources. No published scientific data has substantiated a relationship between nitrogen loading to the injection wells and any adverse impact on ocean water quality. Furthermore, there is no scientific evidence to support increasing disinfection to R-1 levels of *all* injectate. Discussions with the State Department of Health indicate no known relationships between treated wastewater effluent and any such health issues.
5. As we indicated previously, based on State mandated environmental permitting and statutory procurement procedures, the timelines for the improvements are not achievable. We previously sent you a realistic project timeline.
6. The Statement of Basis indicates that compliance with all requirements can be met by specific actions such as additional reuse or greater nitrogen removal. Such improvements will cost tens of millions of dollars and the potential for reuse water expansion is only an additional 1.3 million gallons. There is no analysis to show that such improvements will have any measurable results to the environment or achieve any cost-benefit ratio goals.

We are aware that individual members of the general public continue to blame wastewater effluent injection wells for algae blooms and other issues. The best scientific evidence indicates this not the case, and that the conditions of this permit are not justified. Efforts aimed at environmental protection should be based on scientific data and methodology; not on fears that cannot be substantiated.

Our priority related to ocean water quality is reduction and elimination of raw sewage spills to the ocean. The County is currently operating under an EPA Consent Decree developed to minimize such occurrences. This effort has resulted in the County committing tens of millions of dollars to replacement and rehabilitation of much of its wastewater transmission and treatment infrastructure. Volume of wastewater spilled has been reduced approximately 95% or 2 million gallons per year due to these actions. These efforts will continue for decades to come. We are concerned that diversion of limited financial resources by the requirements of this draft permit will reduce our ability to focus on our core wastewater system improvements.

Before a nitrogen limit was in place, the County took significant action to reduce nitrogen discharge at our facilities on Maui. The additions of biological nutrient removal processes have reduced nitrogen by approximately 60%. The County has developed these projects and achieved these results without regulatory limits or requirements. Reducing nitrogen levels even further at all of our facilities will take away from our other priorities.

Newly appointed EPA Administrator Lisa Jackson, states that EPA's efforts to address the environmental crises of today are rooted in three fundamental values: science-based policies and programs, adherence to the rule of law, and overwhelming transparency. In this case, there is no science backing the proposed conditions and there is no overwhelming transparency because it is unclear as to *how* these conditions were developed or *why* these conditions are being proposed. Additionally, most of the electrical power on Maui is generated from fossil fuel sources. Implementation of the stated improvements will significantly increase electrical usage and fossil fuel emissions. As greenhouse gas emissions are a top priority for EPA, it seems inconsistent to require *increased* power usage with no scientifically proven water quality benefit.

We therefore request the draft permit conditions be revised as follows:

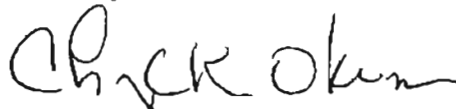
1. Remove Section C.5. Total Nitrogen-Mass Loading Limits
2. Remove Section C.6 Interim Injection Fluid Limitations
3. Remove Section C.7 Wastewater Treatment Requirements

The County of Maui is committed to the protection of the environment. However, these conditions are not supported by scientific baselines, basis or results targeted to justify the costs; and would add an estimated \$18 million dollars in capital improvement costs and approximately \$100,000 dollars per year in ongoing energy and maintenance expenses. This cost would result in a 3-5% increase in monthly sewer billing to all users in Maui County. Implementing these conditions takes away limited financial resources from more serious issues such as minimizing raw sewage spills to the ocean.

Mr. David Albright
Lahaina Wastewater Reclamation Facility
UIC Class V Permit # HI50710003
June 23, 2009 Page 4

We are available to discuss this matter further at your convenience. Please contact myself at (808) 270-8230 or Wastewater Reclamation Division Chief Dave Taylor at (808) 270-7421 if you have any questions or require further information.

Sincerely,

A handwritten signature in black ink, appearing to read "Cheryl K. Okuma". The signature is fluid and cursive, with the first name "Cheryl" being more prominent.

CHERYL K. OKUMA, DIRECTOR
Department of Environmental Management

Cc: Mayor Charmaine Tavares
Dave Taylor

Lahaina Wastewater
Treatment Plant Expansion

**FINAL ENVIRONMENTAL
IMPACT STATEMENT**

COUNTY OF MAUI

March 1983

HANNIBAL TAVARES
Mayor

RALPH HAYASHI, P.E.
Director of Public Works

LESTER NAKASATO, P.E.
Deputy Director of Public Works



DIVISIONS

Engineering

Highway Construction
and Maintenance

Land Use and
Codes Enforcement

Waste Management

COUNTY OF MAUI
DEPARTMENT OF PUBLIC WORKS

200 SOUTH HIGH STREET
WAILUKU, MAUI, HAWAII 96793
March 2, 1983

Included in "Lahaina
Wastewater Treatment Plant
Expansion Final
Environmental Impact
Statement" March 1983

Mr. Doak C. Cox
Director
University of Hawaii at Manoa
Environmental Center
Crawford 317, 2550 Campus Road
Honolulu, Hawaii 96822

Dear Mr. Cox:

Subject: Draft EIS for Lahaina Wastewater
Treatment Plant Expansion

The following information is in response to your February 22, 1983, letter to Mayor Hannibal Tavares regarding your staff's review of the draft EIS. The answers to your questions are in the order they are posed.

Effluent Description and Disposal Methods

Statement: "...a compositional characterization of the present and expected effluent should be included."

Answer: A characterization of the Lahaina influent was done by University of Hawaii staff for the Park Engineering Lahaina WWTP study in August 1971. A copy is attached. In addition, the most recent (November-December 1982) bi-monthly operational report for the treatment plant is also attached. Based on the current operating reports, the strength of influent sewage is somewhat weaker today than that observed in 1971.

As shown in the operating reports, the average monthly effluent BOD₅ values are 12.2 and 7.2 mg/l and effluent total suspended solids values are 2.4 and 2.9 mg/l, respectively. It is important to note that these values were obtained while the plant was operating at the near-design flows of 2.99 and 3.13 mgd, respectively (design flow is 3.20 mgd). Nutrient level information is also listed. A heavy metals analysis of the effluent was not run since the same analysis of the sludge indicated very low heavy metals values (discussed later).

Mr. Doak C. Cox
Page 2
March 2, 1983

Based on the foregoing, we do not expect the effluent quality will change from that already observed, since the additional Kaanapali and Napili-Honokowai connections serve the same residential and commercial cross section that is now connected.

There are no significant industrial connections now, and none are anticipated in the future. The existing sewer ordinance prohibits discharge of potentially harmful or toxic substances to the sewer system.

Statement: "Pumping cost is described as preventing the use of the effluent water for irrigation purposes. A description of the economic analysis leading to this conclusion should be included in the revised EIS."

Answer: When the Lahaina WWTP went into operation in June 1980, all of the effluent was pumped to a reservoir at an elevation of about 700 that fed the Pioneer Mill Company (PMCo) irrigation system. This is in accordance with an agreement developed between the County and PMCo. In November 1981, CH2M HILL completed an energy management study for the County. The annual cost of pumping the effluent to the reservoir was calculated to be \$293,000 (based on 2,900,000 kWh at 9 cents per kWh). Based on the current flows and energy costs, the net cost of pumping to the reservoir is about 34 cents per 1,000 gallons. PMCo currently obtains its irrigation water for approximately 1.4 cents per 1,000 gallons.

To reduce energy costs, the County is discharging a large portion of the flow to two injection wells put into operation in May 1982. The flow (1,000 gallons per minute) from one pump is still pumped to the reservoir. The option of using more (or all) of the effluent for irrigation is still available as the economics become more attractive. There is additional Amfac development planned for areas closer to the plant and at lower elevations. The future use of effluent for golf course irrigation is certainly a viable option.

Question: "Would the savings on fertilizer and the reduction of saltation through the use of effluent water on cane fields have a significant effect on the economics of using the effluent water?"

Answer: The nutrient levels of the effluent were not judged of significant value by PMCo because of the dilution impact of the total irrigational flows used on cane land.

Mr. Doak C. Cox
Page 3
March 2, 1983

There is a concern, however, about the salinity level of the plant effluent and its effect on the cane. Due to the infiltration of brackish water in the Lahaina collection system, the salinity level of the effluent currently exceeds the maximum limit (450 mg/l as NaCl) established in the agreement between the County and PMCo. Connection of the Kaanapali and Napii-Honokowai flows is expected to dilute the current salinity, but the salinity of the combined flow is still projected to exceed 450 mg/l. With the level of salinity in the effluent, PMCo sees no economic value to offset the pumping costs.

Sludge Disposal Methods

Statement: "...an analysis of the present and expected sludge composition should be included..."

Answer: An analysis of the present sludge is attached. There were no significant levels of heavy metals found. The expected future sludge composition should not differ significantly from the present levels for the same reasons cited for the expected effluent characteristics.

Injection Wells

Statement: "A description of the injection wells and a figure illustrating their specific location and dimensions, with a geologic profile would help in evaluating the impacts of the wells."

Answer: The locations of the injection wells are shown on Figure 3 of the draft EIS. A reduced copy of the engineering design sheet for the injection wells is attached. A final report for Park Engineering on the drilling of an exploratory boring and a monitoring well for the Lahaina site is available. This 73-page report was prepared in July 1979 by Geolabs-Hawaii located in Honolulu. Roscoe Moss Company was in charge of the drilling operation. In addition, Roscoe Moss also drilled the two injection wells put into service about May 1982 at the Lahaina site. Copies of this detailed information are available through Maui County or Roscoe Moss if you think it is warranted.

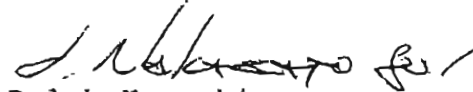
Question: "Is there a projected percolation distance and will the coastal waters be monitored for increased pollutant levels?"

Mr. Doak C. Cox
Page 4
March 2, 1983

Answer: To our knowledge, projected percolation distance was not calculated. There is no plan to monitor the coastal waters since the effects of the demonstrated high quality of effluent discharged to the wells would be undetectable.

I hope this satisfactorily answers your questions regarding the draft EIS. We appreciate your input and concerns. Please contact me if you would like further information.

Very truly yours,

A handwritten signature in dark ink, appearing to read 'R. Hayashi', followed by a large, stylized flourish or checkmark.

Ralph Hayashi
Director of Public Works

Office Copy²¹

COUNTY OF MAUI



DEPARTMENT OF PUBLIC WORKS
WASTE MANAGEMENT DIVISION
200 S. HIGH STREET
WAILUKU, MAUI, HI 96793

**PRE-DESIGN REPORT
ON
LAHAINA SEWER SYSTEM
AND
WASTE WATER RECLAMATION PLANT
MAUI, HAWAII**

APRIL 1972

PARK ENGINEERING, INC.
1149 Bethel Street
Honolulu, Hawaii

HILL, INGMAN, CHASE & CO.
Seattle, Washington
Special Consultant

EFFLUENT DISPOSAL

General

Three disposal methods for the treatment plant effluent are available as follows:

1. Water reclamation for irrigation of sugar cane, golf courses and highways.
2. Subsurface disposal by deep well injection.
3. Ocean outfall.

The deep well injection and water reclamation methods are the most practical at the present time.

Water Reclamation

The largest potential user of the treatment plant effluent is Pioneer Mill Company for irrigation of sugar cane fields. Representatives of Pioneer Mill Company have indicated that the company can use the water but definite commitments cannot be made until the studies currently being conducted on the effect of nutrients on sugar yield are completed. They have also indicated that Pioneer Mill Company may not be able to use the plant effluent all of the time.

Other potential users of the effluent are the Kaanapali Development for golf course irrigation, and the State of Hawaii for highway irrigation. However, the Kaanapali Development may expand the capacity of its existing treatment plant to reclaim sufficient water for irrigating the golf courses.

Deep Well Injection

A test well three (3) inches in diameter will be drilled and the geology of the area studied and injection tests will be conducted. Consultation and coordination with interested Federal, State and County Agencies will be made with the information obtained from the test well. Additional testing and monitoring programs will be recommended, from the results of the above effort.

Ocean Outfall

Disposal of the plant effluent into the ocean is not considered feasible because of high costs and the potential economic value of the effluent for irrigation.

From "Pre-design report on
Lahaina Sewer System and
WWRP" April 1972

From: Matt Lane

To: Nancy Rumrill/R9/USEPA/US|||EPA

Date: 06/24/2009 05:56 PM

Subject: REQUEST for PUBLIC HEARING ON LAHAINA WASTEWATER
INJECTION WELL PERMIT

I oppose the granting of the permit unless additional conditions are placed on the permit as set forth in the letter of the DIRE Coalition to EPA. While they have identified a range of issues and concerns to which EPA has not spoken previously or which they have newly identified, they have not provided you with anywhere near all the supporting data in their letter. They are in the process of gathering these data (and preparing their presentation) and will provide them to you at the public hearing we are requesting.

Matt Lane

From: mary rosemeyer
To: Nancy Rumrill/R9/USEPA/US|||EPA
Date: 06/23/2009 05:56 AM
Subject: REQUEST for PUBLIC HEARING ON LAHAINA WASTEWATER
INJECTION WELL PERMIT

I oppose the granting of the permit unless additional conditions are placed on the permit as set forth in the letter of the DIRE Coalition to EPA. While they have identified a range of issues and concerns to which EPA has not spoken previously or which they have newly identified, they have not provided you with anywhere near all the supporting data in their letter. They are in the process of gathering these data (and preparing their presentation) and will provide them to you at the public hearing we are requesting.

-Let's Motor.

From: "M. Katherine Jordan"
To: Nancy Rumrill/R9/USEPA/US||EPA
Date: 06/23/2009 01:17 PM
Subject: Lahaina injection wells

Dear Nancy Rumrill,

I am writing today at a resident of Maui to urge you to make the requirements even more strict for the injection well in Lahaina. I am not a marine biologist, just a reef hugger. I know that the nutrients released are causing obvious damage to our dying and struggling reefs. It seems the least we can do (if not completely revamp the whole system) is the make the treated water released the least harmful we can.

Mahalo for your time,

Mary Jordan
35 Walaka Street #L209
Kihei, HI 96753

From: Mark Sheehan
To: Nancy Rumrill/R9/USEPA/US|||EPA
Date: 06/22/2009 07:30 PM
Subject: REQUEST for PUBLIC HEARING ON LAHAINA WASTEWATER
INJECTION WELL PERMIT

Dear Ms. Rumrill,

I oppose the granting of the permit unless additional conditions are placed on the permit as set forth in the letter of the DIRE Coalition to EPA. While they have identified a range of issues and concerns to which EPA has not spoken previously or which they have newly identified, they have not provided you with anywhere near all the supporting data in their letter. They are in the process of gathering these data (and preparing their presentation) and will provide them to you at the public hearing we are requesting.

Thank you for your understanding and cooperation.

Sincerely,

Mark Sheehan | REALTOR Broker
Direct:808-283-2158
Home: 808-573-0111
www.MarkSheehan.com

Equity One Real Estate, Inc.

From: Aliihomeinspect
To: Nancy Rumrill/R9/USEPA/US|||EPA
Date: 06/22/2009 11:47 PM
Subject: Lahaina Injection wells

Title: REQUEST for PUBLIC HEARING ON LAHAINA WASTEWATER
INJECTION WELL PERMIT

I oppose the granting of the permit unless additional conditions are placed on the permit as set forth in the letter of the DIRE Coalition to EPA. While they have identified a range of issues and concerns to which EPA has not spoken previously or which they have newly identified, they have not provided you with anywhere near all the supporting data in their letter. They are in the process of gathering these data (and preparing their presentation) and will provide them to you at the public hearing we are requesting.

Thank You,
Mark Damon
36 Miner Place
Makawao, Hi. 96768
808-280-6652
Mark Damon
Alii Home Inspection LLC
P.O. Box 925
Makawao, Hi. 96768
Cell- 808-280-6652
Make your summer sizzle with fast and easy recipes for the grill.

From: Marilyn Stephens
To: Nancy Rumrill/R9/USEPA/US|||EPA
Date: 06/22/2009 07:28 PM
Subject: Lahaina Maui Public Hearing Request

REQUEST for PUBLIC HEARING ON LAHAINA WASTEWATER INJECTION
WELL PERMIT

I oppose the granting of the permit unless additional conditions are placed on the permit as set forth in the letter of the DIRE Coalition to EPA. While they have identified a range of issues and concerns to which EPA has not spoken previously or which they have newly identified, they have not provided you with anywhere near all the supporting data in their letter. They are in the process of gathering these data (and preparing their presentation) and will provide them to you at the public hearing we are requesting.

Sincerely
Marilyn J. Stephens
50 Halili Lane 5 D
Kihei Maui Hawaii 96753
bstephens

From: Marilyn Stephens
To: Nancy Rumrill/R9/USEPA/US|||EPA
Date: 06/22/2009 07:25 PM
Subject: DIRE petition

Dear Nancy. I sent an earlier message asking that my name be added to the petition
bstephens
50 Halili Lane 5D
Kihei, HI 96753

Hopefully this will get sent today as it needs to be in by June 23. I will be off Island at the end of the week for 2 weeks but would like to stay informed about this.

I think people have become sickened by the bacteria in our waters. I personally saw many cases of staph when I worked at Community Clinic of Maui. I also noticed lots of raw sewage while snorkeling on the south shore and the reefs have been terribly compromised in the past 10 yrs. Between this and the air pollution, our community is not considered a healthy destination and I am certain our tourist economy will suffer in addition to the health of our residents.

I would appreciate being notified of the specific areas where the wells are percolating in the ocean as I want to avoid swimming in those areas. Is there any data showing the more contaminated locations?

Mahalo,
Marilyn

From: Malia Brown
To: Nancy Rumrill/R9/USEPA/US|||EPA
Date: 06/24/2009 01:46 PM
Subject: REQUEST for PUBLIC HEARING ON LAHAINA WASTEWATER
INJECTION WELL PERMIT

facebook

Malia Brown
1:46pm Jun 24th
REQUEST for PUBLIC HEARING ON LAHAINA WASTEWATER INJECTION
WELL PERMIT
To rumrill.nancy@epamail.epa.gov

I oppose the granting of the permit unless additional conditions are placed on the permit as set forth in the letter of the DIRE Coalition to EPA. While they have identified a range of issues and concerns to which EPA has not spoken previously or which they have newly identified, they have not provided you with anywhere near all the supporting data in their letter. They are in the process of gathering these data (and preparing their presentation) and will provide them to you at the public hearing we are requesting.

Thank you,
Malia Brown

To reply to this message, follow this link:
<http://www.facebook.com/p.php?i=19508542&k=RXD5YZVSTVWM5JFITCXZVT>

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From: ui powers
To: Nancy Rumrill/R9/USEPA/US|||EPA
Date: 06/24/2009 01:27 AM
Subject: REQUESTING PUBLIC HEARING

REQUESTING A PUBLIC HEARING REGARDING THE WASTEWATER
INJECTION PERMIT FOR LAHAINA.

M. POWERS

Date: Mon, 22 Jun 2009 20:45:42 -0400
From: kokua
To: desertginger
Subject: URGENT: Please send an email Tuesday afternoon!

Having trouble viewing this message? [Click Here](#)

URGENT: Please Send an eMail by Tuesday Afternoon

We have until 2pm HI time Tuesday, June 23 to send in a request for a public hearing on our Lahaina injection well permit. As of now, they do not have enough requests to justify another public hearing on the Lahaina injection well permit. Even though there is not an injection well in Honolulu, this issue effects the ocean on the entire west side of Maui and beyond. PLEASE SEND AN EMAIL WITH THE FOLLOWING TEXT OR SIMILAR
TO: Rumrill.Nancy@epamail.epa.gov

Title: REQUEST for PUBLIC HEARING ON LAHAINA WASTEWATER
INJECTION WELL PERMIT

I oppose the granting of the permit unless additional conditions are placed on the permit as set forth in the letter of the DIRE Coalition to EPA. While they have identified a range of issues and concerns to which EPA has not spoken previously or which they have newly identified, they have not provided you with anywhere near all the supporting data in their letter. They are in the process of gathering these data (and preparing their presentation) and will provide them to you at the public hearing we are requesting.

Thank You,

[Click Here for more information](#)

Mahalo, Save Honolua

Save Honolua Coalition
email: kokua
www.savehonolua.org

Our mission is to maintain open space, public access, and revitalize the ecosystem of Honolua Ahupua'a through community based management utilizing Hawaiian values and practices.

DONATE NOW

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Email Marketing by

Save Honolua Coalition | 2580 Kekaa Dr. | #115-123 | Lahaina | HI | 96761

Hotmail® has ever-growing storage! Don't worry about storage limits. Check it out.

From: Lynn Allen
To: Nancy Rumrill/R9/USEPA/US|||EPA
Date: 06/23/2009 12:51 PM
Subject: LAHANA UIC PERMIT - PUBLIC HEARING REQUEST

ALOHA MS. RUMRILL,

I am writing to request a public hearing for the revised Lahaina Wastewater Facility permit. While some of the new conditions on the permit are an improvement over the previous draft, still other requests made by the Maui community have not been addressed. Since new information was presented at the Nov. hearing that the injectate is, in fact, making it into the ocean, it is now paramount that the Clean Water Act be considered in this permit process.

Thank you.

Lynn Allen, PhD., L.Ac.
Kihei

From: Lucienne DeNaie
To: Nancy Rumrill/R9/USEPA/US|||EPA
Cc: Mark Glick , "Robert D. Harris" , holter
Date: 06/23/2009 12:56 PM
Subject: Request for Pulic hearing: EPA permits for Lahaina WWTF

Aloha Ms. Rumrill

On behalf of Sierra Club Maui we are requesting that EPA hold an additional pubic hearing on the very controversial permits for the Lahaina Wastewater facility. Our Mayor has recently pledged to work towards ending injection wells as the solution for wastewater disposal, we need the EPA to come and hear from even more sectors of the community, including developers and landowners who were not present at the last hearing.

Sierra Club Maui urges your agency to not reissue the Lahaina WWTF ranting of the permit unless additional conditions are placed on the permit as set forth in the letter of the DIRE Coalition to EPA.

While they have identified a range of issues and concerns to which EPA has not spoken previously or which they have newly identified, they have not provided you with anywhere near all the supporting data in their letter. They are in the process of gathering these data (and preparing their presentation) and will provide them to you at the public hearing we are requesting.

Thank You,

Lucienne de Naie
Sierra Club, Hawaii Chapter Vice Chair

From: "Lucas Goettsche"

To: Nancy Rumrill/R9/USEPA/US|||EPA

Date: 06/23/2009 10:40 AM

Subject: REQUEST for PUBLIC HEARING ON LAHAINA WASTEWATER
INJECTION WELL PERMIT

Hello,

I oppose the granting of the permit unless additional conditions are placed on the permit as set forth in the letter of the DIRE Coalition to EPA. While they have identified a range of issues and concerns to which EPA has not spoken previously or which they have newly identified, they have not provided you with anywhere near all the supporting data in their letter. They are in the process of gathering these data (and preparing their presentation) and will provide them to you at the public hearing we are requesting.

Thank You,

LUCAS GOETTSCHE

David Hertz Architects - S.E.A. Inc.

Studio of Environmental Architecture

1920 Olympic Blvd.

Santa Monica, CA. 90404

T: 310.829.9932 x202

F: 310.829.5641

lucas

www.studioea.com

From: louiserockett
To: Nancy Rumrill/R9/USEPA/US|||EPA
Date: 06/23/2009 10:37 AM
Subject: injection well hearing

Hi please have another injection well hearing..... it is imperative. Put the recycled water back to use on the resort golf courses.

recycling is the responsible way to save the ocean...
A Good Credit Score is 700 or Above. See yours in just 2 easy steps!

From: Liz Foote
To: Nancy Rumrill/R9/USEPA/US|||EPA
Date: 06/23/2009 03:37 PM
Subject: Lahaina Revised Draft Permit

Dear Ms. Rumrill,

I would like to provide a brief comment regarding the Revised Draft Permit for the Lahaina Wastewater Reclamation Facility (County of Maui, Hawaii). From what I understand the revised draft permit is an improvement over the previous one, but according to experts there are apparently still issues that need addressing. As this is a complicated matter and there are many factors involved, please consider the need for an additional public hearing, so the community can become better informed about what's going on, what's being proposed, and the various social, economic, and ecological implications.

Thank you,
Liz Foote
Wailuku
(808) 669-9062

From: Lisa Huber
To: Nancy Rumrill/R9/USEPA/US|||EPA
Date: 06/25/2009 02:23 AM
Subject: REQUEST for PUBLIC HEARING ON LAHAINA WASTEWATER
INJECTION WELL PERMIT

I oppose the granting of the permit unless additional conditions are placed on the permit as set forth in the letter of the DIRE Coalition to EPA. While they have identified a range of issues and concerns to which EPA has not spoken previously or which they have newly identified, they have not provided you with anywhere near all the supporting data in their letter. They are in the process of gathering these data (and preparing their presentation) and will provide them to you at the public hearing we are requesting.

Thank You,
Lisa Huber

From: lisa benamati
To: Nancy Rumrill/R9/USEPA/US|||EPA
Date: 06/23/2009 10:11 AM
Subject: REQUEST for PUBLIC HEARING ON LAHAINA WASTEWATER
INJECTION WELL PERMIT

Title: REQUEST for PUBLIC HEARING ON LAHAINA WASTEWATER
INJECTION WELL PERMIT

I oppose the granting of the permit unless additional conditions are placed on the permit as set forth in the letter of the DIRE Coalition to EPA. While they have identified a range of issues and concerns to which EPA has not spoken previously or which they have newly identified, they have not provided you with anywhere near all the supporting data in their letter. They are in the process of gathering these data (and preparing their presentation) and will provide them to you at the public hearing we are requesting.

Thank You,

From: linsay adams
To: Nancy Rumrill/R9/USEPA/US|||EPA
Date: 06/22/2009 08:19 PM
Subject: REQUEST for PUBLIC HEARING ON LAHAINA WASTEWATER
INJECTION WELL PERMIT

I oppose the granting of the permit unless additional conditions are placed on the permit as set forth in the letter of the DIRE Coalition to EPA. While they have identified a range of issues and concerns to which EPA has not spoken previously or which they have newly identified, they have not provided you with anywhere near all the supporting data in their letter. They are in the process of gathering these data (and preparing their presentation) and will provide them to you at the public hearing we are requesting.

Thank You,

From: Theringsinsequim
To: Nancy Rumrill/R9/USEPA/US|||EPA
Date: 06/23/2009 08:50 AM
Subject: (no subject)

Title: REQUEST for PUBLIC HEARING ON LAHAINA WASTEWATER
INJECTION WELL PERMIT

I oppose the granting of the permit unless additional conditions are placed on the permit as set forth in the letter of the DIRE Coalition to EPA. While they have identified a range of issues and concerns to which EPA has not spoken previously or which they have newly identified, they have not provided you with anywhere near all the supporting data in their letter. They are in the process of gathering these data (and preparing their presentation) and will provide them to you at the public hearing we are requesting.

Thank You,
Lili Ring

A Good Credit Score is 700 or Above. See yours in just 2 easy steps!



2465 Olinda Road, Makawao, HI 96768

June 22, 2009

Nancy Rumrill
U.S. Environmental Protection Agency
Ground Water Office (WTR-9)

Submitted via email: rumrill.nancy@epa.gov

**Subject: Revised draft permit for the Lahaina Wastewater Reclamation Facility (LWRF):
REQUEST FOR A PUBLIC HEARING ON INTERIM PERMIT OPTION AND
PHASE OUT OF THE LWRF INJECTION WELL.**

Dear Ms. Rumrill:

In our letter to you of 6 November 2008, we described the threat from waste water injection wells to Maui's coral reef ecosystems. We emphasized the importance of curtailing injection well pollution and abating other threats to coral reefs, given the increased vulnerability of these ecosystems due to global warming. National and international environmental agencies and organizations call for bold efforts to save coral reefs by curtailing land-based stressors.

The revised draft permit for the Lahaina Wastewater Reclamation Facility (LWRF) would require reductions in total nitrogen pollution from injected wastewater of 25% and 50% by the end of 2011 and 2015, respectively. This would still allow injection of up to 15,000 pounds of total nitrogen per calendar quarter more than 6 years from now. A stated goal of these limits is to "[minimize] the environmental impact that the injection plume may have on the coastal water" (p. 5, Statement of Basis).

We support EPA's efforts to reduce pollution from LWRF. However, the Statement of Basis for the revised permit does not assure that the proposed pollution limits will be adequate to protect nearby coral reefs, and that, years from now, our community will not bemoan their destruction, regretting that pollution controls were "too little and too late." This is both an environmental and public safety issue, as corals reefs help ensure both.

Prudence demands that land-based pollution of coral reef ecosystems soon be curtailed. The only sure way to avoid continuing coastal pollution from nearby waste water injection wells is to phase them out.

EPA's job is to safeguard the biological integrity of the Nation's waters, in this case the coastal waters of Maui, Hawaii. Issuing a permit for reduced but continued groundwater pollution is unsatisfactory.

We ask that EPA:

- Set a target date for requiring full replacement of LWRF and other waste water injection wells on Maui (e.g., January 2014) with new waste water treatment systems that do not pollute our environment.
- Begin immediate planning with other federal authorities, state agencies, Maui County, and the private sector for the design, funding, and timely construction and operation of new wastewater treatment infrastructure.
- Provide only an "interim permit" for operation of LWRF (and other injection wells on Maui), with rigorous requirements for yearly reductions in pollution (e.g., 15% per year for nitrogen).
- Become more competitive and creative in helping secure the necessary funding to clean up Maui's waste water system. It is astounding that some \$23 million in federal funds have been spent on design and planning for a new telescope on Maui, with another \$146 million in federal stimulus on the way, while there are no earmarks (that we know of) for helping finance a state-of-the-art wastewater treatment system to end pollution of Maui's coastal waters.

We ask that EPA hold a public hearing on the issues raised in this letter, mainly, on the need, options, and planning for LWRF facility phase out and replacement with a non-polluting wastewater treatment system.

Sincerely,

Tony Povilitis

Tony Povilitis, Ph.D.

Cc:

Mayor Charmaine Tavares
Council Members, Maui County

From: Leo Leite
To: Nancy Rumrill/R9/USEPA/US|||EPA
Date: 06/22/2009 05:59 PM
Subject: REQUEST for PUBLIC HEARING ON LAHAINA WASTEWATER
INJECTION WELL PERMIT

I oppose the granting of the permit unless additional conditions are placed on the permit as set forth in the letter of the DIRE Coalition to EPA. While they have identified a range of issues and concerns to which EPA has not spoken previously or which they have newly identified, they have not provided you with anywhere near all the supporting data in their letter. They are in the process of gathering these data (and preparing their presentation) and will provide them to you at the public hearing we are requesting.

Thank You,

Leonardo Leite

From: Lee Altenberg
To: Nancy Rumrill/R9/USEPA/US|||EPA
Cc: Lee Altenberg
Date: 06/23/2009 08:37 AM
Subject: Request for a public hearing on the LAHAINA WASTEWATER
INJECTION WELL PERMIT

Dear M. Rumrill,

I oppose the granting of the permit for the Lahaina wastewater injection well unless additional conditions are placed on the permit as set forth in the letter of the DIRE Coalition to EPA. While they have identified a range of issues and concerns to which EPA has not spoken previously or which they have newly identified, they have not provided you with anywhere near all the supporting data in their letter. They are in the process of gathering these data (and preparing their presentation) and will provide them to you at the public hearing we are requesting.

Sincerely,

Dr. Lee Altenberg

--

Lee Altenberg, Ph.D.

Phone: (808) 875-0745, Cell: (808) 344-1113 E-mail: altenber

Web: <http://dynamics.org/Altenberg/>

From: Lea Taylor
To: Nancy Rumrill/R9/USEPA/US|||EPA
Date: 06/22/2009 09:26 PM
Subject: EPA Lahaina Injection Well

I oppose the granting of the permit unless additional conditions are placed on the permit as set forth in the letter of the DIRE Coalition to EPA. While they have identified a range of issues and concerns to which EPA has not spoken previously or which they have newly identified, they have not provided you with anywhere near all the supporting data in their letter. They are in the process of gathering these data (and preparing their presentation) and will provide them to you at the public hearing we are requesting.

Thank You

Lea Taylor

Maui County is applying to renew their 10 year permit with the E.P.A. to operate their Lahaina injection well. We are requesting to deny this permit and have another public hearing to present more information. These wells are also used in Kihei and Kahului. What happens in Lahaina will effect what happens later in those other locations.

From: Lea Bouchard

To: Nancy Rumrill/R9/USEPA/US|||EPA

Date: 06/22/2009 07:53 PM

Subject: REQUEST for PUBLIC HEARING ON LAHAINA WASTEWATER
INJECTION WELL PERMIT

I oppose the granting of the permit unless additional conditions are placed on the permit as set forth in the letter of the DIRE Coalition to EPA. While they have identified a range of issues and concerns to which EPA has not spoken previously or which they have newly identified, they have not provided you with anywhere near all the supporting data in their letter. They are in the process of gathering these data (and preparing their presentation) and will provide them to you at the public hearing we are requesting.

Sincerely,

Lea Bouchard

From: Laurie A Gima
To: Nancy Rumrill/R9/USEPA/US|||EPA
Date: 06/22/2009 06:16 PM
Subject: REQUEST for PUBLIC HEARING ON LAHAINA WASTEWATER
INJECTION WELL PERMIT

Dear Ms. Rumrill:

I strongly oppose the granting of the permit *_unless_* additional conditions are placed on it as set forth in the letter of the DIRE Coalition to EPA. While they have identified a range of issues and concerns to which the EPA has not previously addressed nor which they have newly identified, they have not provided you with enough, adequate supporting data in their letter. They are in the process of gathering this data (and preparing their presentation) and will provide them to you at the public hearing we are requesting.

Thank You,
Sincerely,
Laurie Gima

--

Laurie Gima
Paralegal
Law Office of Lance D. Collins
2070 West Vineyard Street, Suite 5
Wailuku, Hawaii 96793

This e-mail is intended for the addressee shown. It contains information that is confidential and protected from disclosure. Any review, dissemination or use of this transmission or its contents by persons or unauthorized employees of the intended organisations is strictly prohibited.

From: "Lance Holter"
To: Nancy Rumrill/R9/USEPA/US|||EPA
Date: 06/23/2009 10:21 AM
Subject: REQUEST for PUBLIC HEARING ON LAHAINA WASTEWATER
INJECTION WELL PERMIT

From Lance Holter, Chairman Hawaii Sierra Club-Maui Group
Our organization represents 6500 members statewide and 700 in Maui County. We
request a hearing on the injection well permit, thank you
Lance Holter, tele 579-9442 and address
PO Box 790656
Paia, HI 96779

Title:
REQUEST for PUBLIC HEARING ON LAHAINA WASTEWATER INJECTION
WELL PERMIT

<Rumrill.Nancy@epamail.epa.gov>
U.S. Environmental Protection Agency, Region 9
Ground Water Office, WTR-9
75 Hawthorne Street
San Francisco, CA 94105
415-972-3293
415-947-3545 (FAX)

I oppose the granting of the permit unless additional conditions are placed on the permit as set forth in the letter of the DIRE Coalition to EPA. While they have identified a range of issues and concerns to which EPA has not spoken previously or which they have newly identified, they have not provided you with anywhere near all the supporting data in their letter. They are in the process of gathering these data (and preparing their presentation) and will provide them to you at the public hearing we are requesting. (This is the link for the letter DIRE sent to EPA http://dontinject.org/?page_id=155)

http://dontinject.org/?page_id=15

Q3. How do you know that the Lahaina injection well wastewaters are flowing into the ocean?

A3. We know this for several reasons. First, Dave Taylor, Division Chief, Wastewater Reclamation Division, Maui County said so in his Nov. 2008 testimony at the EPA hearing: “The other water, about four million gallons, maybe a little less, goes down the injection wells. The injection well water is — does not go through the ultraviolet treatment. It goes down these deep pipes into the ground, they go down a couple hundred feet. And that water moves outward through the ground, eventually it comes out into the ocean.” – Testimony of November 6, 2008, “EPA Public Hearing on Lahaina Waste Water Injection Permit,” p. 8, lines 15-21. See also Mr. Taylor’s exchange with Mr. Seebart at p. 13, lines 10-25.

Second, Maui County’s web site (answer to Q. 10) says that “independent studies detected injection well discharge in some areas of algae blooms . . .” Third, former Mayor Arakawa, who also previously was responsible for running the Lahaina wastewater treatment plant testified at the same hearing that the wastewaters go into the ocean: “in Kahului, the water goes into the injection well, it comes out almost immediately at the ocean side. We can even see traces of it bubbling up almost as a stream. In Lahaina, we’re not much further. I believe the effects of the water getting into the ocean is a lot sooner than what we think.” See p. 81, lines 15-21.

Finally, Hawaii Department of Lands and Natural Resources (DNLR) concurs and cites University of Hawaii data to support this concern: “. . . recent scientific studies have provided evidence that the injection well plumes are percolating up into the near shore waters where the reef degradation is occurring.”

From: Kuulei Kanahele
To: Nancy Rumrill/R9/USEPA/US|||EPA
Date: 06/22/2009 09:13 PM
Subject: lahaina wastewater injection well permit

**REQUEST for PUBLIC HEARING ON LAHAINA WASTEWATER INJECTION
WELL PERMIT**

I oppose the granting of the permit unless additional conditions are placed on the permit as set forth in the letter of the DIRE Coalition to EPA. While they have identified a range of issues and concerns to which EPA has not spoken previously or which they have newly identified, they have not provided you with anywhere near all the supporting data in their letter. They are in the process of gathering these data (and preparing their presentation) and will provide them to you at the public hearing we are requesting.

From: Kregg Strehorn
To: Nancy Rumrill/R9/USEPA/US|||EPA
Date: 06/22/2009 06:48 PM
Subject: REQUEST for PUBLIC HEARING ON LAHAINA WASTEWATER
INJECTION WELL PERMIT

I oppose the granting of the permit unless additional conditions are placed on the permit as set forth in the letter of the DIRE Coalition to EPA. While they have identified a range of issues and concerns to which EPA has not spoken previously or which they have newly identified, they have not provided you with anywhere near all the supporting data in their letter. They are in the process of gathering these data (and preparing their presentation) and will provide them to you at the public hearing we are requesting.

Thank You,

Kregg Strehorn

From: Helen Schonwalter
To: Nancy Rumrill/R9/USEPA/US|||EPA
Date: 06/22/2009 06:51 PM
Subject: Re:

Title: REQUEST for PUBLIC HEARING ON LAHAINA WASTEWATER
INJECTION WELL PERMIT

I oppose the granting of the permit unless additional conditions are placed on the permit as set forth in the letter of the DIRE Coalition to EPA. While they have identified a range of issues and concerns to which EPA has not spoken previously or which they have newly identified, they have not provided you with anywhere near all the supporting data in their letter. They are in the process of gathering these data (and preparing their presentation) and will provide them to you at the public hearing we are requesting.

Thank You,
Kolea Schonwalter
P.O. Box 791082
Paia, HI 96779

From: Sarah Schulz

To: Nancy Rumrill/R9/USEPA/US|||EPA

Date: 06/22/2009 09:53 PM

Subject: REQUEST for PUBLIC HEARING ON LAHAINA WASTEWATER
INJECTION WELL PERMIT

I oppose the granting of the permit unless additional conditions are placed on the permit as set forth in the letter of the DIRE Coalition to EPA. While they have identified a range of issues and concerns to which EPA has not spoken previously or which they have newly identified, they have not provided you with anywhere near all the supporting data in their letter. They are in the process of gathering these data (and preparing their presentation) and will provide them to you at the public hearing we are requesting.

Thank You,

Kimberley Schulz

From: kim welsh
To: Nancy Rumrill/R9/USEPA/US|||EPA
Date: 06/23/2009 01:31 PM
Subject: REQUEST for PUBLIC HEARING ON LAHAINA WASTEWATER
INJECTION WELL PERMIT

I oppose the granting of the permit unless additional conditions are placed on the permit as set forth in the letter of the DIRE Coalition to EPA. While they have identified a range of issues and concerns to which EPA has not spoken previously or which they have newly identified, they have not provided you with anywhere near all the supporting data in their letter. They are in the process of gathering these data (and preparing their presentation) and will provide them to you at the public hearing we are requesting.

Mahalo, Save Honolua

From: Kevin Lepic
To: Nancy Rumrill/R9/USEPA/US|||EPA
Date: 06/22/2009 06:45 PM
Subject: REQUEST for PUBLIC HEARING ON LAHAINA WASTEWATER
INJECTION WELL PERMIT

I oppose the granting of the permit unless additional conditions are placed on the permit as set forth in the letter of the DIRE Coalition to EPA. While they have identified a range of issues and concerns to which EPA has not spoken previously or which they have newly identified, they have not provided you with anywhere near all the supporting data in their letter. They are in the process of gathering these data (and preparing their presentation) and will provide them to you at the public hearing we are requesting.

Thank You,
Kevin S Lepic

From: JAZZONTV
To: Nancy Rumrill/R9/USEPA/US|||EPA
Date: 06/22/2009 07:40 PM
Subject: Immediate Request for Lahaina Hearing!!

REQUEST for PUBLIC HEARING ON LAHAINA WASTEWATER INJECTION
WELL PERMIT

I oppose the granting of the permit unless additional conditions are placed on the permit as set forth in the letter of the DIRE Coalition to EPA. While they have identified a range of issues and concerns to which EPA has not spoken previously or which they have newly identified, they have not provided the supporting data in their letter. They are in the process of gathering these data (and preparing their presentation) and will provide them to you at the public hearing we are requesting.

PLEASE STOP THIS PERMIT

Kenneth K. Martinez Burgmaier
PO Box 336
Makawao, Maui, HI 96768
808-573-5530

An Excellent Credit Score is 750. See Yours in Just 2 Easy Steps!

From: "Ken Hill"

To: Nancy Rumrill/R9/USEPA/US|||EPA

Date: 06/23/2009 12:23 AM

Subject: REQUEST for PUBLIC HEARING ON LAHAINA WASTEWATER
INJECTION WELL PERMIT

Mrs. Rumrill:

I oppose the granting of the permit unless additional conditions are placed on the permit as set forth in the letter of the DIRE Coalition to EPA. While they have identified a range of issues and concerns to which EPA has not spoken previously or which they have newly identified, they have not provided you with anywhere near all the supporting data in their letter. They are in the process of gathering these data (and preparing their presentation) and will provide them to you at the public hearing we are requesting.

The west side of the island of Maui is a fragile, and isolated area, and we cannot afford to have our groundwater, and subsequently, our drinking water as well as our offshore reef ecosystems, contaminated.

Thank You,

Ken Hill

West Maui resident

From: Kelly Klein
To: Nancy Rumrill/R9/USEPA/US|||EPA
Date: 06/22/2009 06:22 PM
Subject: REQUEST for PUBLIC HEARING ON LAHAINA WASTEWATER
INJECTION WELL PERMIT

I oppose the granting of the permit unless additional conditions are placed on the permit as set forth in the letter of the DIRE Coalition to EPA. While they have identified a range of issues and concerns to which EPA has not spoken previously or which they have newly identified, they have not provided you with anywhere near all the supporting data in their letter. They are in the process of gathering these data (and preparing their presentation) and will provide them to you at the public hearing we are requesting.

From: Kaulani Canto Pereira
To: Nancy Rumrill/R9/USEPA/US|||EPA
Date: 06/22/2009 11:43 PM
Subject: REQUEST for PUBLIC HEARING ON LAHAINA WASTEWATER
INJECTION WELL PERMIT

Aloha Nancy Rumrill,
Maui County is applying to renew their 10 year permit with the E.P.A. to operate their Lahaina injection well. I am requesting to deny this permit and have another public hearing to present more information.
I oppose the granting of the permit unless additional conditions are placed on the permit as set forth in the letter of the DIRE Coalition to EPA. While they have identified a range of issues and concerns to which EPA has not spoken previously or which they have newly identified, they have not provided you with anywhere near all the supporting data in their letter. They are in the process of gathering these data (and preparing their presentation) and will provide them to you at the public hearing we are requesting.

Mahalo Nui Loa

Kaulani Pereira
PO Box 1007
Puunene HI 96784

--

The soul grows by its constant participation in that which transcends it- Gregory of Nyssa

From: Kathy Becklin
To: Nancy Rumrill/R9/USEPA/US|||EPA
Date: 06/23/2009 01:39 PM
Subject: Request for Public Hearing on Revised Version of Proposed Permit for
Lahaina (Maui) Wastewater Underground Injection Wells

Aloha Nancy,

I am a concerned citizen of Maui. I participate as volunteer doing water quality testing at the Hawaiian Humpback National Marine Sanctuary as well as being a core member of South Maui Sustainability. The issues around our underground injection wells in Maui are complex. I believe that it is important that the decision makers and the public are aware of and understand decisions that are being made by the EPA. I am also concerned that we may be taking steps back in water quality.

Please accept my support of request for public hearings on the Lahaina Proposed Permit.

Mahalo, Kathy

-- Kathy Becklin
R(S) Real Estate Professional
Cell: 808-344-0469
Email: kathy
BuyHomeInMaui.com

From: Kathleen Souki
To: Nancy Rumrill/R9/USEPA/US|||EPA
Date: 06/23/2009 09:36 AM
Subject: Lahaina injection well

**REQUEST for PUBLIC HEARING ON LAHAINA WASTEWATER INJECTION
WELL PERMIT**

I oppose the granting of the permit unless additional conditions are placed on the permit as set forth in the letter of the DIRE Coalition to EPA. While they have identified a range of issues and concerns to which EPA has not spoken previously or which they have newly identified, they have not provided you with anywhere near all the supporting data in their letter. They are in the process of gathering these data (and preparing their presentation) and will provide them to you at the public hearing we are requesting.

From: Karly Burch
To: Nancy Rumrill/R9/USEPA/US|||EPA
Date: 06/22/2009 05:53 PM
Subject: REQUEST for PUBLIC HEARING ON LAHAINA WASTEWATER
INJECTION WELL PERMIT

Greetings,

I oppose the granting of the permit unless additional conditions are placed on the permit as set forth in the letter of the DIRE Coalition to EPA. While they have identified a range of issues and concerns to which EPA has not spoken previously or which they have newly identified, they have not provided you with anywhere near all the supporting data in their letter. They are in the process of gathering these data (and preparing their presentation) and will provide them to you at the public hearing we are requesting.

Thank You,

Karly Burch

From: karen wetmore
To: Nancy Rumrill/R9/USEPA/US|||EPA
Date: 06/23/2009 02:59 PM
Subject: Lahaina Injection

Dear Ms. Rumrill;
I concur with Mr. Seebart's e-mail letter to you of this date; I share the same concerns about the Lahaina Injection well.
Karen Wetmore

From: kalei engel
To: Nancy Rumrill/R9/USEPA/US|||EPA
Date: 06/22/2009 10:44 PM
Subject: lahaina wastewater

Title: REQUEST for PUBLIC HEARING ON LAHAINA WASTEWATER
INJECTION WELL PERMIT

I oppose the granting of the permit unless additional conditions are placed on the permit as set forth in the letter of the DIRE Coalition to EPA. While they have identified a range of issues and concerns to which EPA has not spoken previously or which they have newly identified, they have not provided you with anywhere near all the supporting data in their letter. They are in the process of gathering these data (and preparing their presentation) and will provide them to you at the public hearing we are requesting.

Thank You,
Kalei Engel

[Click Here for more information](#)

From: "jungle girl"
To: Nancy Rumrill/R9/USEPA/US|||EPA
Date: 06/23/2009 01:53 AM
Subject: LAHAINA WASTEWATER INJECTION WELL PERMIT

Aloha!

I oppose the granting of the permit unless additional conditions are placed on the permit as set forth in the letter of the DIRE Coalition to EPA. While they have identified a range of issues and concerns to which EPA has not spoken previously or which they have newly identified, they have not provided you with anywhere near all the supporting data in their letter. They are in the process of gathering these data (and preparing their presentation) and will provide them to you at the public hearing we are requesting.

Thank You,

June Reeve

--

From: Julie Rayda
To: Nancy Rumrill/R9/USEPA/US|||EPA
Date: 06/23/2009 02:41 PM
Subject: Title: REQUEST for PUBLIC HEARING ON LAHAINA
WASTEWATER INJECTION WELL PERMIT

Title: REQUEST for PUBLIC HEARING ON LAHAINA WASTEWATER
INJECTION WELL PERMIT

I oppose the granting of the permit unless additional conditions are placed on the permit as set forth in the letter of the DIRE Coalition to EPA. While they have identified a range of issues and concerns to which EPA has not spoken previously or which they have newly identified, they have not provided you with anywhere near all the supporting data in their letter. They are in the process of gathering these data (and preparing their presentation) and will provide them to you at the public hearing we are requesting.

Thank You,
Julie Rayda

From: "Juergen Will"
To: Nancy Rumrill/R9/USEPA/US|||EPA
Date: 06/23/2009 11:28 AM
Subject: Lahaina Injection Well

Hello,

my name is Juergen Will and I have been a resident of West Maui for 37 years. This is my home and I am very concerned about some of the development and planning that is happening here.

I think, there should be more input from the community about an Injection Well here in West Maui. Therefore, more public meetings are justified.

Please consider time and place for such a request.

With much Aloha,
Juergen W. Will

From: Judy Edwards
To: Nancy Rumrill/R9/USEPA/US|||EPA
Date: 06/23/2009 01:10 PM
Subject: REQUEST for PUBLIC HEARING ON LAHAINA WASTEWATER
INJECTION WELL PERMIT

REQUEST for PUBLIC HEARING ON LAHAINA WASTEWATER INJECTION WELL PERMIT

I oppose the granting of the permit unless additional conditions are placed on the permit as set forth in the letter of the DIRE Coalition to EPA. While they have identified a range of issues and concerns to which EPA has not spoken previously or which they have newly identified, they have not provided you with anywhere near all the supporting data in their letter. They are in the process of gathering these data (and preparing their presentation) and will provide them to you at the public hearing we are requesting.

Q3. How do you know that the Lahaina injection well wastewaters are flowing into the ocean?

A3. We know this for several reasons. First, Dave Taylor, Division Chief, Wastewater Reclamation Division, Maui County said so in his Nov. 2008 testimony at the EPA hearing: “The other water, about four million gallons, maybe a little less, goes down the injection wells. The injection well water is — does not go through the ultraviolet treatment. It goes down these deep pipes into the ground, they go down a couple hundred feet. And that water moves outward through the ground, eventually it comes out into the ocean.” – Testimony of November 6, 2008, “EPA Public Hearing on Lahaina Waste Water Injection Permit,” p. 8, lines 15-21. See also Mr. Taylor’s exchange with Mr. Seebart at p. 13, lines 10-25.

Second, Maui County’s web site (answer to Q. 10) says that “independent studies detected injection well discharge in some areas of algae blooms . . .” Third, former Mayor Arakawa, who also previously was responsible for running the Lahaina wastewater treatment plant testified at the same hearing that the wastewaters go into the ocean: “in Kahului, the water goes into the injection well, it comes out almost immediately at the ocean side. We can even see traces of it bubbling up almost as a stream. In Lahaina, we’re not much further. I believe the effects of the water getting into the ocean is a lot sooner than what we think.” See p. 81, lines 15-21.

Finally, Hawaii Department of Lands and Natural Resources (DNLR) concurs and cites University of Hawaii data to support this concern: “. . . recent scientific studies have provided evidence that the injection well plumes are percolating up into the near shore waters where the reef degradation is occurring.”

Judy Edwards
Maui, Hawaii

From: Judith Michaels
To: Nancy Rumrill/R9/USEPA/US|||EPA
Date: 06/24/2009 06:35 AM
Subject: REQUEST for PUBLIC HEARING ON LAHAINA WASTEWATER
INJECTION WELL PERMIT

REQUEST for PUBLIC HEARING ON LAHAINA WASTEWATER INJECTION
WELL PERMIT

Nancy Rumrill
U.S. Environmental Protection Agency, Region 9
Ground Water Office, WTR-9
75 Hawthorne Street
San Francisco, CA 94105

Aloha,
I oppose the granting of the Lahaina injection well permit unless additional conditions are placed on the permit as set forth in the letter of the DIRE Coalition to EPA. While they have identified a range of issues and concerns to which EPA has not spoken previously or which they have newly identified, they have not provided you with anywhere near all the supporting data in their letter. They are in the process of gathering these data (and preparing their presentation) and will provide them to you at the public hearing we are requesting.

There are too many unanswered questions at this point. Please conduct this hearing to inform and guide the oversight necessary to ensure environmental protection.
Mahalo,

Judith Michaels
4850 Makena Alanui B108
Makena, Maui, Hi 96753

From: Judith Michaels
To: Nancy Rumrill/R9/USEPA/US|||EPA
Date: 06/23/2009 12:25 AM
Subject: REQUEST for PUBLIC HEARING ON LAHAINA WASTEWATER
INJECTION WELL PERMIT

Aloha Ms. Rumrill,

I am requesting a Public hearing on the Lahaina Waste water injection well permit before any action is taken to approve this permit.

I oppose the granting of the permit unless additional conditions are placed on the permit as set forth in the letter of the DIRE Coalition to EPA. While they have identified a range of issues and concerns to which EPA has not spoken previously or which they have newly identified, they have not provided you with anywhere near all the supporting data in their letter.

They are in the process of gathering these data (and preparing their presentation) and should provide this information to you at the public hearing we are requesting.

Your support would be greatly appreciated.

Mahalo,
Judith Michaels

From: "Joy Brann"
To: Nancy Rumrill/R9/USEPA/US|||EPA
Date: 06/23/2009 02:24 PM
Subject: REQUEST for PUBLIC HEARING ON LAHAINA WASTEWATER
INJECTION WELL PERMIT

Nancy Rumrill
U.S. Environmental Protection Agency, Region 9
Ground Water Office, WTR-9
75 Hawthorne Street
San Francisco, CA 94105

Aloha!

I oppose the granting of the Lahaina injection well permit unless additional conditions are placed on the permit as set forth in the letter of the DIRE Coalition to EPA. While they have identified a range of issues and concerns to which EPA has not spoken previously or which they have newly identified, they have not provided you with anywhere near all the supporting data in their letter. They are in the process of gathering these data (and preparing their presentation) and will provide them to you at the public hearing we are requesting.

There are too many unanswered questions at this point. Please conduct this hearing to inform and guide the oversight necessary to ensure environmental protection.

Mahalo,

Joy Brann

18 Kai Makani Loop #201
Kihei, Maui, HI 96753

From: Joseph Hicks

To: Nancy Rumrill/R9/USEPA/US|||EPA

Date: 06/22/2009 05:47 PM

Subject: REQUEST for PUBLIC HEARING ON LAHAINA WASTEWATER
INJECTION WELL PERMIT

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Thank You,

Joseph Hicks

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From: "John Seebart"

To: Nancy Rumrill/R9/USEPA/US|||EPA

Date: 06/23/2009 02:58 PM

Subject: Request for new hearing; Lahaina waste water injection well

Dear Ms. Rumrill,

June 23, 2009

I am writing to request a new hearing regarding the Lahaina wastewater injection well, and also thank you for all the good work you have done so far. We truly appreciate the new nitrogen standards and time table. This should help us with the algae problems on our reefs.

There are new concerns about the efficacy of "R-1" treatment. There is a question which has arisen as to the sufficiency of the UV/chlorination treatment.

Further it seems to me that down stream monitoring of the product water is necessary until Maui County does away with the practice altogether; as is the newly stated goal of the Mayor and the County.

I would also like to see the County post the results of their monitoring efforts on their website so we can keep track of progress. In my opinion monitoring should be on a daily basis.

It seems to me that a 10 year permit is too long. Two and a half years would coincide with the R-1 requirements and the reduced nitrogen standards.

Thank you for your efforts and I hope we can see you here for another hearing.

John Seebart

From: "John Ordean"
To: Nancy Rumrill/R9/USEPA/US|||EPA
Date: 06/22/2009 05:53 PM
Subject: PUBLIC HEARING ON LAHAINA WASTEWATER INJECTION
WELL PERMIT

REQUEST for PUBLIC HEARING ON LAHAINA WASTEWATER INJECTION
WELL PERMIT

I oppose the granting of the permit unless additional conditions are placed on the permit as set forth in the letter of the DIRE Coalition to EPA. While they have identified a range of issues and concerns to which EPA has not spoken previously or which they have newly identified, they have not provided you with anywhere near all the supporting data in their letter. They are in the process of gathering these data (and preparing their presentation) and will provide them to you at the public hearing we are requesting.

Thank You,

John Ordean
Prudential Utah Real Estate
435-659-1175-Mobile
435-649-7171-Office
435-658-2804-Fax
joparkcity

From: John Naylor
To: Nancy Rumrill/R9/USEPA/US|||EPA
Date: 06/22/2009 06:37 PM
Subject: Request public hearing for Lahaina wastewater injection well permit

I oppose the granting of the permit unless additional conditions are placed on the permit as set forth in the letter of the DIRE Coalition to EPA. While they have identified a range of issues and concerns to which EPA has not spoken previously or which they have newly identified, they have not provided you with anywhere near all the supporting data in their letter. They are in the process of gathering these data (and preparing their presentation) and will provide them to you at the public hearing we are requesting.

Thank You,
John Naylor

From: "John Forrester"

To: Nancy Rumrill/R9/USEPA/US|||EPA

Date: 06/23/2009 07:41 AM

Subject: REQUEST for PUBLIC HEARING ON LAHAINA WASTEWATER
INJECTION WELL PERMIT

I oppose the granting of the permit unless additional conditions are placed on the permit as set forth in the letter of the DIRE Coalition to EPA. While they have identified a range of issues and concerns to which EPA has not spoken previously or which they have newly identified, they have not provided you with anywhere near all the supporting data in their letter. They are in the process of gathering these data (and preparing their presentation) and will provide them to you at the public hearing we are requesting.

Thank You,

John Forrester
Lahaina, HI

From: John Carty - Save Honolua Coalition
To: Nancy Rumrill/R9/USEPA/US|||EPA
Date: 06/22/2009 07:02 PM
Subject:

Please do not allow Maui County to use their injection wells. Please have another public meeting to discuss.

Mahalo,
John Carty

John Carty
808-276-8733
www.SaveHonolua.org
john

From: John Bird
To: Nancy Rumrill/R9/USEPA/US|||EPA
Date: 06/23/2009 05:54 AM
Subject: REQUEST for PUBLIC HEARING

Title: REQUEST for PUBLIC HEARING ON LAHAINA WASTEWATER
INJECTION WELL PERMIT

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Thank You, John Bird

From: johanna kamaunu

To: Nancy Rumrill/R9/USEPA/US|||EPA

Date: 06/22/2009 05:56 PM

Subject: REQUEST for PUBLIC HEARING ON LAHAINA WASTEWATER
INJECTION WELL PERMIT

I oppose the granting of the permit unless additional conditions are placed on the permit as set forth in the letter of the DIRE Coalition to EPA. There is a range of issues and concerns to which EPA has not spoken previously or which have newly identified, Please allow a hearing on this matter

From: "Joe Pluta"
To: "'Jim Hentz'", Nancy Rumrill/R9/USEPA/US|||EPA
Cc: "'Aldrina'", '@NONE, bob pure , ByronPat Kelly , 'Donald Lehman' , English',
Date: 06/08/2009 12:38 PM
Subject: RE: Lahaina waste water

Aloha Jim:

Thank you for copying me on this letter. It seems to accurately reflect the views of our West Maui Taxpayers Board and the West Maui Community.

Warm Regards,

Joe Pluta,

Treasurer, WMTA

From: Jim Hentz
Sent: Monday, June 08, 2009 7:24 AM
To: rumrill.nancy@epa.gov
Cc: Aldrina; @NONE>, bob pure , Byron "Pat" Kelly , 'Donald Lehman' , English; Pamela , Gregg Nelson , Joe Pluta , 'Patricia Maielua' , Richard Jarman , Robert Sides , Song Ja Miske , Uwe Schulz , Zeke Kalua
Subject: Lahaina waste water

6/8/2009

EPA

Ms. Nancy Rumril

As a 38 year resident Maui Taxpayer, previously licensed sewage treatment plant operator, facilities manager and WMTA board member I would like to comment on the Lahaina waste water treatment plant.

It is past the time that a master plan for the facility, related odor problems and use of the effluent should be in place. The billions of dollars invested in Kaanapali and neighboring areas generate an enormous percentage of County, State and Federal tax revenue, nearly 50% of the entire Maui County Property Tax and nearly 50% of the State of Hawaii's TAT and GET, yet we are stuck without a definitive plan for improving the facility.

This is not news, it has been an issue for decades yet local government officials both appointed and elected have done very little to address the problems and needed improvements. We have studied the algae blooms, studied the odor problem, studied the use of treated water, etc. etc. The number of dollars needed is intimidating but we need to put the boot to the bureaucrats, use the studies and start getting something done.

It seems essential that the EPA take steps to force the issue to move things along. Talk is cheap and solutions are expensive but if there aren't definitive short and long term plans put in place to address the issues, nothing will be done until we are in a crisis. We will continue to fall behind as the facility ages and water sources continue to shrink so in my opinion government must stop talking (or ignoring) the problems and deal with them.

There is no question that the problems are huge but there is an opportunity here to face reality and start moving forward. The West Maui Taxpayers Association is willing to do what we can to facilitate the EPA's interaction with the community and local government.

We sincerely hope that your agency will take the opportunity to initiate an action plan as soon as possible.

Sincerely,
Jim Hentz
General Manager
Consolidated Resorts Management

From: Jim Hentz
To: Nancy Rumrill/R9/USEPA/US||EPA
Cc: Aldrina , bob pure , "Byron \"Pat\" Kelly " , 'Donald Lehman' , "English, Pamela"
 , Gregg Nelson , Joe Pluta , Patricia_Maielua/LAHAINALUNA/HIDOE , "Richard
Jarman " , Robert Sides , "Song Ja Miske " , "Uwe Schulz " , "Zeke Kalua "
Date: 06/08/2009 10:23 AM
Subject: Lahaina waste water

6/8/2009
EPA
Ms. Nancy Rumril

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We sincerely hope that your agency will take the opportunity to initiate an action plan as soon as possible.

Sincerely,
Jim Hentz
General Manager
Consolidated Resorts Management

From: Jessica Read
To: Nancy Rumrill/R9/USEPA/US|||EPA
Date: 06/22/2009 11:25 PM
Subject: REQUEST for PUBLIC HEARING ON LAHAINA WASTEWATER
INJECTION WELL PERMIT

I oppose the granting of the permit unless additional conditions are placed on the permit as set forth in the letter of the DIRE Coalition to EPA. While they have identified a range of issues and concerns to which EPA has not spoken previously or which they have newly identified, they have not provided you with anywhere near all the supporting data in their letter. They are in the process of gathering these data (and preparing their presentation) and will provide them to you at the public hearing we are requesting.

Thank You,
Jessica Cappal Read

EMAILING FOR THE GREATER GOOD
Join me

From: Jesse Cole
To: Nancy Rumrill/R9/USEPA/US|||EPA
Date: 06/22/2009 05:58 PM
Subject: REQUEST for PUBLIC HEARING ON LAHAINA WASTEWATER
INJECTION WELL PERMIT

Title: REQUEST for PUBLIC HEARING ON LAHAINA WASTEWATER
INJECTION WELL PERMIT

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Thank You,

Jesse Cole

From: JERRY DOWNER
To: Nancy Rumrill/R9/USEPA/US|||EPA
Date: 06/22/2009 07:17 PM
Subject:

Rumrill.Nancy@epamail.epa.gov

Title: REQUEST for PUBLIC HEARING ON LAHAINA WASTEWATER
INJECTION WELL PERMIT

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Thank You,
Jerry and Robyn Downer
Lahaina, HI

From: jerry bickel
To: Nancy Rumrill/R9/USEPA/US|||EPA
Date: 06/23/2009 05:46 PM
Subject: there is a better way

I oppose the granting of the permit unless additional conditions are placed on the permit as set forth in the letter of the DIRE Coalition to EPA. While they have identified a range of issues and concerns to which EPA has not spoken previously or which they have newly identified, they have not provided you with anywhere near all the supporting data in their letter. They are in the process of gathering these data (and preparing their presentation) and will provide them to you at the public hearing we are requesting. Lets be accountable .

Jerry Bickel

June 23, 2009

**EPA Has Ample Authority under the Safe Drinking Water Act
To Limit the Duration of UIC Permits, To Impose
Reasonable and Appropriate Conditions on Such Permits, and
To Require the County to Obtain an NPDES Permit for
The Lahaina Injection Wells**

*A. EPA Has the Authority to Grant a Permit For a Lesser Term Than 10 Years and
Should Use That Authority To Grant The Permit for No Longer Than 3 Years*

In EPA's response to the comments at the November 2008 public hearing on the Lahaina Underground Injection Control (UIC) Permit proposal, the Agency did not address the contention that the injection wells should be phased out in favor of beneficial re-use of the wastewaters on land. There was no explicit response in the statement of basis for the revised permit and there was no explanation for the Agency's apparent decision to grant a new permit for 10 year duration.

The Safe Drinking Water Act does not specify any length of time or standard duration for UIC permits. Thus, it is within the Administrator's discretion as to the duration of UIC permits. The Administrator has adopted rules on this point. 40 CFR section 144.36 (a), entitled "Duration of Permits," states, "Permits for Class I and Class V wells shall be effective for a fixed term *not to exceed* 10 years." <http://cfr.vlex.com/vid/144-36-duration-permits-19813041>. Thus, it is clearly within the Administrator's authority to grant a permit for a fixed term less than 10 years.

B. EPA Has Offered No Explanation Why It Is Proposing to Grant a New 10 Year Permit

Thus far, the Agency has failed to explain why it has determined that it is wise to allow the permit to go for 10 years and wise to grant this 10 year permit without any requirement to explore the feasibility of safer alternatives for the management of these wastes. This is not in keeping with a real commitment to public engagement, particularly when the public has so vociferously urged the phase out of injection wells in favor of beneficial re-use on land. See the November 2008 public hearing record. <http://www.epa.gov/region/water/groundwater/uic-pdfs/lahaina/1345E.pdf>

C. The Mayor of Maui County Has Announced a Goal of Zero Injection

If it were only the lay public's will, that would be one thing – a very important thing, but only one consideration. However, on virtually the same day that EPA proposed to grant the 10 year permit injection at Lahaina, the Mayor of Maui County, Hon. Charmaine Tavares gave a speech in which she announced the following goal:

“Our goal is to use all of the water that's produced by our treatment plants and not put it down any injection wells. That's our goal.”

So now the County's Mayor has declared that best policy is to get rid of the injection wells in favor of re-use of the wastewaters.

D. EPA Region IX's Own Position Favors Recycling and Reuse in Preference to Environmental Disposal

What's more EPA Region IX itself has been actively promoting re-use of wastewaters in preference to alternative methods that discard them in ways that pollute the environment. This is what Region IX says on its web site:

“Water Recycling Can Reduce and Prevent Pollution –

“When pollutant discharges to oceans, rivers, and other water bodies are curtailed, the pollutant loadings to these bodies are decreased. Moreover, in some cases, substances that can be pollutants when discharged to a body of water can be beneficially reused for irrigation. For example, recycled water may contain higher levels of nutrients, such as nitrogen, than potable water. Application of recycled water for agricultural and landscape irrigation can provide an additional source of nutrients and lessen the need to apply synthetic fertilizers.” – EPA Region 9, [“Water Recycling and Reuse: The Environmental Benefit.”](#)

E. The Federal Pollution Prevention Act of 1990 Establishes National Policy Inconsistent with Continued Injection of Wastes in Preference to Recycling and Re-use

Moreover, more than 15 years after enactment of the Safe Drinking Water Act, Congress passed the Pollution Prevention Act, which made it national policy to prefer “recycling” of wastes over discarding them. Section 6602(b) of that Act establishes the following national “Policy”:

“(b) POLICY.—The Congress hereby declares it to be the national policy of the United States that pollution should be prevented or reduced at the source whenever feasible; pollution that cannot be prevented should be recycled in an environmentally safe manner, whenever feasible; pollution that cannot be prevented or recycled should be treated in an environmentally safe manner whenever feasible; and disposal or other release into the environment should be employed only as a last resort and should be conducted in an environmentally safe manner.” <http://epw.senate.gov/PPA90.pdf>

Clearly, it seems that Congress wanted this Policy to be considered by the Agency in administering its authorities under other laws, such as the Safe Drinking Water Act.

F. The Safe Drinking Water Act Itself Is to Be Administered with the Precautionary Principle in Mind

The Safe Drinking Water Act itself was intended to be administered in accordance with the precautionary principle: “The statute’s precautionary purpose is clear. . .” Miami-

G. Still We Have No Answer Why EPA Proposes to Grant a 10 Year Permit

Yet despite all this and without explanation, EPA proposes to allow a new 10 year permit for the injection wells at Lahaina. Why? Why is EPA proposing to grant a 10 Year Permit for the Lahaina injection wells when to do so flies in the face of (a) strong and united public opposition, (b) the Mayor's policy goal to reuse the wastewaters and end injection, (c) EPA Region IX's stated policy in favor of wastewater reuse in preference to disposal, (d) the clear "national Policy" of the Pollution Prevention Act of 1990, and (e) the precautionary purpose of the Safe Drinking Water Act itself? We deserve an explanation, if the public engagement process is to be real, and the explanation cannot be that the Agency has no legal authority to grant a permit less than 10 years.

H. EPA Has the Authority to Require the County, as a Condition of the Permit, to Conduct Appropriate Feasibility and Design Studies for Alternative Means of Disposing of the Wastewaters When the Injection Wells Are Closed

In a number of other instances, EPA has imposed permit conditions under the various laws it administers and the courts generally have upheld the exercise of this discretion except where found to be arbitrary, capricious, or an abuse of authority. In this particular situation, the Agency is proposing nitrogen phase down limits (which we generally support, but would favor accelerating), without any showing that these limits are necessary to prevent endangerment to drinking water sources.

<http://www.epa.gov/region/water/groundwater/uic-pdfs/lahaina/Lahaina-revised-draft-permit.pdf>, p. 8. And in many other circumstances, the Agency has cited its rulemaking authority under section 1450 (a)(1) of the Safe Drinking Water Act as part of the basis for reaching results it deems necessary or appropriate in the administration of the Act. See: http://bulk.resource.org/gpo.gov/register/2007/2007_17903.pdf, in which EPA cites this authority as part of its general rulemaking authority; and <http://www.fluoridealert.org/health/epa/reports/fedreg.may1985.pdf>.

I. EPA Has the Authority and Should Use That Authority to Require the County to Obtain an NPDES Permit Under the Clean Water Act and To Impose Restrictions Under that Permit to Ensure Protection of Public Health, the Environment (Including the Reefs) and All Pertinent Beneficial Uses of the Ocean

1. There is strong proof that the Lahaina wastewater injection wells do not effectively contain the waste waters and prevent their movement into the ocean. Instead, these injection wells are connected to the ocean through various underground seeps, submarine groundwater discharge, and pathways that result in the nutrient laden waste waters reaching the ocean.
 - a. Mr. Dave Taylor, Division Chief, Wastewater Reclamation Division, County of Maui, has acknowledged on the record in an EPA public hearing on the Lahaina treatment plant's request for a ten year underground injection

operating permit under the Safe Drinking Water Act that the injected waste waters do reach the ocean: ““The other water, about four million gallons, maybe a little less, goes down the injection wells. The injection well water is - does not go through the ultraviolet treatment. It goes down these deep pipes into the ground, they go down a couple hundred feet. And that water moves outward through the ground, eventually **it comes out into the ocean.**” – Testimony of November 6, 2008, “EPA Public Hearing on Lahaina Waste Water Injection Permit,” p. 8, lines 15-21.

<http://www.epa.gov/region09/water/groundwater/uic-pdfs/Lahaina/1345E.pdf>

- b. This was not an isolated comment. Later in that same hearing, Mr. Taylor confirmed that the injection well wastewaters make their way into the ocean:

“MR. JOHN SEEBART: Hi. My name is John Seebart. I just have two quick questions for Mr. Taylor. One is, how long at the Honokowai injection plant does it take for the water to get from the plant into the water?

“MR. TAYLOR: No one is exactly sure. There -- there has been a recent study in Kihei that the USGS did that showed that it took about two to five years for the water from the injection wells to reach the ocean. And our guess is because the -- the geometry is kind of about the same. They're about the same depth. The water has about the same specific gravity. It floats upward. We would guess it would be similar. . . .”

EPA Hearing, Nov. 6, 2008, page 13, lines 10-25 --

<http://www.epa.gov/region09/water/groundwater/uic-pdfs/Lahaina/1345E.pdf>

2. The amount of nitrogen compounds injected into the Lahaina injection wells is quite substantial.

Current levels of nitrogen injection can be as high as 12,000 lbs per month of total nitrogen (or on calendar quarter basis up to 126,000 lbs/year).

<http://www.epa.gov/region09/water/groundwater/uic-pdfs/lahaina/Lahaina-revised-draft-permit.pdf>, p. 8. Even assuming that no higher levels were discharged into the environment over the last 14 years of operation, this could still mean as much as 1.7 million lbs of nitrogen discharged over this period.

3. It is not accidental that the nutrient-laden waste waters placed in the injection wells at the Lahaina wastewater treatment plant end up in the ocean; it is clearly by design that the injected wastes will not be contained in the wells, but will instead be released into the environment.

- a. That is the intent -- how the injection well system is supposed to work. This is evident from Mr. Taylor's testimony. He acknowledged discharges of “about 4 million gallons” of wastewater per day (EPA Hearing, Nov. 6, 2008, p. 8. Line 7). The record also shows “total well depth” of only “185 to 255 feet below ground surface” (Id, p. 23, lines 23-24). Diameters of the well are less than 2 feet across. See Maui County permit application (2004), Attachment M

--. <http://www.epa.gov/region09/water/groundwater/uic-pdfs/LahainaPermitApp.pdf>. The permit application also makes clear that solid casing of these wells does not extend more than 108 feet down. Id. Given these facts alone, it is clear that these injection wells do not have anywhere near the capacity to contain the injected effluent the almost 1.5 billion gallons of wastewater effluent injected annually.

- b. Moreover, the drawings of the injection wells submitted by the County with its permit application do not show any closure, seal or other barrier at the bottom of the wells. Instead, at the bottom, there is either an “open hole” or “perforated pipe”. Id, Attachment Q, p. 131.
 - c. If further proof is needed that the wells are designed to release effluent to underground waters, geological “fractures”, and seeps, see the July 2004 report (#18) on the Lahaina injection wells, where the County acknowledges that the capacity of one of the wells is “about six times greater than the daily plant flows” ” (p. 16) and “over ten times the daily average flow” for another well (p. 30). <http://www.epa.gov/region09/water/groundwater/uic-pdfs/LahainaPermitApp.pdf>, pp. 102, 116.
 - d. If the first of these wells were meant to contain (not discharge) the effluent, it would only be able to do so for six days; if the second of these wells were meant to prevent (instead of facilitate) environmental discharge, it could not do so for more than 11 or 12 days. It is clear, therefore, that the design of the injection wells is to discharge the effluent, to be released underground into the environment.
4. The hydro-geology of the area has been well-documented and shows the “flow of the watershed from the mountain to the ocean” in this area.
- a. See the USGS information for this area, which states, “The general movement of fresh ground water in the Lahaina District is from the dike-impounded water body into the freshwater-lens system and then to the ocean.” http://hi.water.usgs.gov/lahaina/lahaina_tab.htm.
 - b. See also, for example, the 1991 consultant’s report on closure of the Olawalu Landfill, which includes the statement: “Regional hydro-geological characteristics show groundwater flow to be from the mountain foothills toward the ocean.” http://oeqc.doh.hawaii.gov/Shared%20Documents/EA_and_EIS_Online_Library/Maui/1990s/1991-08-08-MA-FEA-OLOWALU-LANDFILL-CLOSURE.pdf; and
 - c. The 1983 “Revised EIS for the Honakahua Well B” also makes clear that the groundwater in this area tends to move unimpeded by geological barriers toward the sea:

“Unfortunate, Sectors A and B are not bound by a continuous wedge of caprock sediments along the coast that would act to retard groundwater discharge to the sea . . . A substantial flow of groundwater continues to leak to the sea in both sectors.” (pp. II-12, II-14, and II-19 computing the flow balances outward from groundwater to the sea in both sectors).
http://oegc.doh.hawaii.gov/Shared%20Documents/EA_and_EIS_Online_Library/Maui/1980s/1983-04-MA-REIS-LAHAINA-HONOKAHUA-WELL-B.pdf

- d. Page 1 of the County’s July 2004 Status Report (#18) on the Lahaina injection wells admits that the layers of Wailuku Basalt lava into which the effluent is injected are “fractured.” --
<http://www.epa.gov/region09/water/groundwater/uic-pdfs/LahainaPermitApp.pdf>, p. 87.
5. The Lahaina waste water injection wells are very close to the ocean – “1500-1900 feet from the shoreline of West Maui” in Lahaina according to EPA’s Statement of Basis for the proposed permit.

“The water that comes from that plant in Lahaina exits very, very closely nearby, within half a mile of Kahekili.” (EPA Hearing, p. 59, lines 4-6). Alan Arakawa, the former Mayor of Maui and former Manager of the Lahaina Waste Water treatment plant testified, “When you look at the Lahaina Treatment Plant and the Kahului Treatment Plant, the effluent is very close, the wells are very close to the ocean. They are not miles above the ocean; they’re hundreds of yards above the ocean. [“1500-1900 feet from the shoreline of West Maui” in Lahaina according to EPA’s Statement of Basis for the proposed permit at p. 2 --
<http://www.epa.gov/region09/water/groundwater/uic-pdfs/Lahaina-renewal-SOB-final.pdf>]. And I think that you will find that the water that's going from the treatment plant, going into the ocean, is probably getting there a lot sooner than most people think. . . . I know that, in Kahului, the water goes into the injection well, it comes out almost immediately at the ocean side. We can even see traces of it bubbling up almost as a stream. In Lahaina, we’re not much further.” (p. 81, lines 5-9, lines 15-19) .
<http://www.epa.gov/region09/water/groundwater/uic-pdfs/Lahaina/1345E.pdf>

6. Nitrogen-laden contaminants of these injection wells clearly percolate into the near shore ocean waters. (See points 1 and 2 above).
- a. *Independent Study Confirmation – Acknowledgement by Maui County and the DLNR:* Maui County’s web site acknowledges the existence of “independent studies [which] detected injection well discharge in some areas of algae blooms . . .” -- <http://www.co.maui.hi.us/FAQ.asp?QID=473>, answer to question 10.
- b. Other confirmation that the injection wells empty their contents into the ocean, albeit indirectly through underground discharge, comes from DLNR: “But in areas like Hawaii, where the injection wells clearly percolate into the nearshore waters, the Clean Water Act should also be an indicator of whether

or not permits should be issued. (Testimony of Russell Sparks, Hawaii DNLR, EPA Hearing, Nov. 6, 2008, p. 37, lines 8-11). See also Sparks quote at [REDACTED] below.

- c. *U of H Research*: University of Hawaii research also substantiates that the discharge of wastewater from injection wells travels through seeps, submarine groundwater discharge, or other similar pathways into the ocean: “A University of Hawaii researcher believes that tracking an isotope of nitrogen in seawater can demonstrate that nutrients from injection wells are getting into the water. . . . Dailer updated a presentation that Russell Sparks of the Department of Land and Natural Resources gave the council in July 2007, which pointed to injection wells at county sewage treatment plants as the cause of algae overgrowth. . . . A high ratio of N15 is thought to indicate a source from a well, a low ratio a source from runoff, perhaps from excess fertilizer. When the treated sewage, which still contains some biological material, is injected into a well, she said, bacteria act on it while it's there. Their action selectively favors N15. Thus the presence of N15 suggests the presence of upwelling from sources that receive injection well water. . . . She showed maps based on the 2007 samples that give higher N15 ratios close to the three county sewage treatment plants. . . . She concluded that around Maui, the highest N15 ratios are close to sewage injection wells.” Edgar, “Algae Blooms Gone Missing – Why?” Maui News, December 2, 2008 -- <http://www.mauinews.com/page/content.detail/id/511895.html>
- d. *Other Data Showing that the Concern is Not Speculative*: Evidence that wastewater treatment plant effluent in injection wells can and does enter the ocean nearby has also been demonstrated in Florida in a number of cases: “According to the National Archives and Records Administration, as early as 2001, migration of injected effluent has been documented or was suspected to be occurring in 42 of the 81 operational deep-injection sites, which are located primarily along south Florida’s coast.” <http://www.nt2099.com/J-ENT/news/surfing-related-news/treasure-coast-groups-organize-to-fight-new-injection-well-threat-to-coastal-health>. See also, Paul, Rose, et al, “Wastewater from Injection Wells in Florida Keys Found in Surface Marine Waters,” Water Research 31 (6): 1448-1454, University of South Florida (1977) -- <http://www.reefrelief.org/coralreef/study/wastewater.html>
7. When this discharge of nutrient-laden wastewaters from the injection wells reaches the ocean, it can cause and/or contribute significantly to severe harm to ocean ecosystems, fish, and coral.
 - a. EPA has acknowledged this: ““Deep well injection could also pose a risk to marine ecology if contaminants can readily migrate and discharge to offshore waters. . . . Two potential ecological effects of particular concern, should surface or ocean waters be sufficiently contaminated, include harmful algal blooms and bio-concentration of toxic contaminants in the food web. Algal blooms can cause a variety of toxic symptoms in aquatic organisms (including death) as well as nontoxic adverse effects such as clogging of gills and

smothering of coral reefs and seagrass beds. Food web bio-concentration of metals and other contaminants can also cause a variety of toxic effects.”

EPA, “Underground Injection Control Program—Relative Risk Assessment of Management Options for Treated Wastewater in South Florida; Notice of Availability,” May 5, 2003, p. 23673, 23677 --

http://bulk.resource.org/gpo.gov/register/2003/2003_23677.pdf,

- b. Hawaii DLNR has agreed under the specific conditions of the Hawaiian Islands and Maui in particular: “...when we stitched together the long-term data set, it was really clear that a lot of reefs are declining quite substantially. The reefs right offshore from the wastewater treatment plant have in fact lost about 50 percent of their coral cover over the last 14 years.

“Recent work by the University of Hawaii Botany Department is starting to show more evidence that the nutrients that are fueling some of these declines are in fact likely the result of injection plumes.

“Overall evidence that we see on the reef is that the coral reef cover is declining, erosion is increasing, and there's periodic blooms on the base of algae that tends to smother out and kill and stress the coral further.

“We recognize, certainly, that there [are] numerous causes for coral reef decline. But what we would like to see is that certain things that we can deal with and can address be addressed.” (p. 36, lines 6-24) --

<http://www.epa.gov/region09/water/groundwater/uic-pdfs/Lahaina/1345E.pdf>

- c. “The [U of H] researcher, Meghan Dailer, told the [Maui] County Council Water Resources Committee on Monday that laboratory experiments show that both native and alien algae species are nitrogen-deficient around Maui, so that nitrogen-enriched effluent [from waste water treatment injection wells] could contribute to algae blooms. The blooms of “turf algae,” in turn, are blamed for smothering coral and coralline algae, contributing to the deterioration of reefs.” Id at

<http://www.mauinews.com/page/content.detail/id/511895.html>

- d. See also: Pandolfi et. al., “Are U.S. Coral Reefs on the Slippery Slope to Slime?” *Science*, March 18, 2005, pp. 1725-6 --
http://www.reefresilience.org/pdf/1725-Are_US_Reefs_on_Slippery_Slope_to_Slime.pdf and its conclusions that

- i. “. . . scientists should stop arguing about the relative importance of different causes of coral reef decline: overfishing, pollution, disease, and climate change. Instead, we must simultaneously reduce all threats to have any hope of reversing the decline [in the reefs].
- ii. “For too long, single actions such as making a plan, reducing fishing or pollution, or conserving a part of the system were viewed as goals. But only combined actions addressing all these threats will achieve the ultimate goal of reversing the trajectory of

decline [of the reefs].

- iii. “We need to act now to curtail processes adversely affecting reefs.”

- 8. Maui County has in the past opposed groundwater monitoring wells that would have enabled the documentation of the movement of the nutrient-laden wastewaters in the direction of the ocean.

It is clear that Maui County has opposed required groundwater monitoring in the vicinity of the wastewater injection wells. The County went so far as to appeal the 1995 permit by EPA when it included such a requirement: “The County’s main focus in the appeal was that the requirement for groundwater monitoring wells be removed from the permit.” Eventually, EPA and the County reached a settlement in which “(a) EPA would remove the requirement to construct ground water monitoring wells.” EPA “Statement of Basis” for the Proposed 2009 Lahaina injection well permit, -- <http://www.epa.gov/region09/water/groundwater/uic-pdfs/Lahaina-renewal-SOB-final.pdf>, p. 2.

- 9. Under these circumstances, the County should be deemed to be stopped from arguing that there is insufficient nexus between the environmental releases from the injection wells and the consequent contribution of these wastewaters to algal blooms that suffocate the coral reefs and harm ocean ecosystems.
- 10. There is no question that the Lahaina waste water treatment plant has not obtained, is operating without, and has not requested a federal or State Clean Water Act NPDES Permit.
- 11. The federal Clean Water Act “prohibits ‘the discharge of any pollutant by any person’ unless done in compliance with some provision of the Act. §1311(a).

“... Generally speaking, the NPDES requires dischargers to obtain permits that place limits on the type and quantity of pollutants that can be released into the Nation’s waters. *South Florida Water Management District v. Miccosukee Tribe of Indians et al.*, 541 U.S. 95 (2004) -- <http://supreme.justia.com/us/541/02-626/case.html>

- 12. The federal CWA defines the term “navigable waters” to mean “waters of the United States, including the territorial seas.”

See: “DOH, EPA Take Action Against Pflueger on Kauai,” June 2002 -- <http://healthuser.hawaii.gov/health/about/pr/2002/02-33epa.html>, and “Cabrillo Point Liquified Natural Gas Facility: EPA Permit for Water Discharges (2006),” in which EPA states, “The Clean Water Act (“CWA”) requires that sources of water pollution obtain a [NPDES] permit prior to discharging pollutants into the Pacific Ocean.” (p. 1) -- <http://www.coastaladvocates.com/pdf/CCPN%20EDC%20Water%20Quality%20Permit%20&%20Info.pdf>. See also Craig and Miller, “OCEAN DISCHARGE

CRITERIA AND MARINE PROTECTED AREAS: OCEAN WATER QUALITY PROTECTION UNDER THE CLEAN WATER ACT,” which includes the following: “EPA’s NPDES permitting authority extends to all waters that the Act covers, whether internal, coastal, or oceanic.” (at nt. 112 -- http://www.bc.edu/bc_org/avp/law/lwsch/journals/bcealr/29_1/01_TXT.htm)

13. Moreover, it is clear that “one of the [Clean Water] Act's primary goals was to impose NPDES permitting requirements on municipal wastewater treatment plants.”

See, e.g., §1311(b)(1)(B) (establishing a compliance schedule for publicly owned treatment works).” *South Florida Water Management District v. Miccosukee Tribe of Indians et al.*, 541 U.S. 95 (2004) -- <http://supreme.justia.com/us/541/02-626/case.html>

14. Nor does it matter that the treatment plant does not originate, generate or introduce the pollutants that it discharges.

a. “We therefore reject the District's proposed reading of the definition of 'discharge of a pollutant' " contained in §1362(12). That definition includes within its reach point sources that do not themselves generate pollutants.” *South Florida Water Management District v. Miccosukee Tribe of Indians et al.* cited above.

b. Likewise, The National Park Service has recognized that a Class V waste water injection well, such as the one at Lahaina, could also be subject to an NPDES requirement if “the well directly discharges wastewater to ‘waters of the United States’” – See <http://www.concessions.nps.gov/document/EnviroCheckSheet-WastewaterManagement.pdf>.

15. Because the Lahaina municipal wastewater treatment plant discharges pollutants (nitrogen containing compounds) into its injection wells and the injection wells release these pollutants into the ground or ground waters where they make their way in accordance with the hydrogeology of the area into the Pacific Ocean only 1500-1900 feet away, the question arises whether the discharge of a pollutant indirectly into the ocean (rather than directly) exempts the plant from meeting NPDES requirements that clearly would be applicable if it dumped the wastewaters directly into the ocean.

a. A number of courts have held that the NPDES permit requirements of the Clean Water Act clearly would or do apply even to the indirect discharge of a pollutant into navigable waters where there is “a connection or link between discharged pollutants and their addition to navigable waters.”

See, for example: *Sierra Club v. El Paso Gold Mines, Inc.*, 421 F.3d 1133 (10th Cir. 2005) at paragraph 52 -- <http://cases.justia.com/us-court-of-appeals/F3/421/1133/609105>; and

Quivera Mining Co. v. USEPA, 765 F.2d 126 (10th Cir. 1985), which held, among other things, that the discharge of mine wastes to non-navigable in fact waters and arroyos would be subject to NPDES permit requirements where “the waters of the Arroyo del Puerto and the San Mateo Creek soak into the earth's surface, become part of the underground aquifers, and after a lengthy period, perhaps centuries, the underground water moves toward eventual discharge at Horace Springs or the Rio San Jose.” – paragraph 10 -- <http://cases.justia.com/us-court-of-appeals/F2/765/126/414750>. This case is noteworthy in the context of the Lahaina waste water injection well, in which the estimated time for the wastewaters placed in the injection well to reach the ocean is much shorter, not “centuries”.

16. In the recent US Supreme Court decision in *Rapanos v. US*, 126 S.Ct. 2208 (2007), the US Supreme Court split 4-1-4 on the question of whether and under what circumstances unpermitted dredging or filling of an area not directly connected to navigable waters of the United States is prohibited by the Clean Water Act. Justice Kennedy’s concurring opinion held that “mere hydrological connection should not suffice in all cases” to establish Clean Water Act jurisdiction and that the required “nexus” between the discharge and receiving waters must be “significant” in order for the Clean Water Act to apply.
17. Since the *Rapanos* decision, the US Circuit Court of Appeals for the 9th Circuit has considered the applicability of the “significant nexus” to circumstances quite similar to those presented by the Lahaina wastewater injection well discharges.

That case -- *Northern California River Watch v. City of Healdsburg*, 457 F.3d 1023, 496 F.3d 993 (9th Cir. 2007) -- involved a situation in which the City of Healdsburg, CA owned and operated a municipal waste treatment plant, discharged treated waters to a nearby pond, which then percolated into an aquifer, which in turn released the wastewater effluent into the Russian River. Plaintiffs alleged that this violated the Clean Water Act, because the city had not obtained an NPDES permit for these discharges. The Court held that these circumstances met Justice Kennedy’s “significant nexus” test under the US Supreme Court’s *Rapanos* decision. The 9th Circuit Court explained, “In light of *Rapanos*, we conclude that Basalt Pond possesses such a “significant nexus” to waters that are navigable in fact, not only because the Pond waters seep into the navigable Russian River, but also because they significantly affect the physical, biological, and chemical integrity of the River. We affirm the district court’s holding that Basalt Pond is subject to the CWA. We also affirm the district court’s ruling that neither the waste treatment system nor the excavation operation exceptions in the Act apply to Healdsburg’s discharges.”

18. For reasons explained in the *Northern California River Waters* case, the “sewage treatment” exemption would not apply to injected wastewaters that then are released to the environment. It is intended only for elements of closed systems, according to the 9th Circuit Court of Appeals.

19. Accordingly, given this case law, the proof of the Lahaina treatment plant's injected effluent reaching the ocean and the resultant significant contribution to the harm to the coral and near shore ecosystems by the release of these nutrient-laden wastewaters from the Lahaina wastewater treatment injection wells, it is clear that the Lahaina wastewater injection well's indirect discharges to the nearby ocean waters should be deemed to have a "significant nexus" with the Pacific Ocean under Justice Kennedy's *Rapanos* test and the 9th Circuit Court of Appeals decision in the *Northern California River Watch v. City of Healdsburg* decision, and that the County should be required to obtain and comply with an NPDES permit for its discharges that intentionally are not contained in the injection wells and that are known by the County to enter the ocean.
20. This conclusion is further supported by the provisions of the Hawaii Health Departments' Administrative Rules, Chapter 11-55. In addition, they provide an independent basis for concluding that the Lahaina wastewater treatment plant is subject to NPDES requirements.

These provisions are also relevant to Justice Kennedy's "substantial nexus" test, because they define with considerable specificity the state policy and purpose underlying the applicable laws, regulations, and permit conditions for the Lahaina injection wells.

In addition to limiting the duration of the permit, we are requesting that EPA impose conditions on the permit. Here are the conditions we are requesting:

- That the County within one year initiate a feasibility and design study for alternative management of the wastewaters following closure of the injection wells;
- That the County apply for and obtain an NPDES permit under the Clean Water Act for any discharges from the wells that enter the ocean and that the NPDES permit include such measures as are necessary to protect public health and the environment and all beneficial uses of the ocean as provided in Hawai'i Administrative Rules, Title 11, regulating various aspects of water quality and [water] pollution, and Chapter 342, HRS including "Chapter 11-55, Water pollution Control." These rules provide in pertinent part:
 - (i) "11-55-02. General policy of Water pollution control. (a) It is the public policy of this State: (2) To protect, maintain, *and improve* the quality of state waters: . . . (B) For the growth, support, propagation of shellfish, fish, and other desirable species of marine and aquatic life. . . [and] (D) for the *coral reefs*. . . . (3) To provide that no waste be discharged into any state waters without first being given the degree of treatment necessary to protect the legitimate beneficial uses of the waters; (4) *To provide for the prevention, abatement, and control of new and existing water pollution*" [emphasis added]. <http://gen.doh.hawaii.gov/sites/har/AdmRules1/11-55.pdf>, pp. 55-14 – 55-15.

EPA's authority to require the first recommended condition above is clear. In the proposed permit, EPA proposes a range of conditions. See:

For example, EPA has already indicated that its UIC permitting authorities are broad enough to impose "special permitting requirements" where "where EPA issues permits and an injection activity poses a special health risk to minority or low-income populations," even though the Safe Drinking Water Act never expressly mentions "minority or low-income populations." http://www.epa.gov/R5water/uic/uic_ej.htm

Similarly,

From: "Jeffrey H. Schwartz"
To: Nancy Rumrill/R9/USEPA/US|||EPA
Date: 06/23/2009 10:56 AM
Subject: Submission for Lahaina UIC Permit Record

Dear Ms. Rumrill:

Attached you will find a memorandum pertinent to the Lahaina Injection Well UIC Permit that EPA has proposed. This memorandum is intended to amplify on some of the questions, concerns, and points made in the DIRE Coalition request for a public hearing -- on which I am one of the co-signers.

This memorandum makes clear, among other things, that:

1. EPA has the authority to issue the permit for less than 10 years and under these circumstances should exercise that authority.
2. EPA has thus far failed to explain why it is proposing a 10 year permit despite pronounced community opposition and a request in the last hearing in November 2008 to limit the duration of the permit.
3. EPA also has the authority to require as a condition of the permit the conduct of feasibility and design studies for alternative methods of managing the wastewaters when the Lahaina injection wells are closed.
4. EPA also has the authority -- under the circumstances of the situation at Lahaina -- to require the County to obtain an NPDES permit for these indirect discharges into the ocean and that the Agency should exercise this authority to require the County to obtain such a permit.

I would appreciate your making this memorandum part of the record and giving us the opportunity at a public hearing to amplify on some of these critical points.

Sincerely,
Jeff Schwartz
310 Piliwale Rd.
Kula, Maui, HI 96790

From: "Jeffrey H. Schwartz"
To: Nancy Rumrill/R9/USEPA/US|||EPA
Date: 06/22/2009 03:27 PM
Subject: Request for Public Hearing: Lahaina Injection Well Permit

Dear Ms. Rumrill,

I write today as a resident of Maui to request EPA to hold a new public hearing on the Lahaina Wastewater Injection Well permit, and also request the opportunity to testify in that hearing. I am a member of the DIRE Coalition and support the request for a public hearing submitted by Hannah Bernard, Irene Bowie, and Wayne Cochran on behalf of the individuals and organizations comprising that Coalition.

If given the opportunity to testify I will provide additional information pertinent to several of the issues identified in that letter. Among other points, I will submit a documented presentation on the Agency's authority to under the Safe Drinking Water Act, the Clean Water Act, and the Pollution Prevention Act to limit the length of the permit and to condition its granting on the conduct of certain studies and the phasing out of the wells as soon as practical.

I am perhaps in a unique position to testify on these points as I was formerly Environmental Counsel to the House Energy and Commerce Committee in 1974 when the original Safe Drinking Water Act was passed containing the Agency's first authority to regulate underground injection wells. I therefore have a unique understanding of the concerns and intention of Congress when it enacted this legislation. (In addition, I formerly served as a member of the Office of General Counsel in Headquarters at EPA.)

While time since the notice has not permitted me to do a complete review of the Agency's broad authority when issuing permits under all pertinent statutes, I believe the Agency would be mistaken to say that it lacks authority to limit the time frame for the permit to the time necessary to find alternative and safe and practical means of reusing the water in keeping with the policy of the Pollution Prevention Act. I would like the opportunity to further explain and support that position in a public hearing. Likewise, I think that under the factual circumstances revealed at the earlier hearing about the injected wastewaters entering the ocean, the Agency has the authority to require the County to obtain an NPDES permit for the injection wells and, as part of that permit, to require that the injectate not harm or endanger the ocean, fish, reefs, and beneficial uses of the ocean. Again, this is something on which I would like to testify and supply supporting citations.

Please count me as one requesting a public hearing on the EPA's proposed permit to allow 10 more years of injection of wastewaters from the Lahaina POTW.

Sincerely,
Jeff Schwartz
310 Piliwale Rd.
Kula, HI 96790
808-878-1314 (office)
1240-505-2120 (cell)
jeff

From: Jeff Morris
To: Nancy Rumrill/R9/USEPA/US|||EPA
Date: 06/23/2009 08:54 AM
Subject: REQUEST for PUBLIC HEARING ON LAHAINA WASTEWATER
INJECTION WELL PERMIT

I oppose the granting of the permit unless additional conditions are placed on the permit as set forth in the letter of the DIRE Coalition to EPA. While they have identified a range of issues and concerns to which EPA has not spoken previously or which they have newly identified, they have not provided you with anywhere near all the supporting data in their letter. They are in the process of gathering these data (and preparing their presentation) and will provide them to you at the public hearing we are requesting.

Thank You,
Jeff Morris

From: Janice Clement
To: Nancy Rumrill/R9/USEPA/US|||EPA
Date: 06/23/2009 12:08 PM
Subject: REQUEST for PUBLIC HEARING ON LAHAINA WASTEWATER
INJECTION WELL

I oppose the granting of the permit unless additional conditions are placed on the permit as set forth in the letter of the DIRE Coalition to EPA. While they have identified a range of issues and concerns to which EPA has not spoken previously or which they have newly identified, they have not provided you with anywhere near all the supporting data in their letter. They are in the process of gathering these data (and preparing their presentation) and will provide them to you at the public hearing we are requesting.

Thank You,

Janice Clement

From: j l
To: Nancy Rumrill/R9/USEPA/US|||EPA
Date: 06/22/2009 06:55 PM
Subject: REQUEST for PUBLIC HEARING ON LAHAINA WASTEWATER
INJECTION WELL PERMIT

I oppose the granting of the permit unless additional conditions are placed on the permit as set forth in the letter of the DIRE Coalition to EPA. While they have identified a range of issues and concerns to which EPA has not spoken previously or which they have newly identified, they have not provided you with anywhere near all the supporting data in their letter. They are in the process of gathering these data (and preparing their presentation) and will provide them to you at the public hearing we are requesting.

Thank You,
Jana-Nicole K Laborte

From: "Irene Bowie"

To: Nancy Rumrill/R9/USEPA/US|||EPA

Date: 06/22/2009 03:29 PM

Subject: REQUEST for PUBLIC HEARING ON LAHAINA WASTEWATER
INJECTION WELL PERMIT.

Dear Ms. Rumrill,

Attached please find a letter from Maui Tomorrow Foundation requesting a new public hearing on the Lahaina Wastewater Injection Well permit.

Thank you,

Irene Bowie

Executive Director

Maui Tomorrow Foundation, Inc.

55 Church Street, Suite A-5

Wailuku, HI 96793

Phone: 808-244-7570

From: "Holger Stripf"

To: Nancy Rumrill/R9/USEPA/US|||EPA

Date: 06/22/2009 06:20 PM

Subject: REQUEST for PUBLIC HEARING ON LAHAINA WASTEWATER
INJECTION WELL PERMIT

I oppose the granting of the permit unless additional conditions are placed on the permit as set forth in the letter of the DIRE Coalition to EPA. While they have identified a range of issues and concerns to which EPA has not spoken previously or which they have newly identified, they have not provided you with anywhere near all the supporting data in their letter. They are in the process of gathering these data (and preparing their presentation) and will provide them to you at the public hearing we are requesting.

Thank You,

Holger Stripf

From: Hiromichi Nago
To: Nancy Rumrill/R9/USEPA/US|||EPA
Date: 06/02/2009 07:12 PM
Subject: Effective Microorganisms(TM)

Aloha,

Has anyone looked into using Biological nutrient removal using aerobic, anaerobic and facultative bacteria to enhance the treatment process?

Mahalo,

Hiromichi Nago
President
EM HAWAII, LLC.
560 N. Nimitz Hwy., Ste 217A
Honolulu, HI 96817
Ph / fax: 808-548-0396
<http://www.emhawaii.com>

From: Hannah Bernard
To: Nancy Rumrill/R9/USEPA/US|||EPA
Date: 06/22/2009 10:55 AM
Subject: Lahaina Injection Well

Don't Inject, REdirect

Because the situation is DIRE

June 20, 2009

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

Attn: Nancy Rumrill

Delivered via email to: rumrill.nancy@epa.gov <mailto:rumrill.nancy@epa.gov>

Re: Request for Public Hearing on Revised Version of Proposed Permit for
Lahaina (Maui) Wastewater Underground Injection Wells

Dear Ms. Rumrill,

We write on behalf of the DIRE Coalition, a group of Maui county residents, visitors and organizations, who seek to protect the County's reefs, public health, and economy by urging the County to phase out wastewater injection wells and reclaim and re-use properly treated wastewaters on land for a variety of beneficial uses. We acknowledge that underground injection wells for publicly owned wastewater disposal are only one of the significant sources contributing to undermining ocean, reef, fish, and human health and well-being, but we believe they are significant enough contributors to warrant your focused attention, while we think together about ways to address the other significant sources of these problems. Evidently, the Mayor of Maui County agrees, for on May 22 she publicly proclaimed this vision: ³Our goal is to use all of the water that's produced by our treatment plants and not put it down any injection wells. That's our goal.² In light of this pronouncement and the additional data we have developed at and since the last public hearing, we write for the following purposes:

- (1) To request a public hearing on the proposed revised permit for the Lahaina wastewater treatment plant's underground injection wells;
- (2) To request - even before the public hearing - EPA to encourage the county to meet in an informal, inter-active forum with interested parties to discuss how soon and how we can make Mayor Tavares' goal a reality;
- (3) To request that in both the informal forum and public hearing EPA involve its Clean Water Act staff as well as its safe drinking

water/groundwater protection staff;

(4) To provide a summary of the reasons and bases for these requests.

Recognition of Improvements: First, we would like to express our appreciation and support for the goal announced by Mayor Tavares on the 22d of May. Second, we want also to express our appreciation and support for most of the changes that EPA has proposed in the revised permit. We think the following changes are beneficial - at least directionally - and want to ensure that EPA does not retract or reduce the stringency of any of these new requirements in response to any other comments that you may receive. Specifically, we believe the proposed revised permit conditions are improvements over the original proposed permit in the following respects:

1. Inclusion of new nitrogen mass loading limits in injected effluent and phasing these limits down over the next 5 plus years. (As indicated by our comments below, we believe a more aggressive phase down schedule is needed for total nitrogen loadings with completion required by December 31, 2011.)
2. Inclusion of a new requirement for treatment of all injected effluent to meet and exceed R-1 standards by 12/31/11. (In our view, all wastewater should be required to be treated beyond the current R-1 standard, for reuse and injection. R-1 water is both chlorinated and UV radiated; however current studies show that sewage waste water contains antibiotic resistant genes (ARGs) that remain intact and become part of the effluent that is or reused or injected into the pubic environment. Therefore, all reused water must be monitored for bacterial content to prevent ³the superbug² and resistant bacteria from occurring < as documented in the studies cited in endnote 1. In addition to UV and chlorine, appropriate virus/bacterial technology must be included in the sewage treatment, and updated as the viruses and bacteria mutate to develop immunity. This will be essential to enable the water quality of the treated wastewaters to be used on land safely and in compliance with all applicable federal and state standards.)
3. Lowering the injection rate ceiling for average gallons/day over a weekly period and setting a daily maximum level.
4. Adding a separate nitrate limit.
5. Adding bacterial monitoring of the effluent.

Concerns and Inadequacies. While we appreciate the above areas of improvements, there are a number of areas of concern or inadequacies in EPA's response that we believe need further public airing and discussion, particularly in light of Mayor Tavares¹ announced goal of 100% water reclamation and zero wastewater injection. Among these areas of concern or inadequacies are that EPA's revised proposed permit, accompanying statement of basis, and public notice did not respond satisfactorily (or in some cases at all) to key questions that were raised in the November 2008 public hearing. For example, EPA did not say in any of these documents:

a. Whether or not EPA agrees with the contention presented in earlier public hearings and comments that the County has the burden of proving its eligibility for a 10 year UIC permit under the Safe Drinking Water Act?

b. If so, whether the County has satisfied that burden of proof (and if so, specifically how it did so)? If not, on what authorities the EPA relies for coming to this conclusion?

c. How the County's 1995 objection to conducting ground water monitoring in areas surrounding the injection wells and the fact that the County, therefore, could not provide ground water monitoring data in support of its permit application - how these factors affect the question whether or not the County adequately bore the burden of proving entitlement to a new 10 year UIC permit?

d. Why EPA apparently rejected the unanimous view of those testifying in the public hearing that the Agency should condition the granting of any permit on a schedule for the County to phase out the injection wells and instead reclaim and re-use appropriately treated wastewaters on land for beneficial uses - whether this was for legal, policy, or scientific reasons? (We urge EPA to adding a condition to the permit to require the County to adopt, within one year, and implement a specific plan for phasing out of the injection wells and < in line with the Mayor's goal < the end of all wastewater injection as soon as feasible. We also urge EPA to add a permit condition that would require the County to commission the requisite feasibility, design, and financing studies so that ³shovel ready plans² for getting the reclaimed wastewater to beneficial re-use on land are completed by no later than December 31, 2011.)

e. Whether or not EPA accepted or rejected the contentions of several submissions to and witnesses at the prior hearing that the Clean Water Act is relevant to this proceeding and that the Agency has the authority under these factual circumstances to require the County to obtain an NPDES permit for any injection well that acts as an indirect means of discharging wastewater to the ocean? (We believe that EPA has this authority, and note that the Hawaii State Department of Lands and Natural Resources argued as well that the EPA has and should use its Clean Water Act authority in connection with this application. See:

<http://www.epa.gov/region/water/groundwater/uic-pdfs/lahaina/SoH-DoLaNR-DoAR-DanPolhemus.pdf>

<<http://www.epa.gov/region/water/groundwater/uic-pdfs/lahaina/SoH-DoLaNR-DoAR-DanPolhemus.pdf>>). In the new hearing we are requesting we will present additional authorities and arguments to support this point.)

f. Whether - given the fact that the County now acknowledges that the wastewaters injected into these underground wells flow into the ocean (see

Transcript, p. 8, lines 20-21 and p. 13, line 13-p.14, line - in EPA's view, the County should be seeking an NPDES permit for the plant and should be satisfactorily treating all injected wastewaters to levels that would satisfy the State's specified beneficial uses of ocean waters? (We urge EPA to add a condition to the permit requiring the County within one year to apply for a state or Federal NPDES permit for any discharge through the injection well, which is known [which may reasonably be anticipated], to enter ocean waters and to meet all applicable or necessary water quality, effluent limits, and other requirements for discharges to protect health and the environment, including all beneficial uses of the ocean and protection of the reefs. We plan to amplify and support this point in our testimony and submissions to the public hearing we are requesting. We are also requesting EPA, after the public hearing, to clarify its position with regard to this question and make that clarification public.)

g. Whether or not the EPA regards the State Constitution's requirements that ³all waters of Hawaii² be held in public trust by the State and its counties and managed for beneficial use as a relevant state standard under the Safe Drinking Water Act or the Clean Water Act?

h. How these questions may need to be reassessed in light of the Mayor's unequivocal goal to ³use all of the water that's produced by the treatment plants and not put it down any injection well²?

These and other questions deserve clarification (which the Agency has not provided thus far) and further discussion in light of the new information that came to light during the previous public hearing, but to which EPA has not expressly responded, and in light of Mayor Tavares¹ announcement of this new County goal. .

Additional Legal and Public Policy Issues. In addition, we believe a new public hearing is needed in order that we may raise the following new questions and present data and information relevant to their appropriate resolution as a matter of law, policy, and public and environmental health. These questions - on which we wish to provide additional information < include the following:

i. Whether EPA has the authority under the existing UIC permit to require the County to obtain an NPDES permit or curtail injection when ³There exists a legal, environmental, or public health condition that requires elimination of either a temporary or permanent reduction or the permitted injection.² [emphasis added]? And why in the new permit, does EPA propose to remove this language and authority? (We believe this provision should be retained in the new permit and used to ensure adequate treatment of the injected effluent.)

j. Regardless of the answer to the previous question, whether or not the ³nexus² between the injection of wastewater into the Lahaina wells and the

acknowledged entry of the discharged wastewater into the ocean should be regarded as ³significant² within the meaning of Justice Kennedy's concurring opinion in *Rapanos v. US*, 126 S.Ct. 2208 (2007) and the Ninth Circuit Court of Appeals decision in *Northern California River Watch v. City of Healdsburg*, 457 F.3d 1023, 496 F.3d 993 (9th Cir. 2007)? We believe that this nexus is ³significant² given a number of pertinent factors, including the County's on the record admission validated by the testimony of others and ³independent scientific studies,² the stated purposes of the Clean Water Act and its NPDES permit system, the Supreme Court's holding in *South Florida Water Management District v. Miccosukee Tribe of Indians et al.*, 541 U.S. 95 (2004) to the effect that ³one of the [Clean Water] Act's primary goals was to impose NPDES permitting requirements on municipal wastewater treatment plants,² the huge volumes of water that are discharged to the wells in relation to the limited holding capacity of the wells, the design of the wells that include openings for releasing the injected wastewater underground, the short distance from the injection wells to the ocean, the hydro-geology of the area which clearly causes released wastewaters to flow to the ocean, and other pertinent factors (including the State's public policy statement on water pollution control in Hawai'i Administrative Rules, 11-55-02). (We believe the answer is yes and would like to present the evidence we are collecting to document the ³significant nexus² that exists between the injected wastewaters and the discharge and harm to the reefs and ocean.)

k. Whether in the Agency's view, the discharge of a pollutant indirectly into the ocean through a underground well (rather than directly) exempts the plant from meeting NPDES requirements that clearly would be applicable if it dumped the wastewaters directly into the ocean? (We believe it does not and should not - as both questions of law and policy < and will cite authorities and policy arguments in support of that position.)

l. Whether the Agency's authorities under the Safe Drinking Water Act and the Clean Water Act should be viewed in light of the subsequently enacted federal Pollution Prevention Act of 1990, and the hierarchy of environmental management under that Act that puts ³recycling² ahead of ³disposal or release to the environment²? If EPA agrees, how does the proposed permit and the failure to require wastewater reclamation and re-use in preference to injection well disposal reflect this statutory hierarchy? If EPA does not agree, then why not? (We think the Agency's authority under the Safe Drinking Water Act and Clean Water Act should be read in light of the PPA and that, as a result, the Agency should use these authorities to require the County to move toward phasing out injection in favor of the reclamation and re-use of properly treated wastewaters In the hearing, we would like to present further information and authorities, which support of this position.)

m.. How the Agency weighed the views of former Mayor Arakawa, the former manager of the Lahaina plant, with respect to the questions raised in this letter, and specifically which of his statements and recommendations were agreed to, which were not, and why not? (We think those views should be given great weight in light of his technical expertise and understanding of the policy making process in Maui.)

n. How the Agency's views on the Lahaina injection well permit relate to the views it stated in 2003 in EPA, ³Underground Injection Control Program<Relative Risk Assessment of Management Options for Treated Wastewater in South Florida; Notice of Availability,² May 5, 2003, p. 23673, 23677 < http://bulk.resource.org/gpo.gov/register/2003/2003_23677.pdf <http://bulk.resource.org/gpo.gov/register/2003/2003_23677.pdf>

o. Why the County objected to groundwater monitoring that EPA first required (then withdrew) in 1995, even though this would have provided clearer information about the directional flow of injected effluent, and whether such requirements should be re-instated in the current permit? (We believe such ground water requirements should be re-instated, along with other monitoring requirements - particularly ocean water quality monitoring in the area where the injected effluent is flowing into the ocean.)

p. .Under what authority the Agency proposes to require reductions of total nitrogen loadings in the Lahaina effluent to be injected, if the UIC authorities of the Agency may only be exercised in order to protect the safety of drinking water standards? Does the Agency believe that reductions of total nitrogen loadings in the injectate are necessary to protect drinking water supplies, and if so, what's the basis for this belief?

Additional Scientific, Technical, Public Health, and Ecology Issues:
Finally, we think an additional public hearing is needed to consider the following scientific, technical, health and environmental questions, issues and concerns:

q. What standard (and assumptions) the Agency used to define the amount of allowable nitrogen loadings in the effluent and the timetable for reduction in these loadings - whether based on technical or economic feasibility, public health protection, environmental protection, or other factors, and whether a more aggressive phase down timetable is warranted? We think a more aggressive phase down timetable is both necessary and feasible to protect the ocean ecology and the reefs and we wish to provide data to support this. Specifically, we support a change to the proposed conditions of the Lahaina UIC permit to require achievement of a 50% reduction in total nitrogen loading of by no later than December 31, 2011, instead of December 31, 2015.)

r. Why the Agency is not requiring groundwater monitoring wells and regular groundwater monitoring, ocean water quality monitoring, and other appropriate measurements to protect ocean health? We think these requirements should be added as permit conditions and want to provide data to support the addition of these conditions. Specifically, we urge EPA to add a condition to the Lahaina UIC permit requiring the County to begin construction of monitoring wells by January 1, 2012 and to complete construction and begin operation of such monitoring wells by December 31, 2012.)

s. Whether the requirements for bacteriological monitoring in the injected effluent and in nearby ocean waters should be improved by increasing the frequency and improving the kind and specific methods of monitoring required? (We think these requirements can and should be improved and want to provide the Agency with more specific recommendations for EPA's consideration before finalizing the permit.)

t. Whether in light of emerging information about resistant bacteria and viruses (RBV), MRSA, potential endocrine disruptors, and pharmaceuticals in wastewater, the permit should require additional treatment beyond R-1 levels to protect the public's health and the environment. (We believe that such additional treatment measures are needed < regardless of how soon injection wells are phased out and replaced with reuse on land < in order protect the public's health and the environment. We would like the opportunity at the public hearing to present additional information about why this is necessary and how it is feasible.)

Conclusion. While we have identified a range of issues and concerns to which EPA has not spoken previously or which we have newly identified, we have not provided you with anywhere near all the supporting data in this letter. We are in the process of gathering these data (and preparing our presentation) and will provide them to you at the public hearing we are requesting.

On behalf of the DIRE Coalition, we appreciate your consideration of the requests contained in this letter, of the issues we would like to discuss with you and the County at the public hearing, and of the kinds of additional data we would like to present at the public hearing.

Sincerely,
Signatories, for the DIRE Coalition,

Hannah Bernard
Wayno Cochran
Irene Bowie

Endnotes for DIRE Letter to EPA - 6/ /09

See the following studies: Pruden, A.; Pei, R.; Storteboom, H.; Carlson, K. H Antibiotic Resistance Genes as Emerging Contaminants: Studies in Northern Colorado. *Environ. Sci. Technol.*; (Article); 2006; 40(23); 7445-7450 and Ribeiro-Dias JC, Vicente AC, Hofer E. Fecal coliforms in sewage waters. I. Resistance to antibiotics, heavy metals and colicinogeny. *Appl Environ Microbiol* 1983 Jul;46(1):227-32. and Marcinek H, Wirth R, Muscholl-Silberhorn A, Gauer M. Enterococcus faecalis gene transfer under natural conditions in municipal sewage water treatment plants. *Appl Environ Microbiol* 1998 Feb;64(2):626-32 and Nakamura S, Shirota H. Behavior of drug resistant fecal coliforms and R plasmids in a wastewater treatment plant. *Nippon Koshu Eisei Zasshi* 1990 Feb;37(2):83-90.; and Kinney CA, et al. Presence and distribution of wastewater-derived pharmaceuticals in soil irrigated with reclaimed water and *Environ Tox Chem* 2006 Feb;25(2):317-26 and Kummerer K. Resistance in the environment. *J Antimicrob Chemother.* 2004 Aug;54(2):311-20. Epub 2004 Jun 23. and Kummerer K. Promoting resistance by the emission of antibiotics from hospitals and households into effluent. *Clin Microbiol Infect.* 2003 Dec;9(12):1203-14. and Kummerer K. Standardized tests fail to assess the effects of antibiotics on environmental bacteria. *Water Res.* 2004 Apr;38(8):2111-6 and Kummerer K. Biodegradability of some antibiotics, elimination of the genotoxicity and affection of wastewater bacteria in a simple test. *Chemosphere.* 2000 Apr;40(7):701-10 and Kummerer K. Drugs, diagnostic agents and disinfectants in wastewater and water-a review. *Schriftenr Ver Wasser Boden Lufthyg.* 2000;105:59-71 and Rooklidge SJ. Environmental antimicrobial contamination from terraccumulation and diffuse pollution pathways. *Sci Total Environ.* 2004 Jun 5;325(1-3):1-13 and The Dirty Work of Promoting ³Recycling² of America's Sewage Sludge. *Int J. Occup Health.* 2005; 11:415-27 and Mintz JA. ³Treading Water²: A Preliminary Assessment of EPA Enforcement

From: Hannah Bernard
To: Nancy Rumrill/R9/USEPA/US|||EPA
Cc: 'Pauline Fiene', Ananda Stone, , Brooke Porter, Elle Cochran, "Emily J. Fielding", Eve Clute, irene bowie, jan roberson, "Jeffrey H. Schwartz", Lucienne DeNaie, Rene Umberger, Robin Knox, Todd Winn, wayno
Date: 06/23/2009 12:27 PM
Subject: Re: Lahaina Injection Well

Dear Nancy,

We have some added signatories to our DIRE Coalition letter (last page, attached):

Alyse Takayesu, Kula
Ananda Stone, Lahaina
Elle Cochran, Honolulu
Eve Clute, Lahaina
Hannah Bernard, Haiku
Irene Bowie, Kihei
Jeff Schwartz, Kula
Robin Newbold, Kihei
Teri Leonard, Kihei
Wayno Cochran, Honolulu

I have included the revised letter, FYI. I will also be faxing it to your office.
Aloha and mahalo for your kokua,

Hannah Bernard
President
Hawai'i Wildlife Fund
Co-founder, DIRE Coalition, Maui Reef Fund

On 6/22/09 8:34 AM, "Rumrill.Nancy@epamail.epa.gov"

Hannah,

I received your e-mail comments. Thank you, Nancy

Nancy Rumrill
U.S. Environmental Protection Agency, Region 9
Ground Water Office, WTR-9

75 Hawthorne Street
San Francisco, CA 94105
415-972-3293
415-947-3545 (FAX)

From: Gregory Gluz
To: Nancy Rumrill/R9/USEPA/US|||EPA
Date: 06/23/2009 01:04 PM
Subject: Public Hearing Request on Lahaina Wastewater Injection Well Permit

Aloha!

As a boat captain, waterman and lover of the ocean, I oppose the granting of the permit on the Lahaina Wastewater Injection Well unless additional conditions are placed on the permit - similar those contained in the letter of the DIRE Coalition recently submitted to the EPA. While a range of issues and concerns were presented in that letter, because of the severe time limitations, all of the supporting data was not gathered in time, and thus unavailable for your review. DIRE is in the final stages of obtaining all this data, which is critical to the permit process, and should be allowed to submit this vital data at a public hearing. I urge you to allow public comment on this Injection Well Permit by scheduling a public hearing here in Lahaina, Maui, Hawaii.

Captain Gregory Gluz

From: Gordon Clay
To: Nancy Rumrill/R9/USEPA/US|||EPA
Date: 06/23/2009 08:38 AM
Subject: Lahaina Injection Well

Dear Ms. Rumrill,

Please consider this email an official request for another public hearing on the Lahaina Injection Well Permit process in the County of Maui in the state of Hawaii.

Might I say that as an attendee of a previous public hearing on the same subject, I am baffled that the EPA has any doubt as to the deleterious, and, no doubt, illegal continuation of sewage injection in its entirety. Public officials like you may have had the best intentions when sewage injection was first approved. However, I can think of no facts, science, or rationale that can justify its continuation. The evidence of the need to radically reduce the impact of sewage injection on Maui's reefs is overwhelming. I am surprised another hearing is necessary, considering the preponderance of evidence and public sentiment the EPA was presented with at the last hearing.

Yours Truly
Gordon Clay

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From: Gina Webber

To: Nancy Rumrill/R9/USEPA/US|||EPA

Date: 06/23/2009 09:40 AM

Subject: REQUEST for PUBLIC HEARING ON LAHAINA WASTEWATER
INJECTION WELL PERMIT

I oppose the granting of the permit unless additional conditions are placed on the permit as set forth in the letter of the DIRE Coalition to EPA. While they have identified a range of issues and concerns to which EPA has not spoken previously or which they have newly identified, they have not provided you with anywhere near all the supporting data in their letter. They are in the process of gathering these data (and preparing their presentation) and will provide them to you at the public hearing we are requesting.

Thank You,
Gina Webber

From: gerald durkan
To: Nancy Rumrill/R9/USEPA/US|||EPA
Date: 05/22/2009 05:42 PM
Subject: Lahaina

Aloha Nancy,

I am familiar with the injection wells on Maui and I am concerned where the water actually goes. There have been documented algae blooms at each of the sites and it appears due to the nitrogen and whatever in the waste water. Have tracers been used to see where the injected water is going? It has to be going somewhere and the seashore would be the logical place.

I also wonder about residual medications in the water as I am aware of studies done in Boulder showing significant downstream levels of estrogens, etc. Are there plans to study this also?

Thanks,

G Durkan MD

From: Gary Sahagen
To: Nancy Rumrill/R9/USEPA/US|||EPA
Date: 06/24/2009 07:49 AM
Subject: Re: REQUEST for PUBLIC HEARING ON LAHAINA WASTEWATER
INJECTION WELL PERMIT

In regards to Lahaina, Maui, Hawaii:

I oppose the granting of the permit unless additional conditions are placed on the permit as set forth in the letter of the DIRE Coalition to EPA. While they have identified a range of issues and concerns to which EPA has not spoken previously or which they have newly identified, they have not provided you with anywhere near all the supporting data in their letter. They are in the process of gathering these data (and preparing their presentation) and will provide them to you at the public hearing we are requesting.

Thank You,
Gary Sahagen

From: "Gabriela Villaamil"

To: Nancy Rumrill/R9/USEPA/US|||EPA

Date: 06/22/2009 06:28 PM

Subject: REQUEST for PUBLIC HEARING ON A LAHAINA WASTEWATER
INJECTION WELL PERMIT

REQUEST for PUBLIC HEARING ON LAHAINA WASTEWATER INJECTION
WELL PERMIT

I oppose the granting of the permit unless additional conditions are placed on the permit as set forth in the letter of the DIRE Coalition to EPA. While they have identified a range of issues and concerns to which EPA has not spoken previously or which they have newly identified, they have not provided you with anywhere near all the supporting data in their letter. They are in the process of gathering these data (and preparing their presentation) and will provide them to you at the public hearing we are requesting.

Thank You,

Gabriela Villaamil

From: Gabe Mott
To: Nancy Rumrill/R9/USEPA/US|||EPA
Date: 06/22/2009 05:57 PM
Subject: REQUEST for PUBLIC HEARING ON LAHAINA WASTEWATER
INJECTION WELL PERMIT

Aloha:

My name is Gabriel Mott. I am a registered voter in Haiku.

I oppose the granting of the Lahaina Wastewater Injection Well Permit unless additional conditions are placed on the permit as set forth in the letter of the DIRE Coalition to EPA.

Mahalo,
Gabe

<http://FunkyEnough.blogspot.com>
808 250 4825

From: Mauibikeman
To: Nancy Rumrill/R9/USEPA/US|||EPA
Date: 06/23/2009 02:06 AM
Subject: injection wells

Dear Ms. Rumrill,

I have BIG problems with the use of injection "wells" since there has not been any attempt to see just where the treated sewage ends up. We swim, surf, and play in these waters where the injections occur.

Please explain to the concerned people living in Hawaii why the water has to be "injected" into the ground at all. We have a limited supply of water as it is and just dumping it is part of the problem.

I am sure you have seen this before, but here it is again:I oppose the granting of the permit unless additional conditions are placed on the permit as set forth in the letter of the DIRE Coalition to EPA. While they have identified a range of issues and concerns to which EPA has not spoken previously or which they have newly identified, they have not provided you with anywhere near all the supporting data in their letter. They are in the process of gathering these data (and preparing their presentation) and will provide them to you at the public hearing we are requesting.

G Durkan and Family

From: francis kane
To: Nancy Rumrill/R9/USEPA/US|||EPA
Date: 06/22/2009 09:06 PM
Subject: water

please, please , please act with the highest regard for this
precious environment. 'that is the biological environment, not the
economic easy road.
your actions will follow you all your life and form the course and
quality of all life to come. thank you; francis
kane

From: FloB2

To: Nancy Rumrill/R9/USEPA/US|||EPA

Date: 05/25/2009 08:28 PM

Subject: Underground injection control (UIC) permit for Lahaina, Maui

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

Subject: Intent to issue an Underground injection control (UIC) permit for
the Lahaina Wastewater Reclamation Facility, Lahaina, Maui

Dear Nancy Rumrill,

Thank you for considering my input on the injection well permit HI50710003. As an interested resident of Maui and an avid snorkeler, I am appalled to find that injection wells are still being permitted when recent scientific data proves they cause degradation to our reefs. I understand that there would be great cost to use the wastewater in a more ocean friendly manner. But, our reef quality is paramount to continued tourism which supports our county. It is also a travesty to have our reefs destroyed when there are alternatives, though at a monetary cost.

It seems it is time to add a condition to the permit that would mandate a phase out of the injection well system within the 10 year permit period and a phase in of a different and better use of the wastewater in the future.

Please carefully consider this suggestion and suggestions of other concerned citizens of Maui.

Sincerely,
Florence Bahr
2728 Kauhale Street
Kihei, HI 96753

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From: Fabian Necci
To: Nancy Rumrill/R9/USEPA/US|||EPA
Date: 06/23/2009 12:57 AM
Subject: REQUEST for PUBLIC HEARING ON LAHAINA WASTEWATER
INJECTION WELL PERMIT

I oppose the granting of the permit unless additional conditions are placed on the permit as set forth in the letter of the DIRE Coalition to EPA. While they have identified a range of issues and concerns to which EPA has not spoken previously or which they have newly identified, they have not provided you with anywhere near all the supporting data in their letter. They are in the process of gathering these data (and preparing their presentation) and will provide them to you at the public hearing we are requesting.

Thank You,

Fabian Necci

From: Eve Clute
To: Nancy Rumrill/R9/USEPA/US|||EPA
Date: 06/22/2009 07:16 PM
Subject: REQUEST for PUBLIC HEARING ON LAHAINA WASTEWATER
INJECTION WELL PERMIT.

Nancy Rumrill

REQUEST for PUBLIC HEARING ON LAHAINA WASTEWATER INJECTION
WELL PERMIT.

I request a public hearing public hearing, by EPA on the permit for the Lahaina
Wastewater Injection well.

In my November 2008 testimony, I supported reuse of R-1 treated waste water effluent on brush fires, resort landscaping irrigation and fallow sugar cane fields. After learning more about antibiotic resistant genes [ARG's], I suggest that UV radiation is insufficient to protect the public health from the potential event of necrotizing fasciitis [flesh-eating bacteria.] Insufficiently treated wastewater brought into the public swimming, snorkling, and diving areas via injection wells or through use on land via irrigation can result in illness from diarrhea to serious staph infections to necrotizing fasciitis. Hawaii has had cases of necrotizing fasciitis, 6 resulting in death and the others resulting in amputation.

Information from a study by First, et.al. encysted microbes live inside other microbes in the sewage, treatment never reaches them since they are shielded from UV by being inside.

The U.S. EPA is not involved formerly in recycled water, that is left to the states. EPA does however have control over sewer plants and their effluent. The issue of released antibiotic resistance and antibiotic resistant pathogens is a well known result of current sewer plant operations.

Once ingested, the genetic material may be transferred to normal flora, and subsequently to pathogenic bacteria found in humans or animals, making later treatment with particular antibiotics ineffective. Also one must consider transfer of genetic information from these organisms to more robust organisms as highlighted by Sjolund et al. (2005) indicated that resistance in the normal flora, which may last up to four-years, might contribute to increased resistance in higher-grade pathogens through interspecies transfer. The four year limit is an artifact of their study which lasted only four years.

Sjolund et al go on to note that since populations of the normal biota are large, this affords the chance for multiple and different resistant variants to develop. This thus enhances the risk for spread to populations of pathogens. Furthermore, there is crossed resistance. For example, vancomycin resistance may be maintained by using macrolides.

It is important to reflect on just how rapidly antibiotic resistance can develop. It only takes one resistant pathogen to create millions in 24 hours.

In one study, methacillin resistant *Staphylococcus aureus* had developed in 7 days within patients that had no history of harboring this pathogen. Schentag, et al. (2003), followed surgical patients with the subsequent results. Pre-op nasal cultures found *Staphylococcus aureus* 100% antibiotic susceptible. Pre-op prophylactic antibiotics were administered. Following surgery, cephalosporin was administered. Ninety percent of the patients went home at post-op day 2 without infectious complications. Nasal bacteria counts on these patients had dropped from 10⁵th to 10³rd, but were now a mix of sensitive, borderline, and resistant *Staphylococcus* sp. By comparison, prior to surgery, all of the patients' *Staphylococcus* samples had been susceptible to antibiotics. For the patients remaining in the hospital and who were switched on post-op day 5 to a second generation cephalosporin (ceftazidime), showed bacterial counts up 1000-fold when assayed on post-op day 7 and most of these were methicillin resistant *Staphylococcus aureus* (MRSA). These patients were switched to a 2-week course of vancomycin. Cultures from those remaining in the hospital on day 21, revealed vancomycin resistant enterococcus (VRE) and candida. Vancomycin resistant enterococci infections can produce mortality rates of between 42 and 81%.

Reclaimed wastewater needs to meet and exceed current R-1 standards to prevent superbugs like MRSA, pharmaceuticals (expired Rx drugs flushed down the toilet) and antibiotic resistant genes (ARGs) that remain intact and become part of the effluent. When R-1 effluent is reused or injected into the environment, it can compromise the health of the public. (Kinney, 2006; Kummerer, 2004; Marcinek, 1998; Nakamura, 1990; Pruden, 2006; Ribeiro-Dias, 1983; Rooklidge, 2004.)

This then brings into question the current paradigm on infection and its dose response to a certain load of a particular pathogen, i.e., ID and LD 50s. Lateral transfer of mobile genetic elements conferring resistance is not considered in this old paradigm. With the prodigious capacity for the gut bacteria to multiply, once the lateral transfer has taken place, very small original numbers---well below the old paradigms can be multiplied into impressive numbers. Since viruses and phages are also involved, their capacity to multiply, which dwarfs that of bacteria, must also be included. Thus there is a need for a new paradigm; unfortunately, the regulatory community seems not to recognize this. When one considers the multiplication within sewer plants and also within their byproducts, disbursement into the environment, the transfer to background organisms, hence to man and his animals, then the remultiplication within commensals, the emerging picture is worrisome.

For example, Methicillin-resistant *Staphylococcus aureus*, commonly known as MRSA, is a drug-resistant strain of bacteria currently on the rise in hospitals and communities.

MRSA typically infects wounds or surgical incisions, but where most staph infections could be treated with methicillin, penicillin or other drugs, MRSA fails to respond. In addition, SARS, Ebola virus, and other similar infectious pathogens are superbugs that have received media attention for their resistance to antibiotics and other drugs.

In California, at Montecito San's outfall where trackers were released at the outfall and then from the open ocean at 1000 and 2000 plus feet. Thus there are 3 sets of trackers, the closest to shore is the actual outfall. These are followed in real time via GIS to show where the effluent is likely to move. The outer two sets merely show the overall current movement. The effluent comes right back to shore where people walk barefoot and wade in the the near shore waters.

One example is the twelve month study of the City of Santa Barbara's El Estero sewer plant (2008), which operates at R-1 standard. The report demonstrated that the wastewater contains pathogens of multi-antibiotic resistant bacteria and the standards used to indicate bacteria did not adequately measure these pathogens.

I would like to make of a more fully developed presentation before the EPA at a public hearing.

Sincerely,

Eve Clute

References

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From: Eve Clute
To: Nancy Rumrill/R9/USEPA/US|||EPA
Date: 06/21/2009 02:53 PM
Subject: Testimony RE Renewal permit for the Lahaina WWRF

Nancy Rumrill

I am requesting a public hearing in Lahaina, Maui on the permit renewal for the Lahian Waste Water Reclamation Facility.

Even though I testified at the Nov 6, public hearing on the same matter, I have new information regarding wastewater effluent that has relevance to the Lahiana WWRF permit.

Eve Clute
POBox 11634
Lahaina HI 96761

mauigirl555

808-667-5058

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From: Eve Clute
To: Nancy Rumrill/R9/USEPA/US|||EPA
Date: 06/09/2009 05:24 PM
Subject: Testimony on Lahaina WWRF Permit

Additional testimony for TO ISSUE AN UNDERGROUND INJECTION CONTROL
(UIC) PERMIT
FOR THE LAHAINA WASTEWATER RECLAMATION FACILITY

June 9, 2009

Summary: I recommend 1] to reduce the use of injection wells and recommend that 2] that the waste water is treated to R-1 and reused for irrigation at resorts, to prevent fires on fallow fields and for other uses; and 3] monitor the use of waste water to prevent bacterial or viral break out. My testimony below supports these recommendations.

Maui County has a Reuse program in place.

Maui County's water reuse program was recognized for its commitment to sustainable practices in 2008, by the Hawaii Home & Remodeling Who's Keeping Hawaii Green? program.

Approximately 1.2 billion gallons of recycled water was reused resulting in potable water savings of more than four hundred (400) million gallons in 2008. Approximately 22% of the water from the WWRD's wastewater reclamation facilities is currently reused. Recycled water from our facilities is used for a number of purposes including landscape irrigation, agricultural irrigation, construction, cooling, fire control, toilet flushing and composting. Approximately 1 mgd of treated wastewater is reclaimed to R-1 quality, pursuant to Hawaii State Regulations § 11-62-26, by the addition of ultraviolet disinfection. Reclaimed water to R-1 quality means that it is treated to sufficiently filter and disinfect the wastewater of bacteria and viruses for it to be used safely to water areas frequented by people (such as lawns, parks, and golf courses). This reclaimed wastewater is reused at the plant and distributed to a nearby golf course, pineapple company, and to construction contractors. The reuse of R-1 waste water is less expensive than potable water. The users [resorts, developers etc] can pay for treated R-1 wastewater so the County can recoup their expenses.

In a letter dated Feb 12, 2007, Alexis Strauss, director for the EPA Pacific Southwest Region's Water Division. "Throughout the [Hawaiian]

islands, it's vital that wastewater systems be closely monitored, and very well-maintained, to and very well-maintained, to prevent sewage spills to Hawaii's streams and ocean waters." In addition a monitoring system can be implemented to assure no bacterial growth

is occurring from the waste water.

The 2010 Maui County budget allocates \$38,505,204 and follows investments of \$45,840,000 in the past two years for replacing wastewater lines, upgrading and improving the efficiency of waste treatment facilities including pump stations.

In the West Maui region, developers of North Beach are progressing on a plan to design and construct improvements to expand the County's recycled water production and transmission systems. These improvements will include storage, disinfection and distribution upgrades to the Lahaina Wastewater Reclamation Facility, and make R-1 water available to the North Beach area as well as other commercial properties in the adjacent Kaanapali resort area. Completion of this project is expected by 2010.

It is the North Beach resorts that will benefit from using the waste water. By reducing the amount of injected wastewater to 1 mgd or less, will benefit the Maui County Reuse program,

the users of waste water and the near shore water.

Eve Clute [doctor of public health]

P O Box 11634 Lahaina HI 96761

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From: Elle Cochran
To: Nancy Rumrill/R9/USEPA/US|||EPA
Date: 06/23/2009 12:36 AM
Subject: Request for Public Hearing on Lahaina Wastewater Injection Well Permit

To Whom It May Concern,

I strongly feel that the Lahaina community needs another chance to testify on the Injection Well Permit. The DIRE Coalition has a set of conditions it would like added to the permit, new issues have been identified and warrant EPA's attention!
Please grant us a fair due process and the opportunity to share our additional concerns.

Mahalo for your consideration,
Elle Cochran
Member of DIRE Coalition
553 Office Rd.
Lahaina, HI.96761
808-281-7709

From: Elizabeth Wright
To: Nancy Rumrill/R9/USEPA/US|||EPA
Date: 06/23/2009 07:08 AM
Subject: REQUEST for PUBLIC HEARING ON LAHAINA WASTEWATER
INJECTION WELL PERMIT

I oppose the granting of the permit unless additional conditions are placed on the permit as set forth in the letter of the DIRE Coalition to EPA. While they have identified a range of issues and concerns to which EPA has not spoken previously or which they have newly identified, they have not provided you with anywhere near all the supporting data in their letter. They are in the process of gathering these data (and preparing their presentation) and will provide them to you at the public hearing we are requesting.

Thank You,
Elizabeth Wright

From: Elijah Manahan
To: Nancy Rumrill/R9/USEPA/US|||EPA
Date: 06/23/2009 11:26 AM
Subject: REQUEST for PUBLIC HEARING ON LAHAINA WASTEWATER
INJECTION WELL PERMIT

Title: REQUEST for PUBLIC HEARING ON LAHAINA WASTEWATER
INJECTION WELL PERMIT

I oppose the granting of the permit unless additional conditions are placed on the permit as set forth in the letter of the DIRE Coalition to EPA. While they have identified a range of issues and concerns to which EPA has not spoken previously or which they have newly identified, they have not provided you with anywhere near all the supporting data in their letter. They are in the process of gathering these data (and preparing their presentation) and will provide them to you at the public hearing we are requesting.

Thank You, PONO.....

Elijah Manahan R (S)

From: Elarael
To: Nancy Rumrill/R9/USEPA/US|||EPA
Date: 06/23/2009 01:48 AM
Subject: Injection Wells

Aloha,

I am writing to request a public hearing for the Lahaina wastewater injection well permit. Maui, and Hawaii, (not to mention the entire planet), is at the crossroads between doing the right thing, sustainably speaking, and staying with the status quo, which is not the brightest choice for the times we face.

Decisions we make NOW are determining the success or failure of these islands and the ecology (and therefore our regional food basket and economy) of the oceans around us. With fisheries and reefs around the world crashing at an alarming rate, not to mention water tables and aquifers, we simply must make every effort at going the extra mile NOW for a sustainable result for our aina and for the community here in Maui.

We must safeguard our future in this world by going above and beyond "the norm" NOW in order to preserve the health and well-being of our immediate future.

Deepest Mahalo's for all your hard work. We are all educating each other for the good of our island well-being.

Best regards,
Elarael Burdette
573-5281

From: Dustin Barton
To: Nancy Rumrill/R9/USEPA/US|||EPA
Date: 06/23/2009 03:53 AM
Subject: REQUEST for PUBLIC HEARING ON LAHAINA WASTEWATER
INJECTION WELL PERMIT

I oppose the granting of the permit unless additional conditions are placed on the permit as set forth in the letter of the DIRE Coalition to EPA. While they have identified a range of issues and concerns to which EPA has not spoken previously or which they have newly identified, they have not provided you with anywhere near all the supporting data in their letter.. They are in the process of gathering these data (and preparing their presentation) and will provide them to you at the public hearing we are requesting.

Thank You,

Dustin Barton

From: "Donald J. Robinson"

To: Nancy Rumrill/R9/USEPA/US|||EPA

Date: 06/22/2009 06:02 PM

Subject: REQUEST for PUBLIC HEARING ON LAHAINA WASTEWATER
INJECTION WELL PERMIT

Dear Ms. Rumrill:

I oppose the granting of the permit unless additional conditions are placed on the permit as set forth in the letter of the DIRE Coalition to EPA. While they have identified a range of issues and concerns to which EPA has not spoken previously or which they have newly identified, they have not provided you with anywhere near all the supporting data in their letter. They are in the process of gathering these data (and preparing their presentation) and will provide them to you at the public hearing we are requesting.

Thank You,

Donald J. Robinson

Attorney at Law

PO Box 12850

Lahaina, HI 96761

=

Don't Inject, REdirect

Because the situation is DIRE

June 23, 2009

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

Attn: Nancy Rumrill

Delivered via email to: rumrill.nancy@epa.gov

Re: Request for Public Hearing on Revised Version of Proposed Permit for

Lahaina (Maui) Wastewater Underground Injection Wells

Dear Ms. Rumrill,

We write on behalf of the DIRE Coalition, a group of Maui county residents, visitors and organizations, who seek to protect the County's reefs, public health, and economy by urging the County to phase out wastewater injection wells and reclaim and re-use properly treated wastewaters on land for a variety of beneficial uses. We acknowledge that underground injection wells for publicly owned wastewater disposal are only one of the significant sources contributing to undermining ocean, reef, fish, and human health and well-being, but we believe they are significant enough contributors to warrant your focused attention, while we think together about ways to address the other significant sources of these problems. Evidently, the Mayor of Maui County agrees, for on May 22 she publicly proclaimed this vision: "Our goal is to use all of the water that's produced by our treatment plants and not put it down any injection wells. That's our goal."

In light of this pronouncement and the additional data we have developed at and since the last public hearing, we write for the following purposes:

- (1) To request a public hearing on the proposed revised permit for the Lahaina wastewater treatment plant's underground injection wells;

- (2) To request – even before the public hearing – EPA to encourage the county to meet in an informal, inter-active forum with interested parties to discuss how soon and how we can make Mayor Tavares’ goal a reality;
- (3) To request that in both the informal forum and public hearing EPA involve its Clean Water Act staff as well as its safe drinking water/groundwater protection staff;
- (4) To provide a summary of the reasons and bases for these requests.

Recognition of Improvements: First, we would like to express our appreciation and support for the goal announced by Mayor Tavares on the 22d of May. Second, we want also to express our appreciation and support for most of the changes that EPA has proposed in the revised permit. We think the following changes are beneficial – at least directionally – and want to ensure that EPA does not retract or reduce the stringency of any of these new requirements in response to any other comments that you may receive. Specifically, we believe the proposed revised permit conditions are improvements over the original proposed permit in the following respects:

1. Inclusion of new nitrogen mass loading limits in injected effluent and phasing these limits down over the next 5 plus years. *(As indicated by our comments below, we believe a more aggressive phase down schedule is needed for total nitrogen loadings with completion required by December 31, 2011.)*
2. Inclusion of a new requirement for treatment of all injected effluent to meet and exceed R-1 standards by 12/31/11. *(In our view, all wastewater should be required to be treated **beyond the current R-1 standard**, for reuse and injection. R-1 water is both chlorinated and UV radiated; however current studies show that sewage waste water contains antibiotic resistant genes (ARGs) that remain intact and become part of the effluent that is or reused or injected into the public environment. Therefore, all reused water must be monitored for bacterial content to prevent “the superbug” and resistant bacteria from occurring — as documented in the studies cited in endnote 1. In addition to UV and chlorine, appropriate virus/bacterial technology must be included in the sewage treatment, and updated as the viruses and bacteria mutate to develop immunity. This will be essential to enable the water quality of the treated wastewaters to be used on land safely and in compliance with all applicable federal and state standards.)*

3. Lowering the injection rate ceiling for average gallons/day over a weekly period and setting a daily maximum level.
4. Adding a separate nitrate limit.
5. Adding bacterial monitoring of the effluent.

Concerns and Inadequacies. While we appreciate the above areas of improvements, there are a number of areas of concern or inadequacies in EPA's response that we believe need further public airing and discussion, particularly in light of Mayor Tavares' announced goal of 100% water reclamation and zero wastewater injection. Among these areas of concern or inadequacies are that EPA's revised proposed permit, accompanying statement of basis, and public notice did not respond satisfactorily (or in some cases at all) to key questions that were raised in the November 2008 public hearing. For example, EPA did not say in any of these documents:

- a. Whether or not EPA agrees with the contention presented in earlier public hearings and comments that the County has the burden of proving its eligibility for a 10 year UIC permit under the Safe Drinking Water Act?
- b. If so, whether the County has satisfied that burden of proof (and if so, specifically how it did so)? If not, on what authorities the EPA relies for coming to this conclusion?
- c. How the County's 1995 objection to conducting ground water monitoring in areas surrounding the injection wells and the fact that the County, therefore, could not provide ground water monitoring data in support of its permit application – how these factors affect the question whether or not the County adequately bore the burden of proving entitlement to a new 10 year UIC permit?
- d. Why EPA apparently rejected the unanimous view of those testifying in the public hearing that the Agency should condition the granting of any permit

on a schedule for the County to phase out the injection wells and instead reclaim and re-use appropriately treated wastewaters on land for beneficial uses – whether this was for legal, policy, or scientific reasons? *(We urge EPA to adding a condition to the permit to require the County to adopt, within one year, and implement a specific plan for phasing out of the injection wells and — in line with the Mayor’s goal — the end of all wastewater injection as soon as feasible. We also urge EPA to add a permit condition that would require the County to commission the requisite feasibility, design, and financing studies so that “shovel ready plans” for getting the reclaimed wastewater to beneficial re-use on land are completed by no later than December 31, 2011.)*

e. Whether or not EPA accepted or rejected the contentions of several submissions to and witnesses at the prior hearing that the Clean Water Act is relevant to this proceeding and that the Agency has the authority under these factual circumstances to require the County to obtain an NPDES permit for any injection well that acts as an indirect means of discharging wastewater to the ocean? *(We believe that EPA has this authority, and note that the Hawaii State Department of Lands and Natural Resources argued as well that the EPA has and should use its Clean Water Act authority in connection with this application. See: <http://www.epa.gov/region/water/groundwater/uic-pdfs/lahaina/SoH-DoLaNR-DoAR-DanPolhemus.pdf>). In the new hearing we are requesting we will present additional authorities and arguments to support this point.)*

f. Whether – given the fact that the County now acknowledges that the wastewaters injected into these underground wells flow into the ocean (see Transcript, p. 8, lines 20-21 and p. 13, line 13-p.14, line – in EPA’s view, the County should be seeking an NPDES permit for the plant and should be satisfactorily treating all injected wastewaters to levels that would satisfy the State’s specified beneficial uses of ocean waters? *(We urge EPA to add a condition to the permit requiring the County within one year to apply for a state or Federal NPDES permit for any discharge through the injection well, which is known [which may reasonably be anticipated], to enter ocean waters and to meet all applicable or necessary water quality, effluent limits, and other requirements for discharges to protect health and the environment, including all beneficial uses of the ocean and protection of the reefs. We plan*

to amplify and support this point in our testimony and submissions to the public hearing we are requesting. We are also requesting EPA, after the public hearing, to clarify its position with regard to this question and make that clarification public.)

- g. Whether or not the EPA regards the State Constitution's requirements that "all waters of Hawaii" be held in public trust by the State and its counties and managed for beneficial use as a relevant state standard under the Safe Drinking Water Act or the Clean Water Act?
- h. How these questions may need to be reassessed in light of the Mayor's unequivocal goal to "use all of the water that's produced by the treatment plants and not put it down any injection well"?

These and other questions deserve clarification (which the Agency has not provided thus far) and further discussion in light of the new information that came to light during the previous public hearing, but to which EPA has not expressly responded, and in light of Mayor Tavares' announcement of this new County goal. .

Additional Legal and Public Policy Issues. In addition, we believe a new public hearing is needed in order that we may raise the following new questions and present data and information relevant to their appropriate resolution as a matter of law, policy, and public and environmental health. These questions – on which we wish to provide additional information — include the following:

- i. Whether EPA has the authority under the existing UIC permit to require the County to obtain an NPDES permit or curtail injection when "There exists a legal, *environmental*, or public health condition that requires elimination of either a temporary or permanent reduction or the permitted injection." [emphasis added]? And why in the new permit, does EPA propose to remove this language and authority? (*We believe this provision should be retained in the new permit and used to ensure adequate treatment of the injected effluent.*)

j. Regardless of the answer to the previous question, whether or not the “nexus” between the injection of wastewater into the Lahaina wells and the acknowledged entry of the discharged wastewater into the ocean should be regarded as “significant” within the meaning of Justice Kennedy’s concurring opinion in *Rapanos v. US*, 126 S.Ct. 2208 (2007) and the Ninth Circuit Court of Appeals decision in *Northern California River Watch v. City of Healdsburg*, 457 F.3d 1023, 496 F.3d 993 (9th Cir. 2007)? We believe that this nexus is “significant” given a number of pertinent factors, including the County’s on the record admission validated by the testimony of others and “independent scientific studies,” the stated purposes of the Clean Water Act and its NPDES permit system, the Supreme Court’s holding in *South Florida Water Management District v. Miccosukee Tribe of Indians et al.*, 541 U.S. 95 (2004) to the effect that “one of the [Clean Water] Act’s primary goals was to impose NPDES permitting requirements on municipal wastewater treatment plants,” the huge volumes of water that are discharged to the wells in relation to the limited holding capacity of the wells, the design of the wells that include openings for releasing the injected wastewater underground, the short distance from the injection wells to the ocean, the hydro-geology of the area which clearly causes released wastewaters to flow to the ocean, and other pertinent factors (including the State’s public policy statement on water pollution control in Hawai’i Administrative Rules, 11-55-02). *(We believe the answer is yes and would like to present the evidence we are collecting to document the “significant nexus” that exists between the injected wastewaters and the discharge and harm to the reefs and ocean.)*

k. Whether in the Agency’s view, the discharge of a pollutant *indirectly* into the ocean through a underground well (rather than directly) exempts the plant from meeting NPDES requirements that clearly would be applicable if it dumped the wastewaters directly into the ocean? *(We believe it does not and should not – as both questions of law and policy — and will cite authorities and policy arguments in support of that position.)*

l. Whether the Agency’s authorities under the Safe Drinking Water Act and the Clean Water Act should be viewed in light of the subsequently enacted federal Pollution Prevention Act of 1990, and the hierarchy of environmental management under that Act that puts “recycling” ahead of “disposal or release to the environment”? If EPA agrees, how does the proposed permit

and the failure to require wastewater reclamation and re-use in preference to injection well disposal reflect this statutory hierarchy? If EPA does not agree, then why not? *(We think the Agency's authority under the Safe Drinking Water Act and Clean Water Act should be read in light of the PPA and that, as a result, the Agency should use these authorities to require the County to move toward phasing out injection in favor of the reclamation and re-use of properly treated wastewaters. In the hearing, we would like to present further information and authorities, which support of this position.)*

- m.. How the Agency weighed the views of former Mayor Arakawa, the former manager of the Lahaina plant, with respect to the questions raised in this letter, and specifically which of his statements and recommendations were agreed to, which were not, and why not? *(We think those views should be given great weight in light of his technical expertise and understanding of the policy making process in Maui.)*
- n. How the Agency's views on the Lahaina injection well permit relate to the views it stated in 2003 in EPA, "Underground Injection Control Program—Relative Risk Assessment of Management Options for Treated Wastewater in South Florida; Notice of Availability," May 5, 2003, p. 23673, 23677 — http://bulk.resource.org/gpo.gov/register/2003/2003_23677.pdf
- o. Why the County objected to groundwater monitoring that EPA first required (then withdrew) in 1995, even though this would have provided clearer information about the directional flow of injected effluent, and whether such requirements should be re-instated in the current permit? *(We believe such ground water requirements should be re-instated, along with other monitoring requirements – particularly ocean water quality monitoring in the area where the injected effluent is flowing into the ocean.)*
- p. .Under what authority the Agency proposes to require reductions of total nitrogen loadings in the Lahaina effluent to be injected, if the UIC authorities of the Agency may only be exercised in order to protect the safety of drinking water standards? Does the Agency believe that reductions of total

nitrogen loadings in the injectate are necessary to protect drinking water supplies, and if so, what's the basis for this belief?

Additional Scientific, Technical, Public Health, and Ecology Issues:

Finally, we think an additional public hearing is needed to consider the following scientific, technical, health and environmental questions, issues and concerns:

- q. What standard (and assumptions) the Agency used to define the amount of allowable nitrogen loadings in the effluent and the timetable for reduction in these loadings – whether based on technical or economic feasibility, public health protection, environmental protection, or other factors, and whether a more aggressive phase down timetable is warranted? *We think a more aggressive phase down timetable is both necessary and feasible to protect the ocean ecology and the reefs and we wish to provide data to support this. Specifically, we support a change to the proposed conditions of the Lahaina UIC permit to require achievement of a 50% reduction in total nitrogen loading of by no later than December 31, 2011, instead of December 31, 2015.)*
- r. Why the Agency is not requiring groundwater monitoring wells and regular groundwater monitoring, ocean water quality monitoring, and other appropriate measurements to protect ocean health? *We think these requirements should be added as permit conditions and want to provide data to support the addition of these conditions. Specifically, we urge EPA to add a condition to the Lahaina UIC permit requiring the County to begin construction of monitoring wells by January 1, 2012 and to complete construction and begin operation of such monitoring wells by December 31, 2012.)*
- s. Whether the requirements for bacteriological monitoring in the injected effluent and in nearby ocean waters should be improved by increasing the frequency and improving the kind and specific methods of monitoring required? *(We think these requirements can and should be improved and want to provide the Agency with more specific recommendations for EPA's consideration*

before finalizing the permit.)

- t. Whether in light of emerging information about resistant bacteria and viruses (RBV), MRSA, potential endocrine disruptors, and pharmaceuticals in wastewater, the permit should require additional treatment beyond R-1 levels to protect the public's health and the environment. (We believe that such additional treatment measures are needed — regardless of how soon injection wells are phased out and replaced with reuse on land — in order protect the public's health and the environment. We would like the opportunity at the public hearing to present additional information about why this is necessary and how it is feasible.)

Conclusion. While we have identified a range of issues and concerns to which EPA has not spoken previously or which we have newly identified, we have not provided you with anywhere near all the supporting data in this letter. We are in the process of gathering these data (and preparing our presentation) and will provide them to you at the public hearing we are requesting.

On behalf of the DIRE Coalition, we appreciate your consideration of the requests contained in this letter, of the issues we would like to discuss with you and the County at the public hearing, and of the kinds of additional data we would like to present at the public hearing.

Sincerely,

Signatories, for the DIRE Coalition,

Alyse Takayesu, Kula

Ananda Stone, Lahaina

Elle Cochran, Honolulu

Eve Clute, Lahaina

Hannah Bernard, Haiku

Irene Bowie, Kihei

Jeff Schwartz, Kula

DIRE Coalition

Robin Newbold, Kihei

Teri Leonard, Kihei

Wayno Cochran, Honolulu

Endnotes for DIRE Letter to EPA - 6/ /09

See the following studies: Pruden, A.; Pei, R.; Storteboom, H.; Carlson, K. H Antibiotic Resistance Genes as Emerging Contaminants: Studies in Northern Colorado. *Environ. Sci. Technol.*; (Article); 2006; 40(23); 7445-7450 and Ribeiro-Dias JC, Vicente AC, Hofer E. Fecal coliforms in sewage waters. I. Resistance to antibiotics, heavy metals and colicinogeny. *Appl Environ Microbiol* 1983 Jul;46(1):227-32. and Marcinek H, Wirth R, Muscholl-Silberhorn A, Gauer M. Enterococcus faecalis gene transfer under natural conditions in municipal sewage water treatment plants. *Appl Environ Microbiol* 1998 Feb;64(2):626-32 and Nakamura S, Shirota H. Behavior of drug resistant fecal coliforms and R plasmids in a wastewater treatment plant. *Nippon Koshu Eisei Zasshi* 1990 Feb;37(2):83-90.; and Kinney CA, et al. Presence and distribution of wastewater-derived pharmaceuticals in soil irrigated with reclaimed water and *Environ Tox Chem* 2006 Feb;25(2):317-26 and Kummerer K. Resistance in the environment. *J Antimicrob Chemother.* 2004 Aug;54(2):311-20. Epub 2004 Jun 23. and Kummerer K. Promoting resistance by the emission of antibiotics from hospitals and households into effluent. *Clin Microbiol Infect.* 2003 Dec;9(12):1203-14. and Kummerer K. Standardized tests fail to assess the effects of antibiotics on environmental bacteria. *Water Res.* 2004 Apr;38(8):2111-6 and Kummerer K. Biodegradability of some antibiotics, elimination of the genotoxicity and affection of wastewater bacteria in a simple test. *Chemosphere.* 2000 Apr;40(7):701-10 and Kummerer K. Drugs, diagnostic agents and disinfectants in wastewater and water—a review. *Schriftenr Ver Wasser Boden Luft Hyg.* 2000;105:59-71 and Rooklidge SJ. Environmental antimicrobial contamination from terraccumulation and diffuse pollution pathways. *Sci Total Environ.* 2004 Jun 5;325(1-3):1-13 and The Dirty Work of Promoting “Recycling” of America’s Sewage Sludge. *Int J. Occup Health.* 2005; 11:415-27 and Mintz JA. “Treading Water”: A Preliminary Assessment of EPA Enforcement

From: dianeknourek
To: Nancy Rumrill/R9/USEPA/US|||EPA
Date: 06/23/2009 06:52 AM
Subject: lahaina well permit

Title: REQUEST for PUBLIC HEARING ON LAHAINA WASTEWATER
INJECTION WELL PERMIT

I oppose the granting of the permit unless additional conditions are placed on the permit as set forth in the letter of the DIRE Coalition to EPA. While they have identified a range of issues and concerns to which EPA has not spoken previously or which they have newly identified, they have not provided you with anywhere near all the supporting data in their letter. They are in the process of gathering these data (and preparing their presentation) and will provide them to you at the public hearing we are requesting.

Thank You,
Diane Knourek

A Good Credit Score is 700 or Above. See yours in just 2 easy steps!

From: diane burr
To: Nancy Rumrill/R9/USEPA/US|||EPA
Date: 06/22/2009 07:55 PM
Subject: REQUEST for PUBLIC HEARING ON LAHAINA WASTEWATER
INJECTION WELL PERMIT

I oppose the granting of the permit unless additional conditions are placed on the permit as set forth in the letter of the DIRE Coalition to EPA. While they have identified a range of issues and concerns to which EPA has not spoken previously or which they have newly identified, they have not provided you with anywhere near all the supporting data in their letter. They are in the process of gathering these data (and preparing their presentation) and will provide them to you at the public hearing we are requesting.

Thank You, Diane Burr

Hotmail® has ever-growing storage! Don't worry about storage limits. Check it out.

From: Debra Casey
To: Nancy Rumrill/R9/USEPA/US|||EPA
Date: 06/23/2009 11:40 AM
Subject: REQUEST PUBLIC HEARING ON LAHAINA WASTEWATER
INJECTION WELL PERMIT

Mrs. Rumrill:

I oppose the granting of the permit unless additional conditions are placed on the permit as set forth in the letter of the DIRE Coalition to EPA. While they have identified a range of issues and concerns to which EPA has not spoken previously or which they have newly identified, they have not provided you with anywhere near all the supporting data in their letter. They are in the process of gathering these data (and preparing their presentation) and will provide them to you at the public hearing we are requesting.

The west side of the island of Maui is a fragile, and isolated area, and we cannot afford to have our groundwater, and subsequently, our drinking water as well as our offshore reef ecosystems, contaminated.

Thank You,

Debra Casey
West Maui resident

From: Debbie Notch

To: Nancy Rumrill/R9/USEPA/US|||EPA

Date: 06/22/2009 06:10 PM

Subject: REQUEST for PUBLIC HEARING ON LAHAINA WASTEWATER
INJECTION WELL PERMIT

I oppose the granting of the permit unless additional conditions are placed on the permit as set forth in the letter of the DIRE Coalition to EPA. While they have identified a range of issues and concerns to which EPA has not spoken previously or which they have newly identified, they have not provided you with anywhere near all the supporting data in their letter. They are in the process of gathering these data (and preparing their presentation) and will provide them to you at the public hearing we are requesting.

Thank You,

Deborah Notch
811 S. Kihei Rd 1-C
Kihei, HI 96753

From: "Clyde, Dawn M CTR USAF AFMC AFRL/RDSM"
To: Nancy Rumrill/R9/USEPA/US|||EPA
Date: 06/23/2009 01:03 PM
Subject: REQUEST for PUBLIC HEARING ON LAHAINA WASTEWATER
INJECTION WELL PERMIT

I oppose the granting of the permit unless additional conditions are placed on the permit as set forth in the letter of the DIRE Coalition to EPA. While they have identified a range of issues and concerns to which EPA has not spoken previously or which they have newly identified, they have not provided you with anywhere near all the supporting data in their letter. They are in the process of gathering these data (and preparing their presentation) and will provide them to you at the public hearing we are requesting.

Dawn Clyde
Boeing LTS, EHS
808-249-1394 OBS

From: "L. David Whitmire"

To: Nancy Rumrill/R9/USEPA/US|||EPA

Date: 06/22/2009 06:31 PM

Subject: REQUEST for PUBLIC HEARING ON LAHAINA WASTEWATER
INJECTION WELL PERMIT

I oppose the granting of the permit unless additional conditions are placed on the permit as set forth in the letter of the DIRE Coalition to EPA. While they have identified a range of issues and concerns to which EPA has not spoken previously or which they have newly identified, they have not provided you with anywhere near all the supporting data in their letter. They are in the process of gathering these data (and preparing their presentation) and will provide them to you at the public hearing we are requesting.

Thank You,

David Whitmire
Alameda Ca

From: David Morin
To: Nancy Rumrill/R9/USEPA/US|||EPA
Date: 06/22/2009 06:50 PM
Subject: Look at Options-Lahaina Well Permit

Aloha Ms. Rumrill: Please give this your immediate attention. I believe it to be very important and worthy of a good look at the options.
David Morin

Title: REQUEST for PUBLIC HEARING ON LAHAINA WASTEWATER
INJECTION WELL PERMIT

I oppose the granting of the permit unless additional conditions are placed on the permit as set forth in the letter of the DIRE Coalition to EPA. While they have identified a range of issues and concerns to which EPA has not spoken previously or which they have newly identified, they have not provided you with anywhere near all the supporting data in their letter. They are in the process of gathering these data (and preparing their presentation) and will provide them to you at the public hearing we are requesting.

Thank You,

David Morin
Maui Meadows
Voter, Veteran and Former Environmental Consultant

From: David Gilbertson
To: Nancy Rumrill/R9/USEPA/US|||EPA
Date: 06/22/2009 08:41 PM
Subject: Request for Public Hearing - Lahaina Wastewater Injection Well Permit

Dear Ms. Rumrill:

I oppose the granting of the permit unless additional conditions are placed on the permit as set forth in the letter of the DIRE Coalition to EPA. While they have identified a range of issues and concerns to which EPA has not spoken previously or which they have newly identified, they have not provided you with anywhere near all the supporting data in their letter. They are in the process of gathering these data (and preparing their presentation) and will provide them to you at the public hearing we are requesting.

As a long time surfer and someone who cares deeply about our ocean and its inhabitants, I urge you to carefully consider this permit request and implement better alternatives.

Thank you for your review and consideration.

Dr. David Gilbertson
190 Holomakani Place
Kula HI 96790
(808) 264-2246

From: Darrell Tanaka
To: Nancy Rumrill/R9/USEPA/US|||EPA
Date: 06/22/2009 06:40 PM
Subject: Injection well

**REQUEST for PUBLIC HEARING ON LAHAINA WASTEWATER INJECTION
WELL PERMIT**

I oppose the granting of the permit unless additional conditions are placed on the permit as set forth in the letter of the DIRE Coalition to EPA. While they have identified a range of issues and concerns to which EPA has not spoken previously or which they have newly identified, they have not provided you with anywhere near all the supporting data in their letter. They are in the process of gathering these data (and preparing their presentation) and will provide them to you at the public hearing we are requesting.

Darla J. White

Marine Research / Scientific Diver

755 Kupulau Dr. Kihei, HI 96753

Cell: (808) 345-2312 Fax : (888) 570-2641

E-mail: onareef@yahoo.com or darla.j.white@hawaii.gov

OBJECTIVE: To further our understanding of the marine environment through research and education in order to promote conservation and longevity of these ecosystems.

June 23, 2009

U.S. Environmental Protection Agency,

Ground Water Office (WTR-9),

75 Hawthorne Street,

San Francisco, CA 94105

Attn: Nancy Rumrill

Delivered via email to: rumrill.nancy@epa.gov

Re: Request for Public Hearing on Revised Version of Proposed Permit for

Lahaina (Maui) Wastewater Underground Injection Wells

Dear Ms. Rumrill,

I know I speak on the behalf of the greater island community when I say 'mahalo' for the time and attention that the EPA has given to the revision efforts of the Lahaina UIC permit. There has been substantial positive progress and that is acknowledged and appreciated.

I am a marine scientist and research diver for the State and the University, though I am writing on my own behalf. As a resident and ocean user, and as someone knowledgeable of the coral reef environment, I am witness to the degradation of the coral reef ecosystems here on Maui. The reef at Kahekili, as well as other regions near injection wells, is heavily impacted by nutrient pollution. This one reef has suffered a decrease of 50% live coral cover over the past decade, which is the time span of the last injection well permit. There are assuredly multiple stressors to the reef, including invasive algal species which are fueled by said nutrient pollution. Current research results verify the stable nitrogen isotope ratios in algae in the vicinity of injection wells indicate wastewater sources. I have sampled water from the seeps at Kahekili and seen how the seepwater (freshwater flowing out of the substrate in the vicinity of the reef) influences algal growth. This ecosystem is in peril and does not have a lot of time...the pollution stressors need to be removed now.

The nitrogen reduction schedule is a great step forward, as they are a reduction from the previously permitted loads, but in actuality it is not a reduction at all and I think that the way it is presented is ambiguous and misleading, especially since the current loads are not given. It would be more transparent to present a percent reduction on a quarterly schedule for the public to better comprehend. A thorough Information and Fact Sheet would be appropriate for the public to comprehend the issues and make informed comments.

The goal of treatment to R-1 by the end of 2011 is admirable, but I would like to emphatically request that more advanced treatment be required and implemented. Nitrogen reduction alone does not address the micronutrients that are required for algal growth and overgrowth on the reef. R-1 is the bare minimum, and we should strive for better quality water both for the environment and public health. R-1 by UV does not kill vibrios, a pathogenic bacterium, some strains of which have been linked to coral disease, nor does it kill viruses. Hazardous chemicals, endocrine disrupters, antibiotic resistant pathogens, and other health hazards are not addressed. I personally have also had MRSA several times, three confirmed by hospitals, including one minor surgery. Public health is a very important issue here. Testing needs to be done and treatment needs to be consistent with potential health threats. We do know enough to take action and make better requirements.

Additional specific points:

Section A.3.

There is no mention of a test/monitoring well to verify the fate and transport of injected fluids or to define the plume with monitoring. How can you know if the drinking water resource is being protected? Is it reaching the ocean before it reaches the aquifer? I request that a monitoring well system be mandated for this permit.

Section C.3.

Lowering the injection limit to 7.0 mgd does not make any impact on the current three to five million gallons a day currently being disposed of via injection wells in Lahaina. I acknowledge that this permit is for the next ten years and as such should take into account increasing population and use; however, the goal should be to decrease the total load of pollution to the environment. I suggest that the average daily volume per week not exceed 5.0 mgd, with a daily maximum not to exceed 7.0 mgd. To that end, were the pollutant loads of the wastewater to be reduced through advanced treatments and the quality of the water could be deemed 'not toxic', then a greater volume would not be deleterious to the environment or the uses.

Section C.4.a.

I agree that no hazardous materials should be disposed of, as stated. As such, the wastewater itself contains hazardous materials and should be treated to a greater purity. The technologies exist, both through natural processes or advanced treatment.

Due to the real and potential impacts of the Lahaina injection wells to the environment and public health, the UIC permit should be revised to reflect the existing concerns. I would also like to request a public hearing here on Maui in order to allow time for the public to be informed transparently of the

current uses and proposed permit changes. I would also like to request a response to my concerns stated herein.

I appreciate your time and consideration.

Best regards,

Darla White

From: Darla J White
To: Nancy Rumrill/R9/USEPA/US|||EPA
Cc: Robin Knox , Meghan Dailer
Date: 06/23/2009 03:37 PM
Subject: Lahaina (Maui) Wastewater Underground Injection Wells

Darla J.. White
Marine Research / Scientific Diver
755 Kupulau Dr. Kihei, HI 96753
Cell: (808) 3... Fax : (888) 570-2641
E-mail: onareef or darla.j.white
OBJECTIVE: To further our understanding of the marine environment through research and education in order to promote conservation and longevity of these ecosystems.

June 23, 2009

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

Attn: Nancy Rumrill
Delivered via email to: rumrill.nancy@epa.gov
Re: Comments on Revised UIC Permit and Request for Public Hearing
Lahaina (Maui) Wastewater Underground Injection Wells

Dear Ms. Rumrill,

I know I speak on the behalf of the greater island community when I say 'mahalo' for the time and attention that the EPA has given to the revision efforts of the Lahaina UIC permit.. There has been substantial positive progress and that is acknowledged and appreciated.

I am a marine scientist and research diver for the State and the University, though I am writing on my own behalf. As a resident and ocean user, and as someone knowledgeable of the coral reef environment, I am witness to the degradation of the coral reef ecosystems here on Maui. The reef at Kahekili, as well as other regions near injection wells, is heavily impacted by nutrient pollution. This one reef has suffered a decrease of 50% live coral cover over the past decade, which is the time span of the last injection well permit. There are assuredly multiple stressors to the reef, including invasive algal species which are fueled by said nutrient pollution. Current research results verify the stable nitrogen isotope ratios in algae in the vicinity of injection wells indicate wastewater sources. I have sampled water from the seeps at Kahekili and seen how the

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Additional specific points:

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public to be informed transparently of the current uses and proposed permit changes. I would also like to request a response to my concerns stated herein.
I appreciate your time and consideration.

Best regards,
Darla White

Darla J White
Cell: 808-34...; Fax 888-570-2641
onareef
darla.j..white

From: Dan Tracy
To: Nancy Rumrill/R9/USEPA/US|||EPA
Date: 06/22/2009 09:11 PM
Subject: REQUEST for PUBLIC HEARING ON LAHAINA WASTEWATER
INJECTION WELL PERMIT

Aloha,

I oppose the granting of the permit unless additional conditions are placed on the permit as set forth in the letter of the DIRE Coalition to EPA. While they have identified a range of issues and concerns to which EPA has not spoken previously or which they have newly identified, they have not provided you with anywhere near all the supporting data in their letter. They are in the process of gathering these data (and preparing their presentation) and will provide them to you at the public hearing we are requesting.

Thank You,

Dan Tracy

From: Corey Cosgrove
To: Nancy Rumrill/R9/USEPA/US|||EPA
Date: 06/22/2009 05:51 PM
Subject: REQUEST for PUBLIC HEARING

Title: REQUEST for PUBLIC HEARING ON LAHAINA WASTEWATER
INJECTION WELL PERMIT

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Thank You,

Corey J.G. Cosgrove
Future Island Resident
Holland, MI USA

From: Cody
To: Nancy Rumrill/R9/USEPA/US|||EPA
Date: 06/22/2009 08:25 PM
Subject: Permit

I oppose the granting of the permit unless additional conditions are placed on the permit as set forth in the letter of the DIRE Coalition to EPA. While they have identified a range of issues and concerns to which EPA has not spoken previously or which they have newly identified, they have not provided you with anywhere near all the supporting data in their letter. They are in the process of gathering these data (and preparing their presentation) and will provide them to you at the public hearing we are requesting.

From: Clare Apana
To: Nancy Rumrill/R9/USEPA/US|||EPA
Date: 06/23/2009 03:14 AM
Subject: Lahaina wastewater injection wells

Please do more intake of data from the community before renewing Maui County's permit. he injection wills/well is dangerous. Please have a public hearing to make conditions .

Thank you.

Clare Apana

A Good Credit Score is 700 or Above. See yours in just 2 easy steps!

From: Clare Apana
To: Nancy Rumrill/R9/USEPA/US|||EPA
Date: 06/23/2009 03:27 AM
Subject: - Haleakala from ClareApana

Subject: Fwd: Kilakila Haleakala from ClareApana

Mahalo to all who support the preservation of sacred Haleakala. She needs our assistance. See attached file for view of proposed Advanced Technology Solar Telescope (ATST) for the purpose of Scientific research and defense proposed for the summit of Haleakala. Sign petition www.kilakilahaleakala.org Download a petition www.kilakilahaleakala.org

This written record will be turned in as a response to the environmental impact statement process. It will also be sent to:

1. Director of the National Science Foundation (NSF) who will make the ultimate decision to fund or to deny funding for this project on Haleakala
2. Department of Land and Natural Resources (Laura Thielen) who must give approval to use the Historic Haleakala National Park including the narrow and potentially unsafe (for this project size) historic road to the summit
3. Superintendent of Haleakala National Park.
4. Other reviewing committee members

We have until June 22nd for the response to the Environmental Impact Statement and June 30, 2009 for cultural comments. This is an update of the 2005 petition.

Any signatures that are received after June 30th will continue to be submitted. We have a limited time to collect signatures. but with the effort of many we can make an impact.

An email to your contacts is so greatly appreciated.

Sign petition www.kilakilahaleakala.org

Download a petition www.kilakilahaleakala.org

In great gratitude for your assistance,

Clare Apana -ahkada Ph 2144411.

A Good Credit Score is 700 or Above. See yours in just 2 easy steps!

From: Will Ridings
To: Nancy Rumrill/R9/USEPA/US|||EPA
Date: 06/23/2009 10:19 AM
Subject: Title: REQUEST for PUBLIC HEARING ON LAHAINA
WASTEWATER INJECTION WELL PERMIT

I oppose the granting of the permit unless additional conditions are placed on the permit as set forth in the letter of the DIRE Coalition to EPA. While they have identified a range of issues and concerns to which EPA has not spoken previously or which they have newly identified, they have not provided you with anywhere near all the supporting data in their letter. They are in the process of gathering these data (and preparing their presentation) and will provide them to you at the public hearing we are requesting.

Christy
Ridings Law Firm
2510 South Brentwood, Suite 205
St. Louis, Mo 63144
314-968-1313
314-968-1302 fax

From: Chris Keithley
To: Nancy Rumrill/R9/USEPA/US|||EPA
Date: 06/23/2009 09:47 AM
Subject: REQUEST for PUBLIC HEARING ON LAHAINA WASTEWATER
INJECTION WELL PERMIT

I oppose the granting of the permit unless additional conditions are placed on the permit as set forth in the letter of the DIRE Coalition to EPA. While they have identified a range of issues and concerns to which EPA has not spoken previously or which they have newly identified, they have not provided you with anywhere near all the supporting data in their letter. They are in the process of gathering these data (and preparing their presentation) and will provide them to you at the public hearing we are requesting.

From: "Chelsea Hill"
To: Nancy Rumrill/R9/USEPA/US|||EPA
Date: 06/23/2009 02:52 PM
Subject: LAHAINA WASTEWATER INJECTION WELL PERMIT

REQUEST for PUBLIC HEARING ON LAHAINA WASTEWATER INJECTION
WELL PERMIT

I oppose the granting of the permit unless additional conditions are placed on the permit as set forth in the letter of the DIRE Coalition to EPA. While they have identified a range of issues and concerns to which EPA has not spoken previously or which they have newly identified, they have not provided you with anywhere near all the supporting data in their letter. They are in the process of gathering these data (and preparing their presentation) and will provide them to you at the public hearing we are requesting.

Mahalo,
Chelsea Hill
T. 808.357.9591

From: "Crumpton"

To: Nancy Rumrill/R9/USEPA/US|||EPA

Date: 06/22/2009 10:07 PM

Subject: Request for Public Hearing on Lahaina Wastewater Injection Well Permit

Dear EPA,

I oppose the granting of the permit unless additional conditions are placed on the permit as set forth in the DIRE Coalition to the EPA.

Respectfully,

CRUMPTON, Cathy Tom & Will

124 Las Astas Dr

Los Gatos, CA 95032

408-356-3632

From: cathy knowlton
To: Nancy Rumrill/R9/USEPA/US|||EPA
Date: 06/22/2009 11:25 PM
Subject: request for public hearing

Title:
REQUEST for PUBLIC HEARING ON LAHAINA WASTEWATER INJECTION
WELL PERMIT

I oppose the granting of the permit unless additional conditions are placed on the permit as set forth in the letter of the DIRE Coalition to EPA. While they have identified a range of issues and concerns to which EPA has not spoken previously or which they have newly identified, they have not provided you with anywhere near all the supporting data in their letter. They are in the process of gathering these data (and preparing their presentation) and will provide them to you at the public hearing we are requesting.

Sincerely, Cathy Knowlton
teacher, HP Baldwin HS Wailuku HI

From: C Kay
To: Nancy Rumrill/R9/USEPA/US|||EPA
Date: 06/23/2009 12:45 PM
Subject: REQUEST for PUBLIC HEARING ON LAHAINA WASTEWATER
INJECTION WELL PERMIT

I oppose the granting of the permit unless additional conditions are placed on the permit as set forth in the letter of the DIRE Coalition to EPA. While they have identified a range of issues and concerns to which EPA has not spoken previously or which they have newly identified, they have not provided you with anywhere near all the supporting data in their letter. They are in the process of gathering these data (and preparing their presentation) and will provide them to you at the public hearing we are requesting.

Mahalo,

.....25GB·USB.....Web... SkyDrive.....

From: Bruce Benner
To: Nancy Rumrill/R9/USEPA/US|||EPA
Date: 06/22/2009 10:22 PM
Subject: Lahaina wastewater

**REQUEST for PUBLIC HEARING ON LAHAINA WASTEWATER INJECTION
WELL PERMIT**

I oppose the granting of the permit unless additional conditions are placed on the permit as set forth in the letter of the DIRE Coalition to EPA. While they have identified a range of issues and concerns to which EPA has not spoken previously or which they have newly identified, they have not provided you with anywhere near all the supporting data in their letter. They are in the process of gathering these data (and preparing their presentation) and will provide them to you at the public hearing we are requesting.

Mahalo, Save Honolua

Bruce Benner
bruce
44 Kanani Rd., #2-306
Kihei, HI 96753
c 808-281-8263
h 808-875-0915

From: Brian Sweeney
To: Nancy Rumrill/R9/USEPA/US|||EPA
Date: 06/23/2009 03:17 PM
Subject: STINK Lahaina

**REQUEST for PUBLIC HEARING ON LAHAINA WASTEWATER INJECTION
WELL PERMIT**

I oppose the granting of the permit unless additional conditions are placed on the permit as set forth in the letter of the DIRE Coalition to EPA. While they have identified a range of issues and concerns to which EPA has not spoken previously or which they have newly identified, they have not provided you with anywhere near all the supporting data in their letter. They are in the process of gathering these data (and preparing their presentation) and will provide them to you at the public hearing we are requesting.

Thank You,

Brian Sweeney

From: Brent Schlea
To: Nancy Rumrill/R9/USEPA/US|||EPA
Date: 06/23/2009 12:31 PM
Subject: Injection Well Permit

REQUEST for PUBLIC HEARING ON LAHAINA WASTEWATER INJECTION
WELL PERMIT

I oppose the granting of the permit unless additional conditions are placed on the permit as set forth in the letter of the DIRE Coalition to EPA. While they have identified a range of issues and concerns to which EPA has not spoken previously or which they have newly identified, they have not provided you with anywhere near all the supporting data in their letter. They are in the process of gathering these data (and preparing their presentation) and will provide them to you at the public hearing we are requesting.

Sincerereely,

Brent Schlea
190 Hui F. Rd.
Napili, Maui, Hawaii
96761

From: Bianca Schwarz
To: Nancy Rumrill/R9/USEPA/US|||EPA
Date: 06/22/2009 11:14 PM
Subject: Title: REQUEST for PUBLIC HEARING ON LAHAINA
WASTEWATER INJECTION WELL PERMIT

I oppose the granting of the permit unless additional conditions are placed on the permit as set forth in the letter of the DIRE Coalition to EPA. While they have identified a range of issues and concerns to which EPA has not spoken previously or which they have newly identified, they have not provided you with anywhere near all the supporting data in their letter. They are in the process of gathering these data (and preparing their presentation) and will provide them to you at the public hearing we are requesting.

Thank You,

B.S.

Make ninemsn your homepage! Get the latest news, goss and sport

From: "ben-s"
To: Rumrill.Nancy@epamail.epa.gov
Date: 06/23/2009 05:47 PM
Subject: infusion wells, Lahaina, HI

I oppose the granting of the permit unless additional conditions are placed on the permit as set forth in the letter of the DIRE Coalition to EPA. While they have identified a range of issues and concerns to which EPA has not spoken previously or which they have newly identified, they have not provided you with anywhere near all the supporting data in their letter. They are in the process of gathering these data (and preparing their presentation) and will provide them to you at the public hearing we are requesting.
Respectfully,

Ben D Sorensen
3559 L. Honoapiilani #711
Lahaina, HI
96761

From: Atomic Tattoo
To: Nancy Rumrill/R9/USEPA/US|||EPA
Date: 06/22/2009 11:56 PM
Subject: REQUEST for PUBLIC HEARING ON LAHAINA WASTEWATER
INJECTION WELL PERMIT

I oppose the granting of the permit unless additional conditions are placed on the permit as set forth in the letter of the DIRE Coalition to EPA. While they have identified a range of issues and concerns to which EPA has not spoken previously or which they have newly identified, they have not provided you with anywhere near all the supporting data in their letter. They are in the process of gathering these data (and preparing their presentation) and will provide them to you at the public hearing we are requesting.

Thank You,
Rob Westphal
Teddi Martinez
Debra Casey
Rachel Gonzalez
Thomas Tingle
Atomic Tattoo, Lahaina, Maui

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From: Ashley Mangum
To: Nancy Rumrill/R9/USEPA/US|||EPA
Date: 06/22/2009 09:04 PM
Subject: REQUEST for PUBLIC HEARING ON LAHAINA WASTEWATER
INJECTION WELL PERMIT

I oppose the granting of the permit unless additional conditions are placed on the permit as set forth in the letter of the DIRE Coalition to EPA. While they have identified a range of issues and concerns to which EPA has not spoken previously or which they have newly identified, they have not provided you with anywhere near all the supporting data in their letter. They are in the process of gathering these data (and preparing their presentation) and will provide them to you at the public hearing we are requesting.

Thank You.

From: Arakawa Kohei
To: Nancy Rumrill/R9/USEPA/US|||EPA
Date: 06/22/2009 11:36 PM
Subject: Request for public hearing on Lahaina wastewater injection well permit

I oppose the granting of the permit unless additional conditions are placed on the permit as set forth in the letter of the DIRE Coalition to EPA. While they have identified a range of issues and concerns to which EPA has not spoken previously or which they have newly identified, they have not provided you with anywhere near all the supporting data in their letter. They are in the process of gathering these data (and preparing their presentation) and will provide them to you at the public hearing we are requesting.

Thank You,

.....!.....

From: Anne Ruskit
To: Nancy Rumrill/R9/USEPA/US|||EPA
Date: 06/23/2009 06:31 AM
Subject: Title: REQUEST for PUBLIC HEARING ON LAHAINA
WASTEWATER INJECTION WELL PERMIT

I oppose the granting of the permit unless additional conditions are placed on the permit as set forth in the letter of the DIRE Coalition to EPA. While they have identified a range of issues and concerns to which EPA has not spoken previously or which they have newly identified, they have not provided you with anywhere near all the supporting data in their letter. They are in the process of gathering these data (and preparing their presentation) and will provide them to you at the public hearing we are requesting.

Thank You,
Anne Ruskit
5419 NE 68th Ave
Vancouver, WA 98661
360-597-3614

From: angelika hofmann
To: Nancy Rumrill/R9/USEPA/US|||EPA
Date: 06/23/2009 01:11 AM
Subject: Request for another public hearing for the Lahaina Injection well

Aloha,
I humbly request that another public hearing for the Lahaina injection well permit be held.
This is a serious issue and we need to have another public hearing so more information can be presented.
Mahalo, Angie Hofmann

--

Angie Hofmann
Save Makena Community and Youth Organizer
808 357-3134
www.myspace.com/savemakena - "view blog"
www.savemakena.org

From: Andy Rayda
To: Nancy Rumrill/R9/USEPA/US|||EPA
Date: 06/22/2009 10:06 PM
Subject: REQUEST for PUBLIC HEARING ON LAHAINA WASTEWATER
INJECTION WELL PERMIT

I, Andy Rayda, oppose the granting of the permit unless additional conditions are placed on the permit as set forth in the letter of the DIRE Coalition to EPA. While they have identified a range of issues and concerns to which EPA has not spoken previously or which they have newly identified, they have not provided you with anywhere near all the supporting data in their letter. They are in the process of gathering these data (and preparing their presentation) and will provide them to you at the public hearing we are requesting.

Thank You,

Andy Rayda

From: andrew logreco
To: Nancy Rumrill/R9/USEPA/US|||EPA
Date: 06/22/2009 09:31 PM
Subject: REQUEST for PUBLIC HEARING ON LAHAINA WASTEWATER
INJECTION WELL PERMIT

I oppose the granting of the permit unless additional conditions are placed on the permit as set forth in the letter of the DIRE Coalition to EPA. While they have identified a range of issues and concerns to which EPA has not spoken previously or which they have newly identified, they have not provided you with anywhere near all the supporting data in their letter. They are in the process of gathering these data (and preparing their presentation) and will provide them to you at the public hearing we are requesting.

Thank You,

Lauren found her dream laptop. Find the PC that's right for you.

From: Binstock
To: Nancy Rumrill/R9/USEPA/US|||EPA
Date: 06/23/2009 10:54 AM
Subject: We Need a Public Hearing ! Please !

Dear Ms Nancy Rumrill,

WE HEREBY REQUEST A PUBLIC HEARING FOR THE LAHAINA
WASTEWATER INJECTION WELL PERMIT

I DO NOT AGREE WITH the granting of the permit unless additional conditions are placed on the permit as set forth in the letter of the DIRE Coalition to EPA. While they have identified a range of issues and concerns to which EPA has not spoken previously or which they have newly identified, they have not provided you with anywhere near all the supporting data in their letter. They are in the process of gathering these data (and preparing their presentation) and will provide them to you at the public hearing we are requesting.

SINCERELY AND WITH CONCERN FOR OUR AINA ANDREW AND LAURA
BINSTOCK

Save Honolua

Save Honolua
Save Honolua

From: Andrew Isoda
To: Nancy Rumrill/R9/USEPA/US|||EPA
Date: 06/22/2009 06:11 PM
Subject: REQUEST for PUBLIC HEARING ON LAHAINA WASTEWATER
INJECTION WELL PERMIT

I oppose the granting of the permit unless additional conditions are placed on the permit as set forth in the letter of the DIRE Coalition to EPA. While they have identified a range of issues and concerns to which EPA has not spoken previously or which they have newly identified, they have not provided you with anywhere near all the supporting data in their letter. They are in the process of gathering these data (and preparing their presentation) and will provide them to you at the public hearing we are requesting.

Mahalo,
Andrew Isoda

From: Ananda Stone
To: Nancy Rumrill/R9/USEPA/US|||EPA
Date: 06/22/2009 05:34 PM
Subject: REQUEST for PUBLIC HEARING ON LAHAINA WASTEWATER
INJECTION WELL PERMIT

Aloha Nancy Rumrill,

I oppose the granting of the permit unless additional conditions are placed on the permit as set forth in the letter of the DIRE Coalition to EPA.

I request a another hearing and a discuss with the EPA on areas brought up at the last hearing, that were not addressed. If we know the sewage is making it's way to the ocean, as per Dave Taylor, Division Chief, Wastewater Reclamation Division, Maui County, in his Nov. 2008 testimony.

We now know that sewage on a reef causes algae blooms that can smother coral reefs and pollute the water, causing human health issues as well.

While we are pleased with some of the permit changes that have been made, important issues were not addressed.

Please give our community an opportunity to have a dialogue with the EPA regarding our Maui injection wells. The situation is dire.

Mahalo, Ananda

From: Amy Yamaguchi
To: Nancy Rumrill/R9/USEPA/US|||EPA
Date: 06/23/2009 01:03 PM
Subject: REQUEST for PUBLIC HEARING ON LAHAINA WASTEWATER
INJECTION WELL PERMIT

Dear Nancy,

I am writing because I oppose the granting of the permit unless additional conditions are placed on the permit as set forth in the letter of the DIRE Coalition to EPA. While they have identified a range of issues and concerns to which EPA has not spoken previously or which they have newly identified, they have not provided you with anywhere near all the supporting data in their letter. They are in the process of gathering these data (and preparing their presentation) and will provide them to you at the public hearing we are requesting.

Mahalo and Aloha,

Amy Yamaguchi

From: Amy Stephens
To: Nancy Rumrill/R9/USEPA/US|||EPA
Date: 06/22/2009 10:11 PM
Subject: REQUEST for PUBLIC HEARING ON LAHAINA WASTEWATER
INJECTION WELL PERMIT

Aloha Nancy Rumrill,

I oppose the granting of the permit unless additional conditions are placed on the permit as set forth in the letter of the DIRE Coalition to EPA. While they have identified a range of issues and concerns to which EPA has not spoken previously or which they have newly identified, they have not provided you with anywhere near all the supporting data in their letter. They are in the process of gathering these data (and preparing their presentation) and will provide them to you at the public hearing we are requesting.

Mahalo for your time,

Amy Stephens

Insert movie times and more without leaving Hotmail®. See how.

From: Amy Leigh
To: Nancy Rumrill/R9/USEPA/US|||EPA
Date: 06/22/2009 06:47 PM
Subject: REQUEST for PUBLIC HEARING ON LAHAINA WASTEWATER
INJECTION WELL PERMIT

Dear Ms. Rumrill,

I oppose the granting of the permit unless additional conditions are placed on the permit as set forth in the letter of the DIRE Coalition to EPA. While they have identified a range of issues and concerns to which EPA has not spoken previously or which they have newly identified, they have not provided you with anywhere near all the supporting data in their letter. They are in the process of gathering these data (and preparing their presentation) and will provide them to you at the public hearing we are requesting.

Thank You,
Amy Halvatzes

From: Alison Miller

To: Nancy Rumrill/R9/USEPA/US|||EPA

Date: 06/22/2009 10:48 PM

Subject: Request for Public Hearing on Lahaina Wastewater Injection Permit

**REQUEST for PUBLIC HEARING ON LAHAINA WASTEWATER INJECTION
WELL PERMIT**

I oppose the granting of the permit unless additional conditions are placed on the permit as set forth in the letter of the DIRE Coalition to EPA. While they have identified a range of issues and concerns to which EPA has not spoken previously or which they have newly identified, they have not provided you with anywhere near all the supporting data in their letter. They are in the process of gathering these data (and preparing their presentation) and will provide them to you at the public hearing we are requesting.
Mahalo, Save Honolua

From: aliw5
To: Nancy Rumrill/R9/USEPA/US|||EPA
Date: 06/23/2009 02:36 PM
Subject: Request for another Hearing

Aloha.

There are residents here in west maui who would like to request another hearing on the wastewater injection well permit.

Please grant us this request before the permit goes into effect.

Mahalo,
Ali

Save energy, paper and money -- get the Green Toolbar.

From: Alexandra
To: Nancy Rumrill/R9/USEPA/US|||EPA
Date: 06/22/2009 09:24 PM
Subject: REQUEST for PUBLIC HEARING ON LAHAINA WASTEWATER
INJECTION WELL PERMIT

Please require more hearings before allowing a permit for an environmentally hazardous and reckless wastewater injection well. The public needs to be assured that such a permit would only be allowed if the oceans and freshwater supply are fully protected.

Mahalo,
Alexandra Witkin, PhD