



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

Sent Via: Electronic Mail

Marissa Harman, Director
 Asset Management
 Community & ‘Āina Resiliency Group
 Trustees of the Estate of Bernice Pauahi Bishop,
 d/b/a Kamehameha Schools
 567 South King Street, Suite 310
 Honolulu, HI 96813
maharman@ksbe.edu

Re: In the Matter of Kamehameha Schools
EPA Docket No.: UIC-09-2018-0008
Phase I (Oahu) Audit Inspection Completion Report
Additional Information Needed

Dear Director Harman:

Pursuant to Paragraph 47.b of the above referenced Consent Agreement and Final Order (CAFO), Kamehameha Schools (KS) submitted its Phase I Audit Inspection Completion Report (Report) to the U.S. Environmental Protection Agency (EPA) on April 08, 2022. The Report, which documents R.M. Towill Corporation’s (RMTC’s) findings from Phase I of the Safe Drinking Water Act compliance audit, notes that of the 96 target properties inspected by RMTC, 19 properties were determined to utilize Large Capacity Cesspools (LCCs), and 18 properties were determined to utilize cesspools that do not meet the regulatory criteria of LCCs.¹

Pursuant to Paragraph 47.a and 47.a.iii of the CAFO, the Inspection Phase Completion Reports must contain documentation of the findings of the inspections and a description of how it was determined that a property did not contain an LCC. EPA reviewed the documentation submitted for the 18 properties that were determined to utilize cesspools that do not meet the regulatory criteria of LCCs and identified the following five (5) properties as lacking sufficient documentation to support the determination:

Address	Tax Map Key	Property Type/Use
587 Pakala Street Honolulu, HI 96825	139005020	Farm (“Keiki and Plow”) and single-family home
53-193 Kamehameha Hwy Hauula, HI 96734	153001003	Large single-family home, boathouse, caretaker home and bathroom/shower structure.

¹ RMTC determined that the remaining 59 target properties that were audited were either connected to sewer, an onsite Wastewater Treatment Plant, or an individual wastewater system that is not a cesspool.

Address	Tax Map Key	Property Type/Use
53-157 Kamehameha Hwy Hauula, HI 96717	153001010	Single-family home, accessory home, and toilet/shower facility.
North Shore Marketplace 66-250 Kamehameha Hwy Haleiwa, HI 96712	162005003	Patagonia Store
96-23 Waiawa Road Pearl City, HI 96782	196003037	Taro lo'i

EPA requests that KS revise the Phase I Audit Inspection Completion Report to include a determination accompanied by supporting documentation for each of these properties by **June 10, 2022**.

If upon review of the supporting documentation, KS determines that any of the five properties contains an LCC, KS shall submit a plan and schedule for closure of the LCC(s) with the Revised Phase I Audit Inspection Completion Report in accordance with Paragraph 48 of the CAFO. Revision of the Phase I Audit Inspection Completion Report shall have no effect on the other milestones in the CAFO, including the requirement in Paragraph 48.a that for all LCCs identified in the Phase I Completion Report submitted on April 8, 2022, construction plans for an IWS or application for a sewer connection must have been submitted by May 8, 2022.

If you have any questions regarding this letter or would like to schedule a meeting to discuss RMTC's small capacity cesspool determinations, please feel free to contact Mr. Jelani Shareem of my staff at (415) 972-3095 or via e-mail at shareem.jelani@epa.gov. Legal questions should be addressed to Ms. Kimberly Wells at (415) 972-3056 or wells.kimberly@epa.gov.

Sincerely,

Roberto Rodriguez
Assistant Director
Water Enforcement Branch
Enforcement and Compliance Assurance Division

cc: Raina Gushiken, Kamehameha Schools (ragushik@ksbe.edu)
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