



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

Sent Via: Electronic Mail

Brenda D. Iokepa-Moses, Deputy Director
County of Hawai'i
Department of Environmental Management
345 Kekūanāo'a Street, Suite 41
Hilo, HI 96720
(Brenda.Iokepa-Moses@hawaiicounty.gov)

**Re: Federal Administrative Order on Consent
EPA Docket No. SDWA-UIC-AOC-09-2017-0002
Pāhala and Nā'ālehu Large Capacity Cesspool Closure Projects
Approval of Feasibility Evaluation Report**

Dear Deputy Director Iokepa-Moses:

Pursuant to the compliance requirements specified in Paragraph 31.a. of the Federal Administrative Order on Consent (Consent Order), the County of Hawai'i (the County) submitted for the United States Environmental Protection Agency's (EPA) review and approval its Feasibility Evaluation Report (the Report) on October 18, 2022. The purpose of the Report was to detail the County's findings on whether the four alternative wastewater project options¹ that are set forth in Paragraph 31.a. of the Consent Order could be feasible long-term wastewater treatment solutions to facilitate closure of the large capacity cesspools that serve the communities of Pāhala and Nā'ālehu. Based on the information presented in the Report, the County acknowledged that under the General Powers and Limitation of the Counties section of Hawai'i's Revised Statutes, the County has the legal authority to implement the four alternative wastewater project options that it evaluated. Additionally, the County also determined that the four alternative wastewater project options meet the applicable wastewater system requirements that are established under Hawai'i's Administrative Rules Title 11, Chapter 62.

Considering that the County's feasibility evaluation confirmed that it has the legal authority and the technical means to implement the four alternative project options that were assessed, EPA approves the County's Feasibility Report. Pursuant to Paragraph 31.b. of the Consent Order, the County may now proceed with preparing the Pāhala and Nā'ālehu Preliminary Engineering Reports for the four alternatives to support the selection of its preferred alternative wastewater project option.

¹The following four project options were evaluated: (i) package plants and new collection systems for; (ii) package plants connected to the existing collection systems; (iii) a maintenance contract model individual wastewater system program; and (iv) an operating permit model individual wastewater system program.

If you have any questions regarding this approval letter, please feel free to contact Jelani Shareem of my staff at (415) 972-3095 or via e-mail at shareem.jelani@epa.gov. Legal questions should be addressed to Kimberly Wells at (415) 972-3056 or wells.kimberly@epa.gov.

Sincerely,

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

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