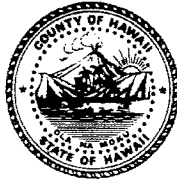


Harry Kim
Mayor

Wil Okabe
Managing Director



William A. Kucharski
Director

Diane A. Noda
Deputy Director

County of Hawai'i
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

345 Kekūanāo'a Street, Suite 41 · Hilo, Hawai'i 96720
Ph: (808) 961-8083 • Fax: (808) 961-8086
Email: cohdem@hawaiiicounty.gov

January 11, 2019

Via Email and U.S. Mail

Mr. Jelani Shareem
EPA Region 9 Compliance Officer
75 Hawthorne Street
San Francisco, California 94105-3901

Ms. Kate Rao
EPA Region 9 LCC Project Coordinator
75 Hawthorne Street
San Francisco, California 94105-3901

**SUBJECT: FEDERAL ADMINISTRATIVE ORDER OF CONSENT
EPA DOCKET NO. SDWA-UIC-AOC-2017-0002
PĀHALA AND NĀ'ĀLEHU LARGE CAPACITY CESSPOOLS
JANUARY 1, 2018, THROUGH JUNE 30, 2018, SEMI-ANNUAL REPORT**

Dear Mr. Shareem and Ms. Rao:

The County of Hawai'i Department of Environmental Management is submitting this report in accordance with Section VI, Reporting Requirements, of EPA Docket No. SDWA-UIC-AOC-2017-002, which requires that Semi-Annual Compliance Reports be submitted to the EPA Region 9 Compliance Officer and EPA Region 9 LCC Project Coordinator twice per year.

As per Item 55 of the Administrative Order of Consent, this report covers the period of July 1, 2018, through December 31, 2018.


Due to the separate facilities and multiple milestones, the report has been submitted in a tabular format for clarity and is provided as **Attachment 1**.

Should there be any comments or questions on the report, please contact Dora Beck, P.E., Wastewater Division Chief, at 808-961-8513 or dora.beck@hawaiiicounty.gov or my office at 808-961-8083 or cohdem@hawaiiicounty.gov.

Mr. Jelani Shareem
Ms. Kate Rao
January 11, 2019
Page 2

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, I certify that the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Sincerely,



William A. Kucharski
Director

WK/DB:mef

Enc: Attachment 1

cc: Harry Kim, Mayor
Wilfred M. Okabe, Managing Director
Diana Mellon-Lacey, Deputy Corporation Counsel
Diane Noda, DEM Deputy Director
Dora Beck, P.E., DEM Wastewater Division Chief
Tessa Berman, EPA Region 9 Counsel
Sina Pruder, P.E., DOH-WWB
Craig Lekven, P.E., Brown & Caldwell

**ADMINISTRATIVE ORDER OF CONSENT
DOCKET SDWA-UIC-AOC-2017-0002
NĀ'ĀLEHU AND PĀHALA LARGE CAPACITY CESSPOOLS
SEMI-ANNUAL REPORT: July 1, 2018, through December 31, 2018**

PĀHALA ELDERLY APARTMENTS CESSPOOL REPLACEMENT PROJECT				
Compliance Date	Milestone	Current Status	Pending Actions	Comments
September 28, 2018	Replace Pāhala Elderly Apartments with one or more Individual Wastewater Systems (IWS's) and close the existing LCC's	<ol style="list-style-type: none"> 1. A septic tank and leach field has been installed and is operating. 2. The LCC's have been closed. The backfill completion report was received by the EPA on 6/1/18. 		

PĀHALA COMMUNITY CESSPOOL CLOSURE PROJECT				
Compliance Date	Milestone	Current Status	Pending Actions	Comments
August 27, 2017	Complete Phase 1 Environmental Site Assessment (ESA) and Preliminary Engineering Report (PER)	<ol style="list-style-type: none"> 1. Phase I ESA and PER were transmitted to EPA on 8/25/17. 	None.	Phase I ESA indicated that no further assessment is recommended for the proposed WWTP property.
December 15, 2017	Hold Initial Public Meeting with Affected Community	<ol style="list-style-type: none"> 1. Workshops for C. Brewer and Newly Accessible property owners were conducted on 10/8/18 and 10/9/18, respectively. A public information meeting for the purpose of answering questions during the Draft EA 30-day public comment period was conducted on 10/10/18. 	None.	In response to community member inquiries, an additional public meeting is currently under consideration.

**ADMINISTRATIVE ORDER OF CONSENT
DOCKET SDWA-UIC-AOC-2017-0002
NĀ'ĀLEHU AND PĀHALA LARGE CAPACITY CESSPOOLS
SEMI-ANNUAL REPORT: July 1, 2018, through December 31, 2018**

PĀHALA COMMUNITY CESSPOOL CLOSURE PROJECT				
Compliance Date	Milestone	Current Status	Pending Actions	Comments
Revised Compliance Date of September 10, 2019, via EPA letter dated June 22, 2018	Acquire Land for Pāhala Wastewater Treatment Facility	<ol style="list-style-type: none"> 1. Initial Appraisal Report completed 3/16/17. 2. Second Appraisal was completed on 7/19/17 due to concerns with the original appraisal. 3. Conceptual layout approved by owner May 25, 2018. 4. Boundary and topographic survey, geotechnical, and geophysical fieldwork has been scheduled for January 2019. 	<ol style="list-style-type: none"> 1. Complete HRS 343 EA and NEPA prior to acquiring land. 2. Re-appraisal of property for new layout. 3. Special Permit as per HAR 15-15 and HRS 205 for installation of WWTP on agricultural land 4. Utility subdivision for portion to be utilized for WWTP. 5. Acquire land from Kamehameha School via condemnation process. 	<ol style="list-style-type: none"> 1. County and EPA tasks to complete Item 1 of Pending Actions is in progress (see EID milestone below for additional information). 2. Upon completion of the topographic survey, the County will be able to re-appraise the property and file for Final Condemnation and an Order of Possession, which allows pursuing the Special Permit.
September 11, 2018	Complete Environmental Information Document (EID) and submit to EPA.	<ol style="list-style-type: none"> 1. Draft EA was published on 9/23/18 with a 30-day comment period end date of 10/23/18. 2. At community request, the County submitted for another 30-day comment period with end date of 12/10/18. 	<ol style="list-style-type: none"> 1. Responses to comments are being addressed by EPA and the County. Completion is estimated to occur by March 2019 or earlier. 	
May 24, 2019	Complete design of New Collection System	<ol style="list-style-type: none"> 1. Consultant Contract scope of work has been finalized. 	<ol style="list-style-type: none"> 1. Prepare to route contract through for execution. 	

Attachment 1

**ADMINISTRATIVE ORDER OF CONSENT
DOCKET SDWA-UIC-AOC-2017-0002
NĀ'ĀLEHU AND PĀHALA LARGE CAPACITY CESSPOOLS
SEMI-ANNUAL REPORT: July 1, 2018, through December 31, 2018**

PĀHALA COMMUNITY CESSPOOL CLOSURE PROJECT				
Compliance Date	Milestone	Current Status	Pending Actions	Comments
September 18, 2019	Complete design of Pāhala Wastewater Treatment Plant (WWTP)	1. Design efforts have begun. 2. Survey, geophysical, and geotechnical efforts are being coordinated and will begin in January 2019.	1. Design tasks	
May 20, 2021	Complete construction of Pāhala WWTP	TBD	TBD	Pending WWTP Design Completion
June 30, 2021	Connect Existing Collection System to the New Pāhala WWTP and close existing LCC's.	TBD	TBD	Pending WWTP Construction Completion
December 16, 2021	Replace the Existing Collection System and connect the New Collection System to the New Pāhala WWTP	TBD	TBD	1. Pending Construction Completion of New Collection System 2. Work to include connection of existing properties currently connected to the former C. Brewer system in order to allow abandonment of the existing collection system.

**ADMINISTRATIVE ORDER OF CONSENT
DOCKET SDWA-UIC-AOC-2017-0002
NĀ'ĀLEHU AND PĀHALA LARGE CAPACITY CESSPOOLS
SEMI-ANNUAL REPORT: July 1, 2018, through December 31, 2018**

NĀ'ĀLEHU COMMUNITY CESSPOOL CLOSURE PROJECT				
Compliance Date	Milestone	Current Status	Pending Actions	Comments
January 4, 2018 (Original AOC)	Complete Phase 1 Environmental Site Assessment (ESA)	1. Phase I ESA of TMK 9-5-011:003 and portion of TMK 9-5-012:002 was completed transmitted to EPA on 10/20/17.	None.	Phase I ESA indicated that no further assessment is recommended for the proposed WWTP property
Revised Compliance Date of November 27, 2018, via EPA letter dated June 22, 2018.	Complete Phase 1 Environmental Site Assessment (ESA).	1. Phase 1 ESA for target property located SW of the intersection of Hawai'i Belt Road and Nā'ālehu Spur Road in Nā'ālehu was transmitted to the EPA on 11/27/18.		No evidence of on-site or off-site recognizable environmental conditions were identified. No further assessment of the target property.
May 28, 2018	Hold Initial Public Meeting with Affected Community	1. In depth interviews of 20 individuals as well as evening "talk story" sessions were held during the week of April 9, 2018. 2. While participants accepted the need for the project, there was opposition to the proposed site on a portion of TMKs 9-5-012:002 and 9-5-011:003	1. Schedule workshops and a public information meeting.	Tentative timeline is in first quarter of 2019.

**ADMINISTRATIVE ORDER OF CONSENT
DOCKET SDWA-UIC-AOC-2017-0002
NĀ'ĀLEHU AND PĀHALA LARGE CAPACITY CESSPOOLS
SEMI-ANNUAL REPORT: July 1, 2018, through December 31, 2018**

NĀ'ĀLEHU COMMUNITY CESSPOOL CLOSURE PROJECT				
Compliance Date	Milestone	Current Status	Pending Actions	Comments
June 27, 2018 (Original AOC)	Acquire Land for Nā'ālehu Wastewater Treatment Facility	<ol style="list-style-type: none"> 1. Appraisal Report has been completed for TMK 9-5-011:003. 2. Offer was made to owner of property planned for effluent disposal and was accepted by two of the owners; however, two other owners declined. 	Acquisition of DLNR property (portion of TMK 9-5-012:002) originally planned for the WWTP facility.	Based on community opposition to the proposed site east of Nā'ālehu as well as the County becoming aware of a change in ownership of properties and establishment of local property managers, the County investigated three (3) additional potential sites.
Revised Compliance Date of June 1, 2020, via EPA letter dated June 22, 2018.	Acquire Land for Nā'ālehu Wastewater Treatment Facility	<ol style="list-style-type: none"> 1. County and our consultants are currently evaluating additional sites and have had multiple discussions with the property manager and have conducted two site visits of the area. 2. Twenty-nine (29) ± acres are to be excluded from TMK 9-5-007:016 (proposed conservation easement) for the proposed wastewater treatment plant site and disposal area. 	A metes and bounds survey of the excluded area is scheduled to take place in January 2019.	<ol style="list-style-type: none"> 1. The EA will need to be completed before final site selection can be determined.

**ADMINISTRATIVE ORDER OF CONSENT
DOCKET SDWA-UIC-AOC-2017-0002
NĀ'ĀLEHU AND PĀHALA LARGE CAPACITY CESSPOOLS
SEMI-ANNUAL REPORT: July 1, 2018, through December 31, 2018**

NĀ'ĀLEHU COMMUNITY CESSPOOL CLOSURE PROJECT				
Compliance Date	Milestone	Current Status	Pending Actions	Comments
October 25, 2018	Complete Preliminary Engineering Report (PER)	<ol style="list-style-type: none"> 1. PER for original proposed site will need to be modified in the event that location of the WWTP moves. 2. PER reflecting the proposed 29 ± acres was transmitted to the EPA on 10/25/18. 	None.	
October 5, 2019	Complete Environmental Assessment for Nā'ālehu Wastewater Treatment Plant (WWTP)	<ol style="list-style-type: none"> 1. Preparing Consultant Contract to begin this scope of work. 	None.	Pending confirmation of final proposed site location.
June 28, 2020	Complete design of Nā'ālehu Wastewater Treatment Plant (WWTP)	TBD	TBD	
July 21, 2020	Complete design of New Collection System	Consultant preparing proposal for the work.	TBD	Relocation of the WWTP could result in a requirement for a Sewage Pump Station to convey wastewater to the new proposed site.
February 28, 2022	Complete construction of the Nā'ālehu WWTP	TBD	TBD	Pending design completion

**ADMINISTRATIVE ORDER OF CONSENT
DOCKET SDWA-UIC-AOC-2017-0002
NĀ'ĀLEHU AND PĀHALA LARGE CAPACITY CESSPOOLS
SEMI-ANNUAL REPORT: July 1, 2018, through December 31, 2018**

NĀ'ĀLEHU COMMUNITY CESSPOOL CLOSURE PROJECT				
Compliance Date	Milestone	Current Status	Pending Actions	Comments
April 17, 2022	Connect Existing Wastewater Collection System to the new WWTP and close existing LCC's	TBD	TBD	Pending WWTP construction completion
September 30, 2022	Replace the existing Collection System with a new Collection System and connect to the Nā'ālehu WWTP	TBD	TBD.	<ol style="list-style-type: none"> 1. Pending completion of new Collection System design 2. Work to include connection of existing properties currently connected to the former C. Brewer system in order to allow abandonment of the existing collection system.