

**PUBLIC NOTICE OF INTENT TO ISSUE AN
UNDERGROUND INJECTION CONTROL (UIC) PERMIT
FOR THE LAHAINA WASTEWATER RECLAMATION FACILITY**

Comment period through June 23, 2009

PURPOSE

The U.S. Environmental Protection Agency (EPA) is soliciting public comments on its proposal to reissue a federal Underground Injection Control (UIC) permit to the County of Maui for the Lahaina Wastewater Reclamation Facility (LWRF or facility) located at 3300 Honoapiilani Highway, Lahaina. The proposed permit, if issued, will continue to authorize the underground injection of secondary treated municipal wastewater into four existing Class V injection wells at the facility, but will include new requirements.

Prior to this action, EPA issued a draft permit for the facility on August 24, 2008. Due to the significant degree of public interest in the draft permit, EPA extended the public comment period and held a public hearing on November 6, 2008. In consideration of the information submitted during the prior comment period, EPA is revising the draft permit and, therefore, is providing this new public comment period for the revised draft permit.

BACKGROUND

The County of Maui owns and operates the Lahaina Wastewater Reclamation Facility located at 3300 Honoapiilani Highway, Lahaina, Hawaii. The LWRF treats approximately 4 to 6 million gallons per day (mgd) of wastewater through secondary treatment. Treatment of the wastewater includes processes to settle out the sludge and to remove dissolved organic matter and residual suspended matter. The LWRF further disinfects approximately 1 mgd of wastewater by ultraviolet light to be reused by customers for irrigation purposes. Approximately 3 to 5 mgd of the treated effluent is gravity fed into the four (4) Class V injection wells.

EPA believes the injection of treated wastewater allowed under the revised draft permit is protective of underground sources of drinking water as required by the Safe Drinking Water Act. The proposed permit contains new requirements for biochemical oxygen demand and suspended solids that are the same as the conditions imposed by the State of Hawaii Department of Health (DOH), a reduction in the injection volumetric rate limits and a nitrate concentration limit. The proposed permit also imposes new mass loading limits for total nitrogen, which become more stringent over the course of the 10-year permit term, and a requirement for the injection fluid to be treated to the same level as the reuse waste water by a future compliance date. To ensure the County complies with the new conditions, the proposed permit requires additional monitoring and reporting.

The injection wells at the LWRF are also subject to a state UIC permit issued by the Hawaii DOH. The State's permit requires monitoring of the injected wastewater and well performance on a semi-annual basis.

EPA has made a preliminary determination to approve the proposed Class V UIC permit as provided by Part C of the Safe Drinking Water Act, as amended, and by UIC regulations in Title 40 of the Code of Federal Regulations (CFR) Parts 124, 144, and 146.

DOCUMENTS

Copies of the proposed permit, the Statement of Basis, this public notice and the County of Maui's application are available for review during this comment period at:

Lahaina Public Library
680 Wharf Street
Lahaina, Hawaii
(808) 662-3950

The aforementioned documents, the public hearing transcript, and the public comments received in the prior comment period are also available on EPA's Region 9 web page at:

<http://www.epa.gov/region09/water/groundwater/uic-permits.html>

Copies of these documents can also be obtained by contacting: U.S. Environmental Protection Agency, Ground Water Office (WTR-9), 75 Hawthorne Street, San Francisco, CA 94105, Attn: Nancy Rumrill; phone (415) 972-3293; fax (415) 947-3549; or e-mail rumrill.nancy@epa.gov.

The EPA San Francisco office also retains the administrative record for the proposed permit which is available for public inspection from 8:30 am to 5:00 pm, Monday through Friday. All data submitted by the applicant and the public comments are available as part of the administrative record.

PUBLIC COMMENT

Interested persons are invited to make comments and recommendations on the revised draft UIC permit and the County of Maui's UIC permit application (see 40 CFR §124.13).

The thirty (30) day public comment period will end on June 23, 2009. All comments must be received or postmarked by that date and must be in writing (e-mail is acceptable) to be considered. Please send comments to U.S. Environmental Protection Agency, Ground Water Office (WTR-9), 75 Hawthorne Street, San Francisco, CA 94105, Attn: Nancy Rumrill; phone (415) 972-3293; fax (415) 947-3549; or e-mail rumrill.nancy@epa.gov.

All comments that are received during this comment period will be included in the

administrative record for the final decision and will be available to the public. Please note that an e-mail or postal address must be accurately provided with your comments if you wish to receive direct notification of EPA's final decision regarding the permit and responses to comments submitted during the public comment period.

During the public comment period, persons may also request another public hearing regarding EPA's proposed issuance of this UIC permit (see 40 CFR §§124.11 and 124.12). Any request for a public hearing must be in writing and state the nature of the issues proposed to be raised in the hearing. EPA will only hold a hearing if significant interest is expressed, and will provide a minimum of thirty (30) days notice prior to any hearing.

FINAL PERMIT DECISION AND APPEAL PROCESS

EPA will make a final decision regarding the proposed federal permit after all new comments and recommendations have been considered. EPA will send a response to comments from the current and the prior public comment period and a notice of our final decision to each person who submitted comments or requested such notice. Within thirty (30) days after the final permit decision has been issued, any person who filed comments on the draft permit, participated in the Public Hearing on this matter, or takes issue with any changes in the draft permit, may petition the Environmental Appeals Board to review any condition of the permit decision. Commenters are referred to 40 CFR Section 124.19 for procedural requirements of the appeal process.