

NOTICE OF CHANGE IN PUBLIC COMMENT PERIOD
by the

U. S. Environmental Protection Agency
Region IX, WTR-5
75 Hawthorne Street
San Francisco, CA 94105-3901
Telephone: (415) 972-3513

Public Notice #: HI-07-W-08

Publication Date: April 26, 2007

The U. S. Environmental Protection Agency, Region IX (EPA) is extending the comment period on its tentative decision to deny an application for a renewed variance from secondary treatment requirements of the Clean Water Act pursuant to CWA section 301(h) from the discharger:

City and County of Honolulu
Department of Environmental Services
650 South King Street
Honolulu, HI 96813

This application relates to discharge of treated wastewater from the Honouliuli Wastewater Treatment Plant at 91-1501 Geiger Road, Ewa Beach, HI 96706. Wastewater is discharged to marine waters of West Mamala Bay of the Pacific Ocean through the Barbers Point outfall, approximately 8760 feet offshore at a depth of approximately 200 feet. The Regional Administrator of EPA, pursuant to CWA section 301(h) and 40 CFR Part 125, Subpart G, has tentatively concluded that this treatment plant does not qualify for a renewed variance and has tentatively decided to deny the variance request. Due to the complicated technical issues involved in the tentative decision, EPA has decided to extend the public comment period. The public comment period will now end on August 27, 2007.

As discussed in a previous notice in this newspaper, EPA will conduct a public hearing to take comment on this proposed action in accordance with 40 CFR 124.12 on **May 15, 2007**, at 7:00 p.m., at the following location:

Kapolei Middle School Cafeteria
91-535 Kapolei Parkway
Kapolei, HI 96707

The Administrative Record, which includes the tentative decision document, fact sheet, variance application, all data submitted by the applicant, and other relevant documents, is available for review at the EPA address above, Monday through Friday, between 9:00 a.m. and 3:00 p.m. For the public's convenience, the tentative decision, fact sheet, and the variance application are also available at EPA's Honolulu office at 300 Ala Moana Blvd., Room 5-152, Honolulu, HI 96850, between 9:00 a.m. and 3:00 p.m., and on EPA Region 9's website at: <http://www.epa.gov/region09/water/npdes/pubnotices.html>. Further information, including copies of the tentative decision, fact sheet, and variance application, can be obtained from Sara Roser at (415) 972-3513.

Persons wishing to comment on the tentative decision must submit their comments in writing by the close of the public comment period on **August 27, 2007**, either in person, by mail, or by email to the attention of Sara Roser at the EPA at the address shown above, by email to R9-301h-Comments@epa.gov, or at the public hearing. At the public hearing, oral testimony should be limited to brief summaries of written testimony. Please note that time limitations will be imposed on presentations and limited to 10 minutes or less, unless otherwise determined by the Hearing Officer.

At the completion of this public comment period, EPA will consider all timely public comments and make a final decision on the application. Upon issuance of the final decision, EPA will notify the applicant and persons who submitted written comments or requested notice of the final decision. This notice will include reference to the procedures for appealing the final decision.

All persons who believe the tentative decision to deny the variance request is inappropriate must raise all reasonably ascertainable issues and submit all reasonably available arguments supporting their position by the close of the public comment period. Any supporting materials that are submitted shall be included in full and may not be incorporated by reference, unless they are already part of the Administrative Record, or consist of State or Federal statutes and regulations, EPA documents of general applicability, or other generally available reference materials.

Persons who are physically handicapped and require special accommodation to participate in the public hearing should contact Dean Higuchi in EPA's Honolulu office at (808) 541-2710 no later than May 1, 2007.

Please bring the foregoing notice to the attention of all persons who you know would be interested in this matter.

Wayne Nasti,
Regional Administrator
U. S. EPA Region IX