From: Paul Achitoff
To: Alexis Strauss/R9/USEPA/US@EPA
Subject: Dec 8 mtg with Mayor Tavares
Date: 12/02/2009 04:01 PM

Alexis, I spoke with the community reps this morning and it seemed to us that since you requested the meeting on behalf of EPA, it would be most appropriate for you to begin the meeting. Do you agree? Also, if you have any thoughts you're willing to share about how you're inclined to present EPA's perspective to the mayor, the community folks are interested. They've described their goals, which I'd like to keep between you and me, as follows:

1. To send the message that EPA has taken the extraordinary step of providing two hearings on the Lahaina petition in part because the community has spoken so clearly and nearly unanimously about the need to protect the coral reefs and reclaim and reuse the reclaimed water on land.
2. To ask the Mayor what she is doing, beyond formation of the Community Working Group as an advisory group, to get in place a strategy for achieving her announced goal to end county injection wells and reuse all the reclaimed water beneficially on land.
3. To get the Mayor to agree to revise the County's application in line with her testimony to seek only five years. (This would mean that the County could not/would not appeal if the Agency decides to grant a permit for only five years.)
4. To let the Mayor know that we consider the County in violation of the Clean Water Act as a result of its unpermitted discharges to the ocean from the injection wells and that the county is potentially subject to large fines if it fails to rectify this situation.
5. To explore the possibility of a consent decree as a solution to #4 above. This consent decree could put the county on a binding timetable for obtaining an NPDES permit, ending wastewater injection, and reclaiming and reusing the water on land. It could also help the county avoid costly litigation and big fines.
6. To explore with EPA the possibility of Agency support finding the funds for at least the early part of the work to ensure reuse of the reclaimed water.

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