LOLO M. MOLIGA
Governor

LEMANU P. MAUGA
Lt. Governor

AMERICAN SAMOA ENVIRONMENTAL PROTECTION AGENCY
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AMEKO PATO
Director

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Deputy Director

August 7, 2018

David Smith, Manager
NPDES Permits Section (WTR-2-3)
U.S. EPA Region 9

Subject: ASEPA review of StarKist/Samoa Tuna Processors amended and revised request for water quality certification and definition of mixing zones for the joint cannery outfall

Dear Mr. Smith:

Due to fast approaching target dates and the vital importance of Starkist Samoa Co. (Starkist) to American Samoa, I have been instructed by our Honorable Governor, Lolo M Moliga, to inform you of ASEPA's recommendation regarding Starkist's revised request for water quality certification and definition of mixing zones. Thus, after further review of StarKist and Samoa Tuna Processors, Inc. (STP) amended (June 2018) and revised (March 2017) Request for Water Quality Certification and Definition of Mixing Zones for the Joint Cannery Outfall(JCO), (collectively, "the MZA"), we write to the U.S. EPA Region 9 expressing our support for the MZA as amended, its proposed definition of mixing zones for the JCO, and the proposed limits for Starkist. We note the JCO is a combined discharge from both StarKist and STP. Our analysis indicates the MZA comports with American Samoa water quality standards contained in our administrative rules and is implemented in accordance with our water quality standards implementation guidance manual. Specifically, we note the MZA is demonstrated to protect established water quality standards and protects existing uses while accommodating the important economic and social development of American Samoa.

Our support is based on the following:

1) Calculation of appropriate mixing zones for the combined discharge from the JCO which comport with established American Samoa water quality standards and associated implementing guidance;

2) Our assessment that the MZA is protective of humane health, and the environment as well as established water quality standards;

3) Understanding that upgraded waste water treatment equipment currently installed at StarKist which was required by the March 7, 2018 Consent Decree to be installed on or before February 1, 2018 has in fact been installed and subsequent effluent discharge data and receiving water quality data since installation shows significant improvement that is already demonstrated to be meeting water quality standards at the edge of the mixing zones;

4) Evaluation of current receiving water quality data collected in March and May of 2018 which demonstrates attainment of water quality standards;

5) Consideration of the significant changed circumstances of the StarKist and STP facilities with the U.S. EPA encouraged discontinuation of ocean dumping and the associated on-site treatment of high strength waste, past and present measures to treat the new waste stream, and all the measures already accomplished pursuant to the March 7, 2018 Consent Decree; and,

6) Consideration that as proposed the MZA not only protects water quality standards and established uses but also accommodates very important economic and social development of American Samoa.

On behalf of A.S. EPA I request that the U.S. EPA Region 9 permitting staff give strong consideration to our support noted above as it works to complete a draft NPDES permit for the StarKist Samoa facility. In support of the current discharge and receiving water quality data we encourage U.S. EPA to consider increasing for a year or two the frequency of receiving water quality sampling to provide ongoing assurances that these measures remain protective of water quality standards and significant local economic and social development. We look forward to discussing these issues with you as we proceed through the evaluations needed for the water quality certification process.

Sincerely,

Ameko Pato, AS-EPA Director