From:	Hew, Chauncey L
To:	David Albright/R9/USEPA/US@EPA; Seto@epamail.epa.gov; Seto, Joanna L
Cc:	Nancy Rumrill/R9/USEPA/US@EPA
Subject:	RE: USDW
Date:	06/14/2011 10:56 AM

Dave: Thank you for the quick reply.

6/14/11 Aloha, Chauncey

From: Albright.David@epamail.epa.gov [mailto:Albright.David@epamail.epa.gov]
Sent: Tuesday, June 14, 2011 5:24 AM
To: Hew, Chauncey L; Seto@epamail.epa.gov; Seto, Joanna L
Cc: Rumrill.Nancy@epamail.epa.gov
Subject: USDW

Chauncey/Joanna,

The article is basically accurate. EPA considers there to be an underground source of drinking water (USDW) as that term is defined in federal regulations (40 CFR 144.3) at the Lahaina WWRF location. Specifically, there is a fresh water lens that flows in the area under the LWRF, and it meets the federal USDW definition. As far as I know, it is not presently a drinking water source, meaning it is not currently being used as a source of drinking water. Any aquifer, or portion thereof, that meets the federal definition of a USDW, whether presently being used or not, is afforded protection under the UIC regulations.

I hope this helps to clarify the matter. Don't hesitate to call if you have other questions.
****
David Albright
Manager, Ground Water Office

USEPA, Region IX
75 Hawthorne Street
Mail Code: WTR-9
San Francisco, CA 94105

Phone: 415.972.3971
Fax: 415.947.3549
Email: albright.david@epa.gov

****

From:	"Hew, Chauncey L" <chauncey.hew@doh.hawaii.gov>
To:	David Albright/R9/USEPA/US@EPA
Cc:	Nancy Rumrill/R9/USEPA/US@EPA
Date:	06/13/2011 08:44 PM
Subject:	FW:

Dave: Do you have any clarifying remark about the Maui News' article regarding EPA's position? We weren't certain about the article's accuracy.

6/13/11 Thank you, Chauncey

From: jseto.sdwb@gmail.com [mailto:jseto.sdwb@gmail.com]
Sent: Monday, June 13, 2011 12:08 PM
To: Gill, Gary L.; Hew, Chauncey L
Cc: Yamada, Stuart H
Subject: Re:

Hi Gary - I don't recall any mention of the wells being over a drinking water aquifer.

Hi Chauncey - pls chk out the article in the message below.

Thanks,
Joanna

Sent from my Verizon Wireless BlackBerry

From: "Gill, Gary L." <Gary.Gill@doh.hawaii.gov>
Date: Mon, 13 Jun 2011 11:51:20 -1000
To: Seto, Joanna L<joanna.seto@doh.hawaii.gov>
Cc: Yamada, Stuart H<stuart.yamada@doh.hawaii.gov>
Subject:

Joanna,
Please see this news clip from the Maui News.
Did they report correctly that EPA thinks that Lahaina's injection well is over a drinking water aquifer?
I'm not sure I understood that to be the case.
Please explain.
Thanks,
Gary

6. JUN 12 2011 4:00AM HI **County considers settlement with EPA**

THE MAUI NEWS **HONOLULU, HI**

View The county is considering a settlement with the Environmental Protection Agency over allegations that the county violated the Safe Drinking Water Act and the terms of its injection well permit at the Lahaina Wastewater Reclamation Facility. County attorney Jane Lovell said the issue stemmed from a dispute over whether the brackish-water aquifer beneath the facility could be considered a drinking water source. But rather than fight the allegations in court, she said, **officials** will consider a settlement that would require the county to do more disinfection of the wastewater it pumps into the ground. The Maui County Council Policy Committee will review the proposed settlement at 9 a.m. Wednesday in Council Chambers of the Kalana O Maui building. Also at the meeting, council members will discuss a proposal to require candidates for elected county offices to file statements disclosing their personal financial information at the same time that they file nomination papers.
Without a trial, "there hasn't been any opportunity to test these allegations) she said. In the settlement being considered Wednesday, the county does not admit to any of the violations but would agree to increase the amount of disinfection at the plant, she said.
While the **state Department of Health** has classified the brackish-water aquifer under the treatment plant as nonpotable and therefore exempt from certain wastewater treatment requirements, the EPA disagrees and has classified it as a drinking water source, she said. "The feds got upset because they thought we should be doing more disinfection, she said. Ilima Loomis can be reached at iloomis@mauinews.

Gary Gill
Deputy Director for Environmental Health
State of Hawaii
(808) 586-4424