From:	Nancy Rumrill
To:	Hew, Chauncey L
Cc:	David Albright
Subject:	Re: Lahaina WWRF, Federal UIC Permit
Date:	08/18/2008 06:49 PM
Attachments:	Final Lahaina public notice.doc final LAHAINA renewal SOB.doc

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Chauncey,

Thank you for the comments. I reviewed your comments. The boilerplate general permit conditions for the most part are taken verbatim out of our federal UIC regulations. Therefore, I am not able to change the conditions.

For your other comments concerning adding an operation and maintenance paragraph and the investigative and/or mitigative-action work paragraph, I reviewed the paragraphs in your UIC permit. The operation and maintenance section is similar to the section that we already have in our permit on page 14, section E.5. The investigative and/or mitigative-action work paragraph is a very good idea, but overly board for our authority under the Safe Drinking Water Act. We have the authority to obtain additional information and require relevant testing of the injection wells through 40 CFR §144.17, as well as information request authority under the SDWA statute.

As you know, we are preparing to public notice on August 24 (Sunday), and the draft permit will be open for public comment starting August 24 and ending September 23, 2008. The public notice, statement of basis, and draft permit will be put on our web site, the public notice will be in the Maui news paper, and the administrative record will be available at the Lahaina Public Library. The public notice and statement of basis is attached for your info.

I will out of the office 8/19 to 8/22. I'll be back 8/25.

Aloha, Nancy

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NR:

Here are a few other remarks:

1. Under your Severability consider using the term "condition" instead of "provision." The word condition would be clearer to a reader.

2. Insert, your Page 14, E.3. "It shall not be a defense, for the permittee to claim in an enforcement action, that it ..."

3. See my blank UIC permit page 10 for the wording under 24-Hour Reporting. Use the word "report" instead of "submission," and under iA, revise wording "any monitoring or other information which indicates that the injection activity is causing or may cause an endangerment to ...."

That's all for us. If something else comes up, we'll let you know. Please keep us informed if any permit issues arise. Thank.

8/18/2008 Aloha, CH