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# SENATE CONCURRENT RESOLUTION

*REQUESTING THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY AND STATE OF HAWAII DEPARTMENT OF HEALTH TO PURSUE A GLOBAL SETTLEMENT OF OUTSTANDING WASTEWATER ISSUES WITH THE CITY AND COUNTY OF HONOLULU, AND URGING THE ENVIRONMENTAL PROTECTION AGENCY TO RENEW THE 301(h) WAIVERS FOR THE HONOULIULI AND SAND ISLAND WASTEWATER TREATMENT PLANTS.*

WHEREAS, the counties are responsible for constructing, operating, and maintaining the public wastewater collection, treatment, and disposal systems under the oversight and regulation of the Department of Health and the United States Environmental Protection Agency; and

WHEREAS, the Environmental Protection Agency issued to the City and County of Honolulu on March 28, 2007, a tentative denial of a 301(h) waiver for the Honouliuli Wastewater Treatment Plant; and

WHEREAS, the tentative denial was issued almost 12 years after the City and County of Honolulu applied for the waiver; and

WHEREAS, the Mayor of the City and County of Honolulu deemed the tentative denial "unreasonable, unfair, unnecessary, untimely and more than the taxpayers of Honolulu can afford;" and

WHEREAS, the Honouliuli Wastewater Treatment Plant operates with a 301(h) waiver from the Environmental Protection Agency and continues to provide primary treatment and secondary treatment; and

WHEREAS, the City and County of Honolulu expects Environmental Protection Agency to issue its tentative denial of the 301(h) waiver for the Sand Island Wastewater Treatment Plant in the fall of this year; and

WHEREAS, Mayor Hannemann and several prominent experts in the community, including scientists and engineers have stated that there is no scientific evidence that the Honouliuli or Sand Island Wastewater Treatment Plant needs to provide any more treatment than it currently provides; and

WHEREAS, Mayor Hannemann's administration has been working earnestly, in good faith, with Environmental Protection Agency and Department of Health on a \$300 million program of accelerated improvements to the most vulnerable part of Honolulu's wastewater system, the collection system, which includes six critical force mains; and

WHEREAS, the City and County of Honolulu has committed to almost a billion dollars in sewer work during Mayor Hannemann's first three years in office, to be funded by sewer fees that have already been increased and will be increased yet again to finance the force main work; and

WHEREAS, City officials estimate the denial of a 301(h) waiver for Honouliuli will require another \$400 million in construction at that facility, and a similar denial of a waiver for the Sand Island Wastewater Treatment Plant would require an additional \$800 million in construction at that facility; and

WHEREAS, City officials estimate those denials could drive monthly residential sewer fees to \$300 within 20 years to fund those improvements; and

WHEREAS, almost three-fourths of the State of Hawaii's resident population resides within the City and County of Honolulu; and

WHEREAS, United States Senator Daniel K. Inouye and other members of Hawaii's Congressional delegation have urged the Environmental Protection Agency to work with the City and County of Honolulu to reach a global settlement of all wastewater issues; now, therefore,

BE IT RESOLVED by the Senate of the Twenty-fourth Legislature of the State of Hawaii, Regular Session of 2007, the House of Representatives concurring, strongly urges the Department of Health to assist the City and County of Honolulu in persuading the Environmental Protection Agency to renew the 301(h) waivers for the Honouliuli and Sand Island wastewater treatment plants; and

BE IT FURTHER RESOLVED that the Department of Health is requested to review its water quality standards as they relate to deep ocean marine discharges; and

BE IT FURTHER RESOLVED that the Twenty-fourth Legislature of the State of Hawaii concurs with Mayor Hannemann and Senator Inouye in petitioning the Environmental Protection Agency to renew the 301(h) waivers for the Honouliuli and Sand Island Wastewater Treatment Plants; and

BE IT FURTHER RESOLVED that the Department of Health is urged to take every action within its authority to work with the City and County of Honolulu and the Environmental Protection Agency to arrive at a "global settlement" that addresses Honolulu's wastewater issues in a comprehensive, feasible manner; and

BE IT FURTHER RESOLVED that certified copies of this Concurrent Resolution be transmitted to the Governor of the State of Hawaii, the Mayor of the City and County of Honolulu, the Director of Health, the Director of Environmental Services, the Regional Administrator of the United States Environmental Protection Agency, Region IX, and members of Hawaii's Congressional delegation.