
SENATE 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.

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

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

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

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

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

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

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30 WHEREAS, supporters of the 301(h) waiver say that
31 additional treatment of sewage at Honouliuli and Sand Island



1 wastewater treatment plants is unnecessary and would be very
2 costly; and

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4 WHEREAS, opponents of the 301(h) waiver say that additional
5 treatment of sewage at Honouliuli and Sand Island wastewater
6 treatment plants is required to protect our marine environment;
7 and

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9 WHEREAS, the current mayoral administration has been
10 working with the Environmental Protection Agency and the
11 Department of Health on a \$300 million program of accelerated
12 improvements to the most vulnerable part of Honolulu's
13 wastewater system, the collection system, which includes six
14 critical force mains; and

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

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22 WHEREAS, any mandate by the Environmental Protection Agency
23 requiring immediate compliance on the part of the current City
24 and County of Honolulu administration for secondary treatment
25 after decades of neglect by previous administrations could be
26 unworkable and enormously expensive; and

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

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

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

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42 WHEREAS, United States Senator Daniel K. Inouye and other
43 members of Hawaii's Congressional delegation have urged the
44 Environmental Protection Agency to work with the City and County



1 of Honolulu to reach a global settlement of all wastewater
2 issues; now, therefore,

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4 BE IT RESOLVED by the Senate of the Twenty-fourth
5 Legislature of the State of Hawaii, Regular Session of 2007,
6 that the Environmental Protection Agency, the State Department
7 of Health, and the City and County of Honolulu are encouraged
8 to:

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- 10 (1) Enter into a global settlement to address issues,
- 11 including but not limited to recognizing the
- 12 priorities of the City and County of Honolulu with
- 13 respect to improvements to the wastewater system;
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- 15 (2) Establish a reasonable and workable timeframe for
- 16 compliance with any applicable Environmental
- 17 Protection Agency approved settlement relating to the
- 18 City and County of Honolulu's wastewater system; and
- 19
- 20 (3) Identify potential federal and state sources of funds
- 21 that could be used to supplement city and county funds
- 22 to finance improvements implemented pursuant to an
- 23 approved settlement; and
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25 BE IT FURTHER RESOLVED that the Twenty-fourth Legislature
26 of the State of Hawaii supports the ongoing efforts of Hawaii's
27 Congressional delegation to achieve such a settlement; and

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29 BE IT FURTHER RESOLVED that the Twenty-fourth Legislature
30 of the State of Hawaii urges the Environmental Protection Agency
31 to grant 301(h) waivers for the Honouliuli and Sand Island
32 wastewater treatment plants to give the named parties time to
33 enter into a global settlement; and

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