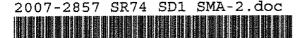
## SENATE RESOLUTION

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.

WHEREAS, the counties are responsible for constructing, 1 operating, and maintaining the public wastewater collection, 2 treatment, and disposal systems under the oversight and 3 regulation of the Department of Health and the United States 4 Environmental Protection Agency; and 5 6 WHEREAS, the Environmental Protection Agency issued to the 7 City and County of Honolulu on March 28, 2007, a tentative 8 denial of a 301(h) waiver for the Honouliuli Wastewater 9 Treatment Plant; and 10 11 WHEREAS, the tentative denial was issued almost 12 years 12 after the City and County of Honolulu applied for the waiver; 13 and 14 15 WHEREAS, the Mayor of the City and County of Honolulu 16 deemed the tentative denial "unreasonable, unfair, unnecessary, 17 untimely and more than the taxpayers of Honolulu can afford"; 18 and 19 20 WHEREAS, the Honouliuli Wastewater Treatment Plant operates 21 with a 301(h) waiver from the Environmental Protection Agency 22 and continues to provide primary treatment; and 23 24 WHEREAS, the City and County of Honolulu expects 25 Environmental Protection Agency to issue its tentative denial of 26 the 301(h) waiver for the Sand Island Wastewater Treatment Plant 27 in the fall of this year; and 28 29 WHEREAS, supporters of the 301(h) waiver say that 30 additional treatment of sewage at Honouliuli and Sand Island 31



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wastewater treatment plants is unnecessary and would be very 1 2 costly; and 3 WHEREAS, opponents of the 301(h) waiver say that additional 4 5 treatment of sewage at Honouliuli and Sand Island wastewater treatment plants is required to protect our marine environment; 6 7 and 8 WHEREAS, the current mayoral administration has been 9 working with the Environmental Protection Agency and the 10 Department of Health on a \$300 million program of accelerated 11 improvements to the most vulnerable part of Honolulu's 12 13 wastewater system, the collection system, which includes six critical force mains; and 14 15 WHEREAS, the City and County of Honolulu has committed to 16 almost a billion dollars in sewer work during the current 17 mayor's first three years in office, to be funded by sewer fees 18 that have already been increased and will be increased yet again 19 to finance the force main work; and 20 21 WHEREAS, any mandate by the Environmental Protection Agency 22 requiring immediate compliance on the part of the current City 23 and County of Honolulu administration for secondary treatment 24 after decades of neglect by previous administrations could be 25 unworkable and enormously expensive; and 26 27 WHEREAS, City officials estimate the denial of a 301(h) 28 waiver for Honouliuli will require another \$400 million in 29 construction at that facility, and a similar denial of a waiver 30 for the Sand Island Wastewater Treatment Plant would require an 31 32 additional \$800 million in construction at that facility; and 33 WHEREAS, City officials estimate those denials could drive 34 monthly residential sewer fees to \$300 within 20 years to fund 35 those improvements; and 36 37 WHEREAS, almost three-fourths of the State of Hawaii's 38 resident population resides within the City and County of 39 Honolulu; and 40 41 42 WHEREAS, United States Senator Daniel K. Inouye and other members of Hawaii's Congressional delegation have urged the 43 Environmental Protection Agency to work with the City and County 44 2007-2857 SR74 SD1 SMA-2.doc 2 

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1	of Honolulu to reach a global settlement of all wastewater	
2	issues; now, therefore,	
3		
4	BE IT RESOLVED by the Senate of the Twenty-fourth	
5	Legislature of the State of Hawaii, Regular Session of 2007,	
6		Environmental Protection Agency, the State Department
7		, and the City and County of Honolulu are encouraged
8	to:	
9	( - )	
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;
14 15	(2)	Establish a reasonable and workable timeframe for
16	(2)	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
24		
25	BE IT FURTHER RESOLVED that the Twenty-fourth Legislature	
26	of the State of Hawaii supports the ongoing efforts of Hawaii's	
27	Congressi	onal delegation to achieve such a settlement; and
28		
29 20	BE IT FURTHER RESOLVED that the Twenty-fourth Legislature	
30	of the State of Hawaii urges the Environmental Protection Agency to grant 301(h) waivers for the Honouliuli and Sand Island	
31 32	wastewater treatment plants to give the named parties time to	
32 33	enter into a global settlement; and	
34		o a grobar seccrement, and
35	BE I	T FURTHER RESOLVED that certified copies of this
36		n 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.	

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