



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105-3901

By E-mail and Mail
In Reply Refer To: CWA-309(a)-12-003

Timothy E. Steinberger, P.E.
Director, Dept. of Environmental Services
City and County of Honolulu
1000 Uluohia Street, Suite 308
Kapolei, Hawaii 96707

Joseph Whelan
Vice President and General Manager
Waste Management of Hawaii, Inc.
92-460 Farrington Highway
Kapolei, Hawaii 96707

**Subject: Issuance of Findings of Violation and Order for Compliance – Waimanalo
Gulch Sanitary Landfill**

Dear Messrs. Steinberger and Whelan:

EPA's on-going review of operations at Waimanalo Gulch Sanitary Landfill ("WGSL") has revealed violations of the Clean Water Act and the National Pollutant Discharge Elimination System permit regulating storm water discharges from WGSL. Given the nature and extent of the violations, an Order for Compliance is needed to assure that operations comply with the pertinent Clean Water Act requirements, including, but not limited to, the provisions of the General Permit Authorizing Discharges Associated with Industrial Activities, HAR Chapter 11-55 Appendix B, and the Notice of General Permit Coverage for WGSL issued by the Hawaii Department of Health.

Therefore, enclosed please find our Findings of Violation and Order for Compliance pursuant to Sections 308(a) and 309(a)(3), (a)(4) and (a)(5)(A) of the Clean Water Act as amended [33 U.S.C. §§ 1318(a), 1319(a)(3), (a)(4) and (a)(5)(A)] for violations of the Clean Water Act associated with the operation of WGSL.

A table summarizing some of the key deliverables required by the Order for Compliance is set forth below:

Key Dates	Order Provisions
Immediately	"Complete segregation" of run-on [Order ¶ 1].
December 15, 2011	Submit report on complete segregation, and, if necessary, compliance plan [Order ¶ 5].
January 2, 2012	Submit enhanced storm water monitoring plan [Order ¶ 12].
January 15, 2012 (and monthly thereafter)	Submit monthly sampling reports [Order ¶ 15].
January 31, 2012	Submit plan of study for detention basin evaluation [Order ¶ 8].

As EPA's investigation of operations at WGS� is continuing, further requirements for compliance may be forthcoming.

EPA has used its best efforts to ensure that its Findings of Violation and Order for Compliance are accurate and appropriate. However, you may have information you wish to have us consider regarding the provisions of this Order. If so, we encourage you to submit such information for our consideration. We are prepared to discuss any concerns you may have with the provisions of the Findings of Violation and Order for Compliance. To the extent we determine that modifications are warranted, we may modify the terms of CWA-309(a)-11-0xx based on information that you submit and other information available to EPA.

If you have any questions, please call me or David Wampler at (415) 972-3975 or by email at wampler.david@epa.gov.

Sincerely yours,

 29 Nov. 2011

Alexis Strauss
Director, Water Division

Enclosure

cc (w/enclosure): G. Gill, HDOH