

US EPA ARCHIVE DOCUMENT

**PUBLIC NOTICE OF INTENT TO MODIFY AN
UNDERGROUND INJECTION CONTROL (UIC) PERMIT
FOR THE PUNA GEOTHERMAL VENTURE
CLASS V GEOTHERMAL PERMIT #HI596002
Comment period through August 25, 2009**

PURPOSE

The U.S. Environmental Protection Agency (EPA) is soliciting public comments on its proposal to modify a federal UIC permit for Puna Geothermal Venture (PGV) at 14-3860 Kapoho-Pahoia Road in Pahoia, Hawaii. The proposed modifications to the permit, if issued, will authorize the redrilling of Well KS-11, as well as authorizing similar redrilling of the existing wells and any potential new wells. EPA's proposed modifications would also clarify language in the permit regarding the term "well conversion," allow additional measures for scale control, and accept PGV's updated Financial Assurance amount. EPA is proposing to revise the existing permit and, therefore, is providing this public comment period for the draft modified permit.

BACKGROUND

PGV owns and operates a geothermal electrical power generating facility located at 14-3860 Kapoho-Pahoia Road in Pahoia, Hawaii. The four (4) existing Class V Geothermal injection wells are permitted by US EPA Region 9 under permit #HI596002. EPA believes the proposed modifications to the existing permit are protective of underground sources of drinking water as required by the Safe Drinking Water Act. EPA has made a preliminary determination to approve the proposed Class V Geothermal UIC permit as provided by Part C of the Safe Drinking Water Act, as amended, and by UIC regulations in Title 40 of the Code of Federal Regulations (CFR) Parts 124, 144, and 146.

DOCUMENTS

Copies of the draft modified permit, the Fact Sheet and this public notice are available for review during this comment period at:

Pahoia Public Library
15-3070 Pahoia-Kalapana Road
Pahoia, Hawaii 96778-7714
(808) 965-2171

Hilo Public Library
300 Waiuanue Road
Hilo, HI 96720
(808) 933-8888

and at the EPA Region 9 San Francisco Library at 75 Hawthorne Street, San Francisco, CA

The aforementioned documents are also available on EPA's Region 9 web page at:
<http://www.epa.gov/region09/water/groundwater/uic-permits.html>

Copies of these documents, and PGV's application for this modification, can also be obtained by contacting: U.S. Environmental Protection Agency, Ground Water Office (WTR-9), 75 Hawthorne Street, San Francisco, CA 94105, Attn: George Robin; phone (415) 972-3532; fax (415) 947-3549; or e-mail robin.george@epa.gov.

PUBLIC COMMENT

Interested persons are invited to make comments and recommendations on the draft modifications to the UIC permit (see 40 CFR §124.13). The thirty (30) day public comment period will end on August 25, 2009. All comments must be received or postmarked by that date and must be in writing (e-mail is acceptable) to be considered. Please send comments to U.S. Environmental Protection Agency, Ground Water Office (WTR-9), 75 Hawthorne Street, San Francisco, CA 94105, Attn: George Robin; phone (415) 972-3532; fax (415) 947-3549; or e-mail robin.george@epa.gov.

All comments that are received during this comment period will be included in the administrative record for the final decision and will be available to the public at the EPA Region 9 webpage mentioned above. Please note that an e-mail or postal address must be accurately provided with your comments if you wish to receive direct notification of EPA's final decision regarding the permit and responses to comments submitted during the public comment period.

During the public comment period, persons may also request a public hearing regarding EPA's proposed issuance of this UIC permit (see 40 CFR §§124.11 and 124.12). Any request for a public hearing must be in writing and state the nature of the issues proposed to be raised in the hearing. EPA will only hold a hearing if significant interest is expressed, and will provide a minimum of thirty (30) days notice prior to any hearing.

FINAL PERMIT DECISION AND APPEAL PROCESS

EPA will make a final decision regarding the proposed modifications to the federal permit after all comments have been considered. EPA will send a response to comments from the public comment period and a notice of our final decision to each person who submitted comments or requested such notice. EPA will also post these documents to the EPA Region 9 web page as cited above. Within thirty (30) days after the final permit decision has been issued, any person who filed comments on the draft modified permit may petition the Environmental Appeals Board to review any condition of the permit modification decision. Commenters are referred to 40 CFR Section 124.19 for procedural requirements of the appeal process.