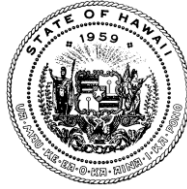


DAVID Y. IGE
GOVERNOR OF HAWAII



ELIZABETH A. CHAR, M.D.
DIRECTOR OF HEALTH


STATE OF HAWAII
DEPARTMENT OF HEALTH
SAFE DRINKING WATER BRANCH
ULUAKUPU BLDG. 4
2385 WAIMANO HOME ROAD, SUITE 110
PEARL CITY, HI 96782

In reply, please refer to:
File: SDWB
SDWBStdCmts2020.docx

November 27, 2020

MEMORANDUM

TO: AGENCIES AND PROJECT OWNERS

FROM: JOANNA L. SETO, P.E., CHIEF
Safe Drinking Water Branch 

SUBJECT: SAFE DRINKING WATER BRANCH STANDARD PROJECT COMMENTS

This memo is provided for your information and sharing. You are encouraged to share this memo with your project partners, team members, and appropriate personnel.

The Department of Health (DOH), Safe Drinking Water Branch (SDWB) will no longer be responding directly to requests for comments on the following documents (Pre-consultation, Early Consultation, Preparation Notice, Draft, Final, Addendums, and/or Supplements):

- Environmental Impact Statements (EIS)
- Environmental Assessments (EA)
- Conservation District Use Applications (CDUA)
- Drinking Water Operator Certification
- Source Water Assessment and Protection
- Underground Injection Control (UIC) Wells

For agencies or project owners requiring DOH-SDWB comments for one or more of these documents, please utilize the DOH-SDWB Standard Comments below regarding your project's responsibilities to maintain drinking water quality and any necessary permitting. DOH-SDWB Standard Comments are also available on the DOH-SDWB website located at:
<https://health.hawaii.gov/sdwb/>.

DOH-SDWB Standard Comments

The following information is for agencies and/or project owners who are seeking comments regarding environmental compliance for their projects in the areas of: 1) Public Water Systems; 2) Underground Injection Control; 3) Groundwater Protection, and 4) Drinking Water State Revolving Fund with the Hawaii Administrative Rules (HAR), Chapters [11-19](#), [11-20](#), [11-21](#), [11-23](#), [11-23A](#), [11-25](#), and [11-65](#). You may be responsible for fulfilling additional requirements related to our program.

1. Public Water System Supervision

- a. Federal and state regulations define a public water system as a system that regularly serves an average of 25 or more individuals at least 60 days per year or has at least 15 service connections providing water for human consumption. All public water system owners and operators are required to comply with [Hawaii Administrative Rules \(HAR\), Title 11, Chapter 20, "Rules Relating to Public Water Systems."](#)
- b. All new public water systems are required to demonstrate and meet minimum capacity requirements prior to their establishment. This requirement involves demonstration that the system will have satisfactory technical, managerial, and financial capacity to enable the system to comply with safe drinking water standards and requirements.
- c. Projects that propose development of new sources of drinking water serving or proposed to serve a public water system must comply with the terms of HAR 11-20-29, entitled "Use of new sources of raw water for public water systems." This section requires that all new public water system sources be approved by the Director of Health (Director) prior to its use. Such approval is based primarily upon the submission of a satisfactory engineering report, which addresses the requirements set in HAR Section 11-20-29.
- d. The engineering report must identify all potential sources of contamination and evaluate alternative control measures, which could be implemented to reduce or eliminate the potential for contamination, including treatment of the water source. In addition, water quality analyses for all regulated contaminants, performed by a laboratory certified by the DOH State Laboratories Division (<https://health.hawaii.gov/sdwb/approvedlablist/>), must be submitted as part of the report to demonstrate compliance with all drinking water standards. Additional parameters may be required by the Director for this submittal or additional tests required upon his or her review of the information submitted.
- e. All sources of public water systems must undergo a source water assessment, which will delineate a source water protection area. This process is preliminary to the creation of a source water protection plan for that source and activities which will take place to protect the drinking water source.
- f. Projects proposing to develop new public water systems or proposing substantial modifications to existing public water systems must receive approval by the Director prior to construction of the proposed system or modification. These projects include treatment, storage, and distribution systems of public water systems. The approval authority for projects owned and operated by a County Board or Department of Water or Water Supply has been delegated to them.

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- g. All public water systems must be operated by certified distribution system and water treatment plant operators as defined by [HAR Chapter 11-25, entitled "Rules Relating to Certification of Public Water System Operators."](#)
- h. All projects which propose the use of dual water systems or the use of a non-potable water system in proximity to an existing drinking water system to meet irrigation or other needs must be carefully designed and operated these systems to prevent the cross-connection of these systems and prevent the possibility of backflow of water from the non-potable system to the drinking water system. The two (2) systems must be clearly labeled and physically separated by air gaps or reduced pressure principle backflow prevention devices to avoid contaminating the drinking water supply. In addition, backflow devices must be tested annually to assure their proper operation. Further, all non-potable spigots and irrigated areas should be clearly labeled with warning signs to prevent the inadvertent consumption on non-potable water. Compliance with [HAR Chapter 11-21, entitled "Cross-Connection and Backflow Control"](#) is also required.
- i. All projects which propose the establishment of a potentially contaminating activity (as identified in the Hawai'i Source Water Assessment Plan) within the source water protection area of an existing source of water for a public water supply should address this potential and activities that will be implemented to prevent or reduce the potential for contamination of the drinking water source.

For further information concerning the application of capacity, new source approval, operator certification, source water assessment, backflow/cross-connection prevention or other regulated public water system programs, please contact the Safe Drinking Water Branch Engineering Section at (808) 586-4258 or email sdwb@doh.hawaii.gov.

2. Underground Injection Control (UIC) Program

- a. Injection wells used for the subsurface disposal of wastewater, sewage effluent, or surface runoff are subject to environmental regulation and permitting under [HAR Chapter 11-23 entitled "Underground Injection Control."](#) The DOH's approval must be first obtained before any injection well construction commences. A UIC permit must be issued before any injection well operation occurs.
- b. Authorization to use an injection well is granted when a UIC permit is issued to the injection well facility. The UIC permit contains discharge and operation limitations, monitoring and reporting requirements, and other facility management and operational conditions. A complete UIC permit application form found at <https://eha-cloud.doh.hawaii.gov/epermit/Home/9034789e-2918-4f30-82a2-9a5940e467f2> is needed to apply for a UIC permit.
- c. A UIC permit can have a valid duration of up to five (5) years. Permit renewal is needed to keep an expiring permit valid for another term.
- d. The UIC line delineates the extent of our underground sources of drinking water and is used to define areas where certain types of injection wells are prohibited. The UIC line is plotted on official UIC maps available for review at SDWB or by contacting the UIC program. Online interpretations of the UIC line maps exists and should be used with

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caution as they are not the official maps. One website hosting an interpretation of the UIC line map is at the following:

https://geoportal.hawaii.gov/datasets/4597dde2703a4e539f51588531e48101_20

- e. If your project involves the construction of an injection well, you must first obtain the DOH's written approval to construct the injection well before any construction commences. The primary purpose of HAR, Chapter 11-23 is to protect underground sources of drinking water from injection well contamination. Written approval is obtained by filing an application for a UIC permit. You may submit your permit application via electronic filing (preferred method) through the DOH website at <http://eha.cloud.hawaii.gov/epermit> or submit a hard copy permit application to:

Safe Drinking Water Branch
Uluakupu Bldg. 4
2385 Waimano Home Road, Suite 110
Pearl City, Hawaii 96782-1400

- f. Areas mauka of the UIC line are considered to overlie underground sources of drinking water. Therefore, no new subclass A injection wells, such as sewage injection wells that receive greater than 1,000 gallons per day, will be allowed to be constructed.
- g. New sewage injection wells have been further prohibited effective July 5, 2018. Hawaii Revised Statutes 340E-2(e) states *"The director shall promulgate regulations establishing an underground injection control program. Such program shall prohibit any underground injection which is not authorized by a permit issued by the director; provided that the director shall not issue permits for the construction of sewage wastewater injection wells unless alternative wastewater disposal options are not available, feasible, or practical;"*
- h. New storm water drainage injection well construction must be sited beyond one-quarter mile of a drinking water well. If you intend to construct a drinking water well, be careful to site all drainage injection wells at least one-quarter mile away from the drinking water source well.

For further information about the UIC permit and the UIC Program, please contact UIC staff at (808) 586-4258 or email at sdwb@doh.hawaii.gov.

3. Drinking Water State Revolving Fund Program

The Drinking Water State Revolving Fund (DWSRF) is a federally-capitalized loan program that provides low interest loans to regulated community water systems in the State of Hawaii for their drinking water infrastructure projects. If you would like more information regarding DWSRF eligibility, financing options, etc., you may visit the DWSRF website at <https://health.hawaii.gov/sdwb/drinking-water-state-revolving-fund/> or contact Ms. Joan Corrigan at joan.corrigan@doh.hawaii.gov.

4. Private Water Wells

- a. **WARNING!** As the owner of a privately-owned well, you should **NOT** assume that water from your well is safe for consumption. It is your responsibility to make sure that your well water is safe to drink. The only way to do this is to have your well regularly tested for bacteriological and chemical contaminants.
- b. There are no regulations controlling water quality in private wells serving individual residences as there are for public water systems (public or privately-owned utilities supplying water to 25 or more people or 15 service connections). In other words, there are no enforceable limits for contaminants and no requirements for regular testing. Private wells are often found in rural areas, where many activities such as onsite wastewater disposal can contaminate the ground water.
- c. U.S. Environmental Protection Agency (EPA) Recommendations: The EPA recommends that private well owners test their well water each year for such contaminants as Total Coliform bacteria, Nitrates, as well as any other contaminants that may be of concern in your area. More frequent testing may be appropriate if you suspect a problem. EPA also suggests that you consider testing for pesticides, organic chemicals, and heavy metals before using it for the first time. Please refer to the EPA website on Private Drinking Water Wells at <http://www.epa.gov/privatewells>.
- d. Other Contaminants: Water testing can be very expensive. It is important that you spend time to identify what other potential contaminants may be of concern. Please refer to the EPA website on Private Drinking Water Wells for more information. Be aware of what and how you use and dispose of household and garden chemicals. Also determine the location of nearby septic tanks or cesspools, and agricultural or industrial activities in the area. General information on known chemical contamination of ground water in Hawaii can be found at the DOH website <http://health.hawaii.gov/sdwb/groundwater-contamination-viewer>.
- e. Laboratories: Whenever possible, utilize a laboratory that is certified or approved for the specific drinking water tests and carefully follow their instructions for collecting, storing, and transporting the samples. Be sure to ask the lab to use EPA approved methods for drinking water analysis. A list of Drinking Water Laboratories Certified or Approved by the Hawaii Department of Health, State Laboratories Division can be found at <https://health.hawaii.gov/sdwb/approvedlablist/>. As lab certification status changes constantly, confirm their status when you contact the lab. Please note that the list is limited to currently regulated contaminants in public water systems.
- f. Results: Once the lab provides you with the test results, you will be in a better position to determine if your well water is safe to drink or what contaminant you need to treat for. Generally, you should compare the results with Federal (<https://www.epa.gov/ground-water-and-drinking-water/national-primary-drinking-water-regulations>) and State (<http://health.hawaii.gov/sdwb/files/2014/07/MCL-Fct-2014-07-10.pdf>) Maximum Contaminant Level (MCL) drinking water standards. Where your test results are greater than the Federal or State maximum contaminant levels, your well water should be considered as unsafe for consumption.