

CESSPOOL CONVERSION WORKING GROUP (CCWG)

Main Group - Meeting Agenda

Date: May 16, 2022

Time: 2:00 PM – 4:30 PM

Location: Environmental Management Conference Room, 2827 Waimano Home Road,
Pearl City, Hawaii, 96782 and Webinar

Call in Details:

[Join Zoom Meeting](#)

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Public Testimony

Written Testimony/comments – To ensure the public as well as Cesspool Conversion Working Group members receive testimony in a timely manner, written testimony/comments should be submitted 24 hours prior to the scheduled meeting date and time. Any written testimony/comments submitted after this time cannot be guaranteed to be distributed in time for the meeting.

Written testimony may be submitted by one of the methods listed below:

- By email to: doh.wwb@doh.hawaii.gov
- By U.S. Postal Mail: State of Hawaii, Wastewater Branch, 2827 Waimano Home Road, Suite 207, Pearl City, Hawaii 96782

Members of the public are also welcomed to provide verbal testimony/comments via Zoom Agenda Item B – Public testimony on agenda items. Public testimony is limited to no more than three (3) minutes per individual.

AGENDA

- A. Call to order
- B. Public testimony on agenda items
- C. Approval of April 19th meeting minutes
- D. Discussion and vote on recommendations for the Cesspool Conversion Plan
Draft list of recommendations is included as an Attachment to this agenda.
- E. Questions and Comments
- F. Adjournment

Any person requiring an auxiliary aid/service or other accommodation due to a disability, please contact Sina Pruder (808) 586-4294 or sina.pruder@doh.hawaii.gov no later than 5 days prior to the meeting so arrangements can be made.

Specific Cesspool Conversion Working Group Recommendations 4/3/2022

This is in draft only, during the 4.19.2022 cesspool conversion working group meeting the group outlined the headings of each category. More discussion to come in the May meeting.

Recommendations for Cesspool Conversion Financing:

Fundraising

Homeowner assistance

1. Allow cesspool installers to pay/finance for upgrades or connections and receive SRF funding and tax credits for each upgrade or connection.
2. Pursue funding opportunities and mechanisms to provide grants to low to moderate income households for cesspool conversion.
3. Increase General Excise Tax to cover financing for cesspool conversions and wastewater infrastructure.
4. Provide refundable tax credit up to \$10,000 for upgrade/connection costs for low-moderate income tax filers.
5. Research and develop a bill to create long-term, low-interest financing for homeowners who have bad credit or can't afford the cost of conversion similar to the Property Assessed Clean Energy Model (PACE) where debt is tied to the property, not the owner.
- 6.
7. Create a one stop shop for homeowners to check on available financing options for cesspool conversion for their specific property and financial needs.
8. Allocation of Federal Infrastructure Investment and Jobs Act (IIJA) funds for County's to implement cesspool conversion including options for onsite replacement, connection to sewer and creation of new utility districts with cluster systems.
9. Have the State authorize Counties to charge a fee of up to \$10/month to cesspool owners, with revenue going to special fund to support grants for low-moderate income upgrades/connections.
10. Research the creation of special assessment districts in areas with large amounts of cesspools to help fund needed wastewater infrastructure.
11. Have Counties identify and develop local grant, loan and financing programs to support cesspool conversion for low-moderate income households.
12. Identify mechanisms and increase funding to improve personnel capacity at the state level to apply for Federal loans/grants.

Recommendations for Cesspool Conversion Rule Making:

1. Allow cesspools to dispose gray water when non-flushing toilets are used in a home.
2. Research nutrient reduction rules for kitchen sink disposal water.
3. Evaluate and streamline the regulatory framework (HAR 11-62, Plumbing Codes) around the cesspool conversion process to make it easier to convert. Link to policy reforms.
4. Create groundwater quality/threshold criteria for use by DOH to evaluate and measure pollution, guide decision-makers, and inform residents when improvements are made from conversion processes.

Recommendations for Cesspool Conversion Public Outreach:

1. Develop a public facing webpage that is easy to interact with and provides resources to homeowners and professionals in the wastewater field.
2. Identify funding and resources to develop a comprehensive outreach plan for cesspool conversions that educates homeowners on conversion options and resources.

3. Evaluate community capacity to install advanced onsite treatment systems. What knowledge, attitudes, and behaviors do they have in relation to OWTS pollution, operation and maintenance.
4. Explore the use of a structured decision-making (SDM) process evaluated by Babcock et al. (2019) in upcountry Maui. The SDM process is based in decision theory and risk analysis and defined as a “collaborative process for decision-making that combines analytical methods from ecology and decision science with facilitation/negotiation and social psychology to develop rigorous, inclusive, and transparent solutions.”
5. Provide citizens education and examples of the tangible benefits realized by upgrading cesspools and reducing pollution.
6. Create an environmental justice and citizen involvement committee to better understand underserved community needs and develop tailored solutions.

Recommendations for Cesspool Conversion Prioritization and Timeline:

-include 1 sentence narrative about each category - accelerate conversions, not starting at 2050, need to start now.

PRIORITY ZONES

1. Create clear and updated timelines for cesspool conversion based upon priority zone.
2. Move up the deadline for cesspool conversions for a subset of the cesspools that are in the highest priority areas.

DATES

3. Update timelines for cesspool conversions with Priority 1& 2 converted by 2030 and Priority 3 by 2040.
4. Require by 2035 cesspool upgrade or sewer connection if located within 500 feet of shoreline, perennial stream, or wetland, or within a drinking water SWP zone, with financial assistance from State for low and moderate income (refundable tax credit and/or grants).

TARGETS

5. Evaluate the capacity to convert cesspools (financing, materials, contractors, designers) and set reasonable benchmarks for # cesspool conversions/year. Re-evaluate benchmarks as capacity increases over time. Example (1000 cesspools in the next 2 years, increase over time)
6. Upgrade x# cesspools in the next 5 years for Oahu, x for Maui over 7-10 ?...separate target for Hawaii County - need to be realistic with capacity

POINT OF SALE

7. Mandate point-of-sale cesspool conversions within a set amount of time from the property transfer.
8. Require a separate seller’s disclosure form to disclose the existence of a cesspool (include mandate) for a real estate transaction Research and recommend a homeowners seller’s disclosure law for cesspools.

Recommendations for Cesspool Conversion Technology Considerations:

1. Menu of approved technologies for each property to choose from given their specific location and soil/geographic conditions.
2. Create an official onsite wastewater testing, training and education center in the state of Hawai’i that can serve the broader pacific region.

3. Incentivise companies to pilot wastewater projects in Hawaii to expand the available technology options for cesspool conversion.
4. Research and develop minimum treatment standards for onsite wastewater technology for ecologically sensitive areas (high water table, close proximity to ocean/streams, prone to sea level rise).
5. Develop a georeferenced database inventory of all OWTS within the state for management and maintenance tracking.

Recommendations for Cesspool Conversion Program Administration:

Recommendations for Cesspool Conversion Planning:

1. Recommend that each County to put together Cesspool Replacement Master Plan.
2. Recommend that each County should have a wastewater plan.

Recommendations for Cesspool Conversion Workforce Development:

13. Provide financial support for the Work-4-Water proposal (workforce training). W4W has received \$1M from congressional earmark and could use matching funding.
 14. Research and identify funding for “green workforce training” for cesspool upgrades. This may include education, certification, on the job training, etc.
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3. Require County planning departments to report to DOH, or the designated agency in charge of cesspool conversion, regarding their sewer expansion plans for a certain period of time. (Such as 10 year increments).
 4. Research and identify new and existing partners for cesspool conversion program administration services (coordinating with homeowners, approvals, inspections).
 5. Pass a law to allow non-profits and Community Development Financial Institutions (CDFIs) that are helping owners with conversions to be able to access SRF funding (like Craft3 does in WA & OR).
 6. Establish a cesspool conversion implementation task force chaired by DOH with interested parties to plan how to implement upgrade mandates.
 7. Research and identify funding for more permanent hires at DOH to oversee CCWG’s recommendations. Staffing could include engineers, enforcement, analysts, and other staff needed.
 8. Create a Special Project at DOH to fund short-term hires (up to 2 years) who can help process federal CW SRF grants to the counties and work with the Counties to oversee the funding and conversions.
 9. Recommend development for a Cesspool Ombudsman position.
 10. Engage with the public and stakeholders to identify reasonable and necessary exemptions and how to best address these.
 11. Research and recommend creating a state Department of Environmental Conservation that would handle elements of the cesspool conversion and program administration process.
 12. Research and develop strategies to ensure capacity and collaboration between State and Counties for utilizing and expending available federal funds.
 13. Research and identify policies to allow public-private partnerships for wastewater infrastructure.
 14. Identify funding to develop environmental justice and equity position or positions to collaborate and cultivate policies and procedures that promote equitable outcomes related to the entire cesspool conversion process.