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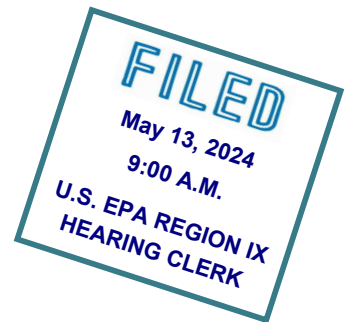
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May 10, 2024

Via Email

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Re: *In the Matter of NSHE HI Narcissus, LLC: Submission of Credentials and Report of Finn McCall*

Dear Daron:

Pursuant to the Second Prehearing Order, dated May 6, 2024, NSHE HI Narcissus, LLC (“NSHE”) is providing you with the written credentials and written report of Mr. Finn McCall regarding the findings of the percolation test referenced in NSHE’s prehearing brief.

Mr. McCall was not retained as a litigation expert or consultant. Rather, Mr. McCall was engaged as a contractor for installation of the septic system which was placed in service at 66-532 Kamehameha Highway, Haleiwa, Hawaii 96712, Tax Map Key (1) 6-2-007-019 (the “Property”).

Mr. McCall is a professional engineer who performed the percolation testing necessary to install the septic system in accordance with applicable law and regulations. Because his testimony as a professional engineer could be considered in the nature of expert testimony, we have enclosed an email from him setting forth his relevant qualifications and a summary of his findings based on his work ensuring that the septic system was installed properly. The same credentials and findings are provided in this letter.

I. Credentials of Finn McCall

Mr. Finn McCall graduated from the University of Massachusetts at Amherst in 2001 with a Bachelor of Science degree in Civil and Environmental Engineering. Mr. McCall has a Hawaii

civil engineering license, License No. PE-14042, which license has been in good standing since 2010.

Mr. McCall has worked in the Engineering Branch of the Department of Land and Natural Resources, State of Hawaii, and has been designing septic systems for ten years, having started in 2014.

II. Findings of Percolation Test

Mr. McCall performed a percolation test in near proximity to the cesspool located at the Property.

The test results demonstrated that the percolation was very slow. As a result, Mr. McCall concluded that the area adjacent to the cesspool was not suitable for the installation of the new absorption bed.

Mr. McCall performed a second percolation test in the front of the building on the Property, which is where the new absorption bed was ultimately installed. This second test showed better percolation results than the first test. The percolation rate from the second test was then used by Mr. McCall to size the absorption bed.

Both of Mr. McCall's percolation tests were performed in accordance with the Department of Health, State of Hawaii ("DOH"), Site Evaluation Form and Falling Head Percolation test procedure. Additionally, the septic tank and absorption bed were sized by Mr. McCall in accordance with DOH's applicable regulations found in Chapter 62 of Title 11 of the Hawaii Administrative Rules (Wastewater Systems).

III. Conclusion

Should you have any questions or require additional information, please do not hesitate to contact us.

Very truly yours,

/s/ Charles W. Gall
CHARLES W. GALL
DANIEL K. JACOB
TIMOTHY T. SILVESTER

Attorneys for Respondent
NSHE HI NARCISSUS, LLC

Encl: *Excerpt of McCall Email, dtd. May 8, 2024*

ENCLOSURE

From: Finn McCall <finn.d.mccall@gmail.com>
Date: May 8, 2024 at 4:09:27 PM HST
To: Duke Pontin <pontind@icloud.com>
Subject: Septic system at TMK (1) 6-2-007:019, 66-532 Kam. Hwy., Haleiwa, HI 96712

Hi Duke,

Per our discussions, see info below regarding my engineering experience and license.

I graduated from University of Massachusetts at Amherst with a BS in Civil and Environmental Engineering. I received my degree in 2001.

I hold a civil engineering license, License No. 14042-C, and have held that license in good standing since 2010.

I have been designing septic systems since 2014.

For your project, I did a percolation test in the near proximity to the cesspool and found the percolation to be very slow, and because of this the location was not suitable for installation of the new absorption bed. A second percolation test was performed in the front of the building (where the new absorption bed was installed) that showed better percolation than the first test and the percolation rate from the second test was used to size the absorption bed.

The percolation test was performed in accordance with DOH's Site Evaluation Form and Falling Head Percolation test procedure.

The septic tank and absorption bed were sized in accordance with DOH's rules, HAR 11-62.

Let me know if you need anything else.

Thanks,

Finn McCall, P.E.
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