


**Region 9 Enforcement and Compliance Assurance Division  
 COMPLIANCE EVALUATION INSPECTION REPORT**

<b>Inspection Date(s):</b>	March 4, 2021	<b>Inspection Announced:</b> No	
<b>Time:</b>	<b>Entry:</b> approximately 11:20 PM	<b>Exit:</b> approximately 11:41 PM	
<b>Media:</b>	Safe Drinking Water Act		
<b>Regulatory Program(s)</b>	Underground Injection Control		
<b>Company Name:</b> Jenny's Shrimp Truck			
<b>Facility or Site Name:</b> Commercial Property (Jenny's Shrimp Truck, Island Fresh Takeout, former service station)			
<b>Facility Location(s):</b> 66-532 Kamehameha Highway, Haleiwa, HI 96712			
<b>Mailing address:</b> Same as facility address			
<b>(city, state, zip code)</b>			
<b>County:</b> County of Honolulu			
<b>Facility/Site Contact(s):</b> QianYing Cao- Tenant (Jenny's Shrimp Truck) Duke Pontin- Property Manager (not present)			
<b>Site Identifier:</b> Tax Map Key(s): 1-6-2-007-019			
<b>Inspector(s):</b>			
Connor Adams (author)	Signature: <b>CONNOR ADAMS</b>  Digitally signed by CONNOR ADAMS Date: 2021.04.16 13:04:05 -10'00'		
	ECAD-3-2	Inspector	808-541-2752
Brandon Boatman	Signature:		
	ECAD-2-3	Inspector	808-539-0540
<b>Supervisor Review:</b>			
Roberto Rodriguez	Signature:		
	ECAD-3-3	Supervisor	415-972-3302

## SECTION I – INTRODUCTION

### Facility/Site Description

The “Commercial Property”, located at 66-532 Kamehameha Highway in Haleiwa, HI is comprised of a central building (former service station) with the mobile Jennys Shrimp Truck to the north and mobile Island Fresh Takeout cart to the south. Two restrooms are located within the former service station. At the time of the inspection, I observed that the restrooms were open to employees and customers.



*Figure A- Google Maps Street View of the Commerical Property. Red arrows indicate approximate location of the two restrooms and waste clean-out. Island Fresh Cart not depicted in this image, but it's approximate location has been identified by the blue star..*

### Purpose of the Inspection

On March 4, 2021, Brandon Boatman and I conducted a Class V well compliance evaluation inspection (“CEI”) of the Commerical Property. The primary purpose of the inspection was to investigate the type of wastewater system being operated on-site and to gather information on compliance with the Safe Drinking Water Act (“SDWA”), Underground Injection Control (“UIC”) program’s Class V Well regulations provided in the Code of Federal Regulations (“CFR”), Title 40, Parts 144-148. Specifically, we were investigating the subject property’s compliance with EPA’s ban on Large Capacity Cesspools (“LCCs”), pursuant to 40 CFR § 144.88(a)(1)(i).

### On-Site Inspection Procedures

At approximately 11:20 pm, we approached the Commerical Property and identified ourselves to the Jenny’s Shrimp Truck Operator, QianYang Cao. We explained to Cao why we were there,

showed our EPA inspector credentials, and provided Cao with the Notice of Inspection (“NOI”) (Attachment 1). Cao explained that they are familiar with the restrooms on-site as well as the location of the wastewater collection system. Cao reviewed the NOI and agreed to sign it. The Island Fresh Take Out Cart was closed, however, the former service station appeared to be operating. The windows of the service station building were covered, security cameras encompassed the perimeter of the building and no one answered our attempts to identify ourselves. Cao explained that the service station occupants would be unlikely to speak with us.

## **SECTION II – INSPECTION OBSERVATIONS**

During the CEI, we observed that the subject property is comprised of a central building (former service station) with two mobile foods vendors on either side. Cao showed us the location of the two restrooms, which are located on the western side of the service station building. Cao explained that Jenny’s Shrimp truck pays the property manager for access to the single restroom as well as space to park their food truck. When we arrived for the inspection, there were no other customers at the food truck. Cao estimated that up to ten individuals may use this restroom in a day. The adjacent restroom was unlocked by a patron of the former service station, who denied us any indentifiable information, but said we could take a photo of the second restroom. Cao said that they believe both restrooms discharge to a location immediately west of the restrooms which was covered by a steel plate. Cao was unsure of the construction of the waste collection system and suggested that the inspection team contact the Property Manager- Duke Pontin for more information. We briefly discussed EPA’s regulation for UIC Class V wells in Hawaii, including EPA’s ban of large capacity cesspools (“LCCs”).

## **SECTION III – REGULATORY CONCERNS**

An LCC is a cesspool that serves multiple dwellings, or for non-residential facilities, is a cesspool that has the capacity to serve 20 or more persons per day (See 40 C.F.R. § 144.81(2)). Pursuant to the UIC program regulations, all existing LCCs should have been closed by **April 5, 2005** (See 40 C.F.R. § 144.88). The UIC requirements do not apply to single family residential cesspools, nor to non-residential cesspools which receive solely sanitary waste and have the capacity to serve fewer than 20 persons a day 40 CFR § 144.81(2). Any cesspool that does not fit within one of the two exceptions is considered a Large Capacity Cesspool and should have been closed.

At the time of the inspection it appeared that the wastewater generated on-site was potentially being discharged to a LCC. Additional follow-up will be necessary.



## SECTION IV – INSPECTION PHOTO LOG



IMG\_1436.jpg- Overview of the two restrooms located on the west side of the former service station building.



IMG\_1437.jpg – Inside the restroom that Jenny’s Shrimp truck pays for access to. Door number 2 (see previous photo).



IMG\_1438.jpg – Steel plate covering wastewater collection system for the two restrooms.



IMG\_1439.jpg – Steel plate covering wastewater collection system for the two restrooms.



IMG\_1440.jpg – Underneath the steel plate covering the restrooms wastewater collection system.



IMG\_1441.jpg – Overview of the closed Island Fresh Take-Out cart.

Commerical Property  
66-532 Kamehameha Highway  
Haleiwa, HI 96712  
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IMG\_1442.jpg – Inside of the #1 restroom. (see first photo).