

KOBAYASHI SUGITA & GODA, LLP

CHARLES W. GALL 4771
DANIEL K. JACOB 9524
First Hawaiian Center
999 Bishop Street, Suite 2600
Honolulu, Hawaii 96813
Telephone: (808) 535-5700
Facsimile: (808) 535-5799
Email: cwg@ksglaw.com; dkj@ksglaw.com

Attorneys for Respondent
NSHE HI Narcissus, LLC



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 9

IN THE MATTER OF:

NSHE HI Narcissus, LLC,

Kahuku, Hawaii,

Respondent.

Proceedings under Section 1423(c) of
the Safe Drinking Water Act, 42 U.S.C.
§ 300h-2(c).

DOCKET NO. UIC-09-2022-0058

**NSHE'S PREHEARING INFORMATION
EXCHANGE**

Pursuant to the February 16, 2024, Amended Prehearing Order, NSHE HI Narcissus, LLC
("NSHE") provides this Prehearing Information Exchange:

I. Witnesses to be Called at Hearing

Mr. Duke Pontin is expected to testify to the circumstances regarding the subject property
and his efforts to become compliant, including but not limited to: (1) the history of the property;
(2) his efforts to clean up the property; (3) the amount of business at the property; (4) his contact

with the Environmental Protection Agency; (5) his stewardship of the land; and (6) his exhaustive efforts to become compliant.

Mr. Finn McCall, Professional Engineer, may be called to testify regarding specific information pertaining to the subject property, including the results of a percolation test that was completed for the purpose of replacing and relocating the cesspool in a compliant manner.

NSHE further reserves the right to call upon and question all of the Complainant's witnesses, as well as any rebuttal witnesses determined necessary.

II. NSHE's Exhibits

NSHE includes with this Prehearing Information Exchange a list of the exhibits it may introduce into evidence. NSHE reserves the right to supplement this Prehearing Information Exchange pursuant to 40 C.F.R. Part 22.

DATED: Honolulu, Hawaii, April 16, 2024.

/s/ Charles W. Gall

CHARLES W. GALL

DANIEL K. JACOB

Attorneys for Respondent

NSHE HI NARCISSUS, LLC