

sewers per year. In calculating the number of “unique miles” per year, CCH shall count each individual pipe segment cleaned in the year but shall not count an individual pipe segment multiple times even if it was subject to repeated cleaning in that year.

b. In order to control the growth of roots in its Wastewater Collection System, CCH shall apply chemicals to a minimum of 15 miles of gravity main sewers in Year One and Year Two. As part of the next Annual Meeting following Year Two, CCH shall meet and confer with EPA and DOH to review and evaluate the effectiveness and applicability of its use of root control chemicals. CCH shall inform EPA and DOH whether it intends to continue or expand the application of root control chemicals.

23. Commercial Fats, Oils, and Grease (“FOG”) Control Program.

a. General Requirements. CCH shall implement and enforce a program for the control of fats, oils, and grease (“Commercial FOG Control Program”) within the Wastewater Collection System to minimize the potential of SSOs caused by FOG. The Commercial FOG Control Program shall meet the following requirements:

i. A Food Service Establishment shall not discharge its wastewater into the Wastewater Collection System without a permit issued under CCH’s ordinances and Rules Relating to Grease Interceptor Program Compliance (“GI Rules”).

ii. At a minimum, CCH shall conduct: (a) annual inspections of Grease Removal Devices in compliance with GI Rules, including minimal sizing criteria; and (b) semiannual inspections of all other Grease Removal Devices. Such inspections shall include physical inspection, including coring, of the Grease Removal Device to document compliance with CCH’s ordinances and GI Rules, and CCH’s review of maintenance logs and compliance with bar coding requirements.

iii. In addition to such other enforcement oversight as CCH determines to be appropriate, CCH shall undertake a special investigation of all potential FOG sources that may have caused or contributed to a FOG-caused SSO or a CCH environmental incident report (“EIR”). The special investigation shall include all elements of the inspection described in subparagraph a.ii. as well as a review of the Food Service Establishment’s or other GRD Permittee’s record keeping. In addition, the special investigation shall identify the Food Service Establishment(s) or Grease Removal Device(s) that caused or contributed to the SSO or EIR. CCH shall, within 60 Days after the investigation, issue a formal enforcement order (or orders) requiring the identified sources that are determined to be the source of the FOG problem to come into full compliance with the CCH GI Rules or cease operations in accordance with a compliance schedule required or approved by CCH.

iv. For any Food Service Establishment or other GRD Permittee that has failed to properly operate and maintain a Grease Removal Device, the Enforcement Program submitted pursuant to Paragraph 23.b. shall include in an Enforcement Response Plan, among other things, requirements for the Food Service Establishment or other GRD Permittee, in a timely manner, to either: (1) replace its Grease Removal Device with a CCH-approved Grease Removal Device meeting the minimal sizing criteria in the GI Rules; or (2) cease operations in accordance with a compliance schedule required or approved by CCH.

v. For any Food Service Establishment not served by a Grease Removal Device, CCH shall require the Food Service Establishment to install and obtain a permit for a Grease Removal Device meeting the minimal sizing criteria in the GI Rules, and shall evaluate the Food Service Establishment’s compliance with other CCH ordinances and GI Rules.

vi. Beginning 90 Days after the Effective Date of this

Consent Decree and at least annually thereafter, CCH shall request from DOH a list of all new food and beverage licenses in CCH's service area. CCH shall review the list submitted by DOH to determine whether any newly operational businesses may be Food Service Establishments subject to the requirements of the Commercial FOG Control Program. In addition, CCH shall review projects submitted for CCH building permit issuance to determine whether the businesses may be subject to the requirements of the Commercial FOG Control Program. For any businesses identified from the DOH list or through the building permit process, CCH shall include the business for inspection in the next six-month inspection cycle. The inspection shall include all elements of the inspection described in subparagraph a.ii. as well as a review of record keeping at the facility with respect to the business' compliance with the requirements of the Commercial Fog Control Program in this Paragraph and the GI Rules.

b. Within 180 Days after the Effective Date of this Consent Decree, CCH shall submit a Commercial FOG Control Program Manual to EPA and DOH. This Manual is not subject to approval by EPA and DOH. The Manual shall include a summary of all aspects of the Commercial FOG Control Program including the following:

- Food Service Establishment Survey and Permitting Program;
- Grease Interceptor Sizing, Operation, and Maintenance;
- Grease Interceptor Compliance Evaluations;
- Identification and Mitigation of FOG Problem Areas;
- Enforcement Program (including an Enforcement Response Plan);
- Quality Assurance and Control Program;
- Training Program; and
- Education and Outreach Program.

24. Pump Station Projects.

a. Condition Assessment of Beachwalk Pump Station. Pursuant to

the 2007 Stipulated Order, CCH submitted and EPA approved a Condition Assessment and follow-up action plan for the Beachwalk Pump Station. The approved follow-up action is incorporated by reference into this Consent Decree and is enforceable pursuant to this Decree. The following interim compliance milestones and compliance milestones are enforceable pursuant to this Consent Decree:

i. CCH shall repair the existing wetwell. CCH shall design and Complete Construction of the wetwell repair at Beachwalk Pump Station by the compliance milestone of December 31, 2012. As an interim compliance milestone, CCH shall execute a construction contract and issue a notice to proceed with construction by January 3, 2011.

ii. CCH shall replace the two variable speed controls. CCH shall design and Complete Construction of the variable speed controls at the Beachwalk Pump Station by the compliance milestone of December 31, 2012. As an interim compliance milestone, CCH shall execute a construction contract and issue a notice to proceed with construction by January 3, 2011.

iii. CCH shall repair the pump station's roof. CCH shall design and Complete Construction of the roof repair at Beachwalk by the compliance milestone of December 31, 2012.

iv. CCH shall replace the existing level control system with a new level control system that meets CCH's current standards. CCH shall design and Complete Construction of the new level control system at Beachwalk by the compliance milestone of December 31, 2012.

b. Beachwalk Pump Station Upgrade. CCH shall either: (1) upgrade the capacity of the Beachwalk Pump Station to the extent recommended by the Wet Weather I/I Assessment Update; or (2) construct an alternative project that would result in the decommissioning of the Beachwalk Pump Station. CCH shall design and Complete Construction of pump station

upgrades at Beachwalk or the alternative project by the compliance milestone of June 30, 2020, and shall meet the following interim compliance milestones:

i. By December 31, 2015, CCH shall execute a design contract and issue a notice to proceed with the design; and

ii. By July 31, 2017, CCH shall execute a construction contract and issue a notice to proceed with construction.

c. Ft. DeRussy Pump Station Upgrade. CCH shall either: (1) upgrade the capacity of the Ft. DeRussy Pump Station to the extent recommended by the Wet Weather I/I Assessment Update; or (2) construct an alternative project that would result in the decommissioning of the Ft. DeRussy Pump Station. CCH shall design and Complete Construction of pump station upgrades at Ft. DeRussy or the alternative project by the compliance milestone of June 30, 2020, and shall meet the following interim compliance milestones:

i. By December 31, 2015, CCH shall execute a design contract and issue a notice to proceed with the design; and

ii. By July 31, 2017, CCH shall execute a construction contract and issue a notice to proceed with construction.

d. Waimalu Pump Station Controller Upgrade. At the Waimalu Pump Station, CCH must replace the controllers because they overheat. In order to ensure efficient operation, CCH shall Complete Construction of new controllers at Waimalu by the compliance milestone of November 30, 2010.

e. Interim Controls of Capacity-related Sewage Spills at the Kaneohe PTF Effluent Pump Station.

i. Storage at the old Kaneohe WWTP. CCH has installed pumps and piping necessary to divert peak wet weather flows from the Wastewater Collection System upstream of the Kaneohe PTF for temporary storage at the old Kaneohe WWTP. Beginning on the Effective Date of this Consent Decree, CCH shall maximize use of the peak flow diversion for the purpose of reducing or

eliminating capacity-related overflows from the Kaneohe PTF and overflows resulting from failures at the Kaneohe PTF Effluent Pump Station or the Kaneohe/Kailua Force Main, and shall maintain 1.4 million gallons of storage at the old Kaneohe WWTP.

ii. Storage at the old Ahuimanu WWTP. By no later than 90 Days after the Effective Date of this Consent Decree, CCH shall install pumps and piping necessary to divert peak wet weather flows from the Wastewater Collection System upstream of the Kaneohe PTF for temporary storage at the old Ahuimanu WWTP. Beginning 90 Days after the Effective Date of this Consent Decree, CCH shall maximize use of these peak flow diversion(s) for the purpose of reducing or eliminating capacity-related overflows from the Kaneohe PTF and overflows resulting from failures at the Kaneohe PTF Effluent Pump Station or the Kaneohe/Kailua Force Main, and shall maintain 600,000 gallons of storage at the old Ahuimanu WWTP.

f. Pump Station Overflow Structures.

i. CCH shall not provide for overflow structures in its pump station design standards.

ii. Within one year after the Effective Date of this Consent Decree, CCH shall submit to EPA and DOH, for review and approval in accordance with Section IX (Review and Approval of Deliverables) of this Decree, a report on all pump station valves or other pump station appurtenances that could discharge or release sewage to the environment.

iii. Within one year after approval of the report, CCH shall seal pump station valves and other appurtenances that could discharge or release sewage to the environment unless the approved report indicates that such valves or appurtenances are necessary to minimize risk to public health and safety.

iv. CCH shall integrate all other pump station valves and other pump station appurtenances that could discharge or release sewage to the

environment into the pump station operation and maintenance manual for each individual pump station.

g. In order to minimize risk of future spills at its pump stations, CCH shall review its pump station operation and maintenance manuals and update the manuals within 2 years after the Effective Date of this Consent Decree.

h. Within 1 year after the Effective Date of this Consent Decree, CCH shall develop standard training procedures, which shall include training on the content and implementation of spill contingency plans for related force mains, for its pump station operations staff. CCH shall require its operations staff for pump stations, including any new employees, to be properly trained, and shall certify that the training has taken place within 2 years after the Effective Date of this Consent Decree.

25. Sewer Laterals.

a. CCH shall maintain an inventory of Lower Laterals and shall include the information in CCH's GIS database where it will be maintained until June 30, 2020, and available for inspection.

b. Within 90 Days after the Effective Date of this Consent Decree, CCH shall maintain a list of Lower Laterals for which it has identified problems in either maintenance or the condition of the Lower Lateral. After CCH has identified a problem Lower Lateral, CCH shall conduct corrective action (either repair, replacement, or maintenance) within two years after identification of the problem Lower Lateral.

c. CCH shall require its sewer main maintenance workers and contractors to report any issues with respect to Lower Lateral conditions observed during work on sewer mains.

d. CCH shall conduct corrective action (either repair, replacement, or maintenance) within 60 Days after a Lower Lateral has caused or contributed to an SSO.

e. CCH shall continue to implement its clean-out cap replacement program and record such information in CCH's database where it will be maintained for at least five years and available for inspection.

f. Within 90 Days after the Effective Date of this Consent Decree, CCH shall develop materials to assist City building inspectors in identifying and reporting open and obvious improper inflow connections to laterals or gravity mains. When an inspection indicates that an improper inflow connection is channeling flow to the Wastewater Collection System, CCH shall provide notice to the responsible party, requiring the responsible party to: (1) take corrective action to eliminate the improper connection within six months after receipt of notification; and (2) provide certification of completion of the required corrective action. CCH shall record information of its notice and the certification of completion in CCH's database where it will be maintained for at least five years and available for inspection.

g. As an annual performance requirement, CCH shall conduct smoke testing on at least 19 miles per year of its sewers, including gravity mains and Lower Laterals, and record such information in CCH's database where it will be maintained for at least five years and available for inspection. When smoke testing indicates that an improper connection is channeling inflow to the Wastewater Collection System, CCH shall provide notice to the responsible party, requiring the responsible party to: (1) take corrective action to eliminate the improper connection within six months after receipt of notification; and (2) provide certification of completion of the required corrective action. CCH shall record information of its notice and the certification of completion in CCH's database where it will be maintained for at least five years and available for inspection.

26. Staffing Commitments.

a. No later than six months after the Effective Date of this Consent Decree, CCH shall achieve full staffing, as further described in

subparagraph c. below, for currently funded positions as provided in Appendix I to this Decree.

b. By 60 Days after the Effective Date of this Consent Decree, CCH shall submit to EPA and DOH, for review and approval in accordance with Section IX (Review and Approval of Deliverables) of this Decree, a Staffing Plan for its gravity mains, Lower Laterals, and sewer manholes (“Gravity Sewer System”). CCH shall meet the commitments of the approved Staffing Plan by December 31, 2011.

c. CCH shall attain and maintain at least 90 percent of the staffing levels required under subparagraphs a. and b. on an annual basis. CCH may meet this requirement through the use of overtime and/or equivalent contractor support. If CCH uses contractor support to achieve compliance with these requirements, CCH shall in the Annual Report demonstrate that the level of contractor support fulfilled the minimum staffing requirements for each category in its Staffing Plan. If CCH, in any year, fails to attain or maintain at least 90 percent of the staffing levels required under subparagraphs a. and b., CCH shall submit to EPA and DOH either a revised Staffing Plan that justifies a decrease in staffing levels as provided for in subparagraph d., or an action plan to bring staffing up to the required levels in the following year.

d. CCH may at any time submit to EPA and DOH a revised Staffing Plan that maintains staffing levels at sufficient levels to properly operate and maintain its Gravity Sewer System. A revised Staffing Plan submitted pursuant to this subparagraph shall specifically identify all areas where staffing levels are to be reduced and set forth an explanation why the reductions in staffing are appropriate.

27. Equipment Commitments.

a. CCH has submitted, as Appendix J to this Decree, an Equipment Inventory of the equipment necessary to ensure that CCH can achieve

its commitments under this Consent Decree for maintenance of its Wastewater Collection System as well as spill response and remediation. Pursuant to Appendix J, CCH shall keep at least one spare piece of each type of equipment in good working order in addition to the minimum number of equipment inventory needed for CCH to achieve its Consent Decree commitments. CCH may meet the requirements of this subparagraph through the use of contractor vehicle capacity, provided that CCH maintains the capability to timely mobilize such equipment to meet the requirements of this Consent Decree.

b. Within eighteen months after the Effective Date of this Consent Decree, CCH shall meet the specified requirements for equipment set out in the Equipment Inventory in Appendix J. CCH shall regularly maintain, repair, and replace the equipment to ensure that it has sufficient equipment in good working order.

c. CCH may at any time submit to EPA and DOH an updated Equipment Inventory to reflect changes in need and technology advancements provided that the updated Equipment Inventory is sufficient to ensure that CCH can achieve its commitments under this Consent Decree for maintenance of its Wastewater Collection System as well as spill response and remediation.

28. Odor Issues.

a. CCH shall maintain and publicize its hot line for citizen complaints about sewage odor.

b. CCH shall record information relating to odor complaints and maintain it in its database for at least five years available for inspection.

29. Spill Response, Monitoring, and Reporting. Within one year after the Effective Date of this Consent Decree, CCH shall update its spill response, monitoring, and reporting procedures and submit a report to EPA and DOH for review and approval in accordance with Section IX (Review and Approval of Deliverables) of this Decree. The procedures shall include, but are not limited to,

the following: spill response procedures for appropriate staff; a requirement that each spill report identify (by asset number) a sewer pipe that causes a spill; a requirement that CCH report and issue a press release following a spill that complies with the Hawaii Administrative Rules; and spill volume estimating procedures, including start time based on receipt of notification or information from witnesses, visual estimates for small spills, analysis of duration and flow, on-site measurement of contained volume, and, to the extent appropriate, an engineering evaluation.

**VII. COMPLIANCE REQUIREMENTS:
WASTEWATER TREATMENT PLANTS**

30. **Honouliuli Wastewater Treatment Plant.** No later than 30 Days after the Effective Date of the Consent Decree, CCH shall withdraw any pending appeals of EPA's denial of its application for a permit pursuant to section 301(h) of the CWA for the Honouliuli WWTP. CCH shall Complete Construction of facilities necessary to comply with secondary treatment standards of the Act, as defined by 40 C.F.R. Part 133, for wastewater discharges from the Honouliuli WWTP by the compliance milestone of June 1, 2024, and shall meet the following interim compliance milestones.

a. By January 1, 2017, CCH shall execute a design contract and issue a notice to proceed with the design of all secondary treatment process facilities needed to comply with secondary treatment standards for wastewater discharges from the Honouliuli WWTP.

b. By January 1, 2019, CCH shall execute a construction contract (or contracts) and issue a notice (or notices) to proceed with construction of all secondary treatment process facilities necessary to comply with secondary treatment standards for wastewater discharges from the Honouliuli WWTP.

31. **Sand Island Wastewater Treatment Plant.** No later than 30 Days after the Effective Date of the Consent Decree, CCH shall withdraw any pending

appeals of EPA's denial of its application for a permit pursuant to section 301(h) of the CWA for the Sand Island WWTP. Unless the schedule is extended pursuant to Paragraph 31.d., CCH shall Complete Construction of facilities necessary to comply with secondary treatment standards of the Act, as defined by 40 C.F.R. Part 133, for wastewater discharges from the Sand Island WWTP by the compliance milestone of December 31, 2035, in accordance with the schedule set forth in subparagraphs a.-c.

a. As an interim compliance milestone, by January 1, 2019, CCH shall execute a design contract and issue a notice to proceed with the design of treatment process facilities needed to comply with secondary treatment standards for wastewater discharges from the Sand Island WWTP. The scope of the design contract may reflect phasing of necessary upgrades to the Sand Island WWTP, and may not include the detailed designs of all process facilities necessary to comply with secondary treatment standards.

b. By January 1, 2022, CCH shall execute a construction contract and issue a notice to proceed with construction of facilities that are part of its design to upgrade the Sand Island WWTP, in relation to compliance with secondary treatment standards. The scope of the construction contract may reflect phasing of necessary upgrades to the Sand Island WWTP, and may not include all process facilities necessary to comply with secondary treatment standards.

c. If the notice to proceed required by subparagraph b. did not authorize construction of all secondary treatment process facilities necessary to comply with secondary treatment standards for wastewater discharges from the Sand Island WWTP, as an interim compliance milestone, by January 1, 2030, CCH shall execute a construction contract (or contracts) and issue a notice (or notices) to proceed with construction of all secondary treatment process facilities necessary to comply with secondary treatment standards for wastewater discharges from the Sand Island WWTP.

d. No earlier than January 1, 2024, and no later than December 31, 2025, CCH may submit to the Parties a report with a proposal to extend the deadline to Complete Construction of facilities necessary to comply with secondary treatment standards of the Act, as defined by 40 C.F.R. Part 133, for wastewater discharges from the Sand Island WWTP. The proposal shall, in no event, seek to extend this compliance milestone to a date later than December 31, 2038. The report submitted pursuant to this subparagraph shall, at a minimum, contain the following elements:

i. CCH's proposed schedule to Complete Construction of secondary treatment facilities, including any proposed modifications to the schedule in subparagraphs a.-c. above.

ii. An analysis of the technical, logistical, and financial impacts of constructing secondary treatment facilities at Sand Island under: (1) the 2035 schedule set forth in Paragraph 31 and subparagraphs a.-c. above; and (2) CCH's proposed schedule.

iii. A comparison of the impacts to CCH of the two construction schedules. In this report, CCH shall present detailed information on the costs it has incurred and anticipates it will incur in complying with the Consent Decree and operating and maintaining its Wastewater Collection System and Wastewater Treatment Plants, including, but not necessarily limited to:

- CCH's actual expenditures on its Wastewater Collection System from Year One through Year Ten.
- CCH's actual expenditures on its Wastewater Collection System following Year Ten. If any of these costs were incurred to complete work required by Section VI (Compliance Requirements: Wastewater Collection System) of the Decree, these costs shall be specifically itemized.
- CCH may include projected capital improvements to the Wastewater Collection System in this analysis, and shall indicate whether the costs are:

- (1) included in its Capital Improvement Plan; and (2) likely to be incurred.
- CCH's projected budget for operation and maintenance of its Wastewater Collection System through Termination of the Consent Decree, along with the basis for the projections and supporting information.
 - The most complete information available on the costs of construction of secondary treatment facilities at the Honouliuli WWTP.
 - CCH's estimate of the projected construction costs of secondary treatment facilities at the Sand Island WWTP based on CCH's planning and design for all secondary treatment alternatives considered for the WWTP.
 - CCH's actual expenditures in operating and maintaining its Wastewater Treatment Plants and sludge facilities through the end of the fiscal year prior to submittal of the report and CCH's estimate of changes to these operation and maintenance costs once secondary treatment operation commences at Sand Island.
 - Actual and projected expenditures as a result of additional or more stringent legislative or regulatory mandates regarding air quality, water quality, and treatment standards applicable to CCH's Wastewater Collection System and Wastewater Treatment Plants.

iv. A discussion of the rate structure that CCH has implemented to finance the Wastewater Collection System and Wastewater Treatment Plant improvements it has constructed pursuant to the Consent Decree. This shall include a discussion of how CCH adjusted sewer rates to finance existing and expected costs during the implementation of the work required by the Consent Decree, along with EPA and/or industry guidelines regarding affordability, and sewer fees in jurisdictions of comparable size and population.

v. A comparison of the rate structure that CCH projects would be appropriate to finance completion of construction of secondary treatment facilities at Sand Island by December 31, 2035, with the compliance deadline

proposed by CCH. Specifically, CCH shall present its rationale for why requiring compliance by an earlier deadline than that proposed by CCH would result in undue financial hardship, which may include consideration of factors such as the cost of regulatory and statutory mandates, and other financial and socio-economic indicators relevant to evaluating the financial capability of CCH and its ratepayers.

vi. If CCH uses any models as part of its analysis in the report, CCH shall provide the Parties access to those models as well as all inputs to the models, and an explanation of the models' operation.

vii. Nothing set forth in subparagraph d. above shall limit the information or contentions that CCH may include in its report, or that any of the Parties may present to the Court, in support of its position.

e. After receiving CCH's report, the Parties shall meet and confer to discuss the report and shall use their best efforts to negotiate a schedule for construction of secondary treatment facilities at Sand Island. Any such schedule shall include a compliance milestone to Complete Construction of secondary treatment facilities at Sand Island by no later than December 31, 2038, and adjustments to interim compliance milestones in this Paragraph consistent with achieving this compliance milestone.

f. If the Governments and CCH reach an agreement regarding the construction schedule for secondary treatment facilities at the Sand Island WWTP, they shall submit the schedule to the Court for approval as a major modification pursuant to Section XIX (Modification) of the Consent Decree.

g. If the Governments and CCH cannot reach agreement regarding the construction schedule for secondary treatment facilities, they shall submit a joint motion to the Court requesting judicial resolution of the dispute. The joint motion shall contain a written statement of: (1) CCH's position on the matter in dispute, including any supporting factual data, analysis, opinion, or documentation, and the requested construction schedule, as presented to the Governments pursuant

to subparagraph d.; and (2) the Governments' response to CCH's position, including a proposed construction schedule. Within 15 Days after the joint motion is filed, Intervenors may file a statement of position proposing a construction schedule that includes, at a minimum, the elements set forth in subparagraph e. above.

h. CCH shall bear the burden of demonstrating by a preponderance of the evidence that CCH's position should prevail over the Governments' position. Should the Court determine that the schedule proposed by the Governments is either technically infeasible or would result in undue financial hardship, the Court shall adopt the schedule proposed by CCH; provided that the schedule selected by the Court shall not require completion of construction of secondary treatment facilities at Sand Island any earlier than December 31, 2035, or later than December 31, 2038.

32. Treatment Plant Interim Effluent Limits.

a. Until CCH achieves compliance with secondary treatment standards of the Clean Water Act, as defined by 40 C.F.R. Part 133, for wastewater discharges from the Honouliuli and Sand Island WWTPs, CCH shall achieve compliance with the following interim effluent limits, monitoring, and reporting requirements for the discharge flow rate, TSS, and BOD₅:

Honouliuli Wastewater Treatment Plant

2010 Consent Decree Interim Limits

Interim Discharge Limitations					Monitoring Requirements	
Discharge Parameter	Average Monthly	Average Weekly	Maximum Daily	Units	Minimum Frequency	Sample Type
Flow	report	report	report	MGD	continuous	recorder or totalizer
Biochemical Oxygen Demand (5-day)	161	166	report	mg/l	daily	24-hour composite
	53679	55424		lbs/day		
	As a monthly average, not less than 30% removal efficiency from influent stream.					
Total Suspended Solids	50	53	report	mg/l	daily	24-hour composite
	16721	17580		lbs/day		
	As a monthly average, not less than 60% removal efficiency from influent stream.					

Sand Island Wastewater Treatment Plant						
2010 Consent Decree Interim Limits						
Interim Discharge Limitations					Monitoring Requirements	
Discharge Parameter	Average Monthly	Average Weekly	Maximum Daily	Units	Minimum Frequency	Sample Type
Flow	report	report	report	MGD	continuous	recorder or totalizer
Biochemical Oxygen Demand (5-day)	119 89414	122 91594	report	mg/l lbs/day	daily	24-hour composite
	As a monthly average, not less than 30% removal efficiency from influent stream.					
Total Suspended Solids	48 36349	50 37403	report	mg/l lbs/day	daily	24-hour composite
	As a monthly average, not less than 60% removal efficiency from influent stream.					

b. Effluent Limits and Monitoring Requirements for Honouliuli WWTP. From the Effective Date of this Consent Decree until the final compliance milestone set pursuant to Paragraph 30 for the Honouliuli WWTP, CCH shall comply with the requirements and interim effluent limits for TSS and BOD₅ set forth above for the Honouliuli WWTP, notwithstanding any final effluent limitations for TSS and BOD₅ set forth in CCH's applicable NPDES permit for the Honouliuli WWTP; provided, however, that this Consent Decree shall not affect the force or effect of any other effluent limitations, or monitoring and reporting requirements, or any other terms and conditions of its applicable NPDES permit. After the final compliance milestone set pursuant to Paragraph 30 for the Honouliuli WWTP, all effluent limitations, monitoring and reporting requirements, and all other terms and conditions of its applicable NPDES permit for the

Honouliuli WWTP shall apply, without any limitation imposed by the terms of this Consent Decree.

c. Effluent Limits and Monitoring Requirements for Sand Island WWTP. From the Effective Date of this Consent Decree until the final compliance milestone set pursuant to Paragraph 31 for the Sand Island WWTP, CCH shall comply with the requirements and interim effluent limits for TSS and BOD₅ set forth above for the Sand Island WWTP, notwithstanding any final effluent limitations for TSS and BOD₅ set forth in CCH's applicable NPDES permit for the Sand Island WWTP; provided, however, that this Consent Decree shall not affect the force or effect of any other effluent limitations, or monitoring and reporting requirements, or any other terms and conditions of its applicable NPDES permit. After the final compliance milestone set pursuant to Paragraph 31 for the Sand Island WWTP, all effluent limitations, monitoring and reporting requirements, and all other terms and conditions of its applicable NPDES permit for the Sand Island WWTP shall apply, without any limitation imposed by the terms of this Consent Decree.

d. Without limiting the application of any other provision relating to the ability of the Parties to modify this Consent Decree, if changes are made to either the Honouliuli WWTP or Sand Island WWTP that affect the plant's design capacity, or if the influent wastewater characteristics of either plant change significantly, then upon CCH's request, EPA, DOH, and CCH shall meet and confer in an attempt to reach agreement on new interim effluent limits for TSS and BOD₅ for that plant. If the parties are unable to reach agreement, CCH may invoke the procedures set forth in Section XII (Dispute Resolution) of this Decree.

33. Treatment Plant Operation and Maintenance.

a. By no later than six months after the Effective Date of this Consent Decree, CCH shall submit revised facility-wide operation and maintenance manuals for the Sand Island and Honouliuli WWTPs to EPA and

DOH for review and approval in accordance with Section IX (Review and Approval of Deliverables) of this Decree. CCH may, where appropriate, incorporate provisions from existing operation and maintenance manuals. These manuals shall include, but not be limited to, the following elements:

- i. Operation and maintenance procedures for all major systems at each WWTP from the headworks to and including the outfall and on-site sludge processing facilities;
- ii. Spare parts inventory procedures, including identification of which parts are to be maintained on site and which parts may be maintained at off-site locations;
- iii. Staffing levels and professional experience grades required for plant operating personnel; and

- iv. Training procedures.

b. By no later than 90 Days prior to the deadline for CCH to Complete Construction of secondary treatment facilities at the Honouliuli or Sand Island WWTPs, CCH shall submit revised operation and maintenance manuals for the WWTP being upgraded to EPA and DOH for review only. CCH may, where appropriate, incorporate provisions from existing operation and maintenance manuals. The revised operation and maintenance manuals shall be consistent with proper operation and maintenance at the affected facilities, and shall include updates to all the program elements in the operation and maintenance manuals approved pursuant to subparagraph a. to address changes to the operations and maintenance procedures as a result of installation of new treatment technology.

c. At its discretion, CCH may modify its approved operation and maintenance manuals to address changed circumstances. Such modifications shall be submitted to EPA and DOH for review only, and shall be consistent with proper operation and maintenance at the affected facilities.

d. CCH shall implement the operation and maintenance manuals