

**From:** [Shareem, Jelani](#)  
**To:** [pontind@icloud.com](mailto:pontind@icloud.com)  
**Cc:** [Wells, Kimberly](#)  
**Subject:** RE: Show Cause Letter: Failure to Close one (1) Large Capacity Cesspool that serves Tax Map Key: 1-6-2-007-019  
**Date:** Monday, November 22, 2021 1:58:00 PM  
**Attachments:** [Gen Backfilling Scenarios for Injection-Well CP \(under 1000 gpd\).PDF](#)  
[Gen Instructions for Backfilling Injection-Well CP \(1000 & over gpd\).PDF](#)  
[Abandon01.pdf](#)

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Hi Duke,

As follow-up to our call, attached is the information concerning general state requirements for properly backfilling the cesspool that serves TMK: 162007019. Since there are different requirements for cesspools that receive under 1,000 gpd and cesspools that receive more than 1000 gpd, please contact the Hawaii State Department of Health Wastewater Branch before you being the process of closing the LCC.

Regarding next steps for resolving this matter, please submit any additional information (e.g. date you took ownership of the property, date the food trucks were granted access to the restrooms serving the property, and any steps taken to limit access/usage of the restrooms serving the property) that you would like EPA to consider. After you submit the additional information, I will reach out to schedule a call to being the discussion for settling this matter.

Please feel free to contact me with any questions about this email.

Regards,

Jelani  
415-972-3095

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**From:** Shareem, Jelani  
**Sent:** Monday, November 22, 2021 11:40 AM  
**To:** [pontind@icloud.com](mailto:pontind@icloud.com)  
**Cc:** Wells, Kimberly <[wells.kimberly@epa.gov](mailto:wells.kimberly@epa.gov)>  
**Subject:** Show Cause Letter: Failure to Close one (1) Large Capacity Cesspool that serves Tax Map Key: 1-6-2-007-019

Dear Duke Pontin,

The attached Show Cause letter is issued to NSHE HI Narcissus LLC, the registered owner of Tax Map Key: 1-6-2-007-019. As detailed in the letter, EPA has determined that NSHE HI Narcissus LLC is liable under the Safe Drinking Water Act for failing to close one large capacity cesspool by the April 5, 2005 regulatory deadline. Although EPA intends to file an administrative complaint in this matter, that filing does not preclude EPA from entering into settlement negotiations to resolve this violation and,

as such, we extend to NSHE HI Narcissus LLC the opportunity to engage in negotiations with EPA on this matter. As the listed person of contact for NSHE HI Narcissus LLC, EPA requests that you send a confirmatory email indicating that NSHE HI Narcissus LLC received this letter within 24-hrs. of your receipt of this email. The official response to this matter is due on or before **December 17, 2021**.

Please feel free to contact me with any questions regarding this correspondence.

Regards,

Jelani Shareem

Enforcement and Compliance Assurance Division

Drinking Water Section (ECAD-3-3)

U.S. EPA Region 9

75 Hawthorne Street

San Francisco, CA 94105

Phone: (415) 972 – 3095

<https://www.epa.gov/uic/basic-information-about-class-v-injection-wells>

<https://www.epa.gov/uic/large-capacity-cesspools>

<https://www.epa.gov/uic/cesspools-hawaii>