



REGION 9

SAN FRANCISCO, CA 94105

March 19, 2024

U.S. EPA Statement to Wahikuli Houselots Subdivision residents, and similar fire-impacted homes in the Lahaina area, regarding temporary cesspool use

The U. S. Environmental Protection Agency (EPA) mission is to protect human health and the environment. To that end, Congress has directed EPA under the Safe Drinking Water Act to protect our nation’s underground sources of drinking water from contamination. EPA has used this authority in developing regulations for the Underground Injection Control program, which sets forth requirements for underground disposal of fluids containing waste. Beginning in April 2000, the UIC regulations have prohibited the construction of new, large capacity cesspools, and in April 2005, required closure of existing ones.

Large capacity cesspools include “**multiple dwelling, community or regional cesspools**, or other devices that receive sanitary wastes, containing human excreta, which have an open bottom and sometimes perforated sides. 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.”

Since the regulatory ban on large capacity cesspools, EPA has taken numerous enforcement actions in Hawaii requiring closure, in furtherance of protecting the State’s groundwater resources.

EPA wants Wahikuli Houselots Subdivision residents, and similar fire-impacted homes in the Lahaina area, to be able to return to their homes and intends to work collaboratively with the County of Maui and the State of Hawaii Department of Health on this issue, including options for accelerating the timing for connecting homes in the Wahikuli community to the County of Maui sewer system. Once the sewer line connection is completed, EPA expects residents to comply with any county laws requiring a direct connection to the system, including Maui County Code Section 14.21A.010.

For additional background information, see [EPA’s Cesspools in Hawaii](#) website.