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Scott K. Sato, Deputy County Clerk

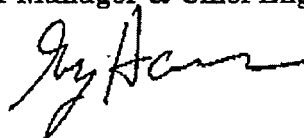
Telephone (808) 241-4188
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Council Services Division
4396 Rice Street, Suite 209
Lihu'e, Kaua'i, Hawai'i 96766

MEMORANDUM

November 2, 2015

TO: Kirk Saiki, Department of Water Manager & Chief Engineer

FROM: Gary L. Hooser, Councilmember 

VIA: Mel Rapozo, Council Chair 

RE: **REQUEST FOR DATA REGARDING TESTING FOR CHLORPYRIFOS**

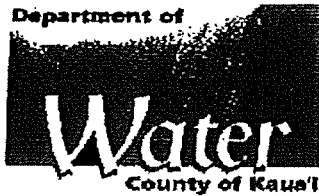
This is to request data regarding whether the Department of Water (DOW) tests Kaua'i drinking water for Chlorpyrifos. If no such testing is conducted, please explain. If DOW tests for Chlorpyrifos, please indicate: (1) if any detectable levels have been found, and if so (2) where and (3) when.

Please note that I am aware of the following: "Local authorities are not required by EPA to test for chlorpyrifos, since EPA has no federal drinking water regulation for chlorpyrifos. However, some local authorities do test for contaminants beyond federal drinking water regulations" (<http://www2.epa.gov/ingredients-used-pesticide-products/proposal-revoke-chlorpyrifos-food-residue-tolerances>).

Furthermore, if DOW does not test Kaua'i drinking water for Chlorpyrifos, I am requesting that DOW consider doing so at the earliest possible opportunity.

A response by November 16, 2015 is requested. Should you have any questions, please feel free to contact the Office of the County Clerk, Council Services Division at 241-4188.

JA:lc
cc: Nadine K. Nakamura, Managing Director



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MEMO

To: Gary L. Hooser
Councilmember

From: Kirk Saiki, P.E. *[Signature]*
Manager & Chief Engineer

CC: Andrea A. Suzuki, Deputy County Attorney
Nadine Nakamura, Managing Director

Date: November 16, 2015

RE: **REQUEST FOR DATA REGARDING TESTING FOR CHLORPYRIFOS**

RECEIVED

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OFFICE OF THE COUNTY CLERK
COUNTY OF KAUAI

Thank you for your letter dated November 2, 2015 requesting Department of Water (DOW) data regarding testing for chlorpyrifos.

Chlorpyrifos is an organophosphate pesticide. The Environmental Protection Agency (EPA) has set a guideline for chlorpyrifos in drinking water at 2 ug/l (micrograms per liter or parts per billion), but has not set a Drinking Water Standard likely due to the fact that chlorpyrifos exhibits a low solubility in water.

DOW does not test for chlorpyrifos; therefore, data is not available.

DOW also consulted with the State Department of Health (DOH) to determine if there was a concern about chlorpyrifos contamination of the groundwater on Kauai. DOH provided the following information:

1. Largest agricultural use is on corn.
2. Chlorpyrifos is applied to the plant not the ground; therefore, it has more potential to drift than to fall to the ground.
3. Chlorpyrifos has a short half-life (51 days).
4. The CLERS Model, developed by University of Hawaii and DOH predicts the leaching potential of pesticides, shows the chance of groundwater contamination by chlorpyrifos on Kauai to be unlikely.

Because of the current low probability of groundwater contamination by chlorpyrifos, DOW does not have immediate plans to test the groundwater for chlorpyrifos. DOW will continue to work closely with DOH to determine if this situation changes.

If you have any questions, please call me at 245-5408.

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DEPT. OF WATER
COUNTY OF KAUAI

MEMORANDUM

November 27, 2015

TO: Kirk Saiki, Department of Water Manager & Chief Engineer

FROM: Gary L. Hooser, Councilmember *GLH*

VIA: Mel Rapozo, Council Chair *MR*

RE: **FOLLOW-UP TO REQUEST FOR DATA REGARDING TESTING FOR CHLORPYRIFOS**

Thank you for your November 16, 2015 response to my November 2, 2015 memorandum (See Attached). Your response indicates that the Department of Water (DOW) has concluded, in spite of the Environmental Protection Agency (EPA) findings, that there is no risk of chlorpyrifos water contamination and thus no reason to test Kaua'i drinking water at this time.

I strongly encourage you and/or the appropriate DOW staff to actually review the EPA report (<http://www2.epa.gov/ingredients-used-pesticide-products/proposal-revoke-chlorpyrifos-food-residue-tolerances#drinkingwater>), and I request that the DOW reconsider its decision.

Of particular importance, the EPA report states in part:

"EPA is proposing to revoke all food residue tolerances for the insecticide chlorpyrifos. At this time, EPA is unable to make a safety finding as required under the Federal Food, Drug, and Cosmetic Act (FFDCA). Based on EPA's current analysis, there do not appear to be risks from exposure to chlorpyrifos from food, but, when that exposure is combined with estimated exposure from drinking water in certain watersheds, EPA cannot conclude that the risk from the potential aggregate exposure meets the FFDCA safety standard." (Emphases added).

Kirk Saiki, Department of Water Manager & Chief Engineer
Re: Follow-Up To Request For Data Regarding Testing For Chlorpyrifos
November 27, 2015
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The EPA report further states: "EPA's 2014 revised human health risk assessment showed the potential for risks in small watersheds with high concentrations of farming where chlorpyrifos may be widely used." (Emphasis added).

Thank you in advance for taking a second look at your decision not to test Kaua'i's drinking water for chlorpyrifos. Given the degree of community concern, the EPA findings, and the fact that intensive cultivation of corn occurs on Kaua'i, I would hope that DOW in an abundance of caution, would move forward in testing the water systems.

Additionally, it is my understanding that my original memorandum and the DOW response was forwarded to third-parties, including Peter Adler. Therefore, I would like to request that this follow-up memorandum also be forwarded to those same parties and that the DOW provide me with a list of those individuals and/or organizations.

A response by December 11, 2015 is requested. Should you have any questions, please feel free to contact the Office of the County Clerk, Council Services Division, at 241-4188.

JA:lc

Attachments

cc: Nadine K. Nakamura, Managing Director
Andrea A. Suzuki, Deputy County Attorney