



DEPARTMENT OF THE ATTORNEY GENERAL

News Release

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MOLOKAI DRINKING WATER AND WASTEWATER

HONOLULU – Hearings are underway as to four orders issued by the Department of Health (DOH) on July 21, 2008, regarding the possible cessation of drinking water and wastewater services presently provided by private utility companies. Two of the orders were issued to the County of Maui, and two were issued to Molokai Properties Limited and its utilities.

Some reports of the hearings on the orders as to the County of Maui have not been accurate.

The Department of the Attorney General believes that Hawaii law requires the County to provide drinking water and wastewater services to its residents in an emergency, and that DOH has legal authority to order the County to take action in preparation for the possible cessation of the services.

DOH has ordered the County to do essentially three things for at least the next ninety days:

- (1) Assess what is needed and be prepared to provide adequate drinking water and wastewater services;
- (2) Assess what is needed to operate the companies' water and wastewater systems and provide sufficient supplies of safe drinking water to the companies' customers; or
- (3) Demonstrate to the satisfaction of the Director of Health that another entity is qualified, willing, and able to provide safe drinking water and wastewater services.

DOH may review the status of the emergency and determine what steps the County should take beyond the ninety-day period. At this time, DOH is not requiring the County to take over a private utility company or to operate the utility systems.

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