



STATE OF HAWAII
DEPARTMENT OF HEALTH
P. O. BOX 3378
HONOLULU, HI 96801-3378

In reply, please refer to:
File:

December 4, 2021

Rear Admiral Timothy Kott
Commander Navy Region Hawaii
850 Ticonderoga Street
Joint Base Pearl Harbor Hickam, Hawaii 96860-5101
[via email only]

FORMAL REQUEST FOR RECORDS

Dear Rear Admiral Kott:

This letter is being made in furtherance of, and in response to, ongoing discussions regarding the sharing of sampling plans, data, methodology, and analytical reports concerning groundwater and drinking water being assembled by the United States Department of the Navy (Navy) in response to the petroleum contamination event at military housing and surrounding communities in the vicinity of the Red Hill Bulk Fuel Storage Facility (Red Hill Facility).

The Department of Health (DOH) acknowledges receipt of the chromatograms and final reports for the sampling events that occurred on November 29th and 30th.

DOH's mission "is to protect and improve the health and environment for all people in Hawai'i". In furtherance of this mission and pursuant to sections 340E-4 and 342L-7, Hawaii Revised Statutes (HRS), DOH makes this formal request for records. Section 342L-7, HRS, reads in part:

§342L-7 Authority to obtain information and data, inspect, and require and conduct activities; penalties for disclosure. (a) For the purpose of developing or assisting in the development of any rule, conducting any study, taking any release response action, or enforcing this chapter, any owner or operator of an underground storage tank or tank system, and any person involved in response actions relating to any releases from these tanks or tank systems, upon the request of any duly authorized representative of the department, shall:

(1) Furnish information relating to the tanks or tank systems, including tank equipment and contents and any response actions relating to releases from the tanks or tank systems;...

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The DOH is aware that the Navy is engaged in ongoing sampling, therefore pursuant to this authority, the DOH hereby demands that the Navy immediately and without further delay furnish the identities of the laboratories being used both on and off the island of Oahu and any and all:

- Sampling plans,
- Descriptions of methodology utilized in the collection of samples (including but not limited to collection sites and sampling procedure),
- Data (including but not limited to the “raw” data directly provided by the laboratory and which shall include the chromatograms),
- Compilations and summations of data,
- Analytical results,
- The name and address of each and every laboratory (including those operated by or under the control of the United States government) to which samples have been distributed and
- Any other records, materials or information related to the characterization of the condition and/or quality of the groundwater and drinking water in the vicinity of the Red Hill Facility or from any locations potentially impacted by the Red Hill Facility or within its sphere of influence currently in the Navy’s possession or under its control.

This request is a continuing one and any additional or future data or analysis shall similarly be immediately and concurrently provided to the DOH as it becomes available to the Navy.

Provide immediately if not sooner, all information described above for all sample collection events on December 1st through December 4th, by **Tuesday, December 7, 2021, at 4:30 pm (HST)**. Per your Sampling Schedule, for all sample collection events on December 5th and moving forward, submit the above information to the DOH within three (3) calendar days of the sample collection event. If the DOH does not receive the requested records, the matter may be referred to the Hawaii State Department of the Attorney General for further action.

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If you have any questions or concerns regarding this letter, please contact me at (808) 586-4424.

Sincerely,

Kathleen Ho

KATHLEEN S. HO
Deputy Director for Environmental Health

c: CAPT. J. Gordie Meyer, U.S. Navy [via email only]
CDR Darrel Frame, U.S. Navy [via email only]
Mr. John Floyd, U.S. Navy [via email only]
Ms. Sherri Eng, U.S. Navy [via email only]
Mr. Wade Hargrove, DAG [via email only]
Mr. Dale Sakata, DAG [via email only]