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**DEPARTMENT OF HEALTH**

**STATE OF HAWAII**

ENVIRONMENTAL HEALTH DIVISION,	)	Case No. 21-UST-EA-02
DEPARTMENT OF HEALTH, STATE OF	)	
HAWAII,	)	<b>NAVY’S WITNESS LIST</b>
	)	
Complainant,	)	<b>EXHIBITS</b>
	)	
v.	)	CERTIFICATE OF SERVICE
	)	
UNITED STATES DEPARTMENT OF THE	)	
NAVY,	)	
	)	
Respondent.	)	
_____	)	

**NAVY’S PRELIMINARY WITNESS LIST**

The Navy submits the following list of witnesses who may provide written direct testimony in support of its case in chief. The Navy reserves the right to supplement this list in accordance with the December 13, 2021, scheduling order.

**1. NAVY EMPLOYEE WITNESSES**

The following witnesses employed by the Navy will testify regarding the facts and circumstances concerning the impacts that contamination of the Red Hill shaft had on Navy’s drinking water system, and residents residing in military privatized house, the Navy’s response to the incident to include its coordination on medical, public health, engineering and logistics actions to remedy the situation.

**Mr. James B. Balocki**

U.S. Navy  
Acting Principal Deputy Assistant Secretary of the Navy  
(Energy, Installations and Environment)  
Navy Pentagon, Arlington, VA 20350

**Captain James G. Meyer, U.S. Navy**

Commanding Officer, Naval Facilities Engineering Command, Hawaii,  
850 Ticonderoga Street, Suite 110  
JBPHH, HI 96860

**Ms. Sherri Eng**

Senior Environmental Management Director  
Commander, Navy Region Hawaii  
850 Ticonderoga Street, Suite 110  
JBPHH, HI 96860

**Captain Michael McGinnis, Medical Corps, U.S. Navy**

U.S. Pacific Fleet Surgeon and Senior Medical Advisor to Pacific Fleet  
250 Makalapa Drive  
Suite 251  
Pearl Harbor, Hawaii 96860

The following witness employed by the Navy may be called to testify regarding the facts and circumstances concerning the impacts that contamination of the Red Hill shaft had on Navy's drinking water system, and residents residing in military privatized house, the Navy's response to the incident to include its coordination on medical, public health, engineering and logistics actions to remedy the situation.

**Mr. Frank Kern**

Civil Engineer and Design Manager  
Naval Facilities Engineering Command,  
Expeditionary Warfare Center (EXWC)  
Port Hueneme, CA 93043

### Navy's List of Exhibits

Exhibit	Title
N-1	Declaration of the Hon James Balocki, with Exhibits N-1A through N-1C
N-1A	Command Investigation Convening Orders
N-1B	Amended Command Investigation into 6 May 2021 and 20 November 2021 Incidents
N-1C	Memorandum - Immediate Actions
N-2	Declaration of Captain James G. Meyer, with Exhibits N-2A through N-2G
N-2A	Map of Navy Well Locations
N-2B	UST System Evaluation Report - June 2017
N-2C	Michael Baker - Red Hill Testimony - Caputi
N-2D	JBPHH – Red Hill – 2021 Semiannual BFCUST Leak Detection Testing Report – June 2021
N-2E	JBPHH – 2021 BFCUST 5 Leak Detection Testing Report – November 2021
N-2F	JBPHH-Red Hill HI – 2021 Annual BFCUST Leak Detection Testing Report – December 2021
N-2G	Groundwater Monitoring Slide
N-3	Declaration of Sherri R. Eng, with Exhibits N-3A through N-3D
N-3A	Sampling Data
N-3B	Sampling Plan Data
N-3C	Test Results
N-3D	Drinking Water Sampling Plan
N-4	Declaration of Captain Michael McGinnis
N-5	Declaration of Marnie E. Riddle, with Exhibits N-5A through N-5K
N-5A	Administrative Order on Consent (AOC)
N-5B	Administrative Order on Consent (AOC) Statement of Work (SOW)
N-5C	Section 8.2: Risk/Vulnerability Assessment Scope of Work (QRVA SOW)
N-5D	DOH and U.S. EPA Letter re: Section 8 of Red Hill AOC SOW Approval of Section 8.3 and Requirement to Complete Additional Work (QRVA Approval)
N-5E	33 CFR 154.105
N-5F	Coast Guard Regulated Facility Compliance Program, COMDTINST M16600.10 (USCG Manual)
N-5G	Memorandum from Office of Pipeline Safety (MOU)
N-5H	Final 2016 Regulation Applicability Study of 22 Fueling Systems
N-5I	Email exchange between John Floyd and Hugh Myers
N-5J	December 2021 Drinking Water Distribution System Recovery Plan
N-5K	Evaluation of Environmental Hazards at Site with Contaminated Soil and Groundwater, Volume 1 2017 Excerpts
N-6	Declaration of Marnie E. Riddle, with Exhibits N-6A through N-6Q
N-6A	Navy Application for Underground Storage Tank Permit, March 13, 2019 (Contested Case Exhibit N-033)

N-6B	Revised Navy Application for UST Permit, May 15, 2019 (Contested Case Exhibit N-035)
N-6C	DOH Published Notice of Draft Permit (Contested Case Exhibit N-036)
N-6D	Draft Permit (Contested Case Exhibit N-037)
N-6E	Complaint and Contested Case Request from Sierra Club (Contested Case Exhibit B-023)
N-6F	Complaint and Contested Case Request from BWS (Contested Case Exhibit S-8)
N-6G	Proposed Decision and Order, Findings of Fact and Conclusions of Law on Red Hill UST Permit Application
N-6H	Navy Opposition to Motions to Reopen Contested Case
N-6I	Facility Environmental Report for Contested Case Hearing (FER)
N-6J	Tank Inspection, Repair, and Maintenance Report (TIRM Report) (Contested Case Exhibit N-077)
N-6K	Catastrophic Release Potential at Red Hill Fuel Storage Facility (Contested Case Exhibit N-002)
N-6L	August 2020 Red Hill Fuel Storage Facility (RHFSF) Response Plan (Contested Case Exhibit N-072)
N-6M	Fuel Release Monitoring Systems Report (Contested Case Exhibit N-022)
N-6N	Commander, Navy Region Hawaii, Integrated Contingency Plan (Contested Case Exhibit N-029)
N-6O	Investigation and Remediation of Releases Report (Contested Case Exhibit N-078)
N-6P	Interim Update Red Hill Bulk Fuel Storage Facility Final Groundwater Protection Plan (Contested Case Exhibit B-373)
N-6Q	Executive Summary of the Groundwater Flow Model Report (GWFM Executive Summary)
N-2A	Navy Application for Underground Storage Tank Permit, March 13, 2019 (Contested Case Exhibit N-033)
N-2B	Revised Navy Application for UST Permit, May 15, 2019 (Contested Case Exhibit N-035)
N-2C	DOH Published Notice of Draft Permit (Contested Case Exhibit N-036)
N-2D	Draft Permit (Contested Case Exhibit N-037)
N-2E	Complaint and Contested Case Request from Sierra Club (Contested Case Exhibit B-023)
N-2F	Complaint and Contested Case Request from BWS (Contested Case Exhibit S-8)
N-2G	Proposed Decision and Order, Findings of Fact and Conclusions of Law on Red Hill UST Permit Application

Dated: December 18, 2021

Respectfully Submitted,  
/S/ Craig D. Jensen

Marnie E. Riddle  
Jonathan C. McKay  
David Fitzpatrick 6803

## Agency Representatives

**DEPARTMENT OF HEALTH**

**STATE OF HAWAII**

ENVIRONMENTAL HEALTH DIVISION,	)	Case No. 21-UST-EA-02
DEPARTMENT OF HEALTH, STATE OF	)	
HAWAII,	)	
	)	CERTIFICATE OF SERVICE
Complainant-Appellee,	)	
	)	
v.	)	
	)	
UNITED STATES DEPARTMENT OF THE	)	
NAVY,	)	
	)	
Respondent – Appellant.	)	
_____	)	

**CERTIFICATE OF SERVICE**

I hereby certify that, on this date, a true and correct copy of the foregoing document was emailed to the following:

Hearings Officer  
David D. Day, Esq.  
[email]

Wade H. Hargrove  
[Wade.h.hargrove@hawaii.gov](mailto:Wade.h.hargrove@hawaii.gov)

Dated: December 18, 2021

Respectfully Submitted,  
/S/ Craig D. Jensen

Marnie E. Riddle  
Jonathan C. McKay  
David Fitzpatrick 6803  
Agency Representatives