

Craig D. Jensen
Marnie E. Riddle
Jonathan C. McKay
Dave Fitzpatrick 6803
DEPARTMENT OF THE NAVY
OFFICE OF GENERAL COUNSEL
850 Ticonderoga Street, Suite 110
JBPHH, HI 96860
Telephone: (703)727-6194

DEPARTMENT OF HEALTH

STATE OF HAWAII

ENVIRONMENTAL HEALTH DIVISION,)	Case No. 21-UST-EA-02
DEPARTMENT OF HEALTH, STATE OF)	
HAWAII,)	NAVY’S WITNESS LIST
)	
Complainant,)	EXHIBITS
)	
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	Bates Range
N-1	Declaration of the Hon James Balocki, with Exhibits N-1A through N-1C	N00001 - N00007
N-1A	Command Investigation Convening Orders	N00008 - N00009
N-1B	Amended Command Investigation into 6 May 2021 and 20 November 2021 Incidents	N00010
N-1C	Memorandum - Immediate Actions	N00011 - N00012
N-2	Declaration of Captain James G. Meyer, with Exhibits N-2A through N-2G	N00013 - N00022
N-2A	Map of Navy Well Locations	N00023
N-2B	UST System Evaluation Report - June 2017	N00024 - N00148
N-2C	Michael Baker - Red Hill Testimony - Caputi	N00149 - N00171
N-2D	JBPHH – Red Hill – 2021 Semiannual BFCUST Leak Detection Testing Report – June 2021	N00172 - N00231
N-2E	JBPHH – 2021 BFCUST 5 Leak Detection Testing Report – November 2021	N00232 - N00250
N-2F	JBPHH-Red Hill HI – 2021 Annual BFCUST Leak Detection Testing Report – December 2021	N00251 - N00327
N-2G	Groundwater Monitoring Slide	N00328
N-3	Declaration of Sherri R. Eng, with Exhibits N-3A through N-3D	N00329 - N00336
N-3A	Sampling Data	N00337 - N00340
N-3B	Sampling Plan Data	N00341 - N00357
N-3C	Test Results	N00358 - N00359
N-3D	Drinking Water Sampling Plan	N00360 - N00414
N-4	Declaration of Captain Michael McGinnis	N00415 - N00422
N-5	Declaration of Marnie E. Riddle, with Exhibits N-5A through N-5K	N00423 - N00431
N-5A	Administrative Order on Consent (AOC)	N00432 - N00463
N-5B	Administrative Order on Consent (AOC) Statement of Work (SOW)	N00464 - N00486
N-5C	Section 8.2: Risk/Vulnerability Assessment Scope of Work (QRVA SOW)	N00487 - N00517
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)	N00518 - N00538
N-5E	33 CFR 154.105	N00539 - N00540
N-5F	Coast Guard Regulated Facility Compliance Program, COMDTINST M16600.10 (USCG Manual)	N00541 - N00550
N-5G	Memorandum from Office of Pipeline Safety (MOU)	N00551 - N00564
N-5H	Final 2016 Regulation Applicability Study of 22 Fueling Systems	N00565 - N00633
N-5I	Email exchange between John Floyd and Hugh Myers	N00634 - N00638

N-5J	December 2021 Drinking Water Distribution System Recovery Plan	N00639 - N00658
N-5K	Evaluation of Environmental Hazards at Site with Contaminated Soil and Groundwater, Volume 1 2017 Excerpts	N00659 - N00671
N-6	Declaration of Marnie E. Riddle, with Exhibits N-6A through N-6Q	N00672 - N00676
N-6A	Navy Application for Underground Storage Tank Permit, March 13, 2019 (Contested Case Exhibit N-033)	N00677 - N00711
N-6B	Revised Navy Application for UST Permit, May 15, 2019 (Contested Case Exhibit N-035)	N00712 - N00717
N-6C	DOH Published Notice of Draft Permit (Contested Case Exhibit N-036)	N00718
N-6D	Draft Permit (Contested Case Exhibit N-037)	N00719 - N00722
N-6E	Complaint and Contested Case Request from Sierra Club (Contested Case Exhibit B-023)	N00723 - N00726
N-6F	Complaint and Contested Case Request from BWS (Contested Case Exhibit S-8)	N00727 - N00729
N-6G	Proposed Decision and Order, Findings of Fact and Conclusions of Law on Red Hill UST Permit Application	N00730 - N00832
N-6H	Navy Opposition to Motions to Reopen Contested Case	N00833 - N00869
N-6I	Facility Environmental Report for Contested Case Hearing (FER)	N00870 - N00941
N-6J	Tank Inspection, Repair, and Maintenance Report (TIRM Report)(Contested Case Exhibit N-077)	N00942 - N01187
N-6K	Catastrophic Release Potential at Red Hill Fuel Storage Facility (Contested Case Exhibit N-002)	N01188 - N01195
N-6L	August 2020 Red Hill Fuel Storage Facility (RHFSF) Response Plan(Contested Case Exhibit N-072)	N01196 - N01411
N-6M	Fuel Release Monitoring Systems Report (Contested Case Exhibit N-022)	N01412 - N01698
N-6N	Commander, Navy Region Hawaii, Integrated Contingency Plan (Contested Case Exhibit N-029)	N01699 - N02756
N-6O	Investigation and Remediation of Releases Report (Contested Case Exhibit N-078)	N02757 - N04974
N-6P	Interim Update Red Hill Bulk Fuel Storage Facility Final Groundwater Protection Plan (Contested Case Exhibit B-373)	N04975 - N05153
N-6Q	Executive Summary of the Groundwater Flow Model Report (GWFME Executive Summary)	N05154 - N05160

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

Dated: December 18, 2021

Respectfully Submitted,
/S/ Craig D. Jensen

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