

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,                         | ) | <b>NAVY’S WITNESS LIST</b>    |
|                                 | ) |                               |
| Complainant,                    | ) | <b>[AMENDED] EXHIBITS</b>     |
|                                 | ) |                               |
| v.                              | ) | <b>CERTIFICATE OF SERVICE</b> |
|                                 | ) |                               |
| UNITED STATES DEPARTMENT OF THE | ) |                               |
| NAVY,                           | ) |                               |
|                                 | ) |                               |
| Respondent.                     | ) |                               |
|                                 | ) |                               |

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**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                                                                                                          | 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                                                                                                         | 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                                                                                                                  | 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                                                                                                               | 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                                                                                              | N00659 - N00671 |

|      |                                                                                                                     |                 |
|------|---------------------------------------------------------------------------------------------------------------------|-----------------|
|      | Contaminated Soil and Groundwater, Volume 1 2017 Excerpts                                                           |                 |
| N-6  | Declaration of Marnie E. Riddle                                                                                     | 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 (GWFM Executive Summary)                                     | N05154 - N05160 |
| N-7  | Declaration of Marnie Riddle                                                                                        | N05161 - N05166 |
| N-7A | Direct Testimony of Frank Kern in Dkt. No. 19-UST-EA-01                                                             | N05167 - N05224 |
| N-7B | Supplemental Testimony of Frank Kern in Dkt. No. 19-UST-EA-01                                                       | N05225 - N05246 |
| N-7C | Direct Testimony of Rob Jamond in Dkt. No. 19-UST-EA-01                                                             | N05247 - N05297 |
| N-7D | Supplemental Testimony of Rob Jamond in Dkt. No. 19-UST-EA-01                                                       | N05298 - N05300 |
| N-7E | Red Hill Groundwater Monitoring Well Locations - April                                                              | N05301          |

|      |                                                                                                                                    |                 |
|------|------------------------------------------------------------------------------------------------------------------------------------|-----------------|
|      | 2017                                                                                                                               |                 |
| N-7F | DOH/EPA letter re Approval of Revised MWIWP, 10 August 2016                                                                        | N05302 - N05305 |
| N-7G | DOH/EPA letter re Approval of WP/SOW, IRR & GPE, 2 December 2016                                                                   | N05306 - N05309 |
| N-7H | Monitoring Well Installation Work Plan Addendum 02, 25 August 2017                                                                 | N05310 - N05489 |
| N-7I | DOH/EPA letter re Comments on Environmental Work and Development of the Contaminant Fate and Transport Model, 22 April 2019        | N05490 - N05501 |
| N-7J | Navy letter re DOH/EPA Comments on Environmental Work and Development of the Contaminant Fate and Transport Model, 13 January 2020 | N05502 - N05562 |
| N-7K | DOH/EPA letter re Comments on Vadose Zone Modeling, 1 July 2019                                                                    | N05563 - N05570 |
| N-7L | Navy letter re DOH/EPA Comments on Vadose Zone Modeling, 13 January 2020                                                           | N05571 - N05579 |
| N-7M | Conceptual Site Model, Investigation and Remediation of Releases and Groundwater Protection and Evaluation, 30 June 2019           | N05580 - N06543 |
| N-7N | N-7N_Curtis Stanley Supplemental Testimony, January 2021                                                                           | N06544 - N06619 |

Dated: December 21, 2021

Respectfully Submitted,  
/S/ Craig D. Jensen

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

**DEPARTMENT OF HEALTH**

**STATE OF HAWAII**

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| v.                              | ) |                        |
|                                 | ) |                        |
| UNITED STATES DEPARTMENT OF THE | ) |                        |
| NAVY,                           | ) |                        |
|                                 | ) |                        |
| Respondent.                     | ) |                        |
| _____                           | ) |                        |

**CERTIFICATE OF SERVICE**

I hereby certify that on this date and by the methods of service noted below, a true and correct copy of the foregoing was served on the following as follows:

DAVID D. DAY  
STELLA M. KAM  
HEARINGS OFFICER  
DEPARTMENT OF HEALTH  
STATE OF HAWAII  
[david.d.day@hawaii.gov](mailto:david.d.day@hawaii.gov)  
[stella.m.kam@hawaii.gov](mailto:stella.m.kam@hawaii.gov)

**Via Electronic Mail**

WADE H. HARGROVE  
DEPUTY ATTORNEY GENERAL  
STATE OF HAWAII  
[wade.h.hargrove@hawaii.gov](mailto:wade.h.hargrove@hawaii.gov)

**Via Electronic Mail**

Attorneys for:  
DEPARTMENT OF HEALTH  
STATE OF HAWAII

JEFF A. LAU  
DEPUTY CORPORATION COUNSEL  
CITY AND COUNTY OF HONOLULU  
[jlau3@honolulu.gov](mailto:jlau3@honolulu.gov)

**Via Electronic Mail**

ELLA FOLEY GANNON  
DAVID K. BROWN  
MORGAN LEWIS BOCKIUS LLP  
[ella.gannon@morganlewis.com](mailto:ella.gannon@morganlewis.com)  
[david.brown@morganlewis.com](mailto:david.brown@morganlewis.com)

Attorneys for:  
HONOLULU BOARD OF WATER SUPPLY  
CITY AND COUNTY OF HONOLULU  
Via Electronic Mail

DAVID L. HENKIN  
ISAAC H. OMORIWAKE  
KYLIE W. WAGER CRUZ  
EARTHJUSTICE  
[dhenkin@earthjustice.org](mailto:dhenkin@earthjustice.org)  
[imoriwake@earthjustice.org](mailto:imoriwake@earthjustice.org)  
[kwager@earthjustice.org](mailto:kwager@earthjustice.org)

**Via Electronic Mail**

Attorneys for:  
Sierra Club  
Via Electronic Mail

Dated: December 21, 2021

Respectfully Submitted,  
/S/ Craig D. Jensen

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