



**UNITED STATES ENVIRONMENTAL
PROTECTION AGENCY
REGION IX
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**STATE OF HAWAII
DEPARTMENT OF HEALTH
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July 7, 2020

Captain Marc Delao
Commander Navy Region Hawaii
850 Ticonderoga St., Suite 110
Joint Base Pearl Harbor-Hickam, Hawaii 96860-5101

Re: Regulatory Agency Response to Navy Letter Acknowledging Agency Disapproval of the Navy's Corrosion and Metal Fatigue Practices, Destructive Testing Results Report, Red Hill Bulk Fuel Storage Facility (Red Hill), Joint Base Pearl Harbor-Hickam, Oahu, Hawaii

The United States Environmental Protection Agency ("EPA") and the Hawaii Department of Health ("DOH"), collectively the "Regulatory Agencies," have reviewed the U.S. Department of the Navy's ("Navy") June 2, 2020 letter submitted on behalf of the Navy and the Defense Logistics Agency ("DLA") ("Navy's Response"). The Navy's Response addressed the Regulatory Agencies' March 16, 2020 letter ("Disapproval Letter") disapproving the Navy and DLA's Corrosion and Metal Fatigue Practices, Destructive Testing Results Report ("DTRR") dated July 7, 2019 submitted pursuant to the requirements in section 5.3.3 of the Red Hill Administrative Order on Consent ("AOC") Statement of Work ("SOW").

The primary objective of the Destructive Testing study was to collect physical samples and compare the physically observed corrosion with corrosion identified using Non-Destructive Evaluation ("NDE") technologies. The data, interpretation of the data, and findings from the study are presented in the DTRR. In the Regulatory Agencies' Disapproval Letter, we wrote that:

"Specifically, the Regulatory Agencies do not concur that the NDE results are validated, both by Destructive Testing and thorough, case-by-case analysis."

In the Navy's June 2, 2020 letter, the Navy stated:

"The Navy/DLA affirms the conclusions stated in the DTRR that NDE practices at Red Hill are sound. The Navy/DLA has a robust and effective tank integrity

management program at Red Hill that is continually undergoing appropriate process improvement. The Navy supports the Regulatory Agencies' opinion that additional information to substantiate DTRR conclusions is warranted and discussions between parties on statements contained in the March 16, 2020 letter should commence as set forth in AOC SOW 5.4."

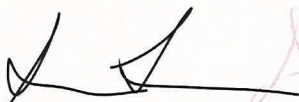
The Regulatory Agencies do not concur that the Navy and DLA's destructive testing effort has demonstrated that the Navy's practices are sound. But rather than explore the precise nature of this disagreement further via additional work under AOC SOW section 5.3, the substance of this disagreement may be further examined in work yet to be performed in section 5.4. In recognition of the Navy and DLA's willingness to identify actions that can be taken to improve the NDE process as envisioned in AOC SOW section 5.4, and in light of the opportunity for additional evaluation and potential implementation of changes in practices to evaluate and control corrosion and/or metal fatigue, the Regulatory Agencies propose that, pursuant to AOC section 7(c), this letter serves to modify the Navy's DTRR to cure the deficiencies in that report as identified and explicated in the Disapproval Letter and attachments thereto. The Regulatory Agencies agree with the Navy and DLA that the most effective way to advance the goals of the AOC is to begin performing work pursuant to AOC SOW section 5.4, and the Regulatory Agencies agree to do so, on condition that the scoping of this work prioritize the deficiencies in work performed under section 5.3 (identified in the Disapproval Letter).

The Regulatory Agencies conclude that the Navy and DLA's effort satisfies the work requirements under AOC SOW section 5.3.3 on condition that the Navy and DLA work in good faith with the Regulatory Agencies to identify and implement practicable improvements to the NDE process with the specific goal of defining performance objectives that are protective of human health and the environment. As described above, the Agency statements in this letter modify the conclusions in the DTRR.

We look forward to working with the Navy and DLA to implement AOC SOW section 5.4. Please contact the Project Coordinators to schedule a scoping meeting to scope AOC SOW section 5.4 within 45 days from the date of this letter so that we may continue to expedite the important work being done pursuant to the AOC.

If you have any questions, please contact us.

Sincerely,



Steven Linder, P.E.
Red Hill Project Coordinator
EPA Region 9

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Date: 2020.07.07 15:21:25 -07'00'



Roxanne Kwan
Interim Red Hill Project Coordinator
State of Hawaii, Department of Health

cc: Donald Panthan, Navy