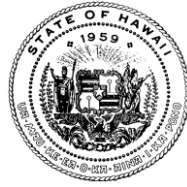


JOSH GREEN, M.D.
GOVERNOR OF HAWAII
KE KIA'AINA O KA MOKU'AINA 'O HAWAII



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In reply, please refer to:
File:

November 15, 2023

Rear Admiral Stephen Barnett
Commander, Navy Region Hawai'i
850 Ticonderoga Street, Suite 110
Joint Base Pearl Harbor-Hickam, Hawai'i 96860-5101
[via email only: stephen.d.barnett.mil@us.navy.mil]

Dear Rear Admiral Barnett,

**SUBJECT: DOH Concerns Regarding Red Hill Closure and
Comments on Tank Cleaning Plan, received October 4, 2023**

As defueling progresses, we are becoming increasingly concerned about the U.S. Department of the Navy's (Navy's) progress towards completing the Closure Phase of the Closure Plan required under the Hawai'i Department of Health's (DOH's) May 6, 2022 Emergency Order (EO). Since our disapproval of the *Tank Closure Plan* on May 3, 2023, a significant number of comments from our previous letters remain unaddressed, and the Navy has not provided an updated integrated schedule of when it will complete all requirements of the EO. According to Item 8 of the EO, the Navy must provide, at minimum:

Description of the sequence and process in which the tanks and pipelines are planned to be cleaned, including the four surge tanks and related piping; the infrastructure and procedures needed to perform the work and ensure pipeline integrity before the cleaning process; the method of permanent closure (remove, fill, or close in place) and associated design and process; ultimate disposition of any accumulated sludge or waste material from the 20 Tanks, four surge tanks, and associated piping; and site assessment in connection with the Facility's permanent closure.

The status of each requirement is discussed below to help the Navy organize its efforts.

I. **“Description of the sequence and process in which the tanks and pipelines are planned to be cleaned, including the four surge tanks and related piping;”**

The method and order of tank cleaning are priorities, as the Navy is proposing to start cleaning as soon as defueling is complete in January 2024. On October 4, 2023, the Navy submitted a *Tank Cleaning Plan* consisting of the following:

- *Project Work Plan, Clean Red Hill Tanks JBPHH, Hawaii*, dated September 2023;
- *Environmental Protection Plan, Clean Red Hill Tanks, JBPHH, Hawaii*, dated January 2024; and
- *Waste Management Plan, Clean Red Hill Tanks, JBPHH, Hawaii*, dated January 2024.

While the *Tank Cleaning Plan* provides some details on the method and order of tank cleaning, it does not state how the tanks will be verified as clean or when the surge tanks will be cleaned. Please provide this information and responses to our enclosed comments on the *Tank Cleaning Plan* as soon as possible to minimize downtime between defueling and cleaning.

In addition, we have not received a work plan detailing how and when the pipes will be cleaned. The Navy stated several times in its response to our *Tank Closure Plan – Supplement 1 (Supplement 1)* comments that it “has proposed the removal of the three large-diameter fuel pipelines...rather than clean them and close them in place....” However, removal is not a substitute for cleaning. Under Hawaii Administrative Rules 11-280.1-71(c), underground piping is considered part of the underground storage tank system, and therefore must be cleaned before removal and disposal. We also look forward to learning how the Navy will address the few thousand gallons of fuel remaining in sagged or flat portions of the pipes. Lastly, the Navy should also explain how it will safely remove and clean aqueous film forming foam remaining in pipes in the lower access tunnel.

II. **“[T]he infrastructure and procedures needed to perform the work and ensure pipeline integrity before the cleaning process;”**

As mentioned above, the *Tank Cleaning Plan* contains some information on the infrastructure and procedures needed for cleaning. However, the FOR (fuel oil reclamation) line’s integrity to remove rinsate from the main fuel tanks during cleaning has not been addressed. In our September 8, 2023 concurrence-in-concept with the

FOR line's use for this purpose, the DOH reiterated that "[t]he Navy will provide, for the DOH's review and approval, the cleaning contractor's work plan for tank cleaning and use of the FOR line, which will explain how the Navy will prevent rinsate and surfactants used during cleaning from being released into the environment." However, the *Tank Cleaning Plan* does not provide any information on the FOR line's integrity, so this EO requirement remains incomplete.

III. "[T]he method of permanent closure (remove, fill, or close in place) and associated design and process;"

The Navy has requested DOH's approval for closure in place and removal of the three fuel pipelines. However, our comments and questions on the specific design and process of these methods remain unaddressed. The DOH requested details on the full closure design and timeline in our January 11, 2023 *Tank Closure Plan* comments; March 15, 2023 *Analysis of Alternatives* comments; May 3, 2023 *Supplement 1* comments; and July 26, 2023 *Tank Closure Plan – Supplement 2 (Supplement 2)* comments. We understand from meetings that the Navy is targeting 2025 for this deliverable, but this timeline appears unacceptable based on what we know. In early 2023, the Navy proposed closure in place and has had a significant amount of time to plan. However, it is difficult to assess what timeframe would be reasonable without knowing what activities must precede the final design submission. Again, we ask that the Navy provide an updated master schedule that addresses all EO requirements, review times, and associated items on the critical path.

IV. "[U]ltimate disposition of any accumulated sludge or waste material from the 20 Tanks, four surge tanks, and associated piping; and"

The *Tank Cleaning Plan* contains information on the disposal of sludge and waste material from cleaning the main fuel tanks and surge tanks. However, we have not received details on how the pipes (and any contents) will be disposed of, therefore, this requirement is incomplete.

V. "[S]ite assessment in connection with the Facility's permanent closure."

According to the Navy's most recent closure schedule from February 2023, the Navy should have completed an evaluation of existing data in August 2023, analysis of data gaps in September 2023, and sampling and analytical program in November 2023. It is unclear then, why the Navy's response to our *Supplement 2* comments states a site assessment plan will not be provided until June 2024. Furthermore, if the

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above-mentioned work is complete and the Navy has a contractor, we are unsure why a scoping meeting with regulators will not be scheduled until February 2024. Please provide a realistic timeline for this EO requirement as well.

We are deeply concerned that the Navy has not completed any of the above EO requirements, more than one year after the Closure Phase of the Closure Plan was due. The absence of a complete closure schedule that includes all EO requirements and regulatory review times indicates a lack of commitment by the Navy to close the Red Hill Facility in a timely manner. **In addition to responding to our enclosed comments on the *Tank Cleaning Plan* and the Navy's responses to our *Supplement 2* comments, please provide a realistic and complete closure schedule for our review within thirty (30) days of receiving this letter.** This is a reiteration of our previous requests for an updated schedule in our May 3, 2023 *Supplement 1* comments, July 26, 2023 *Supplement 2* comments, and numerous meetings at all levels of personnel. **If we do not receive a closure schedule that addresses the concerns in this letter within thirty days, we will refer this matter to the State's Attorney General for further action.**

If you have any questions regarding this letter, please contact Ms. Kelly Ann Lee, Red Hill Project Coordinator at (808) 586-4226 or kellyann.lee@doh.hawaii.gov.

Sincerely,

Kathleen Ho

KATHLEEN S. HO
Deputy Director for Environmental Health

Enclosure

c: Mr. Grant Scavello U.S. Environmental Protection Agency (w/enclosure)
[via email only]
Mr. Jamie Marincola, U.S. Environmental Protection Agency (w/enclosure)
[via email only]
Mr. Joshua Stout, U.S. Department of the Navy (w/enclosure) [via email only]

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Project Work Plan, Clean Red Hill Tanks JBPHH, Hawaii (Work Plan), dated September 2023

General Comments

1. **Tank cleaning verification:** We understand the U.S. Department of the Navy (Navy) is still developing a tank cleaning verification method and will update the Work Plan once the method is finalized. Therefore, the Hawai'i Department of Health (DOH) will not comment on the verification component of the Work Plan at this time. Based on *Tank Closure Plan – Supplement 1 (Supplement 1)*, we understand the revised Work Plan will reflect that all surge tanks and main tanks – including those that have already undergone clean inspect repair (CIR) – will be verified as clean and re-cleaned if verification fails.
2. **Cleaning solution:** Based on meetings with the Navy, we understand an approximate 3% solution of Simple Green is being proposed. Please confirm the cleaning solution and submit the associated safety data sheet, as the Work Plan does not specify a concentration or a specification.
3. **Repairs:** Section 3 Drawings and Specifications on page 6 states “[d]esign work is not anticipated under this task order.” However, design and execution of repairs and enhancements are mentioned throughout the Work Plan. For example, “finished product” number 10 that APTIM Federal Services LLC (APTIM). APTIM is expected to provide on page 7 is “[d]esign and install a lockable steel manway door....”
 - a. Will designs be provided to the DOH for review?
 - b. Will necessary repairs/enhancements follow the same quality validation process established with the Joint Task Force – Red Hill for defueling?
 - c. What repairs/enhancements are anticipated for cleaning, other than on the tower?
4. **Work Plan quantifications:** Several quantifications are mentioned throughout the Work Plan, such as “up to two passes” or “up to 3000 gallons.” Is a mechanism in place, such as unit process or contract options, so that work can continue uninterrupted if more (or less) work is needed?
5. **Final Results:** Include the requirement to provide the DOH a copy of the final cleaning report, including verification that the infrastructure covered under this Work Plan are clean.

Specific Comments

6. **Page 1, Section 1.1 Project Summary:** States APTIM will perform this work “with the assumptions and exclusions included in Appendix A.” Appendix A is redacted. Please provide an unredacted version of Appendix A, as this information could be important to determine what will and will not be covered under the cleaning contract.
7. **Page 4, Section 2 Project Sequence and Schedule:** Please submit a separate high-quality version of the schedule, as we are unable to read all of the text on page 4. Also, add the following items that appear to be missing:

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- a. When the surge tanks will be cleaned.
 - b. When the sumps will be cleaned. The Project Summary on page 1 states this Work Plan includes the main sump and sump 7.
 - c. When the tanks, including those that have undergone CIR, will be verified as clean. Include sufficient time for regulatory review.
 - d. "Field pre-cleaning construction activities" and "[d]ucting fabrication and installation" scheduled to begin in September 2023 (page 4).
 - e. The eleven items on page 7 for which "APTIM will provide a finished product meeting the specific tasks listed...."
 - f. "[M]obilization and construction of the degassing/venting system in 2023," which is identified as "a critical component to ensure the project timeline can be met" (page 9).
 - g. Any other long lead items that could delay cleaning.
 - h. Anticipated repairs/enhancements and regulatory review times.
 - i. All items listed in Section 4.1.3 Permitting, Passes, and Notification Requirements.
8. **Page 7, Section 4 Methodology and Execution Strategy:** Please provide details on how the tank will be disconnected from the system (item 1).
 9. **Page 8, Section 4.1.1 Post Award Kickoff Meeting:** Did this meeting occur as scheduled on October 4, 2023? If so, please provide the DOH a copy of the meeting agenda and minutes. If the meeting has not occurred, when is it scheduled? May the DOH participate?
 10. **Page 8, Section 4.1.2 Pre-Construction Meeting:** What testing activities are anticipated for preconstruction?
 11. **Page 8, Section 4.1.3 Permitting, Passes, and Notification Requirements:** The third item is a "[l]etter of consent from the Department of Health (DOH) for storage of material in the upper tunnel." It is unclear why our consent is needed for this, and no letter has been requested. What type of "material" is being referred to?
 12. **Page 11, Section 4.2 Field Activities:**
 - a. For item 1d, where will the additional concrete pads be placed?
 - b. For item 3, what piping will be disconnected, and how will it be done?
 - c. For item 5, how will the water and floating fuel be removed, and to where? Is this included in the 36,000 gallons of wastewater expected for cleaning?
 - d. For item 11, what is the hot work certificate needed for?
 - e. For item 14, is the lockable steel door the temporary door mentioned in item 4, or will a new door be designed and installed?
 13. **Page 13, Section 4.2.1.2 Access Equipment:** How will areas of the dome not accessible by the boom and suspended scaffold baskets be accessed?
 14. **Page 15, Section 4.2.4.1 RHBFUSF [Red Hill Bulk Fuel Underground Storage Facility] Tanks:** For tank degassing, what is the minimum negative pressure expected in the system and tanks?

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15. **Page 18, Section 4.2.4.1 RHBFUSF Tanks:** States “[c]leaning will be performed by power washing of all internal structures from the suspended scaffolding, as appropriate.” How will the pressure cleaner get onto the suspended scaffold? What is the pressure cleaner’s power source? Are there any concerns about the pressure cleaner’s electrical cord (if needed) or water hose reaching the suspended scaffold or getting tangled/caught on other objects?
16. **Page 19, Section 4.2.4.1 RHBFUSF Tanks:** States “[t]he FOR [fuel oil reclamation] line in the tank gallery will be used to transport rinsate from each RHBFUSF tank to Tank 311....” As discussed in our cover letter, the DOH’s May 6, 2022 Emergency Order (EO) requires the Closure Plan to contain “the infrastructure and procedures needed to perform the work and ensure pipeline integrity before the cleaning process....” Please provide documentation of integrity for the portion of the FOR line to be used. In our September 8, 2023 letter to the Navy, we concurred with the concept of using the FOR line to remove rinsate from the tanks with the understanding that the Navy will assess the portion of the FOR line from pipe support 101 to Adit 3.
17. **Page 19, Section 4.2.4.1 RHBFUSF Tanks:** States “APTIM will complete cleaning of tank 311 prior to use to ensure the tank is clean and in good working order for use as a rinsate holding tank.” Please confirm whether this is accurate, as the Navy’s response to our *Supplement 1* comment 25 states “[r]insate from the bulk fuel tanks will mix with contents in Tank S311.” There is also no description in the Work Plan of how tank 311 would be cleaned, and it is not listed in the project schedule on page 4. If tank 311 will be cleaned, explain:
 - a. How and when it will be cleaned to hold rinsate,
 - b. How and when it will be cleaned for closure, and
 - c. While it may not be part of APTIM’s scope, we are also missing information on FOR line cleaning.
18. **Page 19, Section 4.2.4.1 RHBFUSF Tanks:** States “[t]he fluid level of Tank 311 will be monitored via a level gauge to ensure that the tank is not overfilled....” Is the tank gauge a local gauge? How often will it be monitored to prevent overfilling?
19. **Page 20, Section 4.2.4.1 RHBFUSF Tanks:** The last paragraph of this section provides a definition of “clean” that only applies to the tanks. What is the definition of “clean” for the sumps included in this Work Plan?
20. **Appendix D, High Pressure Cleaner Cut Sheet:**
 - a. **Page 8, Cleaning Tips:** The Work Plan states the pressure cleaner will be used at a distance of 2-4 feet in the main tanks and surge tanks. However, the cut sheet Cleaning Tips recommends a distance of 1 foot. Are there any concerns about using the cleaner at a further distance?
 - b. **Page 11, Preventative Maintenance:** Who will ensure the equipment used by APTIM is up to date on preventative maintenance?

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**Environmental Protection Plan (EPP), Clean Red Hill Tanks, JBPHH, Hawaii, dated
January 2024**

Specific Comments

21. **Page 1, Section 1.1 General Overview and Purpose:** States “[n]o residual fuel is expected to be encountered other than minor accumulations trapped within the gravity-fed system.” Roughly how much fuel is expected to be trapped and where?
22. **Page 1, Section 1.2 Separate Plans:** Please explain what the Dirt and Dust Control Plan is and what information it contains, if any, related to tank cleaning.
23. **Page 1, Section 1.3 Environmental Manager Personnel:** States “[a] letter signed by an officer of the firm appointing the Environmental Managers is included as Attachment 1 of this EPP.” There is no letter in Attachment 1.
24. **Page 2, Section 1.4 Operating Procedures:** Please provide the “forms, guidelines, checklists, policies, and procedures” used for this EPP.
25. **Pages 2 and 3, Section 1.5 Communication and Training:** Provide more details on training. The training, as described, does not seem sufficient for spill response and cleanup.
26. **Page 3, Section 1.5 Communication and Training:** States “[e]nvironmental training certifications are presented in Attachment 2 of this document.” There are no certificates in Attachment 2.
27. **Pages 5 and 6, Section 2.0 Management of Natural Resources:** Add drinking water and groundwater resources to this section.
28. **Page 10, Section 4.4.1.4 Management of Stormwater Runoff:** What best management practices are anticipated?
29. **Page 13, Section 5.2 Control and Disposal of Solid and Sanitary Waste:**
 - a. Item 5 states “[o]nce 55 gallons of HW is exceeded....” Please confirm that individual drums will not be filled to 55 gallons, as headspace is needed.
 - b. For item 7, please refer to where “the proper facility for disposal” is identified.
30. **Page 17, Section 6.3 Spill Diversion and Containment Measures:** States “the project will evaluate the use of diversion barriers to create spill ways to direct the release away from critical infrastructure such as sumps or drains.” When will this evaluation occur? Please provide the DOH a copy of the results.
31. **Pages 17-19, Section 6.4 Sources of Spills, Table 3 Spill Severity Matrix:**
 - a. Does the “Severity” value impact the level of spill response?
 - b. For the “Line-breaking” source, identify the approximate potential quantity for each fuel type or rinsate, and re-evaluate the severity level(s) based on those quantities.
32. **Page 19, Section 6.5 Pollution-Specific Response Procedures in Case of Spill:** The second paragraph states, “[i]f the spill area contains drainage systems, block off access to the drain ways to prevent hazardous material from transferring to unknown or distant locations.” Can the “drainage systems” be blocked before cleaning to prevent this from happening?

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33. **Page 21, Section 6.7 Locations and Inspection Requirement of Response Kits:**
In the second sentence of the last paragraph, change “deal” to “seal.”
34. **Attachment 4, APTIM Red Hill Contingency Plan**
- a. **PDF page 43, 2.0 Site Orientation, Figure 2.1:** What is “CAA”?
 - b. **PDF page 45, 3.0 APTIM Red Hill Emergency Action Committee, Figure 3 APTIM EAC Communication and Authority Structure:**
 - i. When would the DOH be informed of a spill and associated response?
 - ii. It is unclear if the Navy or APTIM is the Emergency Coordinator (Incident Commander).
 - c. **PDF page 46, 4.0 Emergency Communications:**
 - i. The second paragraph mentions 1 to 3 horn blasts, but only explains what 3 horn blasts mean. What do 1 and 2 horn blasts mean? Where are the small portable airhorns located and will they be audible for all of the workers?
 - ii. Are APTIM’s radios compatible and integrated with the Navy’s current radio system, so that APTIM can contact the Navy’s Control Room?
 - d. **PDF page 47, Section 5.0 Company Vehicle Operation:** Is the use of two-way radios also prohibited while operating company vehicles?
 - e. **PDF pages 49 and 50, Section 7.0 Hazardous Spills or Release:**
 - i. Paragraph 5 states “[s]pills and harmful releases severity level shall be determined, and respective actions put into effect.” What are the levels of severity and their respective actions?
 - ii. For bullet 3, what training is completed by personnel who are “trained to deal with” hazardous substance spills?
 - iii. For bullet 4, what are the qualifications of “qualified personnel?”
 - iv. Who will notify the National Resource Center, DOH, and Honolulu Local Emergency Response Committee; and when?
 - v. Include an example of “emergency notification signage.”
 - f. **PDF page 51, Section 8.0 Fire and Explosion:**
 - i. Does “local fire authorities” refer to the Honolulu or Federal fire department?
 - ii. States, “[i]f installed, the manual pull fire alarm reporting system should be activated.” Check if one has been installed and update the plan.
 - g. **PDF page 52, Section 9.0 Emergency Notification-Sounding the Alarm:**
 - i. How will the “accountability check” of workers be done?
 - ii. How will workers in the tanks be notified of a fire and requirement to evacuate?
 - iii. How long does it take a worker to exit a tank?
 - h. **PDF page 55, Section 11.0 Coordination with Local Emergency Agencies:**
 - i. If all 9-1-1 calls from the facility are routed to the Regional Dispatch Center, how will the Honolulu Fire Department be contacted?

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- ii. The phone number 800-424-8802 is not a hotline for spill support.
- iii. Clarify whether “fuel” in this context includes sludge, rinsate, etc.
- iv. In addition to the Red Hill Pump House, notification must also be given to the Hawaii Emergency Response Commission and Local Emergency Planning Committee.
- i. **PDF page 57, Section 13.1 Fire Extinguishers:** What type(s) of fire extinguishers would be used?
- j. **PDF page 60, Section 15.2 Self-Rescue:**
 - i. Where is the “site specific Rescue Plan”? Does it state that Federal Fire will be notified?
 - ii. Where is the rescue equipment stored?
- k. **PDF page 61, Section 16.0 Critique of Response:** When was the last drill? May we receive a copy of the critiques?
- l. **PDF page 63, Attachment 1.1:** Where is the assembly point for people exiting Adit 6?
- m. **PDF page 64, Attachment 1.2:** Include a map of all 20 tanks. It seems unlikely that people at Tank 1 would have to exit Adit 6. Where is the assembly point for people exiting Adit 3? Have the people exercised the exit using the ladderwell (how long will they take to climb to the upper tunnel)?

Waste Management Plan, Clean Red Hill Tanks, JBPHH, Hawaii, dated January 2024

Specific Comments

- 35. **Page 4, Table 2 Summary of Anticipated Waste Streams:** Please explain how:
 - a. 1 cubic yard of ordinary trash per tank was calculated.
 - b. 5 cubic yards of scrap metal per tank was calculated.
- 36. **Page 15, Table 5 Less Than 90-Day Central Accumulation Area Requirements:** States “secondary containment for all containers...must be capable of containing...*the entire volume of the largest container*, plus freeboard for rainwater accumulations” (bullet eleven; emphasis added). Please clarify, as page 13 states “[a]n uncovered area also has to have the capacity to hold 13 inches of rainfall in addition to holding...*110 percent the volume of the largest container*” (emphasis added).

**Response to 26 July 2023 DOH Comments on Closure Supplement 2, dated
September 29, 2023**

General Comments

- 37. Several responses mention submitting a Site Assessment Plan (i.e., Supplement 3) in June 2024. As stated in our cover letter, we are concerned about this extended timeline, as the Navy should have already completed an evaluation of existing data in August 2023 and an analysis of data gaps in September 2023, according to the existing

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closure schedule from February 2023. Please provide this background information to the DOH, so that we can assess the Navy's progress on this EO requirement. Our expectation is that the Site Assessment Plan will define the data quality objectives and proposed activities that will be taken to fully characterize the nature and extent of contamination that will lead to an evaluation of remedial options and the implementation of corrective actions, from the former underground storage tank system, including past releases, as required by Chapter 11-280.1, Hawaii Administrative Rules.

Specific Comments

38. **Comment 6:** States, “[t]he Navy has begun preliminary planning efforts for pipeline removal and will continue to move forward once we receive regulatory approval.” What regulatory approval is needed to continue planning efforts? According to the Navy’s September 29, 2023 cover letter, the Navy has yet to determine when it will complete a closure design that clearly identifies “closure-in-place.” As stated in our September 8, 2023 concurrence-in-concept, the DOH is supportive of removing the three fuel pipelines, however we do not have a design plan to approve. The Navy should proceed with its planning efforts to complete the closure plan for the DOH’s review and approval.
39. **Comment 7.a:** The Work Plan does not describe how fuel remaining in the surge tank nozzles would be addressed. If it would be addressed by the tank cleaning contractor, add the surge tank nozzles to the Work Plan. If it would be addressed by someone else, who would that be?
40. **Comment 10.b:** States the 1,600 gallons of water from Tank 1 was tested and determined to be non-hazardous. However, the Navy’s response to comment 10 states, “[f]urther investigation would be needed to determine the source of the water in Tank 1.” Has this been determined from the testing conducted? Please provide the findings of the investigation and submit the analytical data from the water in Tank 1.