

1 RED HILL TASK FORCE MEETING

2 Thursday, December 11, 2014

3 10:12 a.m. to 12:10 p.m.

4 919 Ala Moana Boulevard, Fifth Floor

5 Honolulu, Hawaii 96814

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7 MR. GILL: Okay. Good morning. Thank  
8 you for joining us at what we hope will be the  
9 final task force meeting on Red Hill subject to a  
10 resolution passed by the House and the Senate.

11 I'm Gary Gill. I'm the deputy director  
12 of Environmental Health still. The new  
13 administration has not permanently selected a  
14 director or any of the deputies for the Department  
15 of Health, but we are in holdover status. So I'm  
16 still empowered to run this meeting, and isn't that  
17 a wonderful thing to still be with you as we get  
18 through to holiday season?

19 So I'd like to begin by introductions  
20 around the table of task force members and then  
21 members of the audience. And the main event for  
22 today is, hopefully, to agree upon the body of this  
23 report which is the work product that we are  
24 empowered and requested to produce by the  
25 legislature.

1                   So with that, I'll begin on my right.  
2                   Task force members, introduce yourself for the  
3                   record and to the public.

4                   CAPTAIN WILLIAMSON: Good morning.  
5                   Excuse me. Good morning. Mike Williamson,  
6                   representing the Navy.

7                   MR. LINDER: Steve Linder, USEPA. I  
8                   manage the Underground Storage Tank Program, and  
9                   I'm happy to be here in person for the first time  
10                  for this meeting.

11                  MR. LAU: Ernie Lau, Honolulu Board of  
12                  Water Supply. It's nice to have Steve here in  
13                  person instead of a phone -- a voice on the phone.  
14                  Also, I come out of dress. I didn't bring my suit  
15                  and tie here, but glad to be here. Thank you.

16                  MR. GILL: Aaron?

17                  MR. POENTIS: Aaron Poentis, representing  
18                  the Navy.

19                  MR. ONOUE: Steven Onoue, representing  
20                  Moanalua Valley Community Association.

21                  MR. YOMES: David Yomes, representing  
22                  Neighborhood Board 18, which consists of  
23                  communities of Aliamanu, Salt Lake and Foster  
24                  Village.

25                  MR. CASEY: Patrick Casey, geologist for

1 the Commission of Water Resource Management and the  
2 DLNR.

3 MR. GILL: And we hope to be joined by  
4 Senator Mike Gabbard and Representative Chris Lee,  
5 also members of the task force.

6 Let's ask my staff to introduce  
7 themselves.

8 MR. TAKABA: Richard Takaba, DOH, UST  
9 Section.

10 MS. PERRY: Thu Perry, DOH/UST.

11 MR. YAMADA: Stuart Yamada, Environmental  
12 Management Division.

13 MS. KWAN: Roxanne Kwan with the  
14 Underground Storage Tank Program.

15 MS. SETO: Joanna Seto with the Safe  
16 Drinking Water Branch.

17 MS. SIMMONS: Grace Simmons, Solid and  
18 Hazardous Waste.

19 MR. HIGUCHI: Dean Higuchi, EPA.

20 MR. HUETTEMAN: I'm Tom Huetteman. I'm  
21 with EPA Region IX. I manage the RCRA Branch,  
22 which includes the Underground Storage Tank  
23 Program.

24 MR. CHENET: Robert Chenet, geologist  
25 with the Commission on Water Resource Management.

1                   MR. STARR: Jonathan Starr, commissioner,  
2 Hawaii State Commission on Water Resource  
3 Management.

4                   MS. HOMMON: Good morning. Becky Hommon,  
5 Navy Region Hawaii.

6                   MR. CLEMENTS: Tom Clements, Navy Region  
7 Hawaii.

8                   MR. MATSUNAGA: Hello. Mark Matsunaga,  
9 Navy.

10                  MR. PANG: Gordon Pang with the  
11 Star-Advertiser.

12                  MR. GILL: Second row.

13                  MR. GIBBONS: Gerald Gibbons, Navy Fleet  
14 Logistics Center, civil engineer.

15                  MS. KANAGY: Julia Kanagy. I'm with  
16 Department of Health.

17                  MR. ROCHA: Mike Rocha. I'm with the  
18 Naval Facilities Engineering Service.

19                  MR. SHALEV: Omer Shalev, EPA.

20                  MR. PALLERINO: Bob Pallerino, EPA,  
21 Region IX.

22                  MS. O'HALLORAN: Kess O'Halloran, Council  
23 Member Fukunaga's office.

24                  MR. MESTA: Dion Mesta with Brandon  
25 Elefante's office.

1 MR. KAWATA: Erwin Kawata, Board of Water  
2 Supply.

3 COUNCIL MEMBER ELEFANTE: Good morning,  
4 everyone. Brandon Elefante from the Honolulu City  
5 Council.

6 MS. MATSUMOTO: I'm Nancy Matsumoto,  
7 Board of Water Supply.

8 MR. USAGAWA: Barry Usagawa, Board of  
9 Water Supply.

10 MS. SHIMABUKU: June Shimabuku, NAVFAC  
11 Hawaii.

12 MR. GILL: Okay. I think that's  
13 everyone. We have an agenda that was circulated  
14 and produced many weeks ago the last time the task  
15 force met. If you haven't been following this  
16 along, at the task force meeting, we had a number  
17 of iterative drafts of this report. We decided for  
18 the sake of efficiency and expediency, we would  
19 have a subgroup of the task force, try to work out  
20 some of the details and the final language and  
21 bring that forward for approval of the entire task  
22 force and then submittal to the legislature.

23 The subgroup met three times, I believe,  
24 to work on this final draft, and it's ready to come  
25 forward, hopefully, today for final comment and

1 approval. It is the work product that this task  
2 force has been tasked to do. It's the reason that  
3 we were created.

4 Just to remind folks of some of the  
5 decisions that went into this, we were struggling  
6 with the format of how to put together a report  
7 from various -- including the input from various  
8 entities, agencies and the public, which may not  
9 actually agree. So the way that we did that was,  
10 first of all, decide that we wouldn't get signature  
11 sign-off from all the agencies. This would be a  
12 Department of Health report. There were issues  
13 that federal entities would have a hard time  
14 signing a document like this that dealt with state  
15 policy. So we dispensed with the idea of having  
16 multiple signatures on this.

17 Then the other main issue that we decided  
18 on was that this report would be reflective of the  
19 various points of view, not requiring everyone to  
20 agree, but if people had different points,  
21 different recommendations, different comments, we  
22 would include them in the report reflective of the  
23 maker of that comment; so that if the Department of  
24 Health said one thing and another entity didn't  
25 agree, we could include both points of view in the

1 report and simply identify which entity made that  
2 comment and bring all those comments forward for  
3 the legislature to understand.

4 So that was a major shift in the original  
5 format of the document, and so if you're reading it  
6 now, you'll notice that we have it broken down into  
7 the findings of facts, various agency comments, and  
8 sections here for representing a consensus point of  
9 view as well. So the point of this document is to  
10 show all the comments that have come forward that  
11 any of the participants feel is important to make  
12 to the legislature, whether or not there's  
13 agreement on that wording. So the whole thing will  
14 be bundled together and sent to the legislature in  
15 that format, and that's the document that's before  
16 us today.

17 So I'd like to move on to what is now  
18 item 3 on this agenda, and you'll see a list of  
19 documents, the attendance list and transcripts. As  
20 you notice, we have a court reporter who has been  
21 keeping track of all the comments for the public  
22 record. I'm not going to ask that we adopt the  
23 minutes or anything like that officially. They are  
24 posted on the Department of Health website as will  
25 be the notes from this meeting as well.

1           Let me pause.

2           Thu Perry, anything you'd like to inform  
3 the group of regarding any of those documents or  
4 transcripts?

5           MS. PERRY: The website is actually on  
6 the back of these agendas as well on the bottom.

7           MR. GILL: So if you look on the back of  
8 your agenda, you'll see where the transcripts and  
9 minutes of the meetings are posted for public  
10 record.

11           Anything else?

12           MS. PERRY: They pretty much updated -- I  
13 think we're getting the last batch uploaded today.

14           MR. GILL: So today's transcript will  
15 be --

16           MS. PERRY: No. I'm sorry. Not today's  
17 transcript, but the previous meeting.

18           MR. GILL: The previous subgroup meeting,  
19 which was last week, will have its transcript  
20 uploaded today; is that correct?

21           MS. PERRY: Roxanne?

22           MS. KWAN: Yes.

23           MR. GILL: And it may take us a week or  
24 so to upload today's transcript?

25           MS. PERRY: Exactly.



1 MR. GILL: Any questions on that  
2 documentation? Anything so far?

3 If not, our agenda item 3(d) says, "Navy  
4 update on sampling results from the two new  
5 monitoring wells."

6 As you recall, the Navy has taken the  
7 initiative to site and construct two new monitoring  
8 wells to assess whether any contamination from the  
9 Red Hill facility has spread beyond the area  
10 directly beneath the tanks, and we know that the  
11 Navy has completed the installation of those wells  
12 and taken some sampling and has some results.

13 So, Aaron, am I looking to you to share  
14 that?

15 MR. POENTIS: Yes. I can speak to that.

16 As Gary has indicated, you know, the Navy  
17 installed two wells to the north. For reference,  
18 we've indicated them as monitoring well 6, which  
19 is, if you're looking at an illustration of the  
20 wells and the tanks, to the right or the northeast,  
21 and monitoring well 7, which is to the left or more  
22 northwest of the center line of the tank structure.

23 So we got the finalized results, and  
24 based on the analysis that have been given to us,  
25 we have found detects of total petroleum

1 hydrocarbons in monitoring well 7, which is the  
2 northwest, in concentrations of 66 and 57 parts in  
3 the fill duplicate of parts per billion, which is  
4 below the Environmental Action Level of 100.

5 Additionally, within the two wells,  
6 monitoring wells 6 and 7, we have also found low  
7 level concentrations of 2-methylnaphthalene, and  
8 the concentrations for monitoring well 6 is --

9 Let me look at my numbers. I can barely  
10 read my paperwork. Thank you. With age, I'm  
11 having a hard time seeing.

12 -- 6.4 parts per billion, and for  
13 monitoring well 7, which is the northwest, 8.4 and  
14 a fill duplicate of 6.0 parts per trillion. So  
15 those are below the Environmental Action Levels  
16 described by the Department of Health.

17 CAPTAIN WILLIAMSON: How far below the  
18 action levels magnitude?

19 MR. POENTIS: For the  
20 2-methylnaphthalene, at least three orders of  
21 magnitude below.

22 MR. GILL: Okay. So let me ask if  
23 there's any questions from members of the task  
24 force regarding this report? Ernie?

25 MR. LAU: Just wondering, Mike and Gary,

1 if the results will be posted on the Department of  
2 Health Red Hill Task Force website or some other  
3 location where we can get a copy?

4 MR. POENTIS: We're packaging the  
5 information and submitting it to the regulatory  
6 agencies.

7 MR. LAU: You're submitting it to  
8 Department of Health and EPA?

9 MR. POENTIS: And EPA. That's correct.

10 MR. LAU: And DOH is going to post it on  
11 the website?

12 MR. GILL: We have yet to receive  
13 anything in writing. This is something that's been  
14 shared with us orally. Let me just look to the  
15 program.

16 When we receive the documentation, does  
17 it typically get posted on the website?

18 MR. TAKABA: It's predecision until we  
19 send out a letter as a response.

20 MR. GILL: So what would be the  
21 methodology of providing these kinds of -- this  
22 information from official reports and making it  
23 available to the public?

24 MS. KWAN: We need to get it reviewed by  
25 the deputy attorney general and then we'll put what

1 the decision is and put it out at that time.

2 MR. GILL: Okay. So Department of Health  
3 needs to go through an internal process of  
4 assessing the litigation factors, I suppose, of  
5 this information because we are in an enforcement  
6 environment, and then we would determine whether  
7 and in what fashion to make that available.

8 MR. LAU: Can I ask one more question --

9 MR. GILL: Sure.

10 MR. LAU: -- maybe of the Navy?

11 Are you planning to monitor this on a  
12 quarterly basis going forward of these two well  
13 locations?

14 CAPTAIN WILLIAMSON: Yes.

15 MR. POENTIS: Our intention is that we're  
16 scheduled to take another sample in January. Part  
17 of the concern that we have is that there may be  
18 some interference from the glyco-drilling foam. So  
19 although we're looking at it as, you know, detects,  
20 there is possibility of interference.

21 MR. LAU: The glyco-drilling foam was  
22 used in the construction of those two wells?

23 MR. POENTIS: That's correct.

24 MR. LAU: By the driller?

25 MR. POENTIS: By the driller. And that's

1 appropriate for drinking water wells.

2 MR. LAU: Did you appropriately -- what  
3 methodology did you use to bail the wells before  
4 picking a sample?

5 MR. POENTIS: We used the sampling method  
6 that's prescribed by the department. I believe it  
7 was bailing process.

8 MR. LAU: And not pumped?

9 MR. POENTIS: That's correct.

10 MR. GILL: Okay. Any other questions  
11 from members of the community?

12 CAPTAIN WILLIAMSON: So it's important,  
13 those wells, as we previously discussed, will be  
14 used for enhanced monitoring. They'll get on our  
15 quarterly sampling. They'll help inform the  
16 follow-on efforts for contaminant fate and  
17 transport, groundwater monitoring plan, et cetera.  
18 So I think all those things we've talked about the  
19 need for, those wells are the start to help us get  
20 a better site picture around Red Hill.

21 MR. LINDER: And those wells are going to  
22 be surveyed as part of the comprehensive surveying  
23 effort of all the wells in the area?

24 CAPTAIN WILLIAMSON: Correct.

25 MR. POENTIS: They have been surveyed. I

1 believe we have four that elevation either --

2 MR. LAU: Did the National Geodetic, NGS,  
3 go out and establish benchmarks on these --

4 MR. POENTIS: I believe we passed that  
5 information to them or either have or will shortly.

6 MR. LAU: We would be glad to talk  
7 because USGS is under a cooperative agreement with  
8 BWS to ensure that they are surveyed appropriately  
9 to --

10 CAPTAIN WILLIAMSON: We welcome that. We  
11 welcome that effort.

12 MR. POENTIS: They have been in contact  
13 and have been given authorization for access.

14 MR. LAU: Great. Thank you.

15 MR. GILL: So just to be clear, since --  
16 Oh, Becky, you're pointing to a map  
17 included in the report?

18 MS. HOMMON: Exactly. Just thought that  
19 might be helpful for everybody.

20 MR. GILL: The last, last page.

21 MS. HOMMON: Yes.

22 MR. GILL: So if you have the draft  
23 report, we can see RHMW07 and RHMW06. I believe  
24 those are the two wells in question that have been  
25 recently installed and tested for. They are to the

1 northwest of the center line of the Red Hill tanks,  
2 about 300 feet, I believe, from the tanks to the  
3 north --

4 MR. POENTIS: That's correct.

5 MR. GILL: -- roughly, and we have  
6 information now that there is contamination at low  
7 levels in those wells.

8 So with that, any further questions from  
9 DLNR? Patrick?

10 MR. CASEY: Patrick from the Commission  
11 on Water Resource Management.

12 When will the details of the installation  
13 be available? The length of the screened section  
14 where it is relative to the water table, drilling  
15 logs, those kinds of information, when will those  
16 be available?

17 MR. POENTIS: I believe we have those  
18 available. I believe and I will verify this for  
19 sure, but those have been submitted to the  
20 department before we initiated the drilling  
21 efforts.

22 MR. CASEY: So they'll be part of the  
23 package with the results or separately?

24 MR. POENTIS: I think they have been  
25 submitted previously.

1 MR. CASEY: Okay.

2 MR. LINDER: Steve from EPA. At least  
3 the plans were, but I think the question is more  
4 the as-builts and any kind of boring logs. So that  
5 would be -- I would assume that that would be part  
6 of the submittal that documents what was found in  
7 the wells along with the construction of those  
8 wells?

9 MR. POENTIS: The logs are part of the  
10 data collection effort, and those will be  
11 submitted.

12 MR. LAU: Is that submitted --  
13 Ernie from BWS.

14 Is that submitted back to the Water  
15 Commission as part of the well construction  
16 application? Is that a requirement, Patrick?

17 MR. CASEY: Yeah. We saw the diagrams to  
18 be installed, but -- and that was part of the  
19 package, but the as-builts would be very important  
20 to see.

21 MR. POENTIS: We'll make sure that  
22 they'll be submitted.

23 MR. GILL: Okay. Further questions?  
24 Members of the task force?

25 Okay. I'm going to -- just because this



1 is new information and we may have people in the  
2 public who are not clear on what was presented  
3 here, just pause for a second to see if there's  
4 anyone in the audience before we move on to the  
5 report who has a question or a comment about the  
6 report, about this item, the report of the wells.

7 All the way in the back, June? Tell your  
8 name again for the reporter, please.

9 MS. SHIMABUKU: My name is June Shimabuku  
10 from NAVFAC Hawaii. I just want to confirm that  
11 the naphthalene results are reported in parts per  
12 trillion and not parts per billion. So it's PPT,  
13 not PPB.

14 MR. GILL: Okay. Any other comment or  
15 question? If not, we're going to move on on our  
16 agenda to the main purpose of this meeting, the  
17 review of our task force purpose and the discussion  
18 of the latest draft report which is in front of us.  
19 I don't know how much we need to review the  
20 purpose. To put it in simple terms, the  
21 legislature called us together to make a report on  
22 the items that you find in this draft document and  
23 to provide this report to the legislature, as is  
24 typical, I think 20 days before session. It's our  
25 hope that we will be able to finalize this document

1 today, and that the Department of Health will be  
2 able to submit it to the legislature on time.

3 I think most people here are familiar  
4 with the content of it. So what I'd like to do is  
5 ask staff to sort of give us an overview as we go  
6 through it, see if there are any last-minute  
7 changes or questions so that we can finalize it at  
8 this meeting, if at all possible.

9 MS. PERRY: So before we get to the  
10 nitty-gritty of the report, I just wanted to touch  
11 on some points of how the report is structured,  
12 especially for those who weren't in the subgroup  
13 meetings. So during the subgroup meetings, we used  
14 the track changes feature so that everybody could  
15 see which party contributed what section. Now,  
16 that version is very difficult to read. So I did  
17 not include that, but different versions of that --  
18 of all those changes are available on our website  
19 if you are interested.

20 Also, as Gary alluded to, the biggest  
21 improvement was the framework on this report in  
22 order to include all opinions and recommendations  
23 from all the parties. What that means is that  
24 there's a section called Findings of Fact, and the  
25 goal was to -- to be clear that the comment in this

1 section could be easily validated and not  
2 controversial. Okay? So everything else would  
3 fall into the Comment section.

4 If parties concurred on comments, then  
5 the heading would say such like, "DOH and BWS  
6 Comments," et cetera. Additional recommendations  
7 were also included in the comment section,  
8 reserving the last section which is recommendations  
9 only to the legislature.

10 There was also an effort in each -- after  
11 each comment section to include areas where there  
12 were consensus. So there might be a problem in the  
13 flow in which the comments were -- you know, how  
14 this report goes because the effort was to try to  
15 incorporate comments verbatim as much as possible.

16 Now, the one big exception, which we had  
17 a comment from the Board of Water Supply the last  
18 couple of days, is that the first version that the  
19 task force got was a collaborative effort kind of  
20 from BWS and DOH. What happened was Board of Water  
21 Supply gave us their version. We took that and we  
22 edited it, and that's what the task force saw the  
23 first time. The suggestion from the Board of Water  
24 Supply was that they would like their  
25 recommendations and comments restored to the

1 original before Department of Health edited it and  
2 that will be done. It's just not in this version  
3 here. So I just wanted to clarify that, that we  
4 did address that.

5 MR. LAU: Thank you. I just have a  
6 letter to that effect for you, Gary.

7 MR. GILL: Okay.

8 MS. PERRY: So a couple other things.  
9 Because of the technical nature of this issue,  
10 there were more background and scientific  
11 terminology and concepts in the addendum. Also, we  
12 tried to reword the recommendations so that it was  
13 specified who the recommendation is directed and  
14 who would be doing the activities.

15 Okay. So that's it. Now we can get into  
16 the actual report itself. From the last -- those  
17 of you who were in the subgroup meeting from the  
18 last time that we spoke, the Navy did include more  
19 background narrative on the facility. Quite a bit,  
20 actually. So I don't know who had a chance to go  
21 through these things, you know, actually read word  
22 by word, but --

23 CAPTAIN WILLIAMSON: I read word by word.

24 MS. PERRY: Okay. So they identified  
25 improvement techniques, dates, costs of certain

1 improvements.

2 CAPTAIN WILLIAMSON: May I speak about  
3 that?

4 MS. PERRY: Yes, please.

5 CAPTAIN WILLIAMSON: So I felt it was  
6 important during the development of this document  
7 for folks to understand that, yes, the facility is  
8 70 years old by definition, but there's been a lot  
9 of work that's gone into the facility. So for  
10 someone to walk away with a mental model that  
11 here's a 70-year-old facility that's falling apart  
12 is one mental model, but what I wanted to make sure  
13 everybody understood is that there have been many  
14 improvements over the years in these tanks. We're  
15 not getting into them for the first time in 70  
16 years. We've been in them many times over the last  
17 70 years. We have made improvements to the tanks  
18 over the last 70 years. So this is an attempt  
19 without going into all the details, but to share  
20 with the reader that this facility has been  
21 modernized. While in absolute age, it's 70 years  
22 old, there have been numerous improvements over  
23 time. I thought it was important that was  
24 contained in the document to help set the stage.

25 MR. GILL: So just so I'm clear on this,

1 we're talking about the first two pages?

2 MS. PERRY: Correct.

3 MR. GILL: Basically, the introduction  
4 section --

5 MS. PERRY: Yes.

6 MR. GILL: -- has been dramatically  
7 expanded --

8 MS. PERRY: Yes.

9 MR. GILL: -- with text provided by the  
10 Navy.

11 I will say I haven't read it word for  
12 word. You can imagine -- I'm not sure when this  
13 came in. Been a little busy on some other  
14 meetings. So I assume that staff has read through  
15 it, or did we just clip it in without any review or  
16 editing?

17 MS. PERRY: We clipped it in with an  
18 additional comment in the Comments section saying  
19 that at this time, EPA and DOH have not been able  
20 to confirm the accuracy and position of these -- of  
21 the systems that are noted in the introduction.

22 MR. GILL: Where is that?

23 MS. PERRY: That will be later on in the  
24 Comments section.

25 MR. GILL: Okay.

1 MS. PERRY: So this is something for  
2 discussion whether or not task force members need  
3 validation on any of this information, or is it  
4 okay to say that it is fact and we can proceed.

5 MR. GILL: Well, I'm personally not  
6 comfortable asserting this is fact, not having run  
7 it through -- you know, having the time to run  
8 through it in detail. I think if it's intended to  
9 be background information from the Navy, it should  
10 be so labeled. That's all.

11 CAPTAIN WILLIAMSON: Well, it is fact. I  
12 mean, I'll go on the record and say these are  
13 facts. So in 1994 and in 1997, we did things. I  
14 mean, these are backed up with documents. So these  
15 are facts. It was not intended to shape any  
16 discussion. It was -- it was submitted in light of  
17 the framework that you and Thu just mentioned,  
18 Findings of Fact, and it's laid out in that  
19 framework as facts, and all of this is supported  
20 with documentation. So if the members who haven't  
21 read this yet have a question about it, we're  
22 certainly welcome to back it up with the supporting  
23 documentation.

24 MR. GILL: So not to be argumentative,  
25 but not all facts are created equal. There are

1 conflicting facts sometimes. If you leave one fact  
2 out and talk about the other fact, you give a  
3 certain impression or spin, if you will. So that's  
4 just a matter of style and presentation. I  
5 don't -- I don't want to subject members of this  
6 task force who might read this in detail later and  
7 raise concerns that although it may be factual,  
8 it's geared to give a certain impression that we  
9 may or may not agree with.

10 Secondly, you say it's backed up by  
11 documents. I'm not sure which documents or whether  
12 we have those documents, whether we've reviewed  
13 those documents, and whether we've determined that  
14 those documents, in fact, do support the bullet  
15 items that you put here.

16 So I'm just going to put in a suggestion  
17 that if this language came in from the Navy, we  
18 should just so label it that this is background  
19 provided by the Navy and leave it like that. I  
20 don't want to fight over it or whatever. I trust  
21 the Navy's done their best to provide this  
22 background information as clearly and simply and  
23 factually as possible, but if we were to take this  
24 line by line, I think we would not complete this  
25 meeting today and we are on a time schedule here.



1           So that would be my recommendation.  But, Ernie,  
2           you'd like to make a comment?

3                       MR. LAU:  Yes.  Ernie from BWS.

4                       I think at the last subgroup meeting, I  
5           kind of suggested the idea that the Navy maybe  
6           provide more background about the facility and what  
7           was done before.  So I think since we are not privy  
8           to all the reports and studies that are referenced  
9           in this, Gary's suggestion of kind of a prefacing  
10          statement that this is some background information  
11          provided by the Navy to the task force, and it  
12          gives the reader at least a Navy account of what  
13          has been done to the tanks, something to that  
14          effect to preface in the beginning.  Because unless  
15          we are allowed to be privy to review all the  
16          reports and studies, it would be difficult to agree  
17          with everything stated here.

18                      CAPTAIN WILLIAMSON:  That's reasonable.

19                      MR. LAU:  So I think for the sake of  
20          expediency to get the report out, I would agree  
21          with your recommendation, Gary.

22                      MR. GILL:  Okay.  So we have a  
23          recommendation that the background information  
24          that's been included in this draft's introduction  
25          simply be prefaced by a statement that this is

1 information provided by the Navy.

2 Is there any objection or concern to that  
3 recommendation? If not, Thu, we'll go ahead and do  
4 that.

5 Go ahead and continue with your  
6 presentation.

7 MS. PERRY: So along those lines, on page  
8 3 on top of the page, the reference of the  
9 secondary containment study of 2008, and so if  
10 that's okay that we don't have to provide that,  
11 then we can just state as such.

12 MR. GILL: I'm sorry. I'm not sure where  
13 you're talking about.

14 MS. PERRY: Page 3. Top of page 3. In  
15 2008, 120,000 was spent researching secondary  
16 containment.

17 MR. LAU: And there was another study in  
18 2014.

19 MS. PERRY: It's referenced again under a  
20 different section.

21 MR. GILL: So your point is just to make  
22 reference to a 2008 study?

23 MS. PERRY: My point is do the studies  
24 need to be provided if it is referenced?

25 MR. GILL: So the proposal is to make a

1 reference to these studies, but not include the  
2 studies in this report?

3 MS. PERRY: That is the indication that  
4 I'm understanding. Becky, that's what you'd like?

5 MS. HOMMON: (Nodding head.)

6 MR. GILL: So the actual studies is  
7 referenced, but not included?

8 MS. PERRY: Correct.

9 MR. GILL: Does anyone have an objection  
10 to that? Because that study might go on for quite  
11 sometime. So is that study available? Should any  
12 member of the legislature read this and say, "Oh,  
13 there was a 2008 study researching secondary  
14 containment. I'd like to see it," would that  
15 legislator be able to see it? I think that's a  
16 question for the Navy. It's a Navy document.

17 MR. POENTIS: I believe that document was  
18 provided to the department as part of the  
19 information request.

20 MR. GILL: Is the Navy agreeable to  
21 sharing this document with the public? This is  
22 a --

23 CAPTAIN WILLIAMSON: So there's a  
24 redacted version that was -- that's been shared  
25 with both DOH and EPA. The redaction is there

1           because it talks about some specific costs and some  
2           Anti-Terrorism Force Protection concerns that the  
3           Navy has with this operational facility. So there  
4           is a redacted version out there. I don't -- I  
5           don't see a reason why that redacted document can't  
6           be shared, and for those that need more  
7           information, we can certainly make that available  
8           on an as-needed basis.

9                       MR. GILL: Okay. Maybe what we should  
10           just add to this is, "A redacted version of this  
11           report is available on request."

12                      CAPTAIN WILLIAMSON: Upon request.

13                      MR. GILL: Okay. That would be great.

14                      MR. LAU: This is Ernie. I guess just  
15           along those lines, if there's any reference to  
16           future -- past studies, would we take the same  
17           approach if those studies could be available to  
18           whoever might say, "Well, where did you get that  
19           information and what did you do in a redacted form  
20           that can be on the website?" Because BWS has not  
21           seen the 2008 study.

22                      CAPTAIN WILLIAMSON: So, Ernie, there's  
23           a -- for you, Board of Water Supply, we're giving  
24           you -- as a key stakeholder in this, there's an  
25           open door for you to sit down with the staff and

1 for us to share and share with you all the  
2 information that you have requested and are  
3 requesting. There's an open invitation for you to  
4 come sit down with the staff and review the  
5 documents as you see necessary.

6 MR. LAU: Would it, Mike, also include a  
7 possibility of obtaining copies of properly  
8 redacted documents versus --

9 CAPTAIN WILLIAMSON: I understand.

10 MR. LAU: -- having to look at the report  
11 at your desk --

12 CAPTAIN WILLIAMSON: I Understand.

13 MR. LAU: -- and leave it there and take  
14 a profuse amount of notes?

15 CAPTAIN WILLIAMSON: No. I understand.  
16 I would -- I welcome that conversation. I think  
17 knowledge and understanding from your perspective  
18 is critical to the success and the protection of  
19 the water resource.

20 MR. LAU: We would agree.

21 CAPTAIN WILLIAMSON: And I think the most  
22 expeditious way to educate and bring you up to  
23 speed on where we are is to invite you in, and then  
24 beyond that, how we produce the documents and  
25 provide those documents, I think, is -- some of it

1 is a case by case because of the level of effort it  
2 takes to properly redact the documents and the  
3 Anti-Terrorism Force Protection concerns that we  
4 have for an operational facility.

5 So I think that those are the reasons why  
6 I wouldn't today, here and now, agree to handing  
7 you those documents, but making the information  
8 available to you and allowing a dialogue in  
9 exchange of information so you have an  
10 understanding, and if you need to come back and do  
11 more or at some point in time, we need to give you  
12 those redacted documents for further review, I  
13 think those are things that we are willing to work  
14 with you on.

15 MR. LAU: I appreciate that because we  
16 already have a formal request in to Admiral  
17 Williams --

18 CAPTAIN WILLIAMSON: I understand.

19 MR. LAU: -- to get access to the  
20 redacted versions of documents that you provided  
21 both to EPA and Department of Health. So I guess  
22 this would be counted maybe as a follow-up to our  
23 previous letter already sent to Admiral Williams.

24 CAPTAIN WILLIAMSON: So that letter, and  
25 I believe there is an response, if it hasn't

1 arrived already --

2 MR. LAU: I haven't seen it.

3 CAPTAIN WILLIAMSON: What I'm saying is  
4 if the response hasn't arrived already, the  
5 response is set up to invite you over to take a  
6 look at those documents.

7 MR. LAU: Yeah. We'd love to do that,  
8 Mike. We'll be calling you later today.

9 CAPTAIN WILLIAMSON: Standing invitation.  
10 Standing invitation.

11 MR. GILL: Appreciate that conversation.  
12 I don't think we need to include that in this  
13 report.

14 CAPTAIN WILLIAMSON: No.

15 MR. GILL: So, Thu, I think we're ready  
16 to move on.

17 MS. PERRY: So in the following  
18 paragraph, we changed the wording of "history of  
19 leaks" to "a number of fuel releases."

20 Next is a summary of the release in  
21 January and there wasn't many changes to that. The  
22 Navy asked if we can emphasize and give the  
23 negotiated agreement section its own separate  
24 heading. I thought that was a good idea to  
25 highlight that.

1           Also, there was previously a note that  
2 EPA and Navy could not make recommendations on  
3 state legislative actions. We took that out since  
4 everybody's been making all kinds of comments and  
5 recommendations.

6           Towards the bottom of the fourth page, we  
7 have a blue highlighted area. What was suggested  
8 is DOH expand on EALs and how site-specific,  
9 risk-based levels were established at Red Hill. So  
10 everybody got an addendum that will be attached,  
11 basically, giving a brief overview of that. I can  
12 go over that or not. Up to you, Gary.

13           MR. GILL: Let's pause on that because it  
14 is an issue that is important for us to be clear on  
15 in this report. So these are numeric values that  
16 are established either in policy or law.  
17 Environmental Action Levels or site-specific,  
18 risk-based levels. These are the levels that we  
19 use as regulators and policymakers to determine  
20 whether the contamination that we find is dangerous  
21 or not within the -- the situation -- the detailed  
22 and individual situation of a particular site. So  
23 because the public looks at these, the press looks  
24 at these, they're kind of confusing. The thought  
25 was that we needed to do a better explanation of



1        what is an EAL and what is a site-specific level,  
2        and that's why the recommendation is to reference  
3        those in the report, but to explain them in an  
4        addendum and that's what's attached here. The  
5        intent is to help the layperson understand the  
6        technical details and interpret the levels of  
7        contamination that we're finding and what is  
8        acceptable and what is not.

9                    Ernie?

10                  MR. LAU: The question right now, it  
11                  references Appendix C.

12                  MS. PERRY: We haven't made a label for  
13                  it yet.

14                  MR. GILL: So it's not labeled Appendix  
15                  C, but it's been circulated and would be labeled  
16                  appendix and attached.

17                  MR. LAU: As appropriate?

18                  MR. GILL: Yes.

19                  MS. PERRY: Yes.

20                  Also, I just wanted to say that I took a  
21                  stab at putting this together. So I'm not a risk  
22                  assessor. We haven't had it vetted through our  
23                  toxicologist or anything like that, but it's from  
24                  Navy reports, and the Navy reports are available as  
25                  well on our website on the back.

1 MR. GILL: Okay. So no concerns? Any  
2 issues from task force members about that change?  
3 Patrick?

4 MR. CASEY: Well, it's specific to the --  
5 This addendum, the third bullet, the  
6 dissolved fuel hydrocarbons will be graded at a  
7 rate of .009 what? What are the units?

8 MR. GILL: Good point.

9 MR. CASEY: Is it percent? Per kilogram?  
10 What?

11 MR. GILL: Okay. That's a good question.  
12 I'd encourage everybody, especially you with  
13 technical expertise, to read through this. Thu  
14 just mentioned it's her attempt to put together an  
15 explanation and we haven't refined it.

16 MS. PERRY: There weren't units in that  
17 portion of the report. It talks about a modeling  
18 scenario. So the degradation rate, I'm not sure  
19 what the --

20 MR. GILL: We need to label it. We need  
21 to clarify it. Reading that, I don't know if we're  
22 talking about percent or parts per million,  
23 billion, trillion or what. So that's a great  
24 comment.

25 So I encourage any task force members to

1 read through this, see if anything jumps out, and  
2 let us know so we can make sure to correct it and a  
3 clear version is attached.

4 MR. LAU: If I can suggest also, it does  
5 say certain assumptions were made. So the models  
6 are based on, if I understand, certain assumptions.  
7 However, have they been validated with field data  
8 like the degradation rate? So I want to make sure  
9 that the reader when reading this understands that  
10 these are assumptions --

11 MR. GILL: Right.

12 MR. LAU: -- and what happens in the real  
13 world may not precisely follow these assumptions.

14 MR. GILL: Sure.

15 MR. LAU: But to be able to do a model,  
16 they had to make certain assumptions to generalize  
17 things.

18 MR. GILL: I think that's fair to make  
19 clear. I mean, in the very first sentence here, it  
20 says "assumes." I mean, the word "assumes" is  
21 there in the very first sentence, but to put it in  
22 context, yeah, this is based -- an analysis is done  
23 based on the information at the time. If there's  
24 additional information, better modeling, new  
25 data --

1 MR. LAU: More wells.

2 MR. GILL: -- more wells, then these  
3 numbers, the site-specific numbers, can be altered.  
4 I think that's fair to say.

5 Okay. So, again, Ernie, that's a good  
6 comment. If you think that needs to be made more  
7 clear in this text, let us know and we'll try and  
8 fix that.

9 MR. LAU: Okay. We'll provide some  
10 suggestions.

11 MR. GILL: Okay. Let's move along. EPA?

12 MR. LINDER: Just one question. I think  
13 it could also be useful to clarify a little further  
14 the purpose of setting the facility specific  
15 levels, like how are those levels going to be used.

16 MR. GILL: Okay.

17 MS. PERRY: Actually, in the last page,  
18 it does talk about the Groundwater Protection Plan  
19 and how it would -- the site-specific, risk-based  
20 levels would be used in that context to mitigate  
21 small and large releases, how they would -- you  
22 know, and to develop contingency plans.

23 MR. GILL: Let's take another look at  
24 that, and if the existing language isn't adequate  
25 or clear, maybe you want to move that up to the

1 top. We can do that.

2 Steve, I appreciate your input.

3 Let's move along.

4 MS. PERRY: Moving along, in the  
5 short-term effects, I don't think there were many  
6 changes in that.

7 MR. GILL: What page are we on?

8 MS. PERRY: Page 5. And just -- I'm  
9 marking a whole bunch of typos. I understand it's  
10 not a perfect version right here. The long-term  
11 effects, there weren't many changes to that as  
12 well.

13 Okay. So, again, Board of Water Supply's  
14 comments will be restored to the original. Those  
15 will change in the final version.

16 MR. GILL: What page are you on, Thu?

17 MS. PERRY: Just a general comment  
18 because you know how we went through and made  
19 changes to the theirs? So we may have to separate  
20 out now DOH and Board of Water Supply comments if  
21 they're not in line.

22 MR. GILL: Okay. But everybody's seen  
23 the original Board of Water Supply comments. Those  
24 were circulated.

25 MS. PERRY: They're available on-line as

1 well.

2 MR. GILL: And they're available. So  
3 we're not entertaining any new changes. We're just  
4 restoring to this draft the language that had  
5 previously been submitted by the Board of Water  
6 Supply.

7 MR. LAU: That's fine.

8 MS. PERRY: So on page 8 is a comment by  
9 the Board of Water Supply suggesting that DOH  
10 expand on the EALs, which we have. So that will be  
11 taken out probably.

12 MR. GILL: This blue shaded text --

13 MS. PERRY: Correct.

14 MR. GILL: -- you're suggesting will be  
15 removed from the final draft and replaced by the  
16 inclusion of the appendix?

17 MS. PERRY: Yes.

18 MR. LAU: If I could just -- I know that  
19 the public and this will be -- this version will be  
20 on the website. So with the blue shading, is this  
21 on the website, this version of the report?

22 MS. PERRY: Yes.

23 MR. LAU: You know, our concerns  
24 generally are --

25 Thank you. Age has its disadvantages.

1           "EALs, therefore, appear to be protective  
2 of the environment, but is not a limit of that when  
3 exceeded requires immediate action. This appears  
4 to infer an allowance of contamination to exist in  
5 the environment possibly for long periods while the  
6 need for additional site investigation and  
7 corrective actions are being decided."

8           So really having a definition, I guess we  
9 come from a very different perspective in terms of  
10 water that people will drink coming out of their  
11 tap and what can we allow into the resource that  
12 people drink water from which is the resource that  
13 this facility overlies.

14           So, again, we kind of express our  
15 concerns about allowing high levels of  
16 contamination to exist under a regulatory  
17 framework, but at the end of the day, it's the  
18 resource that we're trying to preserve, the quality  
19 of the drinking water level, as opposed to allowing  
20 some degradation at the facility site. We have a  
21 very narrow focus. We are concerned about what  
22 people drink, and that's why we're trying to  
23 advocate for lower levels than allowing higher  
24 levels of contamination to exist.

25           MR. GILL: So just to be clear on it, the

1 very strict quality requirements that the Board of  
2 Water Supply adheres to to put water into a  
3 drinking water system?

4 MR. LAU: Well, you know, when you think  
5 about it, the whole aquifer is of drinking water  
6 quality, and we have the ability and the  
7 flexibility to put wells wherever we want within  
8 that resource as long as we don't overpump it and  
9 we do it in the sustainable fashion to comply with  
10 the state water code. Then we would prefer to  
11 maintain that flexibility as opposed to allowing a  
12 portion of the drinking water aquifer to be  
13 knowingly degraded by contamination where we no  
14 longer can position wells within say an X number of  
15 feet of that contamination site. So that inhibits  
16 or degrades our ability to provide drinking water  
17 at whatever location within that resource.

18 MR. GILL: So the point I was trying to  
19 get to is an Environmental Action Level or a  
20 site-specific level is going to likely not qualify  
21 as a drinking water level. There's nothing as  
22 strict as --

23 MR. LAU: Definitely, this case the  
24 levels are so high, even if there's no MCL, I'm not  
25 sure people would want to drink water with that



1 amount of diesel in it.

2 MR. GILL: So your concern as stated,  
3 just to be clear, is Board of Water Supply's  
4 preference would be to have drinking water quality  
5 throughout the entire aquifer as opposed to an  
6 allowance for a higher level of contamination in a  
7 site-specific or an environmental cleanup level.

8 MR. LAU: Thanks, Gary, for summarizing  
9 that.

10 MR. GILL: And it's confusing because  
11 there's all kinds of different levels, and just to  
12 be clear, drinking water level is the best; right?  
13 The amount of contamination that is still  
14 allowed -- I mean, you have certain levels of  
15 contamination that are allowed in drinking water,  
16 but it's typically the strictest standard as  
17 opposed to some other level that might be site  
18 specific or an Environmental Action Level. Okay.

19 MR. LAU: I won't belabor that point.

20 MR. GILL: So there's lots of levels, and  
21 we wanted to make sure that was adequately  
22 explained.

23 MR. LINDER: I think one other  
24 clarification is I think the key thing it sounded  
25 like is that flexibility, basically, by allowing an

1 area of the groundwater to have some contamination  
2 would mean to limit your flexibility.

3 MR. LAU: If we were to, say, want to  
4 distribute the pump test to a broader section of  
5 the aquifer to reduce effects on salinity by  
6 spreading that withdrawal out over a bigger area,  
7 then around Red Hill, we'd have to draw a bigger  
8 circle and say no wells within this zone because we  
9 might start to capture some contamination that's  
10 been allowed to be there at the EAL levels or  
11 site-specific levels. Simply put, that's a  
12 concern.

13 MR. GILL: Great. If there are no other  
14 comments or questions, let's move along, Thu.

15 MS. PERRY: Okay. So I just want to  
16 highlight the recommendations agreed upon by the  
17 task force in this section are additional  
18 monitoring wells depending on the science and also  
19 continue periodic monitoring.

20 Moving on to release response strategies,  
21 No. 2. Again, in the secondary containment  
22 evaluation, we talk about the study. So we already  
23 addressed that.

24 In the contingency -- site assessment and  
25 contingency plan section, we've taken out

1 references to the Navy's integrated contingency  
2 plan and then made more general language.

3 Also, Gary, this is where we put in that  
4 comment by Department of Health regarding not being  
5 able to verify the accuracy and precision of the  
6 systems at this time. On page 11.

7 MR. GILL: Okay. Give us the page.  
8 Okay.

9 MS. PERRY: Bullet 2.

10 MR. GILL: Bullet 2, page 11?

11 MS. PERRY: Yes.

12 MR. GILL: Okay.

13 MS. PERRY: And that's -- and if there's  
14 nothing else on the mitigated response, I just  
15 wanted to highlight the comments agreed upon by the  
16 task force in this section which is although the  
17 Navy has done extensive repair work, that the best  
18 solution is secondary containment; although, more  
19 research needs to be done.

20 CAPTAIN WILLIAMSON: Can I comment on  
21 that, Gary?

22 MR. GILL: Sure, Captain.

23 CAPTAIN WILLIAMSON: I'm not so sure that  
24 the best solution is some type of secondary  
25 containment from a Navy perspective. I think

1       that -- I think that secondary containment is a  
2       solution. Secondary containment is not without  
3       flaw. I think that, you know, we agree that  
4       additional research and the technologies available  
5       on how it can be successfully integrated into the  
6       tanks to support secondary containment is we agree  
7       with that, but we don't necessarily agree that  
8       secondary containment is a cure-all for Red Hill.  
9       So if you can --

10               MR. GILL: Okay. Well --

11               CAPTAIN WILLIAMSON: I believe there are  
12       references to secondary containment in the Comments  
13       section and the Opinions section, and we're fine  
14       with that. But if this is a task force and it  
15       adheres to all task force members agreeing to that,  
16       we agree that further study is warranted, and when  
17       technology and implementation supports going to  
18       secondary containment, we agree that that's a -- a  
19       prudent course of action, but to say that secondary  
20       containment is the best solution, we're not --  
21       that's not our position right now.

22               MR. GILL: Okay. So then by definition  
23       and the structure of this report, if the Navy  
24       doesn't agree with that, then this cannot be under  
25       the heading of "Comments Agreed Upon By All Task

1 Force Members." So then rather than doing any  
2 wordsmithing on this, I suggest we just take this  
3 bullet and not put it under that heading.

4 CAPTAIN WILLIAMSON: I mean, that's one  
5 way to deal with it. I think that the point to the  
6 legislature is that, you know, we're committed and  
7 all parties agree that we should pursue this going  
8 forward. And to the extent additional funding and  
9 resources are necessary and to the extent the  
10 public understands that, you know, this is an  
11 enhancement that could improve and address Ernie's  
12 concerns and our concerns and all of our concerns  
13 regarding the water is something we're committed to  
14 pursuing.

15 MR. GILL: Fine. There's certain  
16 elements of this that you may agree with, but as  
17 Department of Health, I believe that the best  
18 solution should these tanks remain in use is  
19 secondary containment. Anything else, when they  
20 leak, and they will leak eventually, leaks directly  
21 into the environment. So the only way to avoid  
22 that is with secondary containment. That's the  
23 best solution. That's what I know.

24 CAPTAIN WILLIAMSON: Understand. But  
25 just for, right, the general public's knowledge,

1           there are second double-hull tanks that fail.

2           MR. GILL: Yes, there are.

3           CAPTAIN WILLIAMSON: So it's not  
4 foolproof.

5           MR. GILL: It's not foolproof. It's the  
6 best solution.

7           CAPTAIN WILLIAMSON: That's where we  
8 disagree. That's where we don't have -- that's  
9 where the point of departure is.

10          MR. GILL: Exactly. So we have a point  
11 of departure. You don't agree with this language,  
12 which is fine. So we should not assert that this  
13 language is agreed upon by all task force members.  
14 So all I'm suggesting that we do is, because I like  
15 this language and I'm good with it, that we simply  
16 put it under either DOH comments and ask anyone  
17 else who wants to sign onto this language, we can  
18 label it --

19          MR. LAU: BWS is onboard with that.

20          MR. GILL: Okay. So we have DOH and BWS  
21 at least. If any other entity --

22          MR. CASEY: DLNR is in.

23          MR. GILL: A nonfirm from DLNR? DLNR is  
24 okay?

25          MR. GIBBONS: Gary, Jerry Gibbons from

1 the Navy. Can I suggest I think the Navy agrees  
2 with everything in that paragraph. It's just that  
3 one -- the last clause, the best solution is some  
4 type of secondary containment. You just take that  
5 clause out, then I think we all agree with the rest  
6 of that paragraph.

7 MR. GILL: Well, I'm not going to take  
8 that off. I don't agree that we should weaken this  
9 paragraph by taking that off with the data that  
10 we've had and the knowledge that we've had to date.  
11 It begs the question as to whether it's possible to  
12 put in secondary containment. So we're addressing  
13 that as more research and technology becomes  
14 available, but I don't think that there's --  
15 there's no question in my mind that should these  
16 tanks remain in operation, the best possible  
17 protection of our groundwater is with secondary  
18 containment. It just is.

19 MR. GIBBONS: My point is the Navy is not  
20 saying that's not true. We just want to study it  
21 some more and that's why we want --

22 MR. GILL: No. He's saying it's not true  
23 because Captain Williamson just said he doesn't  
24 want to put the word "best" in there. So up to you  
25 guys. Whatever you want to say is fine, but it's

1 clear in my mind that is the best solution. It's  
2 a question of whether it's practical and  
3 technologically feasible and all that, but  
4 secondary containment remains the industry  
5 standard today, unless you can find something else,  
6 it is the best control technology today. So  
7 we'll --

8 Stuart, yes?

9 MR. YAMADA: Can I make a suggestion?  
10 I'm assuming, Captain, that the objectionable word  
11 is "best." Perhaps if we could say something to  
12 the effect it's the most protective option  
13 available rather than including some, you know,  
14 adjective like "best."

15 CAPTAIN WILLIAMSON: See, I believe based  
16 on the science and based on understanding, a double  
17 wall tank is designed to be sort of a -- and I'll  
18 call it a fire and forget weapon. You put it in  
19 the ground and you forget about it. It's solved  
20 all the problems.

21 MR. GILL: Not true.

22 CAPTAIN WILLIAMSON: Right? So allow me  
23 to continue. So you don't -- when you have a  
24 double wall tank, you don't necessarily have the  
25 requirement to get in the tank and inspect it to



1 the level that you might inspect these tanks. So  
2 all I'm saying is that a double wall protection  
3 could lead you down a path of false security. And  
4 I don't believe that double wall -- there are a lot  
5 of unintended consequences that we're seeing with  
6 regard to double wall systems. And while it  
7 provides an order of magnitude improvement, I don't  
8 think we disagree on that. As a potential to  
9 provide an order of magnitude improvement, is it  
10 the best? I think that's an opinion if it's the  
11 best solution. It's not -- it hasn't been rooted  
12 in science in our minds for Red Hill.

13 MR. GILL: Okay. So I respect that. I  
14 disagree with it. So I'm just going to suggest if  
15 the Navy doesn't want to sign onto this language,  
16 that we reflect in the report --

17 MR. LINDER: I mean, one thought I have  
18 on this, I mean, from EPA's perspective, we want to  
19 make sure that the Navy's using the best available  
20 technology within practicable limits to basically  
21 upgrade the Red Hill facility against future  
22 releases, basically minimize the risk of future  
23 releases. It may be secondary containment. I  
24 think that the jury is still out in terms of,  
25 essentially, what combination of technology is best

1 to, essentially, be used to improve the Red Hill  
2 facility. So I think using a term like "it may  
3 involve secondary containment," but, really, the  
4 goal is -- the best available technology is really  
5 the goal is really where I'm thinking on this.

6 CAPTAIN WILLIAMSON: And I agree. I  
7 agree that the best available technology is  
8 something that is imperative for us to pursue.

9 MR. GILL: So we all agree on that, but I  
10 disagree that -- Department of Health is not moving  
11 away from our contention. I think we've all agreed  
12 to this before, and I don't want to be dicing and  
13 slicing words or expectations, but any --

14 We're talking about protecting the  
15 groundwater for our children and grandchildren.  
16 I've said before and I'll say it again, the only  
17 way to guarantee that there is no petroleum product  
18 injected from Red Hill into our groundwater is to  
19 remove the Red Hill facility entirely. That is the  
20 only foolproof way to make sure that Red Hill  
21 doesn't pollute our groundwater is to take it out  
22 of service and empty it. So short of that, all  
23 we're talking about is reducing the risk; right?

24 Captain Mike said and I agree that  
25 secondary containment, double wall tanks reduce the

1 risks. They don't eliminate it. It's not a  
2 solution forever that you can stick in the ground  
3 and forget about it. We have an entire program  
4 that does nothing but regulate and inspect and  
5 enforce underground storage tanks, including double  
6 wall tanks. They're not foolproof. They are a  
7 better industry standard than existed previously.  
8 They are today the industry standard to reduce the  
9 risk of contamination of groundwater from petroleum  
10 fuel in underground storage tanks. That's all  
11 we're saying.

12 The fact is it's the best standard. It's  
13 today's standard, double wall tanks. It's a whole  
14 other question as to what is technically feasible  
15 on these specific tanks in this specific location  
16 and that's what this language addresses. More  
17 research needs to be completed in regards to  
18 technologies available and how it can be  
19 successfully integrated. I don't think we're  
20 disagreeing on that, but I'm not going to be  
21 telling the public that there's some other  
22 mystical, better solution than a double wall tank  
23 because a double wall tank, when it leaks, it is  
24 still contained and it does not go into the  
25 environment.

1                   CAPTAIN WILLIAMSON:  If the outer tank  
2                   is -- if the integrity of the outer tank is solid.

3                   MR. GILL:  You have to maintain it.  Both  
4                   walls have to be maintained.

5                   CAPTAIN WILLIAMSON:  Gary, if I may -- if  
6                   I may, going back to the intent of this document is  
7                   to provide information to the legislature that they  
8                   can act upon.  And true to our document, we have  
9                   opinions and we have -- we have findings of fact  
10                  and we have opinions, and here is where we all  
11                  agree.  And I think sticking true to the intent of  
12                  the document, I think it's important that the  
13                  Navy's willingness to engage in further discovery  
14                  and implementing the best available means to  
15                  protect the water source is part of the  
16                  agreed-upon, and that's something we all agree  
17                  upon, comment to the legislature.

18                  The opinion that secondary containment is  
19                  the best solution is respected.  That's your  
20                  opinion.  That's the Board of Water Supply's and  
21                  Department of Health's opinion today.  It's not  
22                  necessarily the opinion of the entire task force as  
23                  I understand it.  So I think it's important to stay  
24                  true to the document, and I think staying true to  
25                  the document, we can put in a recommendation to the

1 legislature that we all agree on.

2 MR. GILL: Feel free. To be true to this  
3 document, if the Navy doesn't agree with this  
4 language at this time, and this language has been  
5 in here through a number of drafts, I respect that  
6 and we will not call this a comment agreed upon by  
7 the task force. This will be a comment of DLNR,  
8 Board of Water Supply and Department of Health,  
9 unless anybody else would like to jump in on it.

10 I think we're ready to move on.

11 MR. LAU: Yes.

12 MS. PERRY: So No. 3 is about  
13 communications. A comment agreed upon by the task  
14 force is that we all continue to work together and  
15 include the public.

16 No. 4, Implications of Closing Down Red  
17 Hill. I don't know if there's any changes to this  
18 section. Oh, I think we added secondary  
19 containment feasibility studies would include  
20 comparisons to new fuel farm construction or ASTs  
21 or other options. I think that's the only change.

22 MR. GILL: Okay. Now, in respect to  
23 Captain Mike's concerns here in the third bullet,  
24 the DOH comment is that, "Navy should have  
25 facility-wide secondary containment by December

1 31st, 2024." In 10 years. It's no secret to  
2 anyone in this room that there have been ongoing  
3 negotiations on a consent agreement and a statement  
4 of work, and, ultimately, what may come out of that  
5 effort may not directly reflect this statement of  
6 DOH. So I'd like just to edit this third bullet  
7 by saying exactly that; that the DOH  
8 recommendations on this point may be altered  
9 through the negotiated -- negotiation of an  
10 enforceable agreement with the Navy.

11 Okay. Is that -- actually, this is  
12 listed under "Board of Water Supply Comments" as  
13 well. So, Ernie, I need to check to see whether  
14 that --

15 MR. LAU: Yeah, I think the purpose of  
16 the task force report is for the task force to get  
17 an understanding of the issues surrounding the  
18 facility and some recommendations from members of  
19 the task force and also create a public venue for a  
20 discussion to be held. So I'm okay with that  
21 change if you want to modify that bullet.

22 MR. GILL: Thank you. We'll go ahead and  
23 do that.

24 MR. ONOUE: Excuse me, Chairman Gill.

25 MR. GILL: Yes?

1 MR. ONOUE: May I ask to be excused? I  
2 have to attend another meeting.

3 MR. GILL: Thank you, Member Onoue.  
4 Thank you for being with us. I appreciate the  
5 community's involvement and your involvement in  
6 particular.

7 MR. ONOUE: Thank you.

8 MR. GILL: Good luck in doing whatever  
9 you're going to do that required you to wear a  
10 suit. Must be more important than what we're doing  
11 here. Okay.

12 MS. PERRY: So, unfortunately, under No.  
13 4, we do not have any statement of consensus.

14 MR. GILL: So there's no recommendation  
15 in point 4, the implications of closing Red Hill,  
16 that the entire task force agrees to? Okay. Yeah,  
17 that's right. So we have legislative  
18 recommendations, specifically.

19 MS. PERRY: Right.

20 MR. GILL: Okay. So page 15?

21 MS. PERRY: Page 15, yes. So we have  
22 legislative recommendations, and these are broken  
23 up into the different parties.

24 So from DOH's perspective, we had to  
25 change our comment on the barrel tax slightly.

1                   CAPTAIN WILLIAMSON: I don't know if it's  
2 clear. The barrel tax, there was some discussion  
3 in reports that this was an increase in the barrel  
4 tax, but I think that you've rewritten this to  
5 suggest that it's not an increase in the barrel  
6 tax, but it's a reallocation of the existing barrel  
7 tax.

8                   MR. GILL: Right, and that's the intent  
9 of clarifying the language. And to be clear since  
10 this has come up at this task force before, the  
11 barrel is currently a \$1.05. DOH receives 5 cents.  
12 We would like to receive 15 cents from that \$1.05.  
13 We are not advocating that the \$1.05 be increased.  
14 There is currently 60 cents of the barrel tax that  
15 goes to the general fund.

16                   The purpose of the barrel tax has been  
17 from its inception to support the Department of  
18 Health's emergency response and environmental  
19 protection programs. More recently, it's been  
20 allocated for energy independence and food  
21 independence, if you will, sustainable local food  
22 development, but the lion's share of the barrel tax  
23 currently goes directly into the general fund.

24                   CAPTAIN WILLIAMSON: I don't want to  
25 belabor the point, but folks will ask how much of



1       this additional allocation is needed in support of  
2       this document or in support of Red Hill.  So I  
3       mean, I don't want the public to misinterpret that  
4       the 15 cents is required to support what happened  
5       or the regulatory oversight of Red Hill.

6               MR. GILL:  Well, actually it is, right,  
7       because --

8               CAPTAIN WILLIAMSON:  So some portion of  
9       that.

10              MR. GILL:  Yeah.

11              CAPTAIN WILLIAMSON:  So I think it would  
12       be --

13              Right?  I'm just saying, if I can speak  
14       freely, you know, I can see the outcome being Navy  
15       spills 27,000 gallons at Red Hill facility.  Now  
16       all of a sudden, we need to increase the taxes and  
17       that's because the Navy didn't manage the fuel  
18       properly.  I don't think that that's necessarily  
19       the case.

20              MR. GILL:  No.

21              CAPTAIN WILLIAMSON:  So I think that it's  
22       important for folks to understand that, you know,  
23       this goes to support, I don't know, 46, 47 people  
24       of which, you know, there are a handful that are  
25       involved in this.

1           MR. GILL: That's exactly true and I'm  
2 happy to make that clarification. The number of  
3 DOH staff in this room who are working on Red Hill  
4 and have been working on Red Hill prior to this  
5 spill are funded by the barrel tax fund. So  
6 regardless of this bill, if we run out of barrel  
7 tax money, we cannot continue to do the oversight  
8 that we are required to do by law for the  
9 Underground Storage Tank Program and our drinking  
10 water program and our emergency response program.

11           Okay. Thank you for that clarification.  
12 Any other comments?

13           MR. CASEY: I have one. In fact, I'd  
14 like to back up just a little bit. It's just a  
15 detail. It's on item 3, our recommendations.  
16 Actually, the Department of Land and Natural  
17 Resources comments, and if you could add "and  
18 Recommendations" because we do have some specific  
19 recommendations in the fourth bullet.

20           MR. GILL: Patrick, what --

21           MR. CASEY: Oh, page 12. I'm sorry.

22           MR. GILL: Page 12. Okay. We're backing  
23 up.

24           So you'd like the heading to be "Comments  
25 and Recommendations"?

1 MR. CASEY: Exactly.

2 MR. GILL: Okay. So on page 12 where it  
3 says "Department of Land and Natural Resources  
4 Comments," we'll add "Comments and  
5 Recommendations."

6 MR. CASEY: Thank you.

7 MR. GILL: Perfect. Anything else?

8 MS. PERRY: So another change is at the  
9 very last page. It's 16 of the report. Initially,  
10 this was called "Navy Recommendations to the  
11 Legislature." And in talks with EPA and Board of  
12 Water Supply and DOH, we thought it would be okay  
13 to change it to "Task Force Recommendations to the  
14 Legislature." I just wanted to put it out there  
15 for the other task force members.

16 MR. GILL: I'm sorry. Thu, I'm not  
17 following you. Tell me again.

18 MS. PERRY: Page 16.

19 MR. GILL: The last page?

20 MS. PERRY: Yes. So instead of -- right  
21 now it's called "Task Force Recommendations." It  
22 used to be called "Navy Recommendations."

23 MR. GILL: Okay. So --

24 MS. PERRY: So we've had some buy-in with  
25 EPA, DOH and Board of Water Supply to change that

1 to "Task Force Recommendations," but we hadn't  
2 included the other members in that decision.

3 MR. GILL: So this is really a question  
4 for all members of the task force who may not have  
5 picked up on this change. These three bullets  
6 originally were Navy recommendations, and we're  
7 suggesting to turn them into task force  
8 recommendations. So everyone on the task force  
9 would be stated in agreement of them.

10 Thu, why don't you go over them point by  
11 point just so we know.

12 MS. PERRY: Oh.

13 MR. GILL: The recommendation is to  
14 encourage DOH, EPA, Board of Water Supply and the  
15 Navy to continue efforts to protect Hawaii's  
16 groundwater and drinking water resources. I think  
17 we can all agree to that.

18 Okay. Second bullet is include --  
19 encourage these parties and the Navy to keep the  
20 public informed of what's going on.

21 And the third one is recommend that the  
22 legislature encourage Department of Health, EPA and  
23 the Navy to finalize and negotiate agreement for  
24 the Red Hill fuel storage facility that protects  
25 drinking water resources, appropriately responds to

1 the reported release of petroleum and minimizes the  
2 threat of potential future releases.

3 We're all onboard with that? No  
4 objections? Then those are the tasks force  
5 recommendations as stated, and I appreciate the  
6 Navy drafting those.

7 Okay. Are we going to go over any of the  
8 appendices?

9 MS. PERRY: Yes, we do. So almost every  
10 appendices changed again or updated. Appendix B by  
11 Department of Health and Board of Water Supply has  
12 been updated.

13 MR. GILL: Appendix B?

14 MS. PERRY: B.

15 MR. GILL: Page 18?

16 MS. PERRY: Page 18.

17 MR. GILL: How was it updated?

18 MS. PERRY: Some of the numbers changed  
19 in terms of the maximum values reported, and then I  
20 think that the heading changed as well. "Summary  
21 of Releases at Red Hill Facility," I think that was  
22 called something else.

23 MR. GILL: Okay.

24 MS. PERRY: Appendix C submitted by the  
25 Navy has also been updated.

1 MR. GILL: How so?

2 MS. PERRY: I think there's just more  
3 narrative to explain the data. I didn't really see  
4 any big changes.

5 MR. GILL: Okay.

6 MS. PERRY: And then Appendix E has also  
7 been updated to include the drinking water utility  
8 description and also the two maps provided by the  
9 Safe Drinking Water Branch to locate the field  
10 constructed tanks in Hawaii.

11 MR. GILL: Okay. So this was something  
12 that members of the task force felt we should  
13 provide to the legislature. I think it might have  
14 been Representative Chris Lee that was particularly  
15 interested in this. Because as part of the  
16 discussion at this task force, we identified that  
17 there were additional underground storage tanks  
18 field constructed, many of which from the same era  
19 of the Red Hill construction and concern of what  
20 might be the status of those tanks. So that's  
21 something beyond the issue of Red Hill  
22 specifically, but that we were urged to address and  
23 provide that information. So that's what Appendix  
24 E does. It identifies a total of 46  
25 field-constructed underground storage tanks. Most

1 of those are no longer in operation or in service.  
2 And the only other one that's over a drinking water  
3 resource is the Hickam -- four tanks out at Hickam,  
4 and those are already under investigation by the  
5 Department of Health. Is that correct?

6 MS. PERRY: The HEER office.

7 MR. GILL: Yeah, the HEER office.

8 MR. LAU: There's the Kipapa Gulch fuel  
9 storage -- on this map of Oahu, it looks like  
10 there's the Kipapa Gulch fuel storage annex, and it  
11 looks like at one time there might have been 10.6  
12 million gallons of storage, and that is located --  
13 I guess you put that in the Waipahu-Waikele area.

14 MR. GILL: Ernie, I think Kipapa is the  
15 one I mentioned. It says Hickam. It has  
16 parenthesis "Kipapa." It's the first one in the  
17 table.

18 MR. LAU: Thank you.

19 MR. GILL: So that's the one. It is  
20 located -- I don't know why they call it Hickam  
21 because it is located in Kipapa.

22 MR. LAU: Okay. Thank you. I stand  
23 corrected.

24 MR. GILL: And I do note also at the  
25 bottom of Appendix E of the table, it says

1 Schofield Barracks where there is a tank that is  
2 over a drinking water resource, but that has been  
3 permanently out of service.

4 MS. PERRY: And that is indicated in  
5 blue.

6 MR. GILL: Say again.

7 MS. PERRY: That is indicated in blue.

8 MR. LINDER: I have a question. This is  
9 Steve Linder, EPA. The designation "temporarily  
10 out of use" on these tanks, how is that  
11 established?

12 MR. GILL: I'm not sure. Would staff be  
13 able to tell us? Roxanne?

14 MS. KWAN: They told me that they're not  
15 being used at this time; that they may bring it  
16 back into use.

17 MR. LINDER: I guess the question would  
18 be then I know these are currently not within the  
19 scope of regulations, but I think it would be good  
20 to understand before putting those types of terms  
21 on here what kind of actions are being taken on  
22 these tanks to basically be able to consider them  
23 temporary out of use because, typically, in the  
24 smaller service station industry, temporary  
25 out-of-use tanks essentially have to continue to



1 follow certain operational maintenance standards  
2 for protection of the tanks to make sure they don't  
3 degrade so they can be brought back into service if  
4 need be. And, typically, temporary out-of-use  
5 tanks are only temporarily out of use for a  
6 relatively short period of time. That designation  
7 in the tank program is typically for seasonal --  
8 seasonally operated tanks in areas of, say, resort  
9 communities where they're only populated during  
10 parts of the year. So that would be something  
11 to -- just by putting that in the table, I don't  
12 want it to be misleading.

13 MR. GILL: So, Roxanne, if I understood  
14 you correctly, the temporary out-of-use designation  
15 for Subbase Pearl Harbor, a total of eight tanks,  
16 was placed there out of a verbal statement that the  
17 Department of Health received from the Navy?

18 MS. KWAN: That's correct. And they are  
19 going to provide -- I had requested information as  
20 to their plans regarding these tanks, future plans  
21 of these tanks.

22 MR. GILL: Would it be adequate then in  
23 the footnote where we identify TOU, temporary out  
24 of use, that we add into there that this is subject  
25 to additional information being provided by a tank

1 owner?

2 MS. KWAN: That's fine.

3 MR. GILL: That it is under  
4 investigation.

5 MR. TAKABA: And the date maybe that it  
6 was taken out.

7 MR. GILL: We can add the date that it  
8 was temporarily taken out of service?

9 MS. KWAN: I believe it was 1990.

10 MR. GILL: Well, if we have that, we  
11 should go ahead and add it. I mean, that's news to  
12 me. If it actually has not been in service for 25  
13 years, that's a long temporary. So we might want  
14 to look into that. But it kind of implies that  
15 they want to reuse the tank at some point. So  
16 that's important to know.

17 Ernie?

18 MR. LAU: Sort of along those lines from  
19 a person that is not knowledgeable of the UST  
20 requirements, if it's temporary out of use, you  
21 don't need to do any site investigation if there  
22 was any prior releases? If it's temporary out of  
23 use, are you required to do any site investigation  
24 and cleanup if there was any contamination as  
25 opposed --

1           I mean, if it's abandoned, you need to do  
2 something; right?

3           MR. LINDER: Well, if you're closing a  
4 tank, you would -- typically, through part of that  
5 closure process, it would be either removal of the  
6 tank or abandoning it and replace it by basically  
7 filling it with another material, and it likely  
8 also would require some assessment to assure that  
9 there haven't been any releases --

10          MR. LAU: Prior releases while in use?

11          MR. LINDER: Right, but a temporarily  
12 out-of-use tank, typically, would continue to be  
13 maintained in the commercial like  
14 corner-gas-station-type industry, and those tanks  
15 would continue to be inspected regularly by state  
16 regulators.

17          MR. LAU: But no need to do any site  
18 investigation for possible contamination?

19          MR. LINDER: Correct. Essentially, it's  
20 almost considered the same as an operating tank,  
21 but it's just put in this kind of state of  
22 temporary, you know, temporary closure, but it's  
23 closed in a very deliberate manner where it's  
24 maintained. So, for example, steel tanks, cathodic  
25 protection needs to continue to be operated in

1 order to continue to be considered temporarily out  
2 of use. The tank needs to be inspected regularly  
3 if it's temporarily out of use.

4 MR. LAU: You know, from BWS standpoint  
5 here, and I'll try to talk louder, the Hickam Pol  
6 Annex tanks, the Kipapa tanks, which I guess is a  
7 combined storage of over 10 million gallons of  
8 fuel, is located very close or up gradient of a  
9 number of our drinking water wells in the area. So  
10 we do -- we would like to learn more about this  
11 facility and what information might be available if  
12 there were any prior releases because it's in very  
13 close proximity to where we have a concentration of  
14 drinking water wells.

15 It's hard to tell precisely from this  
16 map, which is on a pretty gross scale, but we do  
17 want to look at them more closely. It's more like  
18 the midpoint of our Pearl Harbor aquifer. So mid  
19 location of our Pearl Harbor aquifer, which is our  
20 largest drinking water aquifer on Oahu.

21 CAPTAIN WILLIAMSON: So can I ask a  
22 question? There's a note section here that says  
23 that active bioventing is occurring.

24 MR. POENTIS: This is Aaron Poentis. Let  
25 me explain. I think there's a mislabeling on the

1 table of Appendix E. For Appendix E, if you look  
2 at the illustration on the back, it says that the  
3 status is permanently out of service and that it's  
4 under the jurisdiction of the HEER office. So it's  
5 a closed facility. It's permanently closed, and we  
6 have restoration activities ongoing for prior  
7 releases.

8 MR. LAU: Unless there's information that  
9 needs to be redacted, can we request copies of all  
10 investigations or studies on that facility?

11 MR. POENTIS: The documentation for that  
12 cleanup activities is within the HEER office at the  
13 Department of Health.

14 MR. GILL: Ernie, I think it's  
15 appropriate to have this discussion within the Red  
16 Hill Task Force, but this is not a Red Hill tank.  
17 So --

18 MR. LAU: Maybe one point, maybe the  
19 language in the table and the verbiage that's in  
20 the map may not be completely consistent and  
21 that's, I think, creating the confusion here.

22 MR. GILL: Okay. So that's true. I  
23 mean, we've labeled it temporary out of service,  
24 and I just heard from the Navy's facilities folks  
25 that it's permanently out of service. So we need

1 to clarify that.

2 MR. LINDER: And on the map, it appears  
3 to be labeled as permanently out of service.

4 MR. GILL: Right. So the table and the  
5 map are not consistent?

6 MR. LINDER: Right.

7 MR. GILL: Okay. So let's make those  
8 corrections. Thank you for finding that.

9 Any other comments?

10 Okay. So where I think we are is we've  
11 gone over this document. We've come up with a  
12 number of suggested changes. For example, adding a  
13 preface in the introduction section to identify  
14 that the text and description of the tanks have  
15 been provided by the Navy. Make note that the 2008  
16 study on secondary containment is available by  
17 request.

18 A few other changes in the blue-shaded  
19 text. The inclusion of a new appendices. We are  
20 going to on page 13 -- wait, sorry -- on page 12,  
21 add "and recommendations" to the subheading for the  
22 Department -- Department of Land and Natural  
23 Resources Comments.

24 We're going to label the third bullet on  
25 page 13 as "Comments Agreed Upon By Department of

1 Health, Board of Water Supply and Department of  
2 Land and Natural Resources."

3 There may be some others that I missed.  
4 Those are my notes. We have some -- we've asked  
5 people to submit any comments or clarifications on  
6 what was going to be Appendix E. Is this the new  
7 one?

8 MS. PERRY: F.

9 MR. GILL: F. Whatever letter it turns  
10 out to be regarding the Environmental Action Levels  
11 and site-specific levels, that description, if  
12 there's anything unclear in that, please let us  
13 know and we'll make those technical fixes.

14 And we have some -- some clarifications  
15 on Appendix E regarding the list of  
16 field-constructed tanks in Hawaii. We may have  
17 missed some of those things.

18 Are there any other changes or  
19 corrections or clarifications that task force  
20 members would like to suggest at this time?  
21 Patrick?

22 MR. CASEY: I have a question that I'd  
23 like to get a little clarification on. While I  
24 appreciate there's a period of review to go over  
25 the data that's come in especially from the new

1 monitoring wells, can we expect some results soon  
2 on those? What's the timetable for that? Because  
3 it's about a two-week turnaround from the time the  
4 samples go in the lab from when the results go out,  
5 generally. So it's been over a month, and I'm  
6 wondering when can we expect to see those results,  
7 not only of these wells, but the samples from our  
8 well, the CWRM deep well that was sampled in  
9 October by both the Navy and BWS? So when can we  
10 expect to see the sample results for those, the  
11 actual data?

12 MR. GILL: So that's a question not  
13 related to this report or are you --

14 MR. CASEY: I'm sorry, but I wanted to  
15 get it in there.

16 MR. GILL: So let's get to that, but let  
17 me just make sure we have accurately reflected any  
18 changes or comments necessary on this report before  
19 we get to that point.

20 Okay. If there are no further members  
21 who have a suggestion or change, what I'd like to  
22 say is that we will make the final final draft  
23 based on today's comments and have that available  
24 for final final review by task force members  
25 on-line, and then if we have a date certain that we



1 can submit this to the legislature, because I think  
2 we have agreement on content. There's just maybe a  
3 finer reading on some technical amendments and  
4 clarifications. So I'm comfortable with doing that  
5 offline without having to have another meeting.

6 What I'd like to do is propose that, as  
7 amended with the suggested amendments made at this  
8 meeting, that the Department of Health be empowered  
9 to finalize the report for submittal, but before  
10 submittal, there would be a one-week period of time  
11 where the final report is available for task force  
12 members for one final read and suggestion of any  
13 other clarifications or technical amendments, but  
14 that we would not accept substantive changes beyond  
15 this meeting. You know, if you want to throw in  
16 another recommendation, you're going to have to  
17 send a separate letter; that we not touch the  
18 substantive body of the report. Is that  
19 recommendation okay?

20 MR. LAU: It's okay with BWS.

21 MR. GILL: Any objections to that? So  
22 we'll go ahead and make those amendments, get those  
23 available, and have at least one-week period of  
24 time before submittal of the document to the  
25 legislature for review of task force members.

1           Okay. So with that, I want to open it up  
2 if there's any member in the audience or the public  
3 who would like to suggest any changes or  
4 clarifications to this report. I'm seeing no  
5 hands.

6           MR. STARR: I have comments, but I'm not  
7 asking you to change this report.

8           MR. GILL: Comments are in order. Go  
9 ahead, Jonathan Starr, member of the Water  
10 Commission, Board of Land and Natural Resources.

11          MR. STARR: Okay. Good morning and thank  
12 you for the hard work on this task force. I'm  
13 Jonathan Starr. I'm a commissioner on the  
14 Commission of Water Resource Management. We're  
15 responsible for the resource of freshwaters in  
16 Hawaii. The water quality aspect of protection of  
17 the water resources falls to Department of Health  
18 and is ably being taken care of by Gary Gill. His  
19 people are commissioned as represented on this  
20 panel by our excellent hydrologists, Patrick and  
21 Bob.

22           I do wish to make some comments which may  
23 be a little bit more blunt, and I hope you  
24 appreciate them in the spirit that they're being  
25 made, which is constructed as an expression of

1 concern that I think is being felt not just by my  
2 commission, but I think increasingly by the public.  
3 Some of this was expressed by Ernie Lau, and that  
4 the reason we live here on this island and the  
5 reason people come to visit it to a large extent is  
6 because of the quality of our natural resources in  
7 our environment that includes the air, the oceans  
8 and very much so our drinking water supplies which  
9 have always been among the best on Earth, and that  
10 is something that our community comes to expect.

11 We have a situation where it's certainty  
12 that the water that's being provided to the people  
13 of Oahu, through Board of Water Supply, may be  
14 heading in a direction of becoming tainted, and  
15 that is not a direction that we can afford to go.  
16 We have -- even minor degradation, as Mr. Lau  
17 pointed out, is a serious concern because once  
18 confidence ebbs in the quality of the water and the  
19 perfection of the drinking water, people will not  
20 want to drink it.

21 We have a very serious possibility of a  
22 catastrophic leak from these tanks in the future,  
23 and that is what is of greatest concern and  
24 something that I wish was being expressed in  
25 stronger terms, but I understand the working of the

1 work -- task group and the purview and the  
2 constraints that members are under, but I feel that  
3 that needs to be expressed. And with all due  
4 respect, I'm feeling that the Navy is not moving as  
5 vigorously to end a period of uncertainty as we as  
6 the population and their representatives would  
7 like.

8           There is a potential catastrophic result  
9 if a tank, which is a 10th-of-an-inch-thick steel,  
10 were to have a major rupture. We would not know it  
11 until 12 and a half million gallons of fuel oil is  
12 in one of our most productive and one of the best  
13 aquifers on Earth. That would be something that I  
14 think could destroy Honolulu as one of our great  
15 cities and is maybe our greatest threat. And I  
16 really hope that moving forward, the Navy would  
17 start to look at these things as they look at a  
18 major fleet unit. And I don't think that the Navy  
19 is operating major fleet units that are 70 years  
20 old and are allowed to reduce in hull thickness  
21 from a quarter to a 10th of an inch.

22           I think our Navy is the best -- probably  
23 the best infrastructure organization on Earth. It  
24 has always done its duty with excellence, and I  
25 think this is a case where we need that excellence

1 where we need the best equipment and the best fleet  
2 unit that exists and not something that was one of  
3 the great engineering marvels built in the '40s.

4 I know the man who was the chief  
5 engineer. He was my neighbor on Maui. And it's a  
6 wonderful, wonderful thing, but it's time to --  
7 it's amortized and it's time to improve it or  
8 replace it the same way that a fleet unit gets  
9 replaced. What is my deep concern is that I don't  
10 see a path leading forward to that. If I were to  
11 know that in 10 years or 12 years or 8 years, there  
12 would be a mechanism for budget cycle and planning  
13 and a way to do it, I would know, well, you know,  
14 we may have to kick it down the road 8 years or 10  
15 years, but, ultimately, it's not something we're  
16 leaving for the next generation.

17 I know the desire and heart of the Navy  
18 command structure is in doing the right thing here,  
19 but with all due respect, we've already seen change  
20 of command in this and there is a likelihood that,  
21 you know, people, officers, representatives change,  
22 and it's not necessarily something that those in  
23 the command structure of the Navy and Hawaii may be  
24 responsible for and may see in their own -- their  
25 own time. So the rest of us will have to live with

1 it and the world will have to live with it. This  
2 it is the greatest place on Earth to live. This is  
3 the greatest place on Earth to drink water. We  
4 need to create a future. Somehow this fell through  
5 a regulatory loophole. I understand that, but we  
6 have to do the right thing, and I think we all know  
7 what the VIPs would need to improve it, and I  
8 really ask for you to follow that path rather than  
9 having it imposed.

10 MR. GILL: Thank you, Mr. Starr, for your  
11 comments. They don't require a response, but I'll  
12 entertain members of the task force if you'd like  
13 to offer one.

14 CAPTAIN WILLIAMSON: If I may. Mike  
15 Williamson, and I appreciate your comments, and if  
16 I was in your shoes, I would feel exactly the same  
17 way. And I think what we're learning out of this  
18 process are many things, but a couple of them sort  
19 of ring true.

20 If I may, on the order of people turning  
21 over in the Navy and different leaders in place,  
22 unlike any other organization in the world, the  
23 Navy is required to turn over. And if you think  
24 about a city, an aircraft carrier that has 5,000  
25 troops on it and every three years, every single

1 one of those people on that ship have turned over.  
2 We've developed processes and we -- we have refined  
3 that over time and learned many lessons over time  
4 so we can continue to operate that carrier safely,  
5 get people onboard, have them leave, get people  
6 trained, maintain that facility in a manner that it  
7 can operate safely and do our nation's work.

8 And so to the point -- and I understand  
9 that point. We all have new bosses, and like it or  
10 not, every --

11 I like my boss now, but I know on one  
12 tour, I'm going to have multiple bosses, but that's  
13 sort of the culture of the Navy and we've had to  
14 make that work to be successful, to be that best  
15 Navy in the world.

16 So I understand your point. I think  
17 that's a critical point. We need to have constancy  
18 of purpose going forward with Red Hill to your very  
19 point.

20 On the order of the condition of Red Hill  
21 and how we operate Red Hill and the improvements  
22 that we've made to Red Hill and how we, in many  
23 cases, have gone well beyond what the  
24 regulations -- the regulators would require of Red  
25 Hill is a story that we haven't told very well.

1       And what I'm learning through this process is the  
2       more we are able to share with the experts and the  
3       folks that need to know what's happening in Red  
4       Hill, the better the understanding becomes, the  
5       understanding in how we might improve what we're  
6       doing. But I think that what I've learned recently  
7       is as we share what we've done, what we're doing  
8       and what we hope to do in the future, we've reduced  
9       that level of uncertainty, that level of unknown,  
10      and we enter into a discussion on what we should do  
11      and what we could do going forward.

12                So one of the comments we've had over  
13      time is how do you adopt an API 653 inspection  
14      methodology on a tank that's underground, and we  
15      recently had a conversation on that, and we sought  
16      and found some level of understanding on how we  
17      might do that. We identified areas of  
18      vulnerability, and through conversation, I think  
19      we'll shore that up. But our intent is exactly  
20      your intent is to make sure that this facility  
21      doesn't leak any oil in the future and we preserve  
22      that water source.

23                So we're committed to doing what we can  
24      to put this layer of defense in to understand if  
25      and how any fuel is moving out. And I think it's



1 important that we take a hard look at, you know,  
2 when did this fuel actually get into the ground?  
3 You know, did it happen in the early years of the  
4 operations of this facility or is it happening now?  
5 We need to have the systems in place to understand  
6 that. And then we also need to understand how --  
7 what is the propagation method; how could it move  
8 to our drinking water source, and what protections  
9 can we put in place to catch it before it gets to a  
10 pristine drinking water source?

11 So up until now, we've been looking at  
12 this from the perspective of the Red Hill shaft,  
13 and as a result of this and discussion, now we've  
14 expanded that to look beyond the Moanalua well to  
15 the south and Halawa well to the north. So we're  
16 expanding that and we're trying to demonstrate that  
17 we are committed to doing more to understand and  
18 enhance and protect that critical resource.

19 So I understand your point of view. We  
20 have a lot to learn on this as well, but I think  
21 that the conversation that's taking place is making  
22 us all better, making us more aware and will make  
23 us make better decisions, you know, into the future  
24 that enhance this critical resource. So --

25 MR. STARR: And thank you for that. The

1       layered approach moving forward is what we need to  
2       be thinking about. And my experience with  
3       engineering is that redundancy is the name of the  
4       game, and it looks like that's redundant barriers,  
5       redundant walls, redundant monitoring and redundant  
6       systems, and I believe that is what you do when you  
7       transport fuel at sea and when you build new  
8       systems.

9                   CAPTAIN WILLIAMSON: And if I can address  
10       just one more point on the catastrophic release.  
11       There's a study that we did in 1999. It was a  
12       Willbros study that was done. And the elements in  
13       that catastrophic release scenario, we've addressed  
14       wholly -- perhaps not wholly, but we've addressed  
15       many, many of those issues.

16                   And, Ernie, I believe we took you through  
17       the shaft and pointed out some key points of  
18       concern. And so one key point is that, you know,  
19       before we started this process, the Red Hill shaft  
20       did not have a cap on it. And so, conceivably, if  
21       we had a catastrophic release, fuel could work its  
22       way down through the tunnel, flow directly into the  
23       Red Hill drinking water resource, and as a result  
24       of the discussions that we've had, we have  
25       installed a cap on that, a steel cap to prevent

1       that from happening. We have a contract that's  
2       being awarded this fiscal year that will go in and  
3       improve the fire protection systems within the  
4       tunnel -- the lower tunnel structure, the tunnel  
5       structure in and around Red Hill, but it will also  
6       upgrade the oil-type doors to add another layer of  
7       defense so that a catastrophic flow of fuel  
8       couldn't get into that drinking water -- critical  
9       drinking water source.

10               Then one other thing as a result of that  
11       report that I think is really important is that up  
12       until this point, the tank, the engineering piping  
13       coming out of the bottom of the tanks was a single  
14       solid piece going into our piping network system.  
15       Because of the vulnerability and potential for any  
16       type of shear as a result of a seismic event, we  
17       now have added double valve protection at the  
18       bottom should there be any type of movement of the  
19       tank. Again, a development and enhancement of the  
20       engineering that will prevent that type of  
21       catastrophic event from happening.

22               So there are things and through education  
23       and understanding, we need to tell that story a  
24       little bit better so folks can rest a little easier  
25       that we have done appropriate things and will

1 continue to do more things to make sure that we  
2 protect that source.

3 MR. GILL: Okay. Thank you for the  
4 conversation. We're at the noon hour. Is there  
5 anyone else in the audience who would like to make  
6 a comment on this draft report or any item on our  
7 agenda? Seeing none --

8 MR. YOMES: Excuse me. Can I say  
9 something? The report is fine. Just a comment.

10 MR. GILL: Sure.

11 MR. YOMES: The community's concern, of  
12 course, is to protect the water resource and the  
13 safety of the community which you brought up in  
14 this meeting. What I wanted to bring up is I know  
15 the fuel tanks hold millions of gallons of fuel.  
16 How does fuel lines play into the concern of the  
17 community? Is that a concern, the fuel lines, a  
18 concern for the community?

19 MR. GILL: Okay. So there are fuel lines  
20 that feed these tanks from Pearl Harbor underground  
21 up into the Red Hill facility. The fuel lines are  
22 used both to fill the tanks and to empty them. So  
23 they are a matter of concern and discussion.

24 Maybe I'll ask, Captain, if you'd like to  
25 address in any greater detail your management of

1           those lines as well?

2                   MR. YOMES: With that said, I just want  
3 to continue. I know it's on a smaller scale, but  
4 our community, especially at Salt Lake Boulevard  
5 where we know there's fuel lines that's been  
6 underground for over 70 years, and I believe to my  
7 knowledge, it hasn't been inspected by the  
8 Department of Health or the Board of Water Supply,  
9 and it's some 50 feet away from these residential  
10 homes. I know we're talking apples and oranges  
11 because the fuel tanks and fuel lines are a smaller  
12 degree. But if it's a concern to the community,  
13 are government -- it belongs to the government and  
14 private sector. The location I'm talking about is  
15 other locations within the city and county and the  
16 state. Are you guys inspecting those lines as  
17 well? Do you guys plan to inspect those lines to  
18 keep the community safe? Has the Board of Water  
19 Supply inspected if there was any leakage there  
20 where the community would have a problem with the  
21 water resource in their community because the  
22 residential homes are so close to the fuel lines?

23                   I know it doesn't have anything to do  
24 with the report. It was a concern that was brought  
25 up by some of the community members.

1           MR. GILL: It's an excellent point, and I  
2 thank you for raising it. Maybe it could be an  
3 issue should this task force continue to discuss  
4 Red Hill, and if the legislature were to so task us  
5 to look into that, I'd be happy to do that as  
6 Department of Health.

7           Just -- I'll speak just generally about  
8 regulation of fuel lines because, actually, that's  
9 kind of an EPA thing. But in Honolulu, for  
10 example, the Department of Health and EPA and a  
11 number of responsible parties, everyone in the past  
12 century who has owned an old fuel line along the  
13 Honolulu Harbor energy corridor is engaged together  
14 in cleaning up the contamination from those lines  
15 which may have happened anytime in the past  
16 century. So you have the oil companies. You have  
17 military. You have different state entities like,  
18 for example, the state harbors who owns the land  
19 and may have owned some of the facilities there.  
20 We've gone through a decade or more of working  
21 together to identify the contamination, do the  
22 cleanup and secure from the environment any of this  
23 historic spill. That work is ongoing. We could  
24 write a book about it. It could be a subject of a  
25 whole other meeting, and there's lots more work to

1 do on that beyond just the Honolulu Harbor area  
2 which is currently under -- under remediation.

3           Regarding the fuel lines for the Navy at  
4 Red Hill, I know the Navy has done a number of  
5 inspections of those fuel lines and perhaps, for  
6 the record today, Captain, you'd like to express  
7 that.

8           CAPTAIN WILLIAMSON: Certainly. That's a  
9 great question. First of all, it's important to  
10 know there are a number of safeguards for the  
11 tunnel. Folks can't access the tunnel for obvious  
12 reasons. So the tunnel structure, the piping  
13 systems within the structure can't be compromised.

14           The tank -- the piping systems are  
15 inspected on a regular basis. I don't have the  
16 frequency upon which they are inspected, but I can  
17 tell you that they are inspected to both visually  
18 and from -- they're cleaned on a regular basis, and  
19 the wall thickness of the piping is looked at on a  
20 regular basis.

21           The tank -- there are cameras through the  
22 entire facility so that we can see if anything is  
23 happening to or anyone's tampering with anything  
24 inside the facility. The length of that  
25 three-and-a-half-mile tunnel is walked with

1 technicians on a regular basis or they have  
2 bicycles, but they move through that facility on a  
3 regular basis.

4 We just recently had a contract where we  
5 went in and improved the wall tunnel structure so  
6 that we wouldn't have any type of water leaking in,  
7 around or on any of the piping systems so that we  
8 wouldn't have any type of accelerated corrosion.

9 So I'd be happy to share with you -- we  
10 have detailed inspection reports of the piping  
11 systems underneath.

12 MR. YOMES: I appreciate you taking those  
13 safeguards, but my concern -- the community's  
14 concern, I should say, is those lines that have  
15 been underground for over 70 years and still active  
16 is used, it's owned by the local government and the  
17 private sector, that hasn't been inspected, and  
18 that's the concern we have and it's so close to our  
19 homes. So is there a concern that this might have  
20 leakage and has it been inspected since the war?

21 MR. GILL: So the pipelines --

22 MR. YOMES: Like I said, we're at Salt  
23 Lake Boulevard because we had the problem there  
24 with this type of leakage. Well, not leakage. I  
25 mean, as far as the fuel lines being there and dug



1 up.

2 MR. GILL: So there's multiple different  
3 fuel lines to take consumer gas into your home for  
4 your stove and your water heater. That's kind of a  
5 whole different thing, but it's a significant  
6 concern.

7 MR. YOMES: But this is under the public  
8 roadway.

9 MR. GILL: I think what Captain  
10 Williamson was addressing were the specific fuel  
11 lines in the Red Hill access tunnel that feed these  
12 20 Red Hill tanks. So specific fuel lines that you  
13 may be worried about, I think, are separate from  
14 what he was talking about and --

15 MR. YOMES: Right. Okay. Let's move on  
16 to the report. I just want to get that out there  
17 to see if that's a concern with these fuel lines.

18 MR. GILL: Pipeline safety is a big, big  
19 issue, and I appreciate you raising it, and maybe  
20 the EPA would like to address your authority over  
21 that question, generally.

22 MR. LINDER: Well, I think they are  
23 handled -- they're not part of my particular  
24 program. If there was a release, EPA gets  
25 involved, but in terms of active regulation of

1 product pipelines, most of that is done by federal  
2 Department of Transportation and the various  
3 different state agencies. So I'm not sure if it's  
4 your agency in Hawaii. I know like, for example,  
5 in California, they have their own pipeline safety  
6 office as part of the state fire marshal's office.

7 Product pipelines, we've seen all across  
8 the country are varying ages, and some of the older  
9 ones do have problems. A lot of that  
10 infrastructure, again, aging infrastructure, there  
11 are techniques that can be used to inspect them in  
12 place depending on the size of the line, and it  
13 really is something that -- I'd have to do some  
14 research on it to understand kind of how they're  
15 being handled here in Hawaii. I've been involved  
16 personally in some cases in the Los Angeles area  
17 where a lot of effort was spent on investigating  
18 and looking for leaks in product pipelines because  
19 of large scale drinking water aquifer contamination  
20 by fuels. So --

21 MR. GILL: We're a little bit beyond the  
22 purview of the task force, but quickly, Ernie.

23 MR. LAU: Just very quickly, and I'll  
24 speak very loud so everybody can hear me.

25 Underground, buried fuel lines are a

1 concern for BWS. We do not regulate or inspect  
2 them. That's the responsibility of whoever the  
3 appropriate other government agency is or the owner  
4 of the facility. We are aware that there is one  
5 documented fuel pipeline leak in central Oahu along  
6 Kam Highway which is actually now a superfund site  
7 undergoing cleanup, and the reports that we receive  
8 are actually from NAVFAC on the efforts to clean up  
9 that site. So that is a concern.

10 So Kipapa, four 2.6 million gallon tanks  
11 that were used in the past, maybe not presently  
12 being used, but how do those tanks get filled?  
13 They probably were connected by underground, buried  
14 pipelines pumping the fuel from the harbor area all  
15 the way up to those tanks for storage.

16 So the concern is, yes, for BWS, it's  
17 also the fuel storage pipelines.

18 MR. GILL: Okay. I'm going to try and  
19 close this up here. No further comments, members  
20 of the task force?

21 We're to the end of the agenda here which  
22 says, "Next Steps." I've outlined what I think the  
23 next steps are which is we will put together a  
24 final draft. It will be available for review for a  
25 week before it's submitted. We encourage

1 nonsubstantive, technical, grammatical  
2 clarification changes from members of the task  
3 force. I don't think it would be fair or  
4 appropriate for us to make any substantive changes  
5 without another meeting, and we're kind of out of  
6 time if we're going to get this report in on time.

7 It says here, "The continuation of the  
8 task force end of 2015 and agenda items for the  
9 next meeting." That presupposes that the task  
10 force is still in existence, and we've had some  
11 recommendations in here as to whether the  
12 legislature would like to extend it, but at this  
13 point, my expectation would be this is the last  
14 business meeting of this task force, subject to  
15 call by the legislature should they request the  
16 Department of Health to continue this work and  
17 address any other questions.

18 So with that, if there are no further  
19 comments, at 10 minutes after 12:00, I'd like to  
20 thank you all for your participation. I think we  
21 have a report which we can be proud of as being  
22 adequately responsive to the legislature and very  
23 informative to the community. I hope you all have  
24 a happy and healthy holiday season, and we are  
25 adjourning this meeting of the Red Hill Task Force.

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Thank you.

(Meeting adjourned at 12:10 p.m.)

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C E R T I F I C A T E

STATE OF HAWAII )  
 ) ss.  
CITY AND COUNTY OF HONOLULU )

I, LAURA SAVO, a Certified Shorthand Reporter in and for the State of Hawaii, do hereby certify:

That the foregoing proceedings were taken down by me in machine shorthand at the time and place herein stated, and was thereafter reduced to typewriting under my supervision;

That the foregoing is a full, true and correct transcript of said proceedings;

I further certify that I am not of counsel or attorney for any of the parties to this case, nor in any way interested in the outcome hereof, and that I am not related to any of the parties hereto.

Dated this 18th day of December, 2014, in Honolulu, Hawaii.

\_\_\_\_\_  
LAURA SAVO, RPR, CSR NO. 347

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