

Scanned

RED HILL TASK FORCE

Thursday, October 6, 2016

9:36 a.m. to 11:13 a.m.

ORIGINAL

919 Ala Moana Boulevard, Fifth Floor

Honolulu, Hawaii 96814

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MR. KAWAOKA: Why don't we get started.

There'll be a few more people coming on. That's okay.

Good morning, everybody. My name is Keith Kawaoka. I'm

the Deputy Director for Environmental Health, Department

of Health. This meeting is regarding the field

constructed tanks, as required under Act 244. The Fuel

Advisory Committee is sort of a by-product of the previous

meetings we've had in this task force on Red Hill. And

what was outlined in the previous legislative sessions is

to identify what we call field constructed tanks, not just

regular tanks, but field constructed tanks in general in

the state and to give a status of what these tanks are on

the island. So that's the purpose of why we're here today

for.

As you recall, late in 2015, the Navy provided

an update of their field constructed tanks. And today,

we're going to have another update, not just from the

Navy, also from the Army and the Air Force, if they're

here.

1           Just from a logistics standpoint, the restrooms  
2 are located through the door to your left. If it gets  
3 kind of crowded, there's also -- you can go down to the  
4 fourth floor or other floors for the restroom as well.

5           We have a court reporter here, just so long you  
6 know, taking notes. It will be used for transcripts for  
7 the legislative report that we'll submit. So if you have  
8 any questions or discussions as we go through the meeting,  
9 please identify yourself and give your comment or  
10 question.

11           I'd like to have everybody kind of introduce  
12 yourselves around the table, if you can. Let's start with  
13 Senator Wakai.

14           SENATOR WAKAI: Senator Glenn Wakai. I'm Chair  
15 of the Committee on Economic Development, Environment and  
16 Technology.

17           Mr. CASEY: Patrick Casey, geologist with the  
18 DLNR Commission on Water Resource Management.

19           MR. JOSLIN: I'm Ryan Joslin, the Military  
20 Affairs Liaison for Congresswoman Tulsi Gabbard.

21           MS. YAP: I'm Kehau Yap with Senator Mazie  
22 Hirono's office. I'm here for Alan Yamamoto, who a State  
23 Director.

24           MS. REZENTES: Cynthia Rezentes. I'm with  
25 Congressional District 1, former Mark Takai's district,

1 representing that office.

2 MR. LINDER: Hello, I'm Steve Linder from the  
3 U.S. EPA Region IX, San Francisco. I manage the  
4 Underground Storage Tank Program for the EPA Region IX.

5 MR. LAU: Aloha, Ernie Lau, Honolulu Board of  
6 Water Supply.

7 CAPTAIN EPPS: Good morning. I'm Captain Ken  
8 Epps. I'm the Commanding Officer of the Fleet Logistic  
9 Center here in Pearl Harbor. And we are the operators of  
10 Red Hill.

11 CAPTAIN HAYES: Good morning. Captain Rich  
12 Hayes, the Commanding Officer of Naval Facilities  
13 Engineering Command Hawaii and also the Regional Engineer  
14 for Navy Region Hawaii. And we work closely with FLC to  
15 maintain the tanks at Red Hill.

16 MR. POENTIS: Good morning. I'm Aaron Poentis,  
17 the Regional Environmental Engineer for Navy Region Hawaii  
18 and the Environmental Business Line Coordinator for the  
19 Navy Facilities Engineering Command Hawaii, and I work for  
20 Captain Hayes.

21 MR. YOMES: Good morning. My name is David  
22 Yomes. I'm the chair for the Aliamanu, Salt Lake and  
23 Foster Village Neighborhood Board.

24 MR. KAWAOKA: Why don't we go through the  
25 audience, too, and introduce yourself, starting with that

1 side.

2 MR. LOVEGREN: Tech Manager Lovegren, the field  
3 director for FLC Pearl Harbor. I work for Captain Epps.

4 MR. MIYAMOTO: Jimmy Miyamoto. I'm with Naval  
5 Facilities Engineering Command Hawaii. I work for Captain  
6 Hayes.

7 MR. SIGDA: John Sigda, Intera, working for the  
8 Board of Water Supply.

9 MR. JOSEPH: Jim Joseph with Intera.

10 MR. KAWATA: Erwin Kawata with Board of Water  
11 Supply.

12 MR. McDONALD: I'm Brian McDonald. I'm with the  
13 company Exponent, working with the BWS.

14 MR. EISELSTEIN: I'm Larry Eiselstein. I work  
15 for Exponent and consultant for BWS.

16 MR. LINDERFELT: Bill Linderfelt. I work for  
17 Intera. I'm working with the Board of Water Supply.

18 MR. TRACY: Joseph Tracy with Intera on behalf  
19 of Board of Water Supply.

20 MR. STEWART: Tom Stewart with Mott-Smith,  
21 consulting Board of Water Supply.

22 MS. COCKE: Sophie Cocke with the Honolulu  
23 Star-Advertiser.

24 MR. CLEMENTS: Tom Clements, Navy Region Hawaii  
25 Public Affairs.

1 MR. FLOYD: John Floyd, NAVSUP FLC, Deputy Field  
2 Director.

3 MS. SMITH: Danae Smith, NAVSUP Energy and  
4 Environmental.

5 MR. GRIFFIN: Rowdy Griffin, Technical Director  
6 for NAVSUP Energy.

7 MS. SETO: Joanna Seto, Safe Drinking Water  
8 Branch.

9 MR. CHINN: Ronald Chinn with Innovex  
10 Environmental Management, as a consultant to the EPA and  
11 Department of Health.

12 MR. SHALEV: Omer Shalev, Environmental Engineer  
13 with EPA Region IX.

14 MR. PALLERINO: I'm Bob Pallerino with EPA  
15 Region IX. I work with Steve Linder.

16 MR. HIGUCHI: Dean Higuchi, EPA Hawaii Office,  
17 Public Affairs.

18 MS. KWAN: Roxanne Kwan with Underground Storage  
19 Tank Program.

20 MS. PERRY: Thu Perry with the Department of  
21 Health.

22 MR. CHANG: Steven Chang with the Department of  
23 Health, Solid and Hazardous Waste Branch.

24 MS. BERNIER: Jenny Bernier with DOH Underground  
25 Storage Tank.

1 MS. PAHINNI: Kathleen Pahinni, Board of Water  
2 Supply.

3 MS. KISHABA: I'm Raelynn Kishaba. I work for  
4 Navy Environmental, and Aaron and Captain Hayes are my  
5 bosses.

6 MR. KAWAOKA: Okay. Again, good morning,  
7 everybody. The purpose of this task force meeting today  
8 is to -- based on Act 244, which specifically asks  
9 representatives from DOD to give an update on their field  
10 constructed tanks that they own and operate. So, as you  
11 see in the agenda, what they'll describe is basically the  
12 short- and long-term effects of potential leaks; response  
13 strategies to mitigate the effects of these leaks; any  
14 methods to improve communications between the Navy, Air  
15 Force, Army, and the State, local Board of Water Supply,  
16 the public in general, regarding potential leaks that have  
17 occurred; any information on groundwater tests that may  
18 have occurred for the update; as well as implications for  
19 potential shutting down of any leaks that may occur from  
20 these facilities. So these updates will be based on the  
21 progress made towards these goals, based on agreement with  
22 the State, the affected county, and federal government.

23 So what we'll do is have a series of  
24 presentations from the DOD. And then there will be  
25 opportunities for questions and answers and inquiries.

1 Some may be some updates on other areas as well related to  
2 tanks in general.

3 So is there anybody from the Army here to give  
4 an update?

5 MS. PERRY: There were some representatives that  
6 were confirmed, but I don't see them here today right now.  
7 So I'm not sure. But they did say they did not have any  
8 field constructed tanks.

9 Air Force sent a letter that says they --  
10 unfortunately, they're not here -- but that all of their  
11 UST's were taken care of under the joint task or joint  
12 force -- Joint Base. Excuse me.

13 MR. KAWAOKA: Okay. So that leaves the Navy.  
14 Aaron?

15 CAPTAIN EPPS: I guess, while they're pulling up  
16 the brief, I'll give you a 30-second context. For anyone  
17 who knows this already, I apologize. But for those of you  
18 who are new, I want to give you some background on how our  
19 Navy relationships work here on Oahu. So you see the two  
20 of us up here. There's really kind of a triad partnership  
21 with running DOD fuel here on Oahu and throughout the  
22 globe. I represent one Navy entity, which is from Naval  
23 Supply Systems Command, and our primary charter is to run  
24 and operate Red Hill and the various tanks that we have  
25 throughout Oahu, on Kaua'i, etc.

1           Captain Hayes runs the Naval Facilities  
2 Engineering Command. So as an engineer, like he said, his  
3 Command's responsibility is primarily the maintenance, the  
4 upgrade, and then he owns the engineers and scientists who  
5 are environmental specialists.

6           So when you hear us talking today, you'll hear  
7 me coming from a place of operations and sort of  
8 execution. And when Captain Hayes speaks, he will talk  
9 more about the modernization, the upgrades, kind of the  
10 environmental impact.

11           The third element of our triad, who's not here,  
12 is the Defense Logistics Agency, and they are a combat  
13 support agency. I was telling someone today, they're kind  
14 of like the CIA. They're military, but they're not. But  
15 their primary charter is they are the owner of the  
16 commodity here throughout Hawaii. So they are a key  
17 partner with us. They are the resource sponsor for us.  
18 They write the checks to make sure we're doing what we're  
19 doing. And they'll be a key equity stakeholder in  
20 anything we do going forward, vis-a-vis our normal  
21 operations, and then anything related to any other work we  
22 do throughout this AOC process.

23           So Captain Hayes is going to start with his  
24 brief here. Again, this is just an overview of where we  
25 are on our tanks. We've got some additional cues that



1 were popped up here. So anything that he or I can't  
2 answer, we've got the right -- the subject matter experts  
3 in the audience, and we'll defer to them when we need to.

4           CAPTAIN HAYES: Okay. Thank you very much, Ken.  
5 What we've got here, this is an update that was given last  
6 year. So we're looking at to refresh where we are with  
7 the field constructed tanks that we have in operation. So  
8 this is just a summary. We'll go into further detail.

9           We have 31 field constructed tanks in use  
10 currently; 23 are either temporarily or permanently out of  
11 use; for a total of 54 tanks.

12           (Ms. Sally Pfenning entered the conference  
13 room.)

14           CAPTAIN HAYES: Again, this just shows the  
15 locations of some of the -- on Oahu, the field constructed  
16 tank locations and then a representation of drinking water  
17 aquifers represented by the green areas in the slide.

18           And for Red Hill, we have 18 active tanks,  
19 12.5 million gallons each. Two tanks, Tanks 1 and 19, are  
20 temporarily out of use. These are steel-lined concrete  
21 tanks surrounded by basalt rock and installed between 1940  
22 and 1943. We utilize the state of the art Inventory  
23 Management System. And all the tanks, we're putting  
24 through a maintenance cycle, which is subject to modified  
25 API 653 inspections, with a 20-year suitability

1 inspection. And we'll work on our next inspection site.  
2 We're now at 2017 through 2028.

3 For leak detections, all the tanks currently  
4 undergo an annual tank tightness test and complies with  
5 federal regulations. That's also a National Historic  
6 Civil Engineering Landmark.

7 Next, we also have four Red Hill surge tanks.  
8 These are four active tanks, 30,000 gallons each. They're  
9 an intermediate transfer point for fuel, normally empty  
10 except for emergency stowage. Again, they're utilized to  
11 pump the fuel up into the other tanks as necessary. These  
12 are bare steel, encased in concrete; installed also in the  
13 same time frame, in June 1942; also subject to the  
14 modified API 653 inspections, last done between 2004 and  
15 2006, with the same 20-year suitability inspection. So  
16 their next cycle would be due in 2024 to 2026. The leak  
17 detection or the tank tightness test for these were  
18 completed in December 2015 and February 2016. No reported  
19 releases. And important to note these tanks are not over  
20 the drinking water aquifer.

21 Next, we have tanks at the former diesel  
22 purification plant. These are three tanks, 25,000 gallons  
23 each; five tanks that are 100,000 gallons each. These  
24 tanks are empty. They're concrete tanks that were  
25 installed in 1941; temporarily out of use. They were last

1 used in 1990. And they are included in our 1997 Naval  
2 Base Subsurface Oil remediation -- Remedial Investigation.  
3 There was evidence of a fuel release. Recoverable free  
4 product was removed. Monitoring indicates the plume is  
5 stable. And the State DOH approved action in 2010.  
6 Demolition and removal actions have started in July 2016.  
7 And these tanks are not over a drinking water aquifer.

8           At Kaua'i, again, this is an overview map  
9 showing our active field constructed tanks. I should say  
10 operating on Kaua'i. Again, the green water represents  
11 the drinking water aquifers. And our tanks here at the  
12 Pacific Missile Range Facility are not over the water  
13 aquifer. Just a little more detail on the fuel farm that  
14 we have at PMRF. There's nine active tanks, 50,000  
15 gallons each. They store Jet A. They're welded steel  
16 tanks, installed in April 1942. They also are subject to  
17 the modified API 653 inspections, that were last done  
18 between 2011 and 2012. These tanks have a 10-year  
19 suitability inspection, so their next cycle will be due in  
20 2021 through 2022. Leak detection, there's a monthly  
21 static leak test performed. No reported releases. As  
22 previously referred, these are not over a drinking water  
23 aquifer.

24           So that just provides kind of an overview with  
25 the tanks that we currently have in operations both here,

1 at Kaua'i and on Oahu.

2 Any questions?

3 MR. CASEY: One question. On the surge tanks,  
4 the four surge tanks, that are -- I'm assuming they're  
5 sitting below Red Hill, they're down at Pearl Harbor?

6 CAPTAIN EPPS: So let me give you all some  
7 context on the surge tanks, as Captain Hayes mentioned.  
8 So their purpose is a two-fold one. If we have an issue  
9 with one of the tanks in Red Hill, that's kind of a buffer  
10 for us, that allows us to discharge product quickly from  
11 Red Hill and hold it for future transfer. But,  
12 essentially, when we have to refill Red Hill, we get them  
13 from tankers. So tankers come in, as you all know and  
14 see, it's at the bottom of Pearl Harbor there, and then we  
15 have surge tanks that pump them back up there. So from a  
16 geographic perspective, I think most of you  
17 topographically are familiar with where Red Hill is. It's  
18 about three and a half miles, as a crow flies, from Pearl  
19 Harbor, obviously up at a higher altitude, and the surge  
20 tanks are at the bottom of that spectrum, closer to Pearl  
21 Harbor.

22 MR. CASE: Thank you.

23 CAPTAIN EPPS: You're welcome.

24 MR. LAU: Thanks, Captain. I appreciate the  
25 presentation. Just a question about the 23 that are out

1 of use. How many actually of the 23, which ones are over  
2 the drinking water aquifer and which ones of the 23 have  
3 actually documented leaks and -- or may be subject to  
4 cleanup actions? And can you identify the locations?

5 MR. POENTIS: I can answer that. I think, you  
6 know, this was clearly talked about in the last previous  
7 discussion. And most of the closed-out facilities that  
8 are above the drinking water sources or aquifers are these  
9 Kipapa Gulch Fuel Storage Annex, which is the top one, on  
10 the top row. And that's closed out. And we are working  
11 this through the Department of Health's Hazard Evaluation  
12 and Emergency Response organization. And I believe there  
13 is this other one, Hickam POL, the former storage facility  
14 that supported Hickam and Wheeler Air Force Base, and that  
15 one is also above or -- above the no-pass line or above  
16 the drinking water aquifer, and that's a closed facility  
17 under the program, the Hazard Evaluation and Emergency  
18 Response organization. So those have confirmed releases.  
19 They're under the cleanup program initiated as part of the  
20 Air Force program that got converted to Navy management as  
21 part of Joint Base.

22 MR. LAU: Is the Hickam one referred also as  
23 the Wai --

24 MR. POENTIS: Waikakalaua.

25 MR. LAU -- Waikakalaua?

1 MR. POENTIS: That's correct.

2 MR. LAU: And then I just recently read  
3 something actually a -- documents submitted to the water  
4 commission, which attached the report, that said  
5 something -- I wanted to confirm if this was true -- that,  
6 over its 50-year history or so, 18 billion gallons of fuel  
7 went into the facility, but only 14 billion could be  
8 accounted for as pumped out of the facility; is that  
9 correct?

10 MR. POENTIS: I cannot speak to the specific  
11 details, but all of that information was a part of the  
12 public record --

13 MR. LAU: Would it be possible for -- at least  
14 for the Board of Water Supply -- there's a website or  
15 someplace that we can get access to more information --

16 MR. POENTIS: Well, all of the records, as far  
17 as the cleanup program, not only did the information get  
18 provided to the State Department of Health, but we have  
19 two -- minimally, two public repositories: One is the  
20 University of Hawaii Public Library; and I believe, for  
21 this location, it's the Pearl City Public Library, where  
22 we keep all of the documents on site.

23 MR. LAU: This is for both?

24 MR. POENTIS: For both.

25 MR. LAU: Is it also -- is the information

1 available here at the Department of Health?

2 MR. POENTIS: It should be.

3 MR. LAU: I appreciate this information. How  
4 much was the estimated amount of the releases at each  
5 location?

6 MR. POENTIS: I don't have that specific  
7 information on me.

8 MR. LAU: And then last question: Would it be  
9 able -- is this going to be part of a public record and, I  
10 guess, made available where we could actually see at least  
11 this presentation?

12 MR. KAWAOKA: This presentation (indicating)?

13 MR. POENTIS: Yeah, we'll provide that to the  
14 Department.

15 MR. KAWAOKA: We'll include that as part of  
16 the --

17 MR. LAU: And part of the report?

18 MR. KAWAOKA: Yes.

19 MR. LAU: Thank you.

20 MR. KAWAOKA: Thank you, Mr. Lau.

21 Any other questions from the task force members?

22 Senator.

23 SENATOR WAKAI: I'm looking at this EPA review  
24 of the Order of Consent, and it's 50 pages showing an  
25 inadequate work plan created by the Navy. Can you give me

1 kind of just a rough overview on your thoughts on the  
2 EPA's evaluation of your submitted work plan?

3 CAPTAIN HAYES: We felt -- maybe I'll let the  
4 EPA --

5 MR. LINDER: I can explain. The EPA  
6 perspective? Or do you want the Navy perspective?

7 CAPTAIN HAYES: Do you want the Navy perspective  
8 first?

9 SENATOR WAKAI: Okay. Maybe the EPA could set  
10 up what they see are the inadequacies, and you can respond  
11 to the 50 pages of inadequacies that they pointed out.

12 MR. LINDER: All right. So, in general, big  
13 picture, our concerns with the work plan was -- EPA and  
14 DOH's response to the work plan was joint. We and DOH  
15 work in a partnership on this AOC effort to address the  
16 leak problems at Red Hill. In general, the work plan  
17 submitted to us lack the level of detail, transparency,  
18 and collaboration that we hoped to see in a work plan. We  
19 want to make sure that the work is described in a way that  
20 gives or, you know, allows for adequate collaboration with  
21 the people doing the work, so that we can make sure it's  
22 being done to our satisfaction.

23 And then also another problem we saw with the  
24 work plan was that, typically, an environmental  
25 investigation, you go out and gather data, you analyze the



1 data, make decisions related to the adequacy of that data,  
2 and you figure out if additional data -- there's a  
3 feedback. It's not a lineal process. And this particular  
4 work plan was put together, and it did not adequately  
5 describe that typical iterative process of an effective  
6 environmental investigation kind of activity.

7           So those were our kind of big picture. There  
8 were also some technical inaccuracies so that a lot of the  
9 detailed comments that are attached to the letter  
10 described some of those technical inaccuracies in some of  
11 the areas where we felt like some of the statements made  
12 within the document were not supported by data collected  
13 to date. So that's generally the concerns we saw, and  
14 that's why we said, "You know what, got to go back and  
15 redo this." But that happens. I mean, it happens a lot  
16 in these types of projects, where you get work plans that  
17 need -- the first shot at it, it does not meet our needs.  
18 So this is not -- I wouldn't say this was unusual for the  
19 type of work we do.

20           CAPTAIN HAYES: And the 50 pages of comments, I  
21 mean, there were some that are much more substantial, and  
22 some of them are more grammatical maybe, they would like  
23 it to be formatted in different ways. It was an over  
24 800-page work plan, so for -- you know, you're alluding to  
25 50 pages of comments. You know, there was a lot of time

1 and effort put into that. The process in developing that  
2 work plan, you know, there's a process that's in place for  
3 the AOC. We have initial scoping discussions. And after  
4 that initial scoping discussions, there was an opportunity  
5 that some comments came in from outside subject matter  
6 experts; namely, the Board of Water Supply had comments  
7 that came in to the EPA and DOH. So that's -- again, we  
8 welcome that feedback. That was part of the process. And  
9 a portion of the comments that came in were from that  
10 outside input that came in to our work plan.

11 So, certainly, we are accountable for what we  
12 produced. And we want to provide a defensible work plan.  
13 There were some, as Steve mentioned, maybe some  
14 assumptions that we made that weren't quite backed up by  
15 data yet. So they asked us to provide some additional  
16 information as to the process that we'll go through to get  
17 that data. And then once we have that data, what's that  
18 iterative process that we'll use to inform the  
19 decision-making going forward with how we do the  
20 groundwater modeling, data analysis, and what not.

21 CAPTAIN EPPS: So, Senator, I would say, too,  
22 though, so our reaction to it was that, obviously, very  
23 few people get this right on the first time. This is  
24 unprecedented for us here on Oahu in terms of the scope  
25 and scale of Red Hill and having to do this. So we

1 welcomed it. But the final comment I wanted to add on  
2 there was our number one priority is to make sure that  
3 this is as collaborative and transparent as possible. So  
4 that was the first key for us to make sure that's  
5 conforming how we're changing our modus operandi kind of  
6 going forward.

7 CAPTAIN HAYES: Since we received the letter,  
8 we've been in contact with EPA and DOH. And actually,  
9 just the last three days, in this room, we've had meetings  
10 to discuss all the sections of the AOC and the statement  
11 of work. For a day and a half of that, the Board of Water  
12 Supply was able to participate as well and, again, provide  
13 that collaborative feedback as to where we're going to  
14 take the product we have now and how we're going to move  
15 forward to make it a better product.

16 SENATOR WAKAI: I can appreciate the initial  
17 draft is a 800-page work plan not being perfect. But,  
18 Mr. Linder, you said that the plan lacks detail,  
19 transparency, and collaboration. I can forgive the detail  
20 part, but the lack of transparency and collaboration is  
21 what, to me, is a little bit troubling. Can you give me  
22 some examples of how the Navy has not been transparent and  
23 has not been collaborative?

24 MR. LINDER: Well, a lot of the decisions that  
25 need to be made as part of this work were not adequately

1 described, so what this decision-making process that is  
2 part of this work plan. I'll give you an example, going  
3 in to, you know, allow -- one thing that they are required  
4 to do as part of this is a -- refined groundwater models  
5 to understand the groundwater flow around the facility.  
6 So, basically, there needs to be decisions on how we use  
7 past data and new data to change that model. That process  
8 of making those decisions and making professional judgment  
9 on gleaning of information needs to be clearly defined.  
10 And we're looking for that to be done in a transparent  
11 fashion, where we, as the regulatory agencies, get to  
12 participate in those decisions and influence those  
13 decisions, and where we feel necessary, bringing in other  
14 parties with expertise, such as Board of Water Supply,  
15 USGS, and DLNR, to essentially weigh in in those decisions  
16 before they become final.

17           So that's where we want transparency, is really  
18 of that technical process, making sure that there is  
19 adequate transparency and collaboration. They kind of  
20 come hand in hand in this type of work.

21           CAPTAIN HAYES: And if I may, as I took the  
22 comments over the last couple of days, it was an iterative  
23 process, that we did not spell out in the work plan as to  
24 how we would accommodate or where there would be the  
25 injects for that iterative process to allow that

1 transparency in the input that would come in, as opposed  
2 to working in a vacuum. We didn't adequately describe  
3 within our work plan how we would incorporate future  
4 comments to that. Is that correct?

5 MR. LINDER: (Nods head).

6 MR. KAWAOKA: Thank you, Senator.

7 Before we proceed, Reporter, are you getting the  
8 names with the comments and questions? Are you okay?

9 THE REPORTER: Yes.

10 MR. KAWAOKA: Good. I just want to make sure.

11 Before we go on, a representative from the Army  
12 is here. I just want to --

13 Can you introduce yourself and also mention, do  
14 you have any updates from the Army's side?

15 MS. PFENNING: Yeah, My name is Sally Pfenning.  
16 I apologize for being late. There was an accident on H-1  
17 between here and Schofield, so that held me back a little  
18 bit. We were invited because Act 244 came out and listed  
19 Schofield Barracks Military Reservation as relevant to  
20 this conversation, so I'm here. Did some research before  
21 arriving here, and understand that there had been some  
22 misunderstanding as to whether the Army had field  
23 constructed tanks or not, and that that has since been  
24 resolved, and that we do not own and are not responsible  
25 for any field constructed tanks. But I'm here to listen

1 and add or answer any questions that you may have.

2 MR. KAWAOKA: Okay. Thank you. Thank you for  
3 coming.

4 As far as the updates, I think it will be good  
5 for the task force to kind of understand, from an overall  
6 standpoint, some of the federal regulations regarding  
7 underground storage tanks that are ongoing now.

8 So, Steve Linder, can you give a quick update on  
9 where that is?

10 MR. LINDER: Yeah. So Hawaii is one of -- I  
11 believe it's 38 states that have what's called State  
12 Program Approval of their Underground Storage Tank  
13 Program. So in a state like Hawaii, the state regs are,  
14 in essence, the federal regs. Federal regs -- the state  
15 regs essentially supercede the federal regs as long --  
16 they approve it as long as it's as stringent and as broad  
17 in scope as the federal program.

18 So back in -- was it 2015? -- we promulgated  
19 changes to our federal regulations. And now Hawaii is in  
20 the process of updating their regulations to match these  
21 new federal regulations. Our understanding is Hawaii's  
22 intent is to keep what's called State Program Approval.  
23 So they have three years to revise their regulations and  
24 apply for this update to their State Program Approval.

25 As part of that change in the federal

1 regulations, we dropped the -- what's called the deferral  
2 for field constructed tanks and airport hydrant systems.  
3 When the original federal regulations were promulgated  
4 over 20 years ago, a decision was made, because of the  
5 complexity of hydrant systems and field constructed tanks,  
6 that we would defer that to a later time.

7 Well, we hadn't reopened the regs for over 20  
8 years. We reopened the regs, and the management, through  
9 Washington, D.C., decided, you know, it's time to drop  
10 that deferral. So we dropped that deferral, so airport  
11 hydrant systems and field constructed tanks are now  
12 regulated under what's called RCRA Subtitle I, and that's  
13 for the systems that contain greater than 10 percent of  
14 the fuel volume underground.

15 So in a lot of airport hydrant systems, all the  
16 fuels were aboveground, that they are not within the realm  
17 of Subtitle I. But there are systems out there where the  
18 fuel, greater than 10 percent, is underground. So it's  
19 not just field constructed tanks that are underground, but  
20 if there are facilities where there's long lines of piping  
21 connected to tanks and the piping is underground and  
22 there's a large volume of fuel underground, then that's  
23 where they come under the federal regulations.

24 So we're currently working with Hawaii to make  
25 those changes. And states have the opportunity to, when

1 they change their regulations, they can be more specific  
2 than the federal regulations; they can be broader in  
3 scope; they can be more strict. And that's something that  
4 the State of Hawaii decides in terms of how they want to  
5 proceed to their changes.

6 Other changes that we added, we added the  
7 federal regs secondary containment for new and replaced  
8 tanks and piping. We added operator training  
9 requirements. We added provisions related to periodic  
10 operation of maintenance of systems. And we added  
11 information, with requirements related to compatibility  
12 for storing biofuels, and added requirements related to  
13 routine kind of operator walk-through inspections. So I'd  
14 say the -- probably one of the more complex components we  
15 did add is the field constructed tanks, and we've actually  
16 been kind of researching ourselves, in Region IX, kind of  
17 the implementation of how this is going to be done. And  
18 it is quite complex, because these systems, like a system  
19 like Red Hill, quite a bit different from the corner gas  
20 station.

21 So we brought a team of experts who are used to  
22 inspecting refineries and fuel terminals out back in Maine  
23 to take a look at the facility, go through, and to help us  
24 try to understand how in the future we'll inspect a  
25 facility like Red Hill. And we're still working on that,



1 on a core plan for that. And we've been in close  
2 communication with our Headquarters Office about what  
3 we're learning at Red Hill. Because Red Hill is not just  
4 getting Region IX attention, but it also has my management  
5 in Washington, D.C.'s attention, because it is a very  
6 complex facility, and we're learning a lot in terms of how  
7 that kind of implements our program for other field  
8 constructed tanks throughout the country.

9 MR. KAWAOKA: Before we have questions from the  
10 task room, I'm just going to ask Steve Chang, management,  
11 Solid and Hazardous Waste Branch, if you want to add to  
12 anything that Steve said.

13 MR. CHANG: Yeah. We're working with EPA. We  
14 have a tight timeline, two years, in which to get new  
15 rules promulgated. So we're looking at issues on our  
16 current rules, how we can improve that, and also making  
17 sure that we can comply with the new federal requirements  
18 that were promulgated in October last year. Many of the  
19 changes that the EPA implemented were already taken care  
20 of by the State under the Energy Policy Act, so we're  
21 maybe halfway there. But, again, looking at field  
22 constructed tanks will be one of the issues we have ahead  
23 in front of us.

24 MR. KAWAOKA: Any questions from the task force  
25 members?

1 MR. LAU: In this rule-making process, are you  
2 going to be taking or entertaining suggestions or  
3 recommendations from stakeholders or the public?

4 MR. CHANG: Yeah, we'll probably -- we may do an  
5 initial draft and then, basically, doing a road show to  
6 every island to talk to stakeholders and operators, to  
7 present them with our proposals and go through that  
8 dialogue. And there is an actual public presentation  
9 process that we'll go through.

10 MR. LAU: Do you mean to change any -- depending  
11 on what you do in the rules, which actually -- better than  
12 the Hawaii Revised Statutes, do you need any HRS  
13 changes --

14 MR. CHANG: We will work with the Attorney  
15 General to make sure that those issues are covered.

16 MR. LAU: And what is your timeline for this  
17 whole process?

18 MR. CHANG: Well, we have up to three years in  
19 which to complete it, and we're already starting the  
20 process. So it is -- just the rule-making process itself,  
21 once we have drafted the rules, we present it to the  
22 Governor; he must give an approval for a public hearing.  
23 If -- that process can take up -- just up to a year to  
24 just get through that process.

25 MR. LAU: It seems that your three-year clock

1 block started -- was it June 2015 or July 2015? Was that  
2 the -- maybe it's for the other Steve.

3 MR. LINDER: Basically, yeah. I believe the  
4 effective date, which is October 25, and yeah, there's a  
5 three-year clock.

6 MR. LAU: Thank you.

7 MR. KAWAOKA: Any other questions?

8 MR. POENTIS: Chair, one thing. Mr. Lau, I just  
9 wanted to let you know, I think -- you know, you asked a  
10 lot of questions about the historical tanks that are part  
11 of the cleanup program. I just noted in my notes that all  
12 of these reports, as a courtesy, copied, as the Board of  
13 Water Supply is a big stakeholder, we provide that to you.  
14 So if you don't have them already, then we certainly can  
15 get you a copy.

16 MR. LAU: Thank you, Aaron. I know I've seen  
17 periodically, I guess, not only tank, but it's the support  
18 infrastructure, like, pipelines. It looks like fuel might  
19 have started down in Pearl Harbor and pumped up to  
20 Wahiawa.

21 MR. POENTIS: So, all of that investigative  
22 information, as part of our normal routine process to the  
23 cleanup program, we include you in on that -- the format  
24 responses.

25 MR. LAU: Thank you, Aaron. The only one that

1 I've seen on a regular basis seems to be about the fuel  
2 leak in the Mililani/Waipio area. But I haven't seen  
3 anything regarding the rest of the activities that you --  
4 for the rest of the infrastructure there.

5 MR. POENTIS: Most of that work has been done in  
6 the past. This is a long-term maintenance.

7 MR. LAU: That is also -- the repository is also  
8 with the Department of Health?

9 MR. POENTIS: Yes.

10 MR. LAU: Is it the Solid and Hazardous Waste  
11 Branch or the Hazard --

12 MR. POENTIS: With the HEER Office.

13 MR. LAU: With the HEER Office?

14 MR. POENTIS: Yes.

15 MR. LAU: Okay. Well, I know where to go now.

16 MR. POENTIS: They know where to go.

17 MR. KAWAOKA: Any other questions from the task  
18 force members?

19 MR. YOMES: I have some questions.

20 MR. KAWAOKA: Yes, sir.

21 MR. YOMES: This is for the Department of Health  
22 and federal EPA. Community-wise, I think we look at three  
23 categories: One, assuring public safety overall;  
24 sufficient oversight of these tanks; and enforcement of  
25 corrective measures. With that said, somebody from the

1 Department of Health, if you guys want to answer this.  
2 First of all, assuring public safety, that's assuring the  
3 drinking water is good, is not affected by these tanks,  
4 and also anything around these tanks are safe and not  
5 affecting the community. As far as assuring public  
6 safety, do you feel that the State is doing that, sir, at  
7 this point?

8 MR. KAWAOKA: I'll let -- we have two branches  
9 here that are involved. We have Steve Chang with the  
10 Solid and Hazard Waste Branch. We have Joanna Seto, who's  
11 with our Safe Drinking Water Branch; as well as Stuart  
12 Yamada, who oversees both of those branches.

13 Steve, you want to --

14 MR. CHANG: So I guess the question is in terms  
15 of the safety of the drinking water. And we work with our  
16 Drinking Water Branch and the Board of Water Supply to  
17 continue monitoring the drinking water sources to make  
18 sure that the water is safe to drink. At this point in  
19 time, we have a very good record in terms of that.

20 Right, Ernie? The water is safe?

21 MR. LAU: I can only speak for the Board of  
22 Water Supply wells. There are no detections of fuel  
23 contaminants at this time. We continue to monitor on a  
24 quarterly basis.

25 And Erwin Kawata, how many fuel contaminants do

1 we monitor with at our wells?

2 MR. KAWATA: Well, we have a total list of 240  
3 different contaminants, not all of them are fuel-related.  
4 But there is -- the primary fuel-related type of  
5 contaminants is on our regular monitoring list.

6 MR. LAU: And these are the five closest  
7 wells --

8 MR. KAWATA: Correct.

9 MR. LAU: -- surrounding the Red Hill  
10 facilities. We'll be looking at these other locations to  
11 see if we need to add any monitoring requirements at wells  
12 closer to these other -- sounds like closed facilities and  
13 pipelines.

14 MR. HAYES: And I can speak for the Navy,  
15 Red Hill well, that we do test that water as well, and all  
16 the tests have come back that the drinking water is safe  
17 and remains safe. And we're committed to making sure that  
18 that water stays that way.

19 MR. YOMES: And, sir, I guess my second point,  
20 sufficient oversight, continuous testing, is this done on  
21 a quarterly basis at least as far as testing?

22 MR. CHANG: Yes. We have continuing monitoring.  
23 We're also -- beyond the drinking water sources, we are --  
24 the initial Order on Consent focuses on the Red Hill  
25 Facility developing a network of groundwater monitoring

1 wells to look at what is happening in the area in the  
2 vicinity of Red Hill and looking at how the water is  
3 related and how it's moving. One critical thing is  
4 determining the movement of water and how it may -- is it  
5 moving directly south or is it moving to the northwest?  
6 Looking at those factors, plus to be able to -- it's a  
7 continuing project, several monitoring activities. And  
8 we'll be applying models to determine -- one of the things  
9 we're looking at, catastrophic events from the risk  
10 assessment process, is looking at, if a major fail were to  
11 occur, what would happen to the groundwater if fuel gets  
12 into it, and how will it move, and can we stop it to the  
13 drop, a strategy on how to better do it. But I think the  
14 more important thing is we try to focus on how we can  
15 improve the operation of the tanks to ensure that we don't  
16 have these kind of catastrophic events.

17 MR. YOMES: Sir, the third factor that I think  
18 your committee looks at is enforcement. You see something  
19 that needs to -- corrective change needs to be made. Is  
20 there -- I think Mr. Lau brought up a little bit about  
21 laws or rules that can be implemented to enforce that  
22 particular violation, or something that needs to be  
23 changed. Is that in place?

24 MR. CHANG: Yes. And we're in continuous  
25 dialogue with the legislature because they're the ones

1 that propose laws, and we will comment on that and take  
2 into consideration those that we consider to be valuable  
3 improvements. And the regulatory or the legal oversight  
4 over all of our facilities we operate, we are  
5 contemplating our own rules how to improve our oversight  
6 on not only Red Hill, but also all our other some thousand  
7 operating underground fuel storage tank facilities.

8 MR. YOMES: Mr. Linder, as to those three  
9 points, do you feel comfortable that sufficient things are  
10 being done to protect the environment and the community at  
11 this point?

12 MR. LINDER: Well, one, basically, you look at  
13 the data carefully for the wells, drinking water is safe.  
14 Two, are -- the reason why we're involved, because we're  
15 taking Red Hill very seriously. It's a large facility, a  
16 lot of fuel. That's why we, basically, partnered with DOH  
17 to negotiate and put in place the Administrative Board on  
18 Consent, the AOC, to make sure that the Navy does the work  
19 necessary to assure us all that it's safe now and into the  
20 future in terms of operations and the right changes are  
21 made to the facility to make sure that there is no  
22 unacceptable risks posed by the facility to drinking  
23 waters in Hawaii.

24 The AOC has penalties if the Navy doesn't do  
25 what they're supposed to do. So far, they have been in



1 compliance with the requirements of the AOC. So the  
2 things like, you know, the regular process of submitting  
3 information, things of -- some things have been asked to  
4 get changed, like the rejection of this plan. But that's  
5 the normal part of the process. So they, up until this  
6 point, have been in compliance. They continue to work to  
7 satisfy the requirements of the AOC. And we're looking to  
8 getting the information we need to continue to basically  
9 be able to assure us into the future that the facility is  
10 safe.

11 MR. YOMES: Okay. This question, I guess, is  
12 for Mr. Lau. Are you doing an independent investigation  
13 as far as this fuel tank situation?

14 MR. LAU: Yes, we are. We are doing our due  
15 diligence into -- address the concerns of our rate payers.  
16 So we're doing our independent research, too, and drilling  
17 our own sentinel monitoring wells to create an early  
18 warning system. I notice, in the rejection letter, the  
19 EPA, they mentioned about creation of sentinel well --  
20 monitoring well network, and we were very happy to see  
21 that in there. Because what we need is an early warning  
22 system. It's really difficult to determine what is the  
23 exact conditions underground. And if there was a large  
24 fuel leak out of Red Hill, where would it end up? And the  
25 term of it could be a long term. It could be years, where

1 it might show up someplace that we don't want it to be.  
2 So given those unknowns, I think the precautionary basis  
3 is to look at a sentinel monitoring well network to give  
4 an early warning system.

5 So, yes, we are doing our own independent due  
6 diligence. And we are participating, as a subject matter  
7 expert, as allowed by the EPA and the Department of  
8 Health, in the AOC process. And we have invested a lot of  
9 comments and suggestions to the group.

10 MR. YOMES: My follow-up question to that is:  
11 Your agency is a City agency, spending millions of dollars  
12 of taxpayers' money for this particular project. Is that  
13 because you feel that the federal and state agencies are  
14 not doing enough and you don't feel comfortable with what  
15 they're doing, and that's why you're spending the millions  
16 of dollars of taxpayers' money to do your independent  
17 investigation?

18 MR. LAU: First of all, I want to point out that  
19 we don't receive any property tax or any tax revenue to  
20 operate the Board of Water Supply. We use water rate  
21 payer monies, basically, people paying water bills. And  
22 we believe, because our mission is to provide safe,  
23 dependable and affordable water now and into the future  
24 for our community, the preservation of our drinking water  
25 resources is vitally important to our rate payers, to

1 our -- for our grandchildren and their grandchildren. So  
2 we feel very well justified in expending rate payer funds  
3 to take a very critical look at the situation of Red Hill.

4 Remember, at Red Hill, the volume of fuel stored  
5 in the facility that was constructed between 1940 and '43  
6 is over 187 million gallons right now, and it's smack dab  
7 right over the drinking water aquifer there at Moanalua,  
8 the same aquifer that we also pump from and also the Navy  
9 receives their drinking water. So we feel it is part of  
10 our mission and part of our stewardship responsibility to  
11 look at protection and preservation of these pure drinking  
12 water resources for our community. It is part of our  
13 mission.

14 MR. YOMES: Chair, one last question. This is  
15 for the Navy. I wish this would have been a situation of  
16 national security because I feel that the location of  
17 these tanks was compromised, it was online, and everybody  
18 else and any other foreign entity can see where these  
19 tanks are located. How can you respond to, if there was a  
20 situation where, unfortunately -- I hope we never see  
21 this -- that we got infiltrated by a foreign entity, and  
22 somebody drops bombs in that area? Is the community -- I  
23 know the community not going to be safe anyway. But I  
24 want to know if -- somebody told me from the Navy that you  
25 can't -- the tanks are too far down underground for that

1 to actually go through and create a problem. That's why I  
2 say, from the get go, I wish this should have been worked  
3 out between all entities before this location of these  
4 tanks came up publicly and it's all on public view. Can  
5 you respond to that, please?

6 CAPTAIN EPPS: I'll take a first jab. So you're  
7 right, part of it is why, for the 70-plus years, Red Hill  
8 has been where it has been for so long. It was initially  
9 classified, then declassified. But because of the  
10 strategic importance, we just kept very quiet about it.  
11 But you're right. Part of the reason why it is built and  
12 developed in 1940 underground was just that, to minimize  
13 the impact if someone wanted to attack the fuel supplies  
14 we had here on Oahu. Prior to that, they were all  
15 aboveground tanks, and history will elaborate on why that  
16 could have been detrimental to us during the war effort.

17 So, Red Hill was created, and for the 70 years  
18 of existence, part of the key strategic reasons it's there  
19 and it's helpful is because it is buried in the mountain,  
20 we've got significant mountain above the tanks, which can  
21 protect it from any kind of what we call kinetic or anyone  
22 trying to harm it with a bomb or, you know, you name it.  
23 And so that purpose still remains today.

24 Obviously, people have asked before, if some  
25 kind of a nuclear device or what kind of weapon could go

1 there, you know, how that would impact Red Hill. And  
2 probably the scenario would play out is such that, if any  
3 kind of bombs are dropped on Red Hill, then that's going  
4 to be so significant, from just a greater perspective, it  
5 really is less about Red Hill and more about what happens  
6 in the arena. So we don't focus as much about that. We  
7 focus more specifically on the ability to protect those  
8 fuel sources there from anyone attacking, whether from a  
9 physical means and another event we have is from a cyber  
10 means. I think most of you know now, less prevalent today  
11 that someone is going to drop a bomb on us, and much more  
12 likely someone is going to try to take their iPad mini and  
13 infiltrate it that way. And we have some means of  
14 protection that are unique to Red Hill today that would be  
15 difficult if we had to kind of build a new facility.

16 MR. YOMES: Okay. That will comfort the  
17 community concerns that some people brought up to me. So  
18 I'll pass that along. Thank you.

19 CAPTAIN HAYES: If I could add on there. We  
20 still consider it and it is still a national strategic  
21 asset. And as the Navy shifts our efforts to the Pacific,  
22 you know, our presence helps keep the ceilings open here  
23 in the Pacific and ensuring that free flow of commerce in  
24 the area, which is a great benefit to Hawaii, where  
25 greater than 90 percent of your commerce comes via the sea

1 lanes. So we still do view it as a national strategic  
2 asset that has a very important purpose.

3 MR. YOMES: Chair, I know I said it was one last  
4 question. But what would happen if these tanks were  
5 closed? What would be the repercussions of the Navy and  
6 national security for Hawaii?

7 CAPTAIN EPPS: I'll take this one, sir. And I'm  
8 going to put on my former hat. I came from the Pentagon  
9 before I came to my assignment here, so I was in the Joint  
10 Chiefs of Staff, and we worked specifically on that. A  
11 lot of this is classified, so I'm going to speak in  
12 layperson's terms.

13 But, you know, if you look at a map and you look  
14 at -- listen to what Captain Hayes just said, a lot of our  
15 emphasis -- Hawaii has always been important, the Pacific  
16 has always been important. That is only becoming  
17 increasingly important now. So the primary reason for Red  
18 Hill's location isn't just because of convenience. We  
19 predicate all of our mobilization abilities based on being  
20 able to store a certain amount of fuel here. And this is  
21 any kind of mobilization, whether it's a military effort,  
22 whether it's a humanitarian assistance or disaster  
23 response, as we're seeing actually this week, folks  
24 mobilizing now to go down to Haiti in lieu of the  
25 hurricane down there. So there is a very advanced

1 calculation that goes into if at any one time the military  
2 here has to address a national -- a natural disaster, or  
3 if we had to address any kind of other mobilization, that  
4 we can calculate how much fuel we need to resource those  
5 movements. And those were all predicated on capacity,  
6 which Red Hill addresses, and then I think, more  
7 importantly, the location. Because, again, Hawaii's  
8 unique location in the mid-Pacific, just in terms of  
9 solving the tyranny of distance, it would be very, very  
10 difficult to find an alternate location that could match  
11 that.

12 Now, part of our study, we'll look at alternate  
13 locations, so we are going to look into that. I've been  
14 part of those studies before, so I've definitely seen this  
15 play before. But it's just a really tricky calculation to  
16 do, and it has to do more with location and, again, the  
17 key location that we have here than anything else.

18 MR. YOMES: Thank you, sir.

19 Thank you, Chair.

20 MR. KAWAOKA: Thank you, Mr. Yomes. Good  
21 questions and comments.

22 Thanks for the update, Steve.

23 Thanks, Steve.

24 As I mentioned before, all the comments,  
25 transcripts, and the presentation will be included as part

1 of the report to the Legislature prior to the session  
2 starting in January.

3 I guess, before we conclude, I just want to pose  
4 a question to the task force members about: Do you feel  
5 that this meeting per se is worthwhile? You know, we're  
6 scheduled to do like an annual meeting. The alternative  
7 is we just provide a report, just like the Navy has  
8 provided a report. And of course, the task force members,  
9 however, will provide any comments or questions, etc.

10 So I just want to toss it out to the group  
11 members, if you feel that this meeting is necessary or  
12 worthwhile to do. Just keep in mind, also, that just  
13 remind everybody, the task force members who don't know  
14 already, there will be an informational public meeting  
15 this evening on Red Hill specifically at 6:00 p.m. at the  
16 Moanalua Middle. So that has been ongoing.

17 And again, like Senator Wakai has mentioned, we  
18 want to be transparent, we want to make sure that we're  
19 collaborative, working together, because this is a very  
20 complex problem we're working with. And we welcome the  
21 input from the subject matter experts, like the Board of  
22 Water Supply, DLNR, and USGS.

23 So I just want to pose it to the task members:  
24 Do you feel that this meeting is worthwhile?

25 Cynthia?



1 MS. REZENTES: For me, I guess I would be  
2 interested in a little more technical detail as far as  
3 what's going on with each of the tanks. I know that Aaron  
4 and his team do remedial work on all of the bases. But  
5 things like, you know, you talked about the tanks in  
6 Waikakalaua Peninsula. What exactly is going on with  
7 them? You know, a little more detail as far as: What are  
8 the schedules? What are the remediations that might be  
9 going on with some of the ones -- the ones that you're  
10 talking about that are going to be removed, what is the  
11 basic overall plan for that? What is the schedule for the  
12 removal? What are the investigations showing regarding  
13 the contamination in the soils? What are your plans for  
14 taking care of that?

15 I think that's part of what I think the  
16 Legislature meant in having this task force together, not  
17 just something that's at a 40,000-foot level, but  
18 something that we could make sure that the public in  
19 general has the confidence that what is occurring is being  
20 done with the foresight and the forethought to make sure  
21 that what is there is being taken care of, to remove any  
22 type of dangers that, like Mr. Yomes is talking about,  
23 that the community would be concerned about. How does  
24 that impact the safety of our water, the safety of the  
25 community?

1 I appreciate this is an initial overview, but I  
2 think a little more detail on what's going on, especially  
3 if you're talking about removal of facilities, how is  
4 that -- what are you doing to remove -- to make sure that  
5 whatever you remove is going to leave something safe in  
6 place that we don't have to worry about and readdress 20  
7 years from now because we didn't take care of something?  
8 I think -- I don't know.

9 I can't speak for the Legislature. I'm just  
10 looking in between the lines. And I think that some of  
11 what I think what was intended, that not only do we get  
12 this high-level overview, but that confidence is instilled  
13 that we are taking care of things in the most appropriate  
14 manner possible to make sure that, whatever we leave back,  
15 we don't ever have to worry about again.

16 MR. POENTIS: So I think what you're asking for  
17 is similar to what -- you're very familiar with regards to  
18 the cleanup program and what we're doing as part of the  
19 Restoration Advisory Board, where we have this prescribed  
20 process of getting community involvement on the cleanup  
21 program, the investigation, the proposed plan, and the  
22 ultimate record of decision, or whatever it may be. And,  
23 certainly, I think, for tonight, as part of the Red Hill  
24 public meeting, there'll be lots of discussion on where we  
25 are with regards to the activities in place and what's

1 being done, both on the environmental world, the  
2 monitoring information, as well as, you know, the tank  
3 investigative efforts.

4 With regards to the other fuel -- field  
5 constructed tanks that are closed, you know, they follow  
6 the normal process that you're familiar with, with regards  
7 to the Restoration Advisory Board meetings, as well as the  
8 disclosure, like how we do in the cleanup activities and  
9 where we are. It's just that, for those facilities, most  
10 of the actions have already been taken place, and we're  
11 kind of informed in the long-term monitoring efforts.

12 Some of the other ones, like the diesel fuel  
13 purification facilities, we've just initiated the  
14 demolition effort. And as we go through the process,  
15 although they're not part of the cleanup program, you  
16 know, we can certainly be part of this discussion in the  
17 future, or certainly we can make forums specific, as in  
18 the past we've done for you with Radford and other places.

19 MS. REZENTES: I guess, you know, at this level,  
20 I'm not necessarily asking for quite that level of detail,  
21 but something more than "We're taking care of that."

22 MR. POENTIS: Sure.

23 CAPTAIN HAYES: I think that's a fair statement  
24 with us being kind of unsure where the direction of this  
25 was going today and at what level of detail. So I think

1 we can take that as a comment with the resolution, as we  
2 continue, certainly be open to that aspect.

3 MR. KAWAOKA: Mr. Yomes.

4 MR. YOMES: Chair, I agree with Cynthia, but  
5 this is our first meeting. And with the overview of  
6 what's going on and stuff, I think we have further  
7 meetings in the future, we get to specifics, and that can  
8 be agenda items put on by you that will cover what  
9 Cynthia's concerns was. But I feel these meetings is  
10 essential for the community. That's my feeling so.

11 MR. KAWAOKA: Any other comments? Mr. Lau.

12 MR. LAU: Thank you. I, actually, totally agree  
13 with Cynthia's comment about the need for more substance,  
14 not the -- not the total dive into the weeds, but at least  
15 more substance. Because these meetings are transparent,  
16 they're in public, they're open to the public, there's a  
17 record and a report, so that's good for the community to  
18 understand what are the challenges we face.

19 And I agree with Mr. Yomes. We should continue  
20 these meetings.

21 And I would like to thank Senator Wakai and  
22 Representative Lee, who isn't here, for the State  
23 Legislature in deciding to take a temporary task force,  
24 Red Hill fuel tank task force, and now making it  
25 permanent.

1           My recommendation will be that the meetings  
2 maybe be done on a quarterly basis as opposed to once a  
3 year and then a report to the Legislature, so that the  
4 community and the major stakeholders can get more  
5 information and get a better understanding of the  
6 situation.

7           Even for, as was pointed out earlier, there are  
8 a total of 54 tanks, 31 in use, 23 out of use, well, we'd  
9 like to know more about what's happening with them,  
10 including the ones out of use being decommissioned and  
11 remediated for any contamination. Thank you.

12           MR. KAWAOKA: Thank you, Mr. Lau.

13           MR. CASEY: Patrick Casey with the Commission.  
14 I agree with Ernie. We should meet quarterly. That's a  
15 good schedule. And as a subject matter expert and also  
16 part of the regulatory part of it, I'd like to make a  
17 request that we get more technical data, especially with  
18 the two -- in the news, those two monitoring wells put in,  
19 and we haven't seen any data at the Commission. And I  
20 would like to make a request that we get that a little bit  
21 more promptly so that we can see what has been put in the  
22 ground and make any comments if we feel necessary. But  
23 I'd like to see more technical data a little earlier.  
24 Thank you.

25           CAPTAIN HAYES: So those two monitoring wells

1 have just recently been installed. We're still working on  
2 the final report, and we'll get a copy out. We have not  
3 yet taken any data or samples from those wells. I believe  
4 that's going to start this month. So this October will be  
5 the first sampling we'll do from the new wells that have  
6 been installed.

7 MR. CASEY: So if I understand correctly, 8 and  
8 9 have been installed, but sampling -- the water sampling  
9 hasn't taken place; is that correct?

10 CAPTAIN HAYES: Correct.

11 MR. POENTIS: It's on schedule to be sampled, I  
12 believe, the week of October 17.

13 MR. CASEY: Thank you.

14 MR. KAWAOKA: Senator Wakai.

15 SENATOR WAKAI: Sir, can I ask a question before  
16 we close? Mr. Linder?

17 MR. LINDER: Yes.

18 SENATOR WAKAI: I'm looking at your comment  
19 number 53, and it says the Navy characterized it by  
20 saying, "There's been no dissolved petroleum constituent  
21 concentrations detected at concentrations approaching the  
22 soluble level of JP5." I'm not too -- I'm not sure  
23 exactly what that means. But I do see that you found that  
24 there have been concentrations of petroleum products  
25 greater than 5 milligrams per liter. Can you tell us, if

1 a human were to consume this on a regular basis at this  
2 level, how harmful or unhelpful is 5 milligrams per liter  
3 of petroleum products in your water?

4 MR. LINDER: That's a complex question, because  
5 a very large number of chemicals make up a petroleum  
6 mixture, so it really depends on what is in that mixture.  
7 So, for example, gasoline is orders of magnitude more  
8 toxic than diesel because of the high concentration of  
9 aromatics in gasoline. So it really is going to be  
10 dependent on the actual mixture. That 5 parts per million  
11 that you reference there is a -- I call it -- an indicator  
12 total for hydrocarbon, so it doesn't explain what is in  
13 that particular mixture of fuel. So you cannot really  
14 take that number and be able to basically say what is the  
15 exact toxicity of it. And some of the petroleum products  
16 that are in fuel are also in things like, for example,  
17 food products, and they don't have any indication of  
18 toxicity. But others are very toxic, so you look at that,  
19 and you got to weigh about what is in the mixture. Does  
20 that answer your question?

21 SENATOR WAKAI: Not really. Would you, if you  
22 had a child, would you allow them to drink this level of  
23 petroleum products in the water and be perfectly fine with  
24 that and confident that they are going to not have any  
25 harmful effects?

1           MR. LINDER: Well, I think that a -- one thing  
2 we got to be clear, is these monitoring wells underneath  
3 the tanks, the design of them is to monitor the  
4 contamination under the tanks. We know there's  
5 contamination there. They are not drinking water wells.  
6 Monitoring wells are designed to monitor pollution, so,  
7 typically, you want to put them where you think you have  
8 pollution and be able to monitor that pollution. Drinking  
9 water wells are constructed very differently, and they  
10 are -- you hope you don't have pollution in drinking water  
11 wells.

12           So, no, I would not recommend anybody to drink  
13 monitoring well water from under a petroleum facility.  
14 That's the design of the well and the purpose of that  
15 well.

16           SENATOR WAKAI: So although the contamination  
17 hasn't been found in the drinking well, it's there sitting  
18 under Red Hill, as indicated by the monitoring wells. Up  
19 until now, people of Honolulu have been lucky that this  
20 hasn't migrated into our drinking water; is that correct?

21           MR. LINDER: I wouldn't use necessarily the term  
22 "lucky." I mean, contamination from various different  
23 industrial activities occurs throughout -- throughout the  
24 country, throughout the world. And very common to see  
25 contamination in shallow groundwater beneath industrial



1 facilities. One of the advantages we have with petroleum  
2 products is that most of the petroleum products, it's not  
3 tremendously soluble in water, and it, also, generally, in  
4 most circumstances, will naturally degrade at a certain  
5 date. So we have a lot of problems in the corner gas  
6 stations actually, typically because their gasoline is  
7 more mobile, more toxic than diesel or jet fuel. Those  
8 have been a big -- big focus of my program, the  
9 Underground Storage Tank Program. And even though we have  
10 hundreds of thousands of those across the country, the  
11 number of drinking water wells affected by them is still  
12 relatively small, given the large volume and these types  
13 of problems that we've had in the country.

14 So I think the good thing is there's a  
15 separation of where the drinking water wells are from  
16 where the facility is. And that's why we're concerned  
17 about it, because the facility is over a drinking water  
18 aquifer. But we want to understand what's happening with  
19 the petroleum, make sure that we have sufficient  
20 confidence that a leak from Red Hill would not affect  
21 drinking water quality.

22 CAPTAIN EPPS: Sir, if I can have a 30-second  
23 commentary on that. So on the monitoring wells that we  
24 do, we do a monthly check; and as Steve said, that is  
25 primarily our first early warning. So it is right

1 adjacent to the Red Hill facility. And what we're  
2 checking for is really more the physical presence of any  
3 kind of petroleum or oily change. I'd liken it to taking  
4 a turkey baster, sucking off the top to see if anything is  
5 happening there. That, we do frequently, every single  
6 month, and that would be the first sign if you have any  
7 significant problems that could migrate somewhere near a  
8 drinking water facility. That would be our first early  
9 indication.

10 On a quarterly basis, we do the more exhaustive  
11 independent lab certification, which can tell you on a  
12 parts per billion basis what kind of constituents are in  
13 there. I think the comment that you read said that the  
14 JP5, which is the Navy jet fuel, you could not discern if  
15 that was in and that there were elements of the petroleum  
16 constituents in the water, but that the actual presence of  
17 it, I think is what I heard you say, was not present in  
18 that particular sample.

19 CAPTAIN HAYES: And if I could just add on. So  
20 the monitoring well and the drinking water shaft, we have  
21 never had a sample come above the environmental action  
22 levels at the drinking water shaft. So I have kids here.  
23 My kids drink the water from Red Hill. I drink the water  
24 from Red Hill. All the people that work with me at NAVFAC  
25 Hawaii that are all local Hawaiians, including my

1 environmental staff that takes the samples, we drink the  
2 water from Red Hill. The water is absolutely safe to  
3 drink.

4 CAPTAIN EPPS: Sir, for a little more context,  
5 so there's three nearby water shafts near Red Hill. Two  
6 of them are BWS, and one of them is the Navy primary well  
7 that Captain Hayes talked about. The two BWS wells are  
8 about a mile and some change away from Red Hill. One is  
9 to the north and one is to the south. The one that  
10 Captain Hayes talks about, which sources most of our  
11 drinking water at Pearl Harbor-Hickam, is 3,000 feet from  
12 Red Hill. So that if there's anyone who's going to be  
13 prone to any kind of issues with contamination, our  
14 drinking water there at Pearl Harbor-Hickam would be the  
15 first one to probably be impacted by any contamination.

16 SENATOR WAKAI: Thank you.

17 MR. KAWAOKA: Any follow-up question? Any other  
18 questions, comments?

19 MR. JOSLIN: I have a question. The original  
20 AOC called for certain product to be used in Section 6  
21 and 7. But what timeline? When is that to be --

22 MR. LINDER: Well, I'm trying to -- after the  
23 approval of work, the scope of work, it's -- correct me,  
24 guys -- 24 months, was it?

25 MR. PALLERINO: I'm looking it up. It was after

1 we approve the scope of work, there's 24 months for them  
2 to submit the groundwater model.

3 MR. KAWAOKA: Please state your name.

4 MR. PALLERINO: I'm sorry. Bob Pallerino, EPA.

5 MR. LINDER: 24 months. So after we approve  
6 this plan, they submit a plan, we reject, and so it would  
7 go back, modify it. And after that, they have 24 months  
8 to basically complete the work under that Section 6 and 7.

9 MR. JOSLIN: How long did the AOC afford the  
10 Navy to produce the plan, to recommend a plan?

11 MR. LINDER: Okay. So the plan was --

12 CAPTAIN HAYES: I believe it was 90 days.

13 MR. LINDER: -- 90 days after we ended the  
14 scoping discussions. And we ended those scoping  
15 discussions --

16 CAPTAIN HAYES: I think we submitted in May.

17 MR. LINDER: May is right.

18 MR. JOSLIN: So the AOC was signed, and the Navy  
19 had 90 days to produce a plan. So when was the plan  
20 produced?

21 MR. PALLERINO: So after our -- the AOC was  
22 signed, we had -- Navy had 90 days to submit a scope -- or  
23 we had 90 days to have our scoping meeting and scoping.  
24 After that -- that happened in February of this year. And  
25 then it was, I believe, 60 days -- or, no -- 90 days after

1 that, they had to submit their scope of work, which was in  
2 May. So the Navy did that and submitted that plan to us,  
3 that scope of work to us, in May of 2016. And then we  
4 took a few months to review it with DOH. And then we  
5 submitted our review and disapproval letter in September  
6 of this year.

7 MR. JOSLIN: With the -- I understand there's an  
8 October deadline to resubmit, correct?

9 MR PALLERINO: Under the AOC, the legal language  
10 was that they had 30 days to resubmit to us. But, again,  
11 for practical reasons, we may have to give the Navy a  
12 short extension of maybe a few weeks to complete that  
13 resubmittal. The AOC does allow the parties to  
14 renegotiate the deadlines if all the parties agree that  
15 it's the appropriate thing to do.

16 MR. JOSLIN: The current deadline you gave the  
17 Navy is October --

18 MR. PALLERINO: October 15th would be the  
19 first -- would be the deadline as established by the AOC.  
20 That could change --

21 MR. JOSLIN: Captain Hayes, is your group going  
22 to make that deadline?

23 CAPTAIN HAYES: We plan to -- based upon the  
24 discussions we've had this past week, very in-depth with  
25 Section 6 and 7, we planned to ask for an extension, as

1 you allude to, a few weeks. We don't have that exact date  
2 yet. But a lot of this stuff that was asked for, which we  
3 want to develop the best, dependable groundwater  
4 monitoring plan, is very in-depth. And so we want to make  
5 sure that our resubmittal -- I'm not looking forward to  
6 have it rejected again. So we're looking for -- to put  
7 the best product forward, and we anticipate that will take  
8 more time.

9           Additionally, the timing of getting that letter  
10 back, in concert with this meeting and the public meeting,  
11 we'd ask for some time to make sure we focus in on that  
12 appropriately.

13           MR. LINDER: And one thing I want to clarify is,  
14 so the four monitoring wells that are being installed,  
15 that's actually part of the 6 and 7 work. So there was a  
16 -- we pulled that out and approved that early to get those  
17 monitoring wells in motion and start getting additional  
18 data. So even though this period of time is 24 months to  
19 complete the work once the plan is approved, there's going  
20 to be interim work product that's going to help us make  
21 decisions related to risk and, potentially, decisions  
22 related to upgrades before this 24 months is up. So the  
23 24 months is really to complete all of the activities, but  
24 a lot of the interim products that are going to be  
25 developed are going to be very critical in terms of

1 forming risk-based decisions.

2 MR. JOSLIN: The concern is that it's two and a  
3 half-ish years where you don't have a plan. Are you  
4 planning to ask for more resources or technical expertise  
5 to help you get this plan together, given this rejection  
6 and the fact that you're not going to meet the next  
7 deadline set by the EPA?

8 CAPTAIN HAYES: I don't know that we're not  
9 going to meet the next deadline. As the AOC allows, we  
10 can ask for additional time. That can be negotiated  
11 amongst the parties. We do -- it's not an in-house  
12 product. We do have a contractor that we've hired to  
13 produce that plan. But this Section 6 and 7 is not the  
14 entirety of what the AOC requires us to do. So this  
15 process, the development of the groundwater plan, will  
16 feed into our risk analysis, which will feed into the tank  
17 upgrade alternative. So that as resources are required,  
18 we will seek help and the means to do that.

19 MR. JOSLIN: So when you are reaching to hire  
20 the resources, you are being given them?

21 CAPTAIN EPPS: What we did for -- you know, we  
22 had to hire additional people to run this specific AOC  
23 SOW, as he mentioned, so we do have that. We do have the  
24 flexibility to go hire. Obviously, the bigs are -- I  
25 think they were waiting for is that, once this goes

1 through, and we have the scope, and we have the technology  
2 lined up, and we have the kind of way ahead lined up,  
3 there's going to be a billing. So big Navy knows that and  
4 it's committed to doing what we have to do to support it  
5 to the best of our ability. But we're not at that point  
6 yet. So I would say that we have the support of our  
7 leadership and the big Navy to get this done right.

8           So far, we think that -- again, this is our  
9 first time at bat. We missed. We think we'll do much  
10 better the second time. But if we need to pull in some  
11 more reinforcements, we have the support above us, and we  
12 certainly have the ability to ask for it.

13           MR. JOSLIN: Would you agree that, if you pull  
14 in more resources now, you would probably make the  
15 October 15th deadline? Seems like another delay.

16           MR. POENTIS: I'm not certain that that's a fair  
17 characterization. We were under a very tight timeline,  
18 you know, as required, following the negotiated scoping  
19 meetings that all of the parties agreed to. We have a  
20 very tight timeline to deliver the proposed work plan. We  
21 took the information that was developed as part of the  
22 agreed-upon scoping discussions. We developed the work  
23 plan, which we thought met the requirements. We gave a  
24 lot of background based -- to provide context to what were  
25 our presumptions. We got that submitted, and it was



1 rejected.

2           Granted, the AOC specifically states that the  
3 resubmittal is within 30 days. But given the complexity  
4 of what's being asked, we're going to ask for an  
5 extension. I'm not certain that putting more people on it  
6 would facilitate a faster product.

7           CAPTAIN HAYES: After the discussions we've had,  
8 we want to have the right product. I don't want to  
9 necessarily focus on a deadline that was initiated when  
10 the AOC was negotiated that -- I mean, a lot of these  
11 changes were good comments and good changes we want to  
12 incorporate. The process that we had when we did scoping,  
13 basically, the development of the outline back in February  
14 didn't incorporate a lot of the changes that we're  
15 addressing now. So the Board of Water Supply and the EPA  
16 and DOH all came in with very valid comments that we want  
17 to address.

18           We will try -- we're going to try our best to  
19 get it done as quickly as possible. But I don't want to  
20 necessarily have an October 15th date per se that I rush  
21 to turn in, to only find out that, "Hey, you weren't able  
22 to adequately address all the comments we had in there."  
23 So we are looking at it. We've looked at each and every  
24 comments on the 51 papers that came out. Some of them are  
25 very -- very easy to address. Some of them were much more

1 complex that we're going to have to -- we're going to ask  
2 for the appropriate amount of time, while still doing it  
3 as expeditiously as possible.

4 CAPTAIN EPPS: And just take the one nuance  
5 here. Aaron picked up on that. So I would say that  
6 analogous to if you wanted to build a highway faster,  
7 hiring more guys to lay asphalt, that would achieve your  
8 goal of getting it down more. This isn't, I think,  
9 necessarily an issue of you having three extra  
10 geohydrologists looking at the same problem accelerating  
11 it. There's a nuance here to this, that we have, we  
12 think, the right subject matter expertise. This is just a  
13 big problem. Again, our first time at bat, we missed. We  
14 think we've got the right resources now. And our boss  
15 Admiral Fuller is saying we're committed to meeting every  
16 single deadline and actually accelerating this when given  
17 permission by the regulators. It's unlike -- you can't  
18 swarm this with a bunch of added folks and that's going to  
19 somehow close the gap quicker. There's a subtlety between  
20 that and what I would say analogous to hiring more folks  
21 to lay a highway, which would result in a quicker highway  
22 being built.

23 MR. LINDER: One thing I also wanted to point  
24 out is kind of the overall structure of the AOC. So there  
25 are these, I call them, these various different tasks,

1 these studies and reports of information that need to be  
2 gathered. And all of this information and the work that  
3 the Navy is doing is to help gather the best information  
4 we can to make decisions on how to move forward with  
5 upgrades and operations of the tanks, to make sure that we  
6 protect groundwater and drinking water adequately.

7           There is this long-term deadline where  
8 everything needs to be upgraded within 22 years or taken  
9 out of service. So there's this over-arching kind of  
10 pressure, time pressure, for the Navy to move all this  
11 work forward. And what we've also said is that, in the  
12 absence of good quality technical data to help support  
13 decisions, so we're having to make assumptions because we  
14 don't have the data, those assumptions are going to have  
15 to be conservative. So they -- in my mind, the Navy is  
16 incentivized to do this work quickly and as high quality  
17 as possible in order to make the best technical decisions  
18 which could be the most effective and efficient,  
19 economically, decisions with changes and operations of the  
20 tanks moving forward.

21           CAPTAIN HAYES: And the work that this section  
22 entails is it informs a lot of the rest of the agencies.  
23 We want to make sure we do it right, just as your  
24 stakeholders and the public wants to make sure that we do  
25 it right, because they don't want to form a lot of the --

1 process -- processes till we understand how or if other  
2 wells, the Board of Water of Supply wells, and how our  
3 wells are impacted. So we're committed to doing it  
4 correctly and taking on board all the comments that were  
5 provided. We're accountable, per the AOC, to produce the  
6 product, and we're committed to that.

7 MR. JOSLIN: Do you think your rotation of  
8 commands will adversely affect the progress on that,  
9 though?

10 CAPTAIN HAYES: Rotation?

11 MR. JOSLIN: So leadership changing out and what  
12 not, the project handoff.

13 CAPTAIN HAYES: No. I mean, one, you've got me  
14 for the next couple years. We do build in -- I've got  
15 civilians that are working this, day in and day out. They  
16 don't rotate. We do build in turnover and continuity  
17 within it, so I don't see that as an issue.

18 CAPTAIN EPPS: Ryan, let me add to it, and I  
19 know there was some concern about that. In all honesty,  
20 Rich and I are really a pair of figureheads here. I mean,  
21 we're the leaders of our organization, but the folks who  
22 do this are the folks in the audience, who are typically  
23 civilians, who are trained engineers, who are trained fuel  
24 operators, and they'll be here for the duration. Like I  
25 said earlier, we got resources from the Navy to hire

1 someone, a fairly high senior engineer, to monitor this  
2 entire program and manage it going forward. So we are  
3 sent out mostly to represent Admiral Fuller because of our  
4 rank and our position. And, obviously, we have to be  
5 well-schooled on the nuances of environmental impact and  
6 the operation. This is something we do more as  
7 representing the Navy. We are proxy for the folks sitting  
8 out there who will be here for the duration and will see  
9 this through fruition.

10 MR. KAWAOKA: Thank you, Ryan.

11 Any other questions, comments?

12 MR. YOMES: Chair. This is for Mr. Linder. I'd  
13 like to utilize your expertise and your team's expertise  
14 in this question. I'm looking at a small scale, the  
15 example on a small scale, compared to the larger scale,  
16 what the Navy has. Gas station here in Hawaii, 75 years  
17 in operation, closes down. I would say 90 percent of the  
18 time, you'll find fuel contaminants underneath that  
19 ground, that has to be taken care of before they can sell  
20 the property on a small scale. When you speak of these  
21 monitoring wells, like Senator Wakai brought up, is it  
22 usual or unusual, after 75 years of, not just the Navy, or  
23 any company around the United States, is it usual or  
24 unusual to have those contaminants under the tanks?

25 MR. LINDER: I'd say, for the corner gas

1 stations, it's very common to have contaminants. But,  
2 again, it's kind of comparing apples and oranges --

3 MR. YOMES: You're right.

4 MR. LINDER: -- Red Hill versus corner gas  
5 stations. A corner gas station, first of all, you're  
6 managing gasoline; and gasoline, as I said before, it's  
7 actually more mobile in the environment, more toxic than  
8 jet fuel and marine diesel. The other thing is, gas  
9 stations versus Red Hill, gas station, you typically  
10 have -- the construction is -- lot of them single wall,  
11 fiberglass, single wall steel, the older ones. New ones,  
12 we've come up with better technology. The modern array of  
13 gas stations is typically, even though some of them put in  
14 some fairly sophisticated systems, sometimes the people  
15 who are operating them aren't trained very well. That's  
16 one of the reasons why the new regulations have operator  
17 training, because it's been very common across the  
18 country, for these corner gas stations, for the people who  
19 are sitting there are really more operating more a  
20 convenience store than the tanks. The alarms go off; they  
21 don't even know what it means; they don't do anything  
22 about it. So comparing a gas station versus Red Hill,  
23 it's very -- it's different.

24 MR. YOMES: I understand that. But just for a  
25 common person that -- looking at this, is that the same

1 principle that you bring up with the monitoring wells? Is  
2 that the -- what you find underneath, after so many years,  
3 that's been in existence there, that you have this type of  
4 contamination, where there shouldn't be any contamination  
5 under these tanks?

6 MR. LINDER: I'd say the vast majority of  
7 facilities across the world that manage petroleum, you're  
8 going to find contamination under there. Really comes  
9 down to how much mass, how much is down there. Because,  
10 most situations, small leaks aren't going to cause any  
11 kind of exposure threat. It's where you have a big  
12 problem that can lead to a -- big release, large volumes,  
13 can lead to significant exposure threat.

14 I've worked on problems. I've worked on one big  
15 problem that made a lot of news in the Los Angeles area,  
16 where large volumes of gasoline were released from very  
17 busy gas stations near drinking water wells, and the  
18 gasoline additive, MTBE, ended up in the City of Santa  
19 Monica's drinking water wells. Well, there was large  
20 volumes of fuel, a very mobile contaminant, and it  
21 contaminated drinking water.

22 I've also worked with and seen a lot of  
23 facilities where they've had small releases and it stays  
24 under the facility, doesn't really migrate away from where  
25 it was released. They migrate a little bit and then

1 degrade. So fuel typically does not -- you know, it  
2 actually degrades in the environment, and it doesn't --  
3 and it gets to a certain equilibrium as it spreads and  
4 stops because of chemical properties -- or the chemistry  
5 underground, the degradation of biological activity.

6 So that's where what we're doing here at Red  
7 Hill is we're really trying to study that, really  
8 understand the hypothetical future releases and at what  
9 level would it be a significant threat to drinking  
10 water -- drinking water resources.

11 You know, our overall goal at EPA -- and I think  
12 DOH shares it -- you know, we'd like to see no more  
13 releases at Red Hill. But we -- obviously, we regulate to  
14 levels that are safe, and that's where we are on our goal  
15 here, is making sure that the facility is safe.

16 MR. YOMES: That leads into my second question  
17 that Senator Wakai brought up, his valid concern of the  
18 water. How, in your expertise, would this  
19 contamination -- do you feel that this contamination can  
20 get into the drinking water at this point as we speak  
21 today?

22 MR. LINDER: The contamination that we have --

23 MR. YOMES: In the monitoring well getting into  
24 the drinking water.

25 MR. LINDER: Well, I can tell you this, based on



1 the information received to date, in terms of the Board of  
2 Water Supply wells, contamination moving to those wells,  
3 even though we have data gaps and we're trying to fill  
4 those, at this point, I'd say, we think it's very unlikely  
5 that that contamination, that mass -- from the tanks would  
6 get anywhere near the Board of Water Supply wells.

7 Trace levels could appear in the Red Hill shaft,  
8 but I think, given what we've seen, that anything that did  
9 show up would be well below any drinking water standard.

10 MR. YOMES: Thank you, sir.

11 MR. KAWAOKA: Any other comments?

12 Just let me conclude by saying I think this has  
13 been a very valuable and fruitful discussion. I sense  
14 that the task force wants to continue in this format, at  
15 least for the foreseeable future. I heard a request to  
16 kind of drill down from the 40- to the 30,000-foot level  
17 with more detail. I know, you know, Red Hill kind of  
18 overshadows everything, but, you know, we are dealing with  
19 field constructed tanks in general, so I think that  
20 request to get a little bit more -- I know it's in the  
21 public record, it's in our DOH files, as well as in the  
22 public records and other repositories. But I think, for  
23 this forum, and I think it goes to the very important  
24 aspects, like Senator Wakai said, about transparency and  
25 collaboration. But, also, that collaboration includes the

1 public as well, and we represent the public in general.  
2 So I think, for the next meeting, we need to make sure that  
3 we have that type of level of detail, not necessarily to  
4 the weeds level, per se, but at least enough information  
5 that we can say that, not just Red Hill, but the other  
6 field constructed tanks, are not further potential release  
7 into the environment.

8 As far as the frequency, I think we need to take  
9 that under advisement right now. We'll check with staff  
10 and we'll get what the intent of the AOC is and as well as  
11 the legislation, and we'll determine whether that's a  
12 possibility to increase the frequency.

13 Question in the back?

14 MR. SHALEV: This is Omer Shalev, EPA Region IX.  
15 I just wanted to point out that we -- the Order on Consent  
16 requires that they have annual public meetings on Red Hill  
17 specifically, just in terms of continuation of these  
18 meetings.

19 MR. KAWAOKA: But this particular Legislature --

20 MR. SHALEV: Right.

21 MR. KAWAOKA: -- does not include just Red Hill.  
22 It just calls for all fuel constructed tanks. That's why,  
23 I mean, we'll take that under advisement, and we'll check  
24 with the staff.

25 So, again, thank you for meeting today.

1 MS. PFENNING: Sorry. I would ask, certainly,  
2 if we're going to increase the frequency, if the Army  
3 isn't part of this conversation, that we not need to be  
4 here. And if there's a specific Army issue that comes up,  
5 then we will gladly be here. But I wouldn't want to come  
6 continually and be disappointed. And, you know, then we  
7 just stop coming, and that's not a good look. So I  
8 would -- you know, if it's specific to us, then let us  
9 know, and we'd be happy to be here. Unless it's legally  
10 required to keep us on the list, then we will continue to  
11 come. But I would just ask that you consider whether or  
12 not it's appropriate to have us here, especially if we  
13 move to a quarterly meeting.

14 MR. KAWAOKA: Any comments on that? You can  
15 certainly come as an -- you're always invited.

16 MS. PFENNING: Well, thank you.

17 CAPTAIN EPPS: May we have closing comments?

18 MR. KAWAOKA: Sure. So, yeah, does anybody have  
19 any closing comments before we end?

20 CAPTAIN EPPS: So I just wanted to reiterate, on  
21 behalf of the Navy, if you take our badges and our  
22 uniforms off and who we represent, I think that the common  
23 goal in this room is just that. Our record, the Navy's  
24 record, and the DOD's record on stewardship is very well  
25 known. It is our boss Admiral John Fuller's top priority,

1 as he has always said, the drinking water is safe, the  
2 drinking water will remain safe, and we will put every  
3 resource and practice that we have at our disposal to make  
4 sure we continue that. So we welcome this. We welcome  
5 this dialogue. We did not come to this with any  
6 trepidation at all. This is helping us be better. We  
7 encourage the collaboration and discussion and the  
8 openness here. I think, again, transparency is key,  
9 talking is key. And I think the closer we all work  
10 together and the more comfortable we are with working  
11 together, we can get to that shared common goal that I  
12 said. It surpasses uniform or badge or who we represent  
13 today. Thank you.

14 MR. KAWAOKA: Any other comments?

15 If not, thank you for coming, again. And we  
16 will adjourn.

17 (Meeting adjourned at 11:13 a.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, CYNTHIA L. MURPHY, a Hawaii Certified Shorthand Reporter in and for the State of Hawaii, do hereby certify:

That on the 6th day of October, 2016, at 9:36 a.m., the foregoing proceedings were taken down by me in machine shorthand and was thereafter reduced to print under my supervision;

That the foregoing represents, to the best of my ability, a true and correct transcript of the proceedings had in the foregoing matter.

I further certify that I am not an 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 25th day of October, 2016, in Honolulu, Hawaii.

  
\_\_\_\_\_  
Cynthia L. Murphy, RPR, CSR No. 167  
Certified Shorthand Reporter  
State of Hawaii