

Commission on Water Resource Management Testimony: July 26, 2023

SUSAN PCOLA-DAVIS

Non Action Item B-1

Beneficial Non-Fuel Repurposing

I do not support any reuse of this facility.

1. It will take 3 years to remove the three pipelines.
2. Potential to open facility to the public; museum.
  - a. Legislators want revenue.
  - b. The Navy does not anticipate transferring the Red Hill Bulk Storage Facility to another Federal agency. This is Navy land.
  - c. Although there is a potential to identify it as “historic”, it will NOT be transferred to the National Park Service.
  - d. The potential beneficial reuse must be viable. Viable means that it must work with the conditions that exist following closure activities.
  - e. Is the beneficial reuse outside the UST closure requirements?
1. The Navy believes reuse is outside the UST closure requirements, and are not aware of other closed USTs that have been reused for non-fuel purposes.
2. Beneficial non-fuel reuse will require analysis under the National Environmental Policy Act and the public will have opportunities to provide input.
3. Navy has contracted with FFRDC for detailed evaluations, cost-benefit, engineering feasibility and potential beneficial non-fuel reuse concepts for RHBFSF.

## FTAC Excerpts: RADM Barnett

1. Second Option: Close in place for beneficial non-fuel reuse.
  - a. Reuse was requested by **DOH during a 14 July 2022** meeting with other senior Navy leaders and the DOH.

## FTAC: DOH Excerpts

1. Reduce, Recycle and Reuse
  - a. References both HRS 382.G and the Solid Waste Branch Resources Solid and Hazardous Waste Management documents:
  - b. Neither state that “for Underground Fuel Storage Tanks” are to go through the “Reduce, recycle, reuse” for their **environmental protection management strategy.**


# Commission on Water Resource Management

Testimony Non Action B1

July 26, 2023

SUSAN A. PCOLA-DAVIS

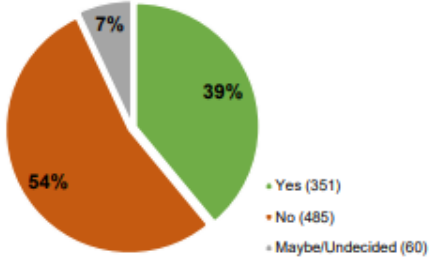
# Red Hill Tank Closure Plan Timeline and Status




## Beneficial Non-Fuel Repurposing Outreach Efforts





- One-on-One Interviews with 30 key stakeholders from 3 Apr - 31 May 2023
- Online Survey to Oahu Residents from 31 Mar – 31 May 2023; 800+ completed
- Mail Out and Online Survey from Jul - Sep 2023
- Other outreach efforts ongoing

**Are you in favor of the Red Hill Facility being Repurposed?**



(n) # of responses from completed surveys that answered this question

 What ideas if any would you suggest for repurposing the facility after it is closed?

1   
2   
3   
4  Do you have a preference for either of the four categories?

# References

## RESPONSES FROM NAVY TO DOH AND EPA REGARDING CLOSURE AND SUPPLEMENT 1

### 1. Closure Supplement 2

1. Navy Response to DOH Comments of 15 March 2023 Tank Closure Plan

2. Navy Response to EPA Comments of 7 April 2023 on the Closure Plan, Analysis of Alternatives, and Supplement 1.

### 3. FTAC EXCERPTS

# 1. Navy Response to DOH Comments of 15 March 2023 Tank Closure Plan

- **DOH:** Page 7, 3. Closure Alternatives, item 1: This item states the U.S. Department of the Navy (Navy) must determine if any significant restrictions will remain after defueling. When will this determination be made? How will it affect the Tank Closure Plan's discussion of **potentially opening the Facility to the public, for example, as a museum, or a different beneficial reuse?**
- **NAVY:** After closure is complete, many of the current access restrictions (which are in place to protect fuel resources) will no longer apply. At that point, restrictions would remain to protect the Red Hill well, and any new access restrictions would depend on the selected **non-fuel reuse.**

- **DOH:** Page 8, 3. Closure Alternatives, item 5: **The Facility may be opened to the public in the future, depending on the proposed beneficial reuse.** This should be considered when determining the “level of repair” needed to provide safe access. Due to the historical significance of the site, after closure would the Facility be transferred to another Federal Agency, such as, the National Park Services?
- **NAVY:** **Decisions regarding further actions to support reuse will be made outside of the closure process** once such future use(s) have been determined. The potential transfer of the facility to another federal agency would be resolved during the process of developing any non-fuel reuse. At present, **the Navy does not anticipate transferring the Red Hill Bulk Fuel Storage Facility to another federal agency.**

# 1. Navy Response to DOH Comments of 15 March 2023 Tank Closure Plan

- **Navy:** The Navy will further evaluate the removal of specific metal components when the beneficial non-fuel reuse is selected. Specific maintenance requirements may also depend on the **beneficial non-fuel reuse**, so the Navy will submit a plan for monitoring and maintenance of the tanks in a future supplement.
- Additional Navy responses to DOH questions follow and focus on the re-use possibility. [DOH: It is difficult to determine true cost without knowing what the **reuse** is, as there may also be an economic benefit from the reuse.]

- As additional information on the **non-fuel reuse** becomes available, the Navy will update the closure design and the post-closure monitoring and maintenance program.
- Future supplement(s) will provide further information necessary to support the closure in place alternative. The uncertainty exists at present and will remain until the **non-fuel reuse** option is selected.
- My thoughts: The public has the same question. If the reuse portends use and access to the public, the state gains NO REVENUE from entry fees! Neither do the DOH or EPA as this seems to be leading towards.

## 2. Navy Response to EPA Comments of 7 April 2023 on the Closure Plan, Analysis of Alternatives, and Supplement 1.

- **EPA:** The statement, “[p]otential beneficial reuse must be viable assuming the DOD will continue to own the property” is unclear. Please provide clarification to the term, “viable,” in this sentence.

- **NAVY:** The details of tank and pipeline closure are being discussed at ongoing technical meetings among DOH, EPA, and Navy. Some of the details may change, but the expectation is that the large USTs will be closed in place and the surge tanks will be filled with inert material. **The potential reuse must be viable in the sense that it must work with the conditions that exist following closure activities.** For example, if the reuse depends on using the surge tanks, then it would not be viable if the tanks are already filled.



### 3. Navy Response to EPA Comments of 7 April 2023 on the Closure Plan, Analysis of Alternatives, and Supplement 1.

- **EPA**: In response 1(g), Navy states, “[w]hile consideration of **non-fuel reuse** is dependent on the permanent tank closure method selected, it is a separate process from underground storage tank (UST) closure.” Please clarify this response. Is Navy suggesting that reuse is outside the scope of UST closure requirements? Regulatory closure involves permanent tank closure, site assessment, and necessary remediation.
- **NAVY**: The Navy agrees that regulatory closure under the HAR 382G involves permanent tank closure, site assessment and necessary remediation, but the HAR 382G does not address reuse (absolutely true). **While reuse can only occur if the tanks are properly closed in place, the Navy believes that reuse is outside the scope of UST closure requirements, and we are not aware of other closed USTs that have been reused for non-fuel purposes. Beneficial non-fuel reuse will almost certainly require analysis under the National Environmental Policy Act, and the EPA and the public will have opportunities to provide input.**

## 2. Navy Response to EPA Comments of 7 April 2023 on the Closure Plan, Analysis of Alternatives, and Supplement 1.

**EPA:** In response 1(f), it states that “Navy will consider benefits of the [tank reuse] options in terms of their...social...aspects.”  
Please describe how the Navy will weigh social benefits in this context.

**NAVY:** The Navy has contracted with a federally funded research and development center (FFRDC) as required by the FY23 NDAA to complete detailed evaluations, including cost-benefit and engineering feasibility, of potential beneficial non-fuel reuse concepts for the Red Hill Bulk Fuel Storage Facility.

## 2. Navy Response to EPA Comments of 7 April 2023 on the Closure Plan, Analysis of Alternatives, and Supplement 1.

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## 2. Navy Response to EPA Comments of 7 April 2023 on the Closure Plan, Analysis of Alternatives, and Supplement 1.

### **Navy Cont'd**

specifically, the NDAA requires the cost-benefit analysis to cover each of the following for each such alternative use:

- i. The design and construction costs.
- ii. Life-cycle costs, including the operation and maintenance costs of operating the facility, such as annual operating costs, predicted maintenance costs, and any disposal costs at the end of the useful life of the facility.
- iii. Any potential military benefits. iv. Any potential benefits for the local economy, including any potential employment opportunities for members of the community.
- v. A determination of environmental impact analysis requirements.
- vi. The effects of the use on future mitigation efforts.
- vii. Any additional factors determined to be relevant by the federally funded research and development center in consultation with the Secretary. Under items (iv), (v) and (vii), the Navy will coordinate with the FFRDC to ensure that the analysis will look at positive effects on society as a whole (e.g. proposed reuse will not add risk to the environment or human health and may provide jobs to the people of Hawai'i).

# FTAC Excerpts: RADM Barnett

- The closure plan has 4 options for closure. First, option is closure to close in place.
- The second option is closed, in place for **potential beneficial, not fuel reuse.**
- **This was requested that we look at this by a DOH during a 14 July last year, on a meeting that we had with senior Navy leaders, also with DOH.**

**Nakapuna opened his qualitative survey on 30 March to the public through the end of May, so it just completed.**

- They've been conducting key stakeholder interviews during this time as well.
  - They will present a final report in November 2023.,
  - Categorizing all the input that was that was received.
  - This report will also be provided to Regulators and posted to our public-facing website.
- 2 other studies:**
- One is an alternative energy study
  - The other is a legislative add in the NDAA and the 2023 NDA for a **non fuel reuse option.**

# FTAC Excerpts: RADM Barnett

Additionally, benefits of pipeline removal include the following:

- It ensures the complete removal of any residual fuels that might be associated with the pipeline,
- It creates additional space within the tunnels, thereby providing the most flexibility or **beneficial non-fuel reuse** of the tanks and tunnels, if so desired, and
- It eliminates the long term maintenance of pipelines that no longer have an operational use.

# FTAC: DOH Posture Excerpts

## DOH Solid Waste Branch Response

### Joanna Seto:

- Recycling before disposal.
- So based on the state solid waste laws we need to follow those.
- Being that there is historical value of the facility, we believe that it's appropriate to consider possible reuse options prior to disposal.
- We need to look at recycling before disposal. So this is primarily from our solid waste management priorities.

## DOH Solid Waste Branch Supervisor

### Linæe Ichinose:

- HRS Chapter 342. G. Identifies the State's solid waste hierarchy in which we are required to look at prior to disposal.
- And so that's a consideration that needs to be done, should be done, but not necessarily have to be done.
- I guess it is. It's kind of the reduce, reuse, recycle issue that we want to pursue as far as an environmental protection management strategy.

# FTAC: DOH Posture, my comments

## HRS Chapter 342. G.

- I thoroughly read that statute and I could not find one iota of what she said.

I have read the **Solid Waste Branch Resource Solid & Hazardous Waste Branch** | ISWMP (hawaii.gov) HAWAI'I 2000 PLAN for INTEGRATED SOLID WASTE MANAGEMENT State of Hawai'i Department of Health Office of Solid Waste Management July 2000.

- I cannot find anything that would even relate to reduce, recycle, reuse related to the closure plan. It does not exist in either.



# Supplement 2

## **Additional benefits of pipeline removal include the following:**

- Ensures the complete removal of any residual fuel that may be associated with the pipelines.
- Creates additional space within the tunnels, thereby providing the most flexibility for **beneficial non-fuel reuse** of the tanks and tunnels.
- Eliminates long term maintenance of pipelines that no longer have an operational use.
- In general, pipelines must be designed for their intended purpose, so the Navy does not expect the existing fuel pipelines to be adequate for any beneficial non-fuel reuse. Instead, new pipelines would need to be designed and installed if required to support the selected **reuse** option.

Commission on Water Resource Management  
July 26, 2023 Meeting  
Written Testimony on Item # B.1  
Susan Gorman-Chang, Shut Down Red Hill Coalition Member

Aloha Commissioners,

Mahalo for this opportunity to testify. First and foremost, I hope you have all had time to read the *“Exposure Assessment: November 2021 Release of JP-5 Jet Fuel into the Joint Base Pearl Harbor Hickam Drinking Water System”* report by Dr. Roger Brewer dated June 2023. In addition to this report, Dr. Roger Brewer has created a presentation explaining the findings in layperson’s terms to be found at this link [JBPHH JP-5 Exposure Assessment - YouTube](#)

This report and presentation reveal the levels and seriousness of exposure that families endured regarding *several* chemicals in addition to the JP-5, endured and continue to experience. It is also evidence of the U.S. Navy’s mishandling, lack of ability, lack of supervision of their contractors, and lack of emergency preparedness to deal in any way with the November 2021 jet fuel, de-icing agent, and solvents and other chemicals that leaked into the drinking water system to be ingested and inhaled by countless military and civilian households. I think this latest evidence and analysis shows without a doubt that the U.S. Navy cannot be trusted to manage any water system without strong and continual oversight.

This happened on your watch and continues to evolve and unfold on your watch. You all are not the orchestra that played as the Titanic sunk; you have responsibility and power. You are the gatekeepers of our only water supply. Now is the time to take bold action.

I would request the following, to be done by CWRM or in joint effort with the applicable regulator. Your job as CWRM cannot be done in a vacuum; there are overlapping responsibilities and the answer is to work with other agencies, not to simply state, “that is not under our purview.” That mentality is not acceptable.

- 1) Have meetings monthly. So many have been cancelled and rescheduled this year and last.
- 2) Have Red Hill as an Agenda as an Action Item. An Action Item, would include reporting back from monthly meetings with other agencies regarding the Red Hill situation and determining and working together on solutions.
- 3) Demand DOH update their Environmental Action levels to protect all water drinkers on our islands.

- 4) Do not under any circumstances give the U.S. Navy permission to any additional water as they cannot manage any water system. It is OUR water not the Navy's.
- 5) Decrease the U.S. Navy's water by 20% or whatever amount of water we have lost due to the shutdown of the wells due to the jet fuel, de-icing, solvents, and other chemicals that got into the water system however that can be accomplished. Perhaps shut off water to their military golf courses as one example.
- 6) Consider pursuing a lawsuit, jointly with Board of Water Supply, against the corporations that created the "forever chemicals" PFAS so the creators of the chemicals must pay as remediation to take the PFAs out of our water. This has, just last month, been successfully accomplished to the tune of a \$1 billion dollar agreement by Chemours, DuPont and Corteva who agreed to provide more than \$1 billion to municipalities, who sued these entities, to clean up their PFA contamination.
- 7) Please advocate for absolutely NO reuse of the jet fuel tanks. As long as they are above our aquifer they are a danger to our water supply, and we cannot trust the Navy will not reuse them for fuel if THEY saw the need and would of course use national security as their reasoning.

Sincerely,

Susan Gorman-Chang  
Shut Down Red Hill Coalition