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20150615-060

June 15, 2015

Solid and Hazardous Waste Branch – Attn: Red Hill
Hawai'i Department of Health
919 Ala Moana Boulevard #212
Honolulu, HI 96814

Dear DOH Solid and Hazardous Waste Branch:

Subject: Red Hill Fuel Facility Administrative Order on Consent and Statement of Work

I am pleased to offer the following comments on the proposed Red Hill Fuel Facility Administrative Order on Consent (AOC) and Statement of Work (SOW). As the representative for the 8th Council District (Aiea, Pearl City, Waipahu) for the City and County of Honolulu, my interest is in the preservation of our island's critical drinking water resource in the Waimalu and Moanalua Aquifers and at Halawa Shaft, all of which are located near the Red Hill Fuel Storage Facility.

On January 16, 2014, the Navy confirmed a fuel leak from a tank at this facility, which was estimated at approximately 27,000 gallons. On June 1, 2015, the U.S. Environmental Protection Agency (EPA) and the Hawaii State Department of Health (DOH) released for public review and comment a proposed agreement called an Administrative Order on Consent (AOC) and Statement of Work (SOW) with the U.S. Navy and the Defense Logistics Agency (DLA) that requires the military to take measures to minimize the threat of future leaks at the Navy's Red Hill Bulk Fuel Storage Facility.

I have reviewed this plan and I continue to have serious concerns with the lack of focus on the immediate protection of our precious and irreplaceable water resource. Should fuel leaks from these Red Hill tanks contaminate our island's drinking water, I believe all parties would agree this would be catastrophic. The processes outlined and the timeframes given for implementing the SOW involve repeating studies that have already been done and lengthy waiting periods before action is taken. Such repetition delays timely installation of improvements to protect the water resource/aquifer. The seriousness of this situation calls for immediate action. Here are my recommendations:

- Immediately implement tank structure upgrades and improvements already identified in past studies, in contrast to the SOW language where the Navy will conduct a new study to investigate the feasibility of upgrading the tank structure.
- Double line the tanks to assure containment for further leaks. The 2008 Red Hill Repair Tank Options Study identified the following two alternatives for upgrading the tanks.
 - Alternative 1 – Composite Tank: The Composite Tank consists of inspecting and repairing the existing steel liner in each tank, which would become the secondary containment system, and then constructing a new liner with a three-inch wide interstitial space between the new liner and the existing liner. The interstitial space would be filled with grout and have a leak detection system.
 - Alternative 2 – Tank Within A Tank: The Tank Within A Tank concept consists of inspecting and repairing the existing steel liner in each tank which would become the secondary containment system, and constructing a new tank inside the existing tanks with a five-foot wide annular space between the new tank and existing tank shell that is accessible for inspection and visual leak detection.
- Reduce the implementation time for upgrading the tank structure to no more than 10 years, in contrast to the SOW language where the Navy will conduct a new study, have the technology approved, and then allows twenty-two (22) years for implementation of the technology.
- Immediately implement the installation of advanced leak detection and tank corrosion protection, in contrast to the SOW language where the Navy will conduct a new study to evaluate improvements to tank tightness and release detection, have the technology approved, and then implement improvements.
- Immediately increase and make efforts to enhance groundwater flow models, in contrast to the SOW language where the Navy will further develop models to understand groundwater flow, have the modeling approved, and then develop and improve groundwater monitoring to the extent determined necessary.
- Establish semi-annual tightness testing, in contrast to the SOW language where the Navy will do annual testing starting no later than one year from the effective date of the AOC.
- Clean up the fuel that has already leaked beneath the fuel tanks.

The history of this facility includes:

- The first report by Navy to DOH of a release from the Facility occurred on November 10, 1998, when petroleum-stained basalt cores were discovered beneath the tanks.

- In the early 2000s, Navy performed transverse cores beneath each tank and discovered evidence of staining beneath nineteen (19) of twenty (20) Tanks.
- On December 9, 2013, Navy placed one of the Tanks (Tank #5) at the Facility back into service after it had undergone routine scheduled maintenance. The maintenance work consisted of cleaning, inspecting, and repairing multiple sites within the tank. Upon placing Tank #5 back into service, Navy commenced filling the tank with petroleum.
- On January 13, 2014, Navy discovered a loss of fuel from Tank #5 and immediately notified DOH and EPA. On January 13, 2014, Navy began transferring fuel from Tank #5 to other tanks at the Facility. The transfer of all fuel from Tank #5 was completed on January 18, 2014. On January 16, 2014, Navy verbally notified DOH and EPA of a confirmed release from Tank #5. On January 23, 2014, Navy provided written notification to DOH. Navy estimates the fuel loss at approximately 27,000 gallons.
- The total amount released to the environment, both attributable to the January 2014 event and historical releases, is unknown.

Reference: Findings of Fact, Administrative Order of Consent, May 27, 2015

- There have been "releases" of "regulated substances" into the environment from Tanks at the Facility, as those terms are defined by HRS §342L-1 [40 C.F.R. § 280.12].
- There have been releases of "contaminants" into the environment from Tanks at the Facility, as that term is defined in HRS §340E-1.
- There have been discharges of "wastes" and "water pollutants" as those terms are defined in HRS §342D-1.

Reference: Conclusions of Law and Determinations, Administrative Order of Consent, May 27, 2015

The processes identified in the SOW appear to enable the Navy to continue the operations of Red Hill as it has done in the past. While there are specific timelines for executing the various work elements, the language lacks specificity to decisively require immediate implementation of improvements that have already been identified. The SOW needs to implement the findings of past studies and immediately apply industry technology improvements that already exist for groundwater monitoring, tank integrity, tank structural upgrades, tank tightness, tank corrosion protection, advanced leak detection, and fuel spill remediation.

Thank you for the opportunity to provide comments on this important document.

Sincerely,



Councilmember Brandon Elefante
Council District 8
Honolulu City Council

cc: Mr. Jared Blumenfeld, Regional Administrator,
United States Environmental Protection Agency, Region 9
Dr. Virginia Pressler, M.D., Director, State of Hawaii, Department of Health
Governor David Ige
The Honorable Brian Schatz, U.S. Senator
The Honorable Mazie Hirono, U.S. Senator
The Honorable Mark Takai, U.S. Representative
The Honorable Tulsi Gabbard, U.S. Representative
Senate President Ron Kouchi
House Speaker Joe Souki
The Honorable Glenn Wakai, Senator
The Honorable Breene Harimoto, Senator
The Honorable Aaron Johanson, Representative
The Honorable Kirk Caldwell, Mayor, City and County of Honolulu
Duane Miyashiro, Chair, Board of Water Supply
Ernest Lau, Manager and Chief Engineer, Board of Water Supply
Erwin Kawata, Program Administrator, Board of Water Supply
The Honorable Ernest Martin, Chair, Honolulu City Council
The Honorable Ikaika Anderson, Councilmember
The Honorable Carol Fukunaga, Councilmember
The Honorable Ann Kobayashi, Councilmember
The Honorable Joey Manahan, Councilmember
The Honorable Ron Menor, Councilmember
The Honorable Trevor Ozawa, Councilmember
The Honorable Kymberly Marcos Pine, Councilmember