

Congress of the United States
Washington, DC 20515

December 14, 2021

ADM Samuel Paparo
Commander, U.S. Pacific Fleet
250 Makalapa Drive
JBPHH HI, 96860-3131

RE: Inquiry – Red Hill Underground Fuel Storage Facility

Aloha Admiral Paparo

We are writing you to raise several questions regarding the Red Hill Underground Fuel Storage Facility (RHUFSF). Given the ongoing crisis, which has placed the well-being and security of our service members and their families at risk, we are requesting responses to the questions below in writing as soon as possible:

- 1) Please provide an organizational chart that describes the different Navy organizations that exercise jurisdiction and management of the RHUFSF and the command relationships between those organizations.
- 2) Specific to this water crisis, please provide the most current organizational chart that describes the joint (Navy and Army) crisis response, the supporting commander, the different supporting commands and their command relationships.
- 3) To what extent has the Navy engaged with State and County organizations, such as the Honolulu Board of Water Supply, to determine how long the Waiawa well can exclusively supply the Navy Water System before over-pumping results in saltwater up-coning and intrusion requiring water rationing?
- 4) Of the 18 tanks in active service (tanks 2-18 & 20), which tanks have undergone Tank Inspection, Repair & Maintenance (TIRM) under either the Department of Defense Unified Facility Criteria or under the American Petroleum Institute Standard 653 (modified) procedure, and have also received the Polysulfide Modified Novolac Epoxy coating application and the replacement/decommissioning of the smaller nozzles to permit regular visual inspection?
- 5) What is the length of time required for a complete TIRM program (emptied and taken out of service) for a tank under the requirements stated in the previous question, including the coating application and replacement of smaller nozzles? What is the cost associated to perform these actions on one tank?

- 6) Does the Navy still utilize the tell-tale system as a leak detection feature for any of the operating RHUFSF tanks?
- 7) To what extent has the Navy explored enhanced bioremediation (in situ groundwater treatment technologies) for the remediation of fuel-polluted potable water in addition to the Granulated Activated Carbon Filtration System?
- 8) Does the United States Navy acknowledge that the RHUFSF sits directly above the island of O‘ahu’s federally-designated sole-source groundwater aquifer, the Southern Oahu Basal Aquifer; Principal Source Aquifer Determination, 52 Fed. Reg. 45496, at 45497 (Nov. 30. 1987)?
- 9) How often is soil vapor monitoring conducted under all tanks of the RHUFSF and how long does it take to receive results from those monitoring probes?
- 10) It is our understanding that the Navy conducted studies in 1998 and 2008 regarding the feasibility of upgrading the tank structures including installing secondary containment. If available, please provide a copy of both studies.
- 11) What is the current status of the Navy’s requirement to update the Groundwater Protection Plan?
- 12) What is the current status of the Navy’s requirement to provide a Groundwater Flow Model Report and a Risk/Vulnerability Assessment?

We appreciate your attention and timely consideration of this request and ask for a response containing the requested information as soon as possible.

Me ka ha‘aha‘a



Kaiali‘i Kahele
Member of Congress



Ed Case
Member of Congress

cc: RADM Blake Converse, Deputy Commander, U.S. Pacific Fleet
Brian E. Bennett, Director, Outreach and Government Affairs, U.S. Pacific Fleet

Congress of the United States
Washington, DC 20510

November 1, 2021

The Honorable Carlos Del Toro
Secretary of the Navy
Department of the Navy
1000 Navy Pentagon
Washington, DC 20350

Dear Secretary Del Toro,

We write with increasing concerns about the safety of the Navy's fuel operations in Hawaii. We are particularly troubled about reports of a fuel leak near Hotel Pier at Joint Base Pearl Harbor-Hickam (JBPHH) that occurred in March 2020 and allegations that the Navy was not appropriately forthcoming about the source and scale of the fuel leak with state regulators, federal officials, and the public—including our offices.

The Navy made a commitment to engage the people of Hawaii through town halls and neighborhood boards, to brief state regulators and officials, and to keep lines of communication open with the Hawaii Congressional delegation about what the Navy is doing to remain good stewards of the environment. That is why we were disappointed to initially learn about the Hotel Pier fuel leak in the press instead of hearing from Navy leadership directly.

The Navy's decision not to publically acknowledge the Hotel Pier fuel leak and explain what it is doing to prevent future leaks is inconsistent with the commitment past secretaries of the Navy have made to the people of Hawaii to remain transparent on all matters that could affect our environmental resources. Further, it follows a May 6 fuel leak at the Red Hill Bulk Fuel Storage Facility in which the Navy initially told the public that no fuel released into the environment, a statement we learned not to be accurate once the Navy discovered the full extent of the spill. These recent incidents, including the manner in which the Navy has responded to them and its lack of transparency with the public, raise questions about the seriousness with which the Navy takes its responsibility to communicate clearly with the public about matters concerning health and safety. The people of Hawaii deserve better from the Navy.

As it relates to the Hotel Pier incident, we have specific concerns that call into question how the Navy is operating and conducting oversight of its fuel operations in Hawaii. We are requesting timely and thorough answers to the following questions:

- 1) What procedures did Navy officials use to discover the source and scope of the Hotel Pier leak and did those procedures follow Navy safeguards and testing standards that it has established to improve the safety of its fuel operations in response to other spills?
- 2) Did the Navy comply with all of its fuel release reporting requirements related to this incident and did it provide timely information to state regulators, including information that may have been relevant to the Red Hill operating permit hearing officer?

- 3) What is the total volume of fuel released at Hotel Pier and what has the Navy done to clean up and remediate the impacted area?
- 4) What evidence, if any, is there that Navy officials withheld information about the Hotel Pier leak that would have been material to the Hawaii Department of Health's consideration to renew the Red Hill operating permit?
- 5) What follow-on actions is the Navy conducting to identify other potential points of failure in its fuel operations, including the pipeline systems at or around JBPHH, that could result in a hazardous fuel leak? and
- 6) What, if any, relationship does the Hotel Pier pipeline have to the Red Hill Bulk Fuel Storage Facility and what implications could this have for the existing facility improvement plan, including those required by state and federal regulators?

The Navy must continue to improve the management and oversight of its operations, and provide timely and accurate information to state and federal regulators to ensure that its fuel activities do not pose a risk to the health and safety of the people of Hawaii. To that end, we expect that you will provide thorough and timely responses to the questions described above, and if any wrongdoing is uncovered, that you will subsequently take appropriate accountability action.

We respectfully request a member-level delegation meeting to discuss how the Navy is operating and conducting oversight of its fuel operations in Hawaii, including the steps it is taking to ensure public health and safety, no later than December 3, 2021. Thank you for your consideration of this request. We look forward to discussing this matter further.

Sincerely,



BRIAN SCHATZ
U.S. Senator



MAZIE K. HIRONO
U.S. Senator



ED CASE
U.S. Representative



KAIALI'I KAHELE
U.S. Representative

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Congress of the United States
House of Representatives
Washington, DC 20515

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WATER, OCEANS AND WILDLIFE

INDIGENOUS PEOPLES OF THE UNITED STATES

June 28, 2021

Vice Admiral Skubic, SC,USN
Director, Defense Logistics Agency
8725 John J. Kingman Road
Fort Belvoir, VA 22060-6221

Rear Admiral John Korka, CEC, USN
Commander, Naval Facilities Engineering
Systems Command
1322 Patterson Ave. SE, Suite 1000,
Washington Navy Yard, DC 20374-5065

Dear VADM Skubic and RADM Korka,

I am writing regarding my concerns about the Red Hill Bulk Fuel Storage Facility and the safety of Hawaii's drinking water.

On May 7, 2021, the Navy reported a release of fuel from a distribution pipeline inside Red Hill. According to public reports, approximately 1,000 gallons of fuel was released but was collected by a fuel containment system. However, this release renewed growing public concerns about a repeat of the larger 2014 fuel spill, as well as renewed calls for closing Red Hill from some members of the community.

So that I can have a complete and current understanding of the Navy's operations at Red Hill and the security of Hawaii's drinking water resources, will you please respond to the following questions by **July 30, 2021**:

1. What is the scope of the Navy's ongoing investigation into the recent leak?
2. When is the investigation expected to be completed?
3. What is the review chain for the investigation's final report?
4. What is the current timeline of the Navy's effort to identify and test a secondary containment option?
5. If secondary containment is viable, how much less fuel would Red Hill contain and how would the Navy make up for that loss?
6. How much money has the Department of Defense invested in the maintenance and upkeep of Red Hill each year since 2014?

7. The Navy disputes a widely-cited independent assessment that states there is a 27.6% probability of 30,000 gallons leaking from Red Hill every year. What are the specific grounds for the Navy's disagreement with this assessment. Does the Navy plan to request another independent assessment regarding the risk of a leak and on what basis?
8. What was the Navy's response to the March 2020 letter from Hawai'i Department of Health and Environmental Protection Agency that disagreed with and disapproved the Navy's July 2019 "Corrosion and Metal Fatigue Practices, Destructive Testing Results Report?"
9. How does the continued operation of Red Hill compare with the decisions to shutdown Point Loma and Kitsap?

Thank you in advance for your prompt and full responses to my requests.

With aloha,



Congressman Ed Case
Hawai'i-First District

EC/MB

Congress of the United States

Washington, DC 20510

December 16, 2021

The Honorable Nancy Pelosi
Speaker of the House of Representatives
Washington, DC 20515

The Honorable Charles Schumer
Majority Leader of the U.S. Senate
Washington, DC 20500

The Honorable Patrick Leahy
Chairman
U.S. Senate Committee on Appropriations
Washington, DC 20510

The Honorable Rosa L. DeLauro
Chair
U.S. House Committee on Appropriations
Washington, DC 20515

The Honorable Jon Tester
Chairman
U.S. Senate Committee on Appropriations
Subcommittee on Defense
122 Dirksen Senate Office Building
Washington, DC 20510

The Honorable Betty McCollum
Chair
U.S. House Committee on Appropriations
Subcommittee on Defense
H-405 The Capitol
Washington, DC 20515

The Honorable Martin Heinrich
Chair
U.S. Senate Committee on Appropriations
Subcommittee on Military Construction,
Veterans Affairs, and Related Agencies
125 Dirksen Senate Office Building
Washington, DC 20510

The Honorable Debbie Wasserman Schultz
Chairwoman
U.S. House Committee on Appropriations
Subcommittee on Military Construction,
Veterans Affairs, and Related Agencies
HT-2 The Capitol
Washington, DC 20515

Dear Speaker Pelosi, Leader Schumer, and Chairs Leahy, DeLauro, Tester, McCollum, Heinrich and Wasserman Schultz:

We write to inform you of an ongoing emergency on the island of Oahu and request your immediate assistance to secure the federal funding necessary to prevent permanent damage to Oahu's federally designated sole-source groundwater aquifer. Since November 20, 2021, fuel from the World War II-era Red Hill bulk fuel storage facility (RHBFSF) has contaminated the Navy's water system that services the Joint Base Pearl Harbor-Hickam, Ford Island, Ewa Beach, and Aliamanu areas. This fuel leak has affected almost 100,000 residents, forcibly displaced more than 3,500 military families into temporary lodging, and sickened many with rashes, sore throats, stomach pain, headaches, diarrhea and vomiting, and oral chemical burns.

In the last twenty months, RHBFSF has experienced fuel leaks at an increasingly alarming rate. While the Navy has not identified the source of the most recent fuel contamination, two previous leaks provide some explanation. On May 6, 2021, approximately 1,618 gallons of jet fuel leaked from a distribution pipeline inside RHBFSF because of an operator error during the transfer of fuel. At the time, the Navy said that its catchment system collected all but 38 gallons of the fuel. However, the commander of Pacific Fleet has now called these facts into question and reopened the investigation to determine the total fuel that leaked and why the Navy could not

accurately account for missing fuel. On November 20, 2021, the Navy reported another leak of approximately 14,000 gallons of a mix of water and fuel in RHBFSF's lower tunnel. That water-fuel mix released after an operator collided with a fire suppression line and ruptured it. The Navy has not explained how fuel got into the fire suppression line, including if it is fuel associated with the May 2021 release or some other leak. Regardless, the Hawaii Department of Health tested the water in the Navy's Red Hill shaft and well adjacent to the fuel facility, detected gasoline- and diesel-range hydrocarbons at levels up to 350 times what the state considers safe, and recommended that users stop using the water.

Importantly, these recent fuel leaks follow a years-long effort by state and federal regulators to improve the safety of RHBFSF following a January 2014 leak when about 27,000 gallons of jet fuel leaked from a fuel tank. The Navy concluded that the cause of that specific leak was poor contractor performance during a routine tank repair. However, it also learned that the Navy ignored the alarm from its own leak monitoring system when it sounded. The 2014 accident and the leaks that followed are indicative of a Navy organizational culture at RHBFSF where safety and accountability are given inadequate attention—a culture that persists today.

We recognize that this is an ongoing public health emergency, and the Navy will need to continue to work with state and local regulators to address this crisis. It must also communicate its long-term needs to Congress so that we can provide the federal funding to protect the people of Hawaii and our service members and their families from continued threats to the drinking water. Nevertheless, we request your immediate assistance to make available all appropriate federal resources in the short-term to address this emergency. Specifically, we ask the following:

Demand the Department of Defense spare no expense to address the immediate crisis:

We must bring the full power of Congress to bear on the Department of Defense (DoD) to ensure that it is spending every dollar it has available to address this emergency right now. We are deeply concerned that despite this being a crisis of its own making, the Navy may be reluctant to spend the money required to meet the moment because of concerns about unknown future emergency needs or simply not wanting to own the long-term costs associated with this crisis.

We respectfully request your commitment to work with us to ensure that DoD senior leaders understand the gravity of the situation and commit whatever resources are required to identify, isolate, and remediate the source of the contamination; make impacted military and civilian families whole; and put in place water treatment and filtration to ensure the drinking water is safe for the public. Congress should assure the department that it will backfill its expenses in the next available funding bill so that it can continue to commit the serious resources needed to protect the people of Oahu from any continued public health threat, but DoD must act right away.

Fund future requirements as part of the next must-pass spending bill: We ask for your commitment that Congress will provide robust funding to support ongoing federal activities to improve safety and operations at RHBFSF. The next must-pass spending bill should provide the

Navy, Environmental Protection Agency (EPA), the Department of Health and Human Services, and other federal agencies the resources they need to monitor, detect, and ultimately prevent future fuel leaks. While we will continue to work with federal, state, and local stakeholders to identify their precise needs, we see immediate funding requirements in three key areas:

- **Environmental protection:** Congress must provide funding to maintain a local lab that can regularly test water samples at the concentration level that is necessary to ensure the drinking water remains safe. This lab should also have the capability to rapidly test contaminated soil to accurately assess any level of contamination. While the Navy has started the process to establish this lab at the University of Hawaii, we need to ensure it is well resourced for the long term. We also need to provide funding to strengthen EPA's oversight of the Navy's management of RHBFSF. Because it is clear that the Navy has failed to manage RHBFSF to a standard that protects the health and safety of the people of Hawaii, the EPA should take on a more involved oversight role of the facility. It has the expertise and the public's trust in terms of safely managing underground fuel storage tanks, but it needs funding for this expanded oversight mission.
- **Infrastructure improvements:** Congress must provide funding to rapidly improve the safety of RHBFSF's pipeline system and other critical facility infrastructure. While the Navy has provided sustainment dollars to repair and modernize the fuel tanks and fire suppression system, the department has woefully underinvested in the pipelines that move fuel between the Joint Base Pearl Harbor-Hickam piers and the fuel farm. Portions of this decades-old pipeline system date back to the Second World War and are not managed in accordance with federal pipeline standards. We need a massive investment of sustainment funds to harden the facility's infrastructure against accidents that could happen in the short run even as we deal with the future of RHBFSF. We also need to install leak detection systems in the underground tunnel network; make other emergency repair actions to critical facility infrastructure; and bring the pipeline network into compliance with the standards set by other federal agencies to help guard against future fuel leaks.
- **Study future risks:** Congress must fund an urgent, comprehensive investigation of the RHBFSF fuel system to map out the underground network used to transfer fuel from the refueling pier to the fuel tanks so we can identify other future vulnerable points within the system, even as we make improvements in the short term. The Navy currently uses 1940s schematics of the pipeline system to inform its understanding of the network, and it does not know the extent of the infrastructure or its vulnerabilities.

We also need an independent hydrology study and ground water flow mapping study that will give state and local regulators, and the Navy, better information about the immediate and long-term risks surrounding RHBFSF. The underground fuel tanks are 100 feet

above the island of Oahu's federally designated sole source aquifer, the southern Oahu basal aquifer, which provides 20 percent of Oahu's drinking water. The Honolulu Board of Water Supply has warned that a catastrophic fuel leak could cause a long-term contamination of the aquifer and threaten public health. Part of that concern stems from the uncertainty around how any fuel leak, including a catastrophic one, would move within the volcanic rock underneath RHBFSF, including if it would migrate in unpredictable ways toward groundwater aquifers or other drinking water wells.

These short-term investments are critical to address the ongoing contamination of the Navy's drinking water system and to shore up RHBFSF to prevent future fuel leaks. We know that there are long-term questions that we must resolve around the future of RHBFSF. Whatever the final analysis on RHBFSF's future, the immediate funding that Congress provides in the next available must-pass spending bill will ensure that we can deal with the future of the facility and its pipeline infrastructure in a responsible and safe manner, without any additional risks to public health or the environment.

Thank you for your support of our request and your effort to ensure that the people of Hawaii have access to safe drinking water, now and into the future.

Sincerely,



BRIAN SCHATZ
U.S. Senator



MAZIE K. HIRONO
U.S. Senator



ED CASE
U.S. Representative



KAIALI'I KAHELE
U.S. Representative