



DEPARTMENT OF THE NAVY
COMMANDER NAVY REGION HAWAII
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HOUSE COMMITTEE ON ENERGY AND ENVIRONMENTAL PROTECTION,
AND HOUSE COMMITTEE ON HEALTH
Testimony on House Bill 1696, Relating to the Fuel Tank Advisory Committee.

Hearing Date and Time: February 10, 2020, at 1415

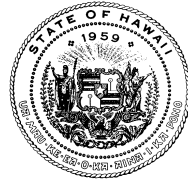
Testimony on behalf of Navy Region Hawaii by CAPT Marc Delao,
Commander, Naval Facilities Engineering Command Hawaii

Aloha Chair Lowen, Chair Mizuno, and Committee Members,

Thank you for the opportunity to submit testimony on House Bill 1696. The Navy and the Defense Logistics Agency are committed to being good stewards of our land and our natural resources today and in the future. These islands are critical for the defense of our nation, and we are committed to the strategic importance of Hawaii.

This bill requires the State Legislature's Fuel Tank Advisory Committee to meet biannually, at least six months apart. The Navy respectfully notes that the National Defense Authorization Act for FY20 requires the Navy to hold four public meetings per year. Currently, the Navy participates in Fuel Tank Advisory Committee meetings, the annual public meeting required by the Administrative Order on Consent, testimony before the State Legislature and Honolulu City Council, neighborhood board briefings, and other public appearances. The Navy also meets on a regular basis with regulators at the Environmental Protection Agency and Department of Health. We are committed to continued transparency and believe our current engagement provides a strong level of engagement and communication with valued stakeholders.

Thank you for the opportunity to submit this testimony today.



STATE OF HAWAII
DEPARTMENT OF HEALTH
P. O. Box 3378
Honolulu, HI 96801-3378
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Testimony in SUPPORT of HB1696
RELATING TO UNDERGROUND STORAGE TANKS

REPRESENTATIVE NICOLE E. LOWEN, CHAIR
HOUSE COMMITTEE ON ENERGY & ENVIRONMENTAL PROTECTION

REPRESENTATIVE JOHN M. MIZUNO, CHAIR
HOUSE COMMITTEE ON HEALTH

Hearing Date: 2/11/2020

Room Number: 325

- 1 **Fiscal Implications:** None
- 2 **Department Testimony:** The Department of Health (Department) is tasked with convening the
- 3 Fuel Tank Advisory Committee pursuant to Section 342L-62, Hawaii Revised Statutes. The
- 4 Department supports HB1696 to specify the frequency of these meetings to, “at least twice a
- 5 year.”
- 6 **Offered Amendments:** None
- 7 Thank you for the opportunity to testify on this measure.

BOARD OF WATER SUPPLY

CITY AND COUNTY OF HONOLULU
630 SOUTH BERETANIA STREET
HONOLULU, HI 96843
www.boardofwatersupply.com




February 11, 2020

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Manager and Chief Engineer

ELLEN E. KITAMURA, P.E.
Deputy Manager and Chief Engineer 

The Honorable Nicole E. Lowen, Chair
and Members
Committee on Energy and Environment Protection
House of Representatives
State Capitol, Room 325
Honolulu, Hawaii 96813

The Honorable John M. Mizuno, Chair
and Members
Committee on Health
House of Representatives
State Capitol, Room 325
Honolulu, Hawaii 96813

Dear Chair Lowen, Chair Mizuno and Members:

Subject: House Bill 1696: Relating to Underground Storage Tanks

The Honolulu Board of Water Supply (BWS) strongly supports House Bill (HB) 1696.

This bill proposes amending Hawaii Revised Statutes Section 342L-62, to specify the fuel tank advisory committee meet at least twice a year to study issues related to leaks of field-construction underground fuel storage tanks.

We feel the change clarifies the committee's meeting frequency and provides greater opportunity for public participation and transparency of underground fuel storage tank issues.

Thank you for the opportunity to testify on HB1696.

Very truly yours,



ERNEST Y.W. LAU, P.E.
Manager and Chief Engineer



**Testimony to the House Committees on Energy and Environment Protection
and Health**

LATE

**Tuesday, February 11, 2020 at 8:30 A.M.
Conference Room 325, State Capitol**

RE: HB 1696, RELATING TO UNDERGROUND STORAGE TANKS

Chairs Lowen and Mizuno, Vice Chairs Wildberger and Kobayashi and Members of the Committees:

The Chamber of Commerce Hawaii ("The Chamber") **provides the following comments on HB 1696**, which requires the fuel tank advisory committee to meet at least twice year.

The Chamber is Hawaii's leading statewide business advocacy organization, representing about 2,000+ businesses. Approximately 80% of our members are small businesses with less than 20 employees. As the "Voice of Business" in Hawaii, the organization works on behalf of members and the entire business community to improve the state's economic climate and to foster positive action on issues of common concern.

Additionally, the Hawaii Military Affairs Council (MAC) was established in 1985 as part of the Chamber, and advocates on behalf of Hawaii's military, and is comprised of business leaders and retired U.S. flag and general officers. The MAC works to support Hawaii's location as a strategic U.S. headquarters in the Indo-Asia-Pacific region.

In recognizing how critical the U.S. military presence is to Hawaii's economy, the Chamber underscores that the Red Hill Bulk Fuel Storage Facility is vital to military readiness as it supports all Hawaii-based military actions and a significant share of many more in the Indo-Asia-Pacific region. The military's ability to remain "ready to respond" is essential for preserving the military's presence in the State and protecting a vital driver of our State's economy. Fuel at Red Hill is also available for civilian use during times of emergencies, such as a natural disaster. It can be utilized by shipping companies to move cargo between the islands, or even by commercial air carriers to move residents or visitors.

We would also like to note that in the recent FY2020 National Defense Authorization Act, that was passed by Congress and signed into law in December 2019, there is a provision that would require the Department of the Navy to hold quarterly events that are open to the public to provide information and updates on the Red Hill Bulk Fuel Storage Facility.

Thank you for the opportunity to provide comments on HB 1696.



Tuesday, February 11, 2020

House Bill 1696

Testifying in STRONG SUPPORT

Aloha Chairs Lowen and Mizuno, Vice Chairs Wildberger and Kobayashi, and Members of the Committee on Energy & Environmental Protection and Members of the Committee on Health:

The Human Environmental Impacts Committee, Environmental Caucus of the Democratic Party of Hawai`i stands in **STRONG SUPPORT** of HB1696. This measure requires the fuel tank advisory committee to meet biannually, within a same calendar year at least six months apart. This committee is tasked with (1) considering the short and long term effects of releases of the fuel tanks, including effects relating to the health of the residents, safe drinking water and the environment; (2) response strategies to mitigate the effects of releases; (3) methods to improve communication between the U.S. Military, the Board of Water Supply; and the public in the event of a release; (4) groundwater test results; (5) implications of retiring the tanks; and (6) updates in progress to meeting the goals of the agreement between the state, County of Honolulu, and the federal government.

In 2018, the O`ahu County Democrats, out of dire concern over the risk to the Moanalua-Waimalu Aquifer, our major drinking water source for Moanalua to Hawai`i Kai, affecting hundreds of thousands of residents, businesses and visitors of the Honolulu District, adopted the following resolution:

OC 2018-11. Urging the United States Navy to retro fit its twenty jet fuel tanks or relocate them to a location away from the aquifer

Whereas, A Navy analysis may underestimate the contamination potential of leaks from giant fuel tanks from Red Hill; and

Whereas, The Navy has 20 underground fuel storage tanks dating to World War II in Red Hill above Pearl Harbor; and

Whereas, The tanks sit on an aquifer that supplies a quarter of the water consumed in urban Honolulu; and

Whereas, More than 27,000 gallons of jet fuel leaked from one of the tanks in 2014; and

Whereas, The Navy's evaluation of the potential risks appears to be skewed toward concluding that millions of gallons of jet fuel could be released without damaging the groundwater; and

Whereas, The Navy cannot locate the leaked fuel or accurately assess the risk to our groundwater; and

Whereas, Instead, the Navy is providing models to produce its preferred outcomes; and

Whereas, The Navy and regulatory agencies are working on a 20-year-plan to reduce the risk of leaks and fuel contamination from the tanks; and

Whereas, The plan includes new tank designs and potentially storing the fuel someplace other than Red Hill; and therefore, be it

Resolved, That the O‘ahu County Democrats of the Democratic Party of Hawai‘i urge the United States Navy to install double-walled tanks at Red Hill within five years or move the tanks if the Navy is unable to retrofit the twenty tanks into double-walled tanks within the time prescribed; and be it further

Resolved, That the O‘ahu County Demoicrats of the Democratic Party of Hawai‘i urge the Hawai‘i State Legislature, and the U.S. Congress to mandate that the Navy retrofit the twenty Red Hill tanks to double-walled tanks within five years and or relocate the twenty tanks to a location where the risk of leakage into the aquifer and groundwater is greatly minimized; and be it

Ordered, That copies of this resolution be transmitted to the United States Navy, members of the Hawai‘i Congressional Delegation, the Governor of the State of Hawai‘i, the Lt. Governor of the State of Hawai‘i, Hawai‘i Legislators who are members of the Democratic Party; the Mayor of the City and County of Honolulu; and Members of the City Council of the County of Honolulu; and the 2018 convention resolutions committee of the Democratic Party of Hawai‘i.

For these reasons, the Human Environmental Impacts Committee supports the passage of this measure to require the fuel tank advisory committee to meet biannually, within a same calendar year at least six months apart so that a favorable resolution can be met wherein the people of the state of Hawai‘i, particularly those residing, working, and visiting the county of Honolulu can feel safe and risk-free of petroleum contamination in its major drinking water aquifer for generations to come.

Mahalo for the opportunity to testify,

/s/ Melodie Aduja
Chair, Human Environmental Impacts Committee
Environmental Caucus
Democratic Party of Hawai‘i

HB-1696

Submitted on: 2/8/2020 12:51:27 PM

Testimony for EEP on 2/11/2020 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Andrea Quinn	Individual	Support	No

Comments:

Dear Honorable Committee Members:

Please support HB1696. Underground storage tanks often end up polluting our water tables.

Thank you for the opportunity to present my testimony.

Andrea Quinn

Kihei

LATE

HB-1696

Submitted on: 2/11/2020 6:59:19 AM

Testimony for EEP on 2/11/2020 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Gina Hara	Individual	Support	Yes

Comments:

To: The **Committee on Energy & Environmental Protection**: Representatives Nicole E Lowen (Chair), Tina Wildberger, Vice Chair, Sharon E. Har, Ryan I. Yamane, David A. Tarnas, Cynthia Thielen, Chris Todd; The **Committee on Health**: Representatives John M. Mizuno, Chair, Bertrand Kobayashi, Vice Chair, Della Au Belatti, Calvin K.Y. Say, Nadine K. Nakamura, James Kunane Tokioka, Joy A San Buenaventura, Gene Ward

RE: **HB1696**: RELATING TO UNDERGROUND STORAGE TANKS: Requires the fuel tank advisory committee to meet at least twice a year. 2/11/2020 **IN SUPPORT**

Pls make WEEKLY or MONTHLY MEETINGS to plan relocation of tanks off the aquifer.

Please ask the NAVY and get the answers to:

1) What is the status of the Navy Report summarizing total fuel needed in the Pacific? This was due 12/31/2019.

This is an important figure to design a plan for how much fuel should be relocated & the cost.

2) How much fuel did the Navy use over a 10-year period?

3) What is the tankage of fuel storage currently available on Oahu?

4) How much more storage tankage is necessary given the Navy's new data?

5) Both Pt. Loma (CA) and Manchester (WA) had leaking WWII-era tanks brought above ground quickly. Capacities were reduced approx in half. Why is Hawaii different? Why can we not relocate and bring the tanks above ground like these other communities?

6) Why has the Navy not gotten any estimates for relocation? Has the Navy looked into Ford Island as a site besides C, L and A locations which are approved by the Board of Water, aside from the initial 14 possible alternative site list. If not, why not?

7) The Navy says they test the tightness of the tank twice a year, what does that entail, and why did the tank 5 leak after making repairs? Was there no testing after repairs? How do we know this will not happen again?

8) Why did the Navy get rid of the tell-tale leak system and the Air Force reinstall it in their 5 tanks. Can we reinstall the tell-tale leak system which was considered imperfect but still a safety net with larger holes? The engineers from Hawaiian Dredging may still be alive.

9) TUA Tank Upgrade Alternatives: Yesterday the NAVY says they want to put an epoxy coating over inside the tank, as if to "line" the tank. This would actually make it harder to inspect and repair. Spraying a bathtub with epoxy complicates the process of water tightness. Are these materials in any way related to PFOAs?

There is no entity or person representing the People of Hawaii in a negotiation with the Navy. Hawaii does not have a "Dept of Ecology," like Manchester WA, that is looking for solutions, looking into relocation above ground, find funding, researching remediation. The EPA and DOH say this is not their job.

The EPA and Dept of Health seem to believe they are just passive "interpreters" of law. Their role is not to "defend or research." These entities just look at the Navy's ideas. It is unclear whether the Dept of Health is the "negotiator" on behalf of Hawaii or are they supposed be passive and accommodate whatever the Navy thinks they should do because they "only interpret the law." The AOC working to find any solution, or create an new entity that can find solutions. Why doesn't the investigation of BEST PRACTICES include looking at new tanks in a safer location. Why couldn't the Navy do this investigation simultaneously? Why is there no estimate for the past 6 years? What is the lifespan of Red Hill if maintained?

Thank you. Gina Hara, Halawa Valley

LATE

I would like to submit testimony in support of this bill.
I was at the hearing but missed the invitation to speak.

I have lost confidence in the Department of Health in safeguarding my water. That is why I want to have the fuel tank advisory committee to meet at least twice a year. My suggestion is that it meet as often as necessary until the Navy removes the fuel above our major aquifer.

I have spoken to Dr. Anderson of the DOH who agrees with me that the situation of the leaking and rusting Red Hill fuel tanks is dangerous and he suggests that I continue the pressure to have the fuel removed. However, he said, "these things take time" so he asks patience.

The Navy's own consultants warn that there is a 27% chance of dangerous levels of fuel leakage every year. The Board of Water Supply warns that the damage may be "irrecoverable". This is no time for patience.

This potential disaster is Navy-made and it can be prevented. We citizens ask our elected representatives to help us prevent disasters of this sort. Not wait until the disaster happens and then, react. But, this is the "business as usual" attitude we feel is prevalent in our government.

The Navy is now operating the tanks WITHOUT a permit. How can the legislature allow this?

The Navy has already removed similar WWII underground fuel tanks on two other military facilities, in Manchester, Washington and San Diego, California. They have the knowledge and technology.

Why are they dragging their feet in Hawaii? Why were other states able to take care of this matter expeditiously?

I have spoken to our congressional Representative Ed Case, who sits on the House Appropriations Committee and the Armed Forces Committee. He says we need to weigh the importance of National Security against safe water for 400,000 of his constituents.

I ask all the members of the Committee on Health and Committee on Energy and Environmental Protection pass this bill.