
HOUSE RESOLUTION

REQUESTING THE UNITED STATES NAVY TO PREPARE A PLAN TO
DECOMMISSION THE RED HILL BULK FUEL STORAGE FACILITY, STORE
ITS FUEL IN A MANNER COMPLIANT WITH STATE LAW, ESTABLISH A
NEW WATER TREATMENT FACILITY, PAY FOR ALL COSTS TO THE
STATE, AND COMPLY WITH ALL FUTURE REMEDIATION EFFORTS.

1 WHEREAS, under Article XI, section 7 of the Hawaii State
2 Constitution, the "State has an obligation to protect, control
3 and regulate the use of Hawaii's water resources for the benefit
4 of its people"; and

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6 WHEREAS, the importance of fresh water in Native Hawaiian
7 culture cannot be overstated; and

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9 WHEREAS, the common Hawaiian term for water, *wai*, is
10 incorporated within the Hawaiian term for law, *kānāwai*, and the
11 Hawaiian term for wealth, *waiwai*; and

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13 WHEREAS, the common Hawaiian phrase *Ola I Ka Wai* translates
14 directly to the lived experience of life in Hawaii and around
15 the world: "water is life"; and

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17 WHEREAS, Pu'uloa, later named Pearl Harbor, was once a hyper
18 productive wetland with Oahu's highest concentration of
19 fishponds; however, Pu'uloa and the surrounding environment has
20 been irrevocably altered by the United States military; and

21
22 WHEREAS, the United States Navy is the owner and operator
23 of the Red Hill Bulk Fuel Storage Facility, which is a field-
24 constructed underground storage tank system on Oahu, located
25 approximately two and a half miles northeast of Pearl Harbor;
26 and

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28 WHEREAS, the Red Hill Bulk Fuel Storage Facility was
29 constructed during World War II and began operation in 1943; it
30 occupies approximately one hundred forty-four acres of land



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1 along the edge of the Koolau Range, situated on a topographic
2 ridge that divides the Halawa Valley and Moanalua Valley; and
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4 WHEREAS, the Red Hill Bulk Fuel Storage Facility, which
5 consists of twenty field-constructed underground storage tanks,
6 pipelines, and other infrastructure, is used to store marine
7 diesel and two types of jet fuel and provides fuel to domestic
8 military services that operate in the Pacific Area of
9 Responsibility; and
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11 WHEREAS, the Red Hill Bulk Fuel Storage Facility sits
12 approximately one hundred feet directly above Oahu's groundwater
13 aquifer; and
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15 WHEREAS, the United States Environmental Protection Agency
16 has designated Oahu's groundwater aquifer as one of nine sole-
17 source aquifers in the Environmental Protection Agency Region IX
18 and has previously determined that this aquifer is the
19 "principal source of drinking water" for Oahu, which if
20 contaminated, "would create a significant hazard to public
21 health"; and
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23 WHEREAS, on November 28, 2021, users of the Navy's Joint
24 Base Pearl Harbor-Hickam water system complained of a fuel odor
25 coming from the water and an oily sheen on water; and
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27 WHEREAS, numerous residents reported their families and
28 pets experienced health issues after consuming the water,
29 including rashes, mouth sores, stomach aches, vomiting, burning
30 eyes, sore throats, headaches, and nausea; and
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32 WHEREAS, on November 29, 2021, the Department of Health
33 issued an advisory to all users on the Navy's water system to
34 avoid using the tap water for drinking, cooking, or oral hygiene
35 and that users who detect a fuel odor from their water should
36 avoid using the water for drinking, cooking, bathing,
37 dishwashing, laundry, or oral hygiene; and
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39 WHEREAS, as a direct result of the water contamination,
40 over three thousand residents were required to move out of their



1 homes and several businesses shut down or limited operations;
2 and

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4 WHEREAS, several Hawaii public schools and child
5 development centers on the Navy water system were also impacted
6 by the water contamination, forced to close off sinks and water
7 fountains and use only bottled water for handwashing,
8 dishwashing, and drinking purposes; and

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10 WHEREAS, the City and County of Honolulu Board of Water
11 Supply, to protect its drinking water system, has shut down
12 multiple water sources, including the Halawa Shaft, which
13 supplies approximately twenty percent of water to urban
14 Honolulu; and

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16 WHEREAS, the suspected source of the water contamination
17 was from a November 20, 2021, release of approximately fourteen
18 thousand gallons of a mixture of water and fuel from a crack in
19 a fire suppression drain line at the Red Hill Bulk Fuel Storage
20 Facility; and the United States Navy has identified JP-5, or jet
21 fuel, in the Red Hill Shaft, one of the drinking water sources
22 for the Navy water system; and

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24 WHEREAS, as of December 3, 2021, the Department of Health
25 received nearly five hundred complaints, mostly from residents
26 or customers served by the Navy water system, complaining of
27 fuel or chemical smells from the drinking water; and

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29 WHEREAS, fuel has entered the Oahu groundwater aquifer,
30 with data suggesting that fuel that has already leaked into the
31 aquifer will migrate through porous rocks toward the Halawa
32 Shaft; and

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34 WHEREAS, the Honolulu Board of Water Supply has indicated
35 that the worst-case scenario would be to permanently consider
36 the shutdown of Halawa Shaft, Halawa Well, and Aiea Well and
37 that these wells will not be used again until the Board of Water
38 Supply has one hundred percent confidence that they will not be
39 contaminated by migrating fuel from Red Hill; and

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1 WHEREAS, the continuing Red Hill water pollution crisis may
2 have a significant impact on the state economy due to a
3 necessary pause or moratorium on the issuance of new water
4 permits by the Honolulu Board of Water Supply, necessary
5 remediation, and the housing and health concerns of thousands of
6 residents; and
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8 WHEREAS, the probability of an acute leak of between one
9 thousand to thirty thousand gallons of fuel each year is at
10 least twenty-seven percent, which is likely understated; and
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12 WHEREAS, on December 6, 2021, the Department of Health
13 issued an emergency order requiring the United States Navy to
14 immediately suspend operations at the Red Hill Bulk Fuel Storage
15 Facility, as it represents "an imminent peril to human health
16 and safety or the environment" and also take measures to treat
17 contaminated drinking water at the Red Hill Shaft and safely
18 remove fuel from the twenty underground storage tanks at Red
19 Hill; and
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21 WHEREAS, the emergency order notes that under section 342L-
22 9, Hawaii Revised Statutes, if the Governor or Director of
23 Health determines that an "imminent peril to human health and
24 safety or the environment" exists, the Governor or Director of
25 Health may order any person to immediately reduce or stop the
26 release or activity and take any and all other actions as may be
27 necessary; and
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29 WHEREAS, the emergency order stated that the Red Hill Bulk
30 Fuel Storage Facility does not provide necessary environmental
31 protection to rapidly identify and remediate fuel leaks; and
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33 WHEREAS, the emergency order also stated that, given the
34 number of incidences that have occurred at Red Hill over the
35 last year, and in view of the current drinking water
36 contamination, the United States Navy has not demonstrated and
37 cannot ensure that immediate and appropriate response actions
38 are available or will be available should another release occur
39 in the future; and
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1 WHEREAS, on January 3, 2022, the Department of Health
2 upheld the December 6, 2021, emergency order; and
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4 WHEREAS, on January 3, 2022, the Department of Health
5 issued its Final Decision, Order, Findings of Fact, and
6 Conclusions of Law, upholding the December 6, 2021, emergency
7 order and specifically finding that the release of additional
8 fuel from the Red Hill Bulk Fuel Storage Facility is inevitable,
9 as the Red Hill underground storage tanks have a history of
10 leaking and will continue to leak; and
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12 WHEREAS, the United States Navy has previously
13 decommissioned antiquated storage tanks at Naval Base Kitsap,
14 Washington, and Naval Base Point Loma, California, and therefore
15 has the ability to remediate the significant environmental
16 contamination caused by the Red Hill Bulk Fuel Storage Facility;
17 decommission the antiquated underground storage tanks at Red
18 Hill; and store fuel in compliance with current legal and
19 technological standards; and
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21 WHEREAS, it is the intent of this body to improve trust
22 between the residents of Oahu and the United States Navy and
23 engage in planning between federal, state, and county agencies
24 to ensure the safety of Oahu's water supply for future
25 generations; now, therefore,
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27 BE IT RESOLVED by the House of Representatives of the
28 Thirty-first Legislature of the State of Hawaii, Regular Session
29 of 2022, that the United States Navy is requested to prepare a
30 plan to decommission the Red Hill Bulk Fuel Storage Facility;
31 store its fuel in a manner that is compliant with state and
32 federal law, away from the Oahu groundwater aquifer; prepare a
33 plan to establish a new water treatment facility adjacent to Red
34 Hill; pay for all costs to the State, and comply with all future
35 remediation efforts to Oahu's environment and water supply; and
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37 BE IT FURTHER RESOLVED, it is the intent of this body to:

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39 (1) Hold the United States Navy accountable for the
40 significant and foreseeable costs to the State as the
41 result of the ongoing Red Hill water pollution crisis;



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(2) Ensure that the United States Navy remediates the damage caused to the Oahu groundwater aquifer, land surrounding the Red Hill Bulk Fuel Storage Facility, and Pearl Harbor; and

(3) Ensure that any such remediation meets the standards set under state and federal law; and

BE IT FURTHER RESOLVED that this body agrees with the December 6, 2021, Department of Health emergency order; and

BE IT FURTHER RESOLVED that the United States Navy is requested to submit these plans to the Legislature, Department of Health, and Honolulu Board of Water Supply in an expedient manner; and

BE IT FURTHER RESOLVED that certified copies of this Resolution be transmitted to the President of the United States, United States Secretary of Defense, United States Secretary of the Navy, members of Hawaii's congressional delegation, Governor, Director of Health, Mayor of the City and County of Honolulu, and Manager and Chief Engineer of the Honolulu Board of Water Supply.

OFFERED BY: *PC... Dan*

JAN 26 2022

