

SB2930

Measure Title: RELATING TO UNDERGROUND STORAGE TANKS.

Report Title: Underground Storage Tanks and Systems; Environmental Protection; Department of Health

Description: Requires, on or before 10/13/2018, that the department of health adopt rules for underground storage tanks and tank systems to conform with certain federal regulations and that include additional requirements for field-constructed underground storage tanks and tank systems. (SD1)

Companion: [HB2712](#)

Package: None

Current Referral: AEN/PSM, CPH

Introducer(s): GABBARD, GREEN, HARIMOTO, KEITH-AGARAN, KIM, S. Chang, Espero, Nishihara, Riviere, L. Thielen



DEPARTMENT OF THE NAVY
COMMANDER NAVY REGION HAWAII
850 TICONDEROGA ST STE 110
JBPHH HI 96860-5101

SENATE COMMITTEE ON COMMERCE, CONSUMER PROTECTION, AND HEALTH

Testimony on Senate Bill 2930 S.D. 1, Related to Underground Storage Tanks

Hearing Date and Time: Monday, February 26, 2018 at 10:15 a.m.

Testimony on behalf of Navy Region Hawaii by RDML Brian P. Fort,
Commander, Navy Region Hawaii

Senate Bill 2930 S.D. 1 targets the Department of Defense (DoD) Red Hill Bulk Fuel Storage Facility with ten year deadlines that conflict with an active, legally binding agreement with the Environmental Protection Agency (EPA) and State of Hawaii Department of Health (DOH). My testimony consists of three points:

1. The Administrative Order on Consent process negotiated a 2037 deadline which is aggressive for a project never attempted on this scale.
2. The state environmental court has yet to issue a written decision for review by the State Dept. of the Attorney General and others. Implications and appropriate responses are as yet unclear.
3. The Red Hill facility is of vital strategic importance to our Nation and U.S. Pacific Command.

1. The Administrative Order on Consent negotiated a 2037 deadline which is aggressive for a project never attempted on this scale.

The negotiated Administrative Order on Consent (AOC) goes above and beyond. The Navy and Defense Logistics Agency agreed to a very aggressive 2037 deadline. A 2028 deadline is not practicable while maintaining an operating fuel facility to support military operations in Hawaii and throughout the Pacific. These timelines are not based on sound construction knowledge or consideration for the engineering and logistical challenges that will be encountered in executing a project of this magnitude. Working within the Red Hill facility presents many physical space constraints that will significantly impede a rapid construction effort. For example, there are limited tunnel access points. All material, equipment and personnel must travel and operate through tunnels about the width of an automobile. **The timelines outlined in SB2930 are not practicable and threaten the continued operation of the facility and the military's readiness and ability to respond to a crisis within the Pacific region. See attached letter from US Pacific Command (PACOM).**

2. The state environmental court has yet to issue a written decision for review by the State Dept. of the Attorney General and others. Implications and appropriate responses are as yet unclear.

On Feb. 21, 2018 the state environmental court issued a verbal decision in Civil No. 17-1-1350-08 requiring the Dept. of Health to update state administrative rules. Federal rules already required the Dept. of Health to update state storage tank rules by October 2018. We respectfully note that federal law does not require secondary containment with interstitial spaces as defined in this bill. Contrary to news reports, Red Hill is continually maintained and recent tests show the tanks are not leaking. Rushing design and construction increases risk and is imprudent because both EPA and the Dept. of Health find that migration of any contamination to Board of Water Supply wells "is unlikely." The impact of the court decision, reaction of parties, and impact to the AOC are as yet unclear. When the Court issues a written decision, the Navy, DOH, and EPA shall give due consideration to potential legal, legislative, and other responses.

3. The Red Hill facility is of vital strategic importance to our Nation and US Pacific Command.

Closure of Red Hill in 2028 will have significant direct negative impacts not only on Navy, Marine Corps, and Air Force operations in the Pacific, but also for Japan and Korea, indeed the security of the entire Pacific Region. We understand this bill's desire for additional protection for the Red Hill facility, however due to these physical constraints, and national security requirements outlined in the attached PACOM letter, the earliest acceptable date for us is 2037. This date provides the best chance of accomplishing the bill's purposes with sound engineering. This is what the Navy, DOH, and EPA agreed to in the AOC. Red Hill is vital today and will remain vital for the foreseeable future. The attached PACOM letter affirms Red Hill's importance. The DoD respectfully asks the Legislature to modify this bill to allow the Dept. of Health to continue its work with EPA and the Navy to develop a consensus solution instead of this bill's unilateral state mandate for secondary containment with interstitial monitoring by 2028. We remain committed to protecting drinking water as an unquestioned, non-negotiable requirement. We respectfully request your support to modify this bill to ensure that the Department of Health, EPA, DLA, the Navy, and other stakeholders have sufficient time to complete our collaborative effort.

Thank you for the opportunity to testify today.



**COMMANDER, U.S. PACIFIC COMMAND
(USPACOM)
CAMP H.M. SMITH, HAWAII 96861-4028**

23 February 2018

COMMITTEE ON COMMERCE, CONSUMER PROTECTION, AND HEALTH

**Hearing Date and Time: February 26, 2018, 10:15 A.M., Room 229
Testimony on Senate Bill No. 2930, Relating to Underground Storage Tanks**

Chair Rosalyn H. Baker, Chair Jill N. Tokuda, Senators,

Good morning and thank you for the opportunity to submit written testimony for Committee review related to Senate Bill 2930.

USPACOM, commanded by Admiral Harry B. Harris, is the highest level DoD headquarters in the Indo-Pacific region. It provides command and control of assigned forces from the Army, Navy, Air Force, and Marines operating in the Pacific. The Red Hill Fuel Storage Facility is owned and maintained by the U.S. Navy, while the Defense Logistics Agency serves as the military's global supply chain manager for fuel.

The purpose of my testimony is threefold: to inform the Committee of the vital strategic significance of the Red Hill Fuel Storage Facility; to communicate USPACOM's resolve and commitment to conduct operations in an environmentally responsible and compliant manner; and third, to continue communicating with State leadership and local constituents for any matters of public interest regarding the Red Hill Fuel Storage Facility.

The Red Hill facility holds a significant percentage of petroleum war reserves required to defend national security interests in the Pacific region. It supports all US military forces stationed in and transiting through Hawaii via its hardened, underground, cyber-protected, gravity-fed system to Joint Base Pearl Harbor-Hickam. It supports the Hawaii Army and Air National Guard and is capable of defense support to civil authorities should circumstances dictate. There is no comparable US owned facility anywhere from India to mainland USA.

USPACOM remains committed to operating environmentally sound facilities, demonstrated through a trained workforce and continued financial investment that has improved safety, accountability, detection, and monitoring at Red Hill. On behalf of USPACOM, thank you for the opportunity to submit testimony on this matter. Should the Committee desire, I consider it a privilege to meet in the near future and provide additional information as necessary.

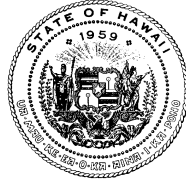
A handwritten signature in black ink, appearing to read "Evan M. Miller", is positioned above the typed name.

EVAN M. MILLER
Brigadier General, USAF
Director Logistics, Engineering
and Security Cooperation

approval for the Department's UST Program. Losing state program approval would have significant fiscal implications and would compromise the Department's enforcement capabilities.

The Environmental Court's decision relies upon a reading of the legislative purpose behind chapter 342L, Hawaii Revised Statutes (HRS), and the Department's current UST rulemaking authority. Assuming no appeal is taken, the court's order will undoubtedly direct the Department to make rules in keeping with its interpretation of that authority. Thus, the Department may soon be compelled to reconcile new federal rulemaking requirements and a pressing EPA deadline with a judicial decision which rests upon a statute that was last amended in 1992 (Act 259). Given this set of circumstances, and the desirability of making future litigation less likely, we recommend that this measure be preserved as an opportunity to update chapter 342L, HRS, and clarify the Department's legislative mandate accordingly.

Thank you for the opportunity to testify.



STATE OF HAWAII
DEPARTMENT OF HEALTH
P. O. Box 3378
Honolulu, HI 96801-3378
doh.testimony@doh.hawaii.gov

**Testimony COMMENTING on SB2930 SD1
RELATING TO UNDERGROUND STORAGE TANKS.**

SEN. ROSALYN H. BAKER, CHAIR
SENATE COMMITTEE ON COMMERCE, CONSUMER PROTECTION, AND HEALTH

Hearing Date: February 26, 2018

Room Number: 229

1 **Fiscal Implications:** Undetermined.

2 **Department Testimony:** The Department of Health takes no position on the merits of SB2930
3 SD1, and acknowledges that a legislative measure moving through the 2018 session may afford
4 greater flexibility for the State to determine appropriate underground storage tank policy. The
5 department recommends the measure move through committee so the conversation may
6 continue.

7 **Offered Amendments:** N/A.

8

BOARD OF WATER SUPPLY

CITY AND COUNTY OF HONOLULU
630 SOUTH BERETANIA STREET
HONOLULU, HI 96843
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February 26, 2018

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Manager and Chief Engineer

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

The Honorable Rosalyn H. Baker, Chair, Jill N. Tokuda, Vice Chair
and Members
Committee on Commerce, Consumer Protection, and Health
Hawaii State Capitol, Room 229
415 South Beretania Street
Honolulu, Hawaii 96813

Dear Chair Baker, Vice Chair Tokuda and Members:

Subject: Senate Bill 2930 Senate Draft 1: Relating to Underground Storage Tanks

The Honolulu Board of Water Supply (BWS) strongly supports Senate Bill (SB) 2930 Senate Draft (SD) 1. This bill will ensure the protection of our environment and underground sources of drinking water from the adverse impacts of leaking underground petroleum fuel tank systems through the application of standardized rules, requirements, and best practices that uniformly apply to all systems regardless of size and construction type.

The bill currently shows the year date to complete upgrading to secondary containment for tanks and piping as blank. The BWS respectfully recommends the upgrades be completed by July 1, 2028. However, we also understand the intent of the blank year date is to encourage further discussion and support keeping it for that purpose.

The Department of Health (DOH) recently proposed revisions to Hawaii state rules that would require large field constructed underground storage tanks (USTs) either (i) be provided with secondary containment beginning twenty years after the effective date of the rules or (ii) utilize a tank design and release detection method which the director determines are protective of human health and the environment. DOH's proposal is concerning because, (1) it mirrors the long timeline under the Red Hill Administrative Order on Consent (AOC) and; (2) can allow a tank design that does not have an annular space around the tank that can collect any leaked fuel and still be large enough to allow periodic inspection of the primary and secondary tanks. This design is unique to secondary containment and one that we believe provides our aquifers and environment the best protection from leaks from USTs.

This bill addresses these concerns by ensuring large field-constructed USTs and its piping be equipped with secondary containment and establishing a firm deadline for its installation. Our support for this measure is driven by the need to protect our drinking water aquifers and our concerns with the current direction being taken by the Parties under the Red Hill AOC.

The existing Red Hill AOC and schedule for its implementation does not respond commensurately to the imminent risk associated with the Navy's storage of millions of gallons of fuel above our sole-source aquifer. Soil and rock samples collected from below 19 of the 20 tanks at Red Hill show evidence of staining. Petroleum chemical contaminants have been

The Honorable Rosalyn H. Baker, Chair, Jill N. Tokuda, Vice Chair
and Members
February 26, 2018
Page 2

found in groundwater samples collected from underneath the tanks that exceed current DOH Environmental Action Levels (EALs) for groundwater in one part of the aquifer.

Even according to the Navy's own preliminary risk assessment report submitted under the AOC, there have been 37 documented leaks occurring at Red Hill since the facility began operations in 1943—an average of one leak every other year. The report is also estimating the frequencies of future leaks by not only using Red Hill data but also including data from United States commercial nuclear power plants and data from Navy installations other than the Red Hill facility. We are concerned about its relevance and application because power plant data is predominantly from above ground storage tanks, storing water rather than fuel and constructed to nuclear industry standards, and maintained in a highly regulated environment which is not replicated at Red Hill. The other Navy tank installation data are from tanks that are not anywhere as large as the Red Hill tanks, not all underground, a mix of single and double-walled tanks, and tanks with cathodic protection that is not present in the Red Hill tanks. The report also fails to analyze the risk of earthquakes. BWS has significant concerns that seismic shaking could result in a break near the base of a tank, causing a tear and resulting in the release of millions of gallons of fuel into the environment.

Additionally, the interim groundwater modeling work currently underway discounts data that indicates regional groundwater flow direction could be from Red Hill toward Halawa Valley and the significant potential impact to a major BWS groundwater supply source, Halawa Shaft. The Navy interim modeling efforts indicate a strong predisposition to groundwater flow from Red Hill to Pearl Harbor and discounts any data to the contrary. Relying solely on the Navy's modeling work could under inform the decisions made to improve the facility and protect groundwater.

For these reasons, BWS relies on this bill to ensure that the protective capabilities of secondary containment are in place to safeguard our drinking water especially if the Red Hill facility wants to store large volumes of fuel just 100 feet above our aquifer. Red Hill is the state's largest field-constructed UST facility that should be regulated to a level proportional to the extremely large volume of fuel that it stores. The groundwater aquifer underneath the facility is called the Southern Oahu Basal Aquifer and is designated by the United States Environmental Protection Agency (EPA) as a sole source aquifer and principal source of drinking water for Wahiawa, Ewa and portions of Honolulu that if contaminated would create a significant hazard to public health. The need to preserve and protect groundwater quality and quantity now and into the future outweighs the continued operation of large field-constructed USTs without secondary containment and we strongly ask for your support of this measure.

Thank you for the opportunity to testify.

Very truly yours,



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

SB-2930-SD-1

Submitted on: 2/23/2018 5:14:19 PM

Testimony for CPH on 2/26/2018 10:15:00 AM

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|--|---------------------------|---------------------------|
| Melodie Aduja | Testifying for OCC Legislative Priorities Committee, Democratic Party of Hawai'i | Support | No |

Comments:

**PRESENTATION OF THE
OAHU COUNTY COMMITTEE ON LEGISLATIVE PRIORITIES
DEMOCRATIC PARTY OF HAWAI'I**

TO THE COMMITTEE ON COMMERCE, CONSUMER PROTECTION AND HEALTH

THE SENATE

TWENTY-NINTH LEGISLATURE

REGULAR SESSION OF 2018

Monday, February 26, 2018

10:15 a.m.

Hawaii State Capitol, Conference Room 229

RE: Testimony in Support of SB 2930 SD1 RELATING TO UNDERGROUND STORAGE TANKS

To the Honorable Rosalyn H. Baker, Chair; the Honorable Jill N. Tokuda, Vice-Chair, and Members of the Committee on Commerce, Consumer Protection and Health:

Good afternoon. My name is Melodie Aduja. I serve as Chair of the Oahu County Committee ("OCC") Legislative Priorities Committee of the Democratic Party of Hawaii. Thank you for the opportunity to provide written testimony on Senate Bill No. 2930 SD1, relating to Underground Storage Tanks and Systems; Environmental Protection; and the Department of Health

The OCC Legislative Priorities Committee is in favor of Senate Bill No. 2930 SD1 and support its passage.

Senate Bill No. 2930 SD1, is in accord with the Platform of the Democratic Party of Hawai'i ("DPH"), 2016, as it requires that on or before 10/13/2018, the department of health adopt rules for underground storage tanks and tank systems to conform with certain federal regulations and that include additional requirements for field-constructed underground storage tanks and tank systems.

Currently, under Chapter 11-281 of the Hawaii Administrative Rules, the Red Hill bulk fuel storage facility field-constructed underground storage tanks, tank systems, and related piping, are exempt from the requirements that must be met by owners and operators of other underground storage tanks or tank systems.

Specifically, the DPH Platform states that "[w]e support the protection of our 'aina against destruction by corporate, government, or military usage and expect full restoration and reparation of environmental damage. To handle current and future demands of water, we must assess the current condition of our aquifers and take appropriate actions to secure our freshwater resources." (Platform of the DPH, P. 8, Lines 422-425 (2016)).

Given that Senate Bill No. 2930 SD1 requires that on or before 10/13/2018, the department of health adopt rules for underground storage tanks and tank systems to conform with certain federal regulations and that include additional requirements for field-constructed underground storage tanks and tank systems, it is the position of the OCC Legislative Priorities Committee to support this measure.

Thank you very much for your kind consideration.

Sincerely yours,

/s/ Melodie Aduja

Melodie Aduja, Chair, OCC Legislative Priorities Committee

Email: legislativepriorities@gmail.com, Text/Tel.: (808) 258-8889



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COMMITTEE ON COMMERCE, CONSUMER PROTECTION, AND HEALTH

Monday, February 26, 2018, 10:00 a.m., Room 229

SB2930 SD1 RELATING TO UNDERGROUND STORAGE TANKS

TESTIMONY

Nancy Davlantes, Legislative Committee, League of Women Voters of Hawaii

Chair Rosalyn Baker, Vice-Chair Jill Tokuda, and Committee Members:

The League of Women Voters of Hawaii strongly supports SB2930 SD1 that requires "on or before 9/1/2018, that the department of health adopt rules for underground storage tanks and tank systems to conform with certain federal regulations and that include additional requirements for field-constructed underground storage tanks and tank systems."

The League's commitment to protect our environment is embodied in the national statement of our intent to "promote an environment beneficial to life through the protection and wise management of natural resources in the public interest."

The debate over this issue has pitted the state Department of Health against the Honolulu Board of Water Supply, each of which is tasked with protecting the welfare of Hawaii citizens albeit with separate missions.

Now the February 21 ruling of the first circuit court against the Department of Health, finding that the state's exemption of the Navy's Red Hill fuel tanks violates state law, has brought a resolution to this debate in that those tanks must be brought into compliance with legislation approved by the state in 1992.

The bottom line in all of this is the vital importance of Oahu's primary aquifer that supplies drinking water to more than 600,000 residents and is just 100 feet below these fuel tanks. We have agreed with those who say that the 20-year time frame for studies and upgrades agreed to among the Navy, the U.S EPA, and the state Health Department in 2015 does not address the urgency required, and the court's ruling is verification.

While the Navy assures that the tanks aren't leaking now and that they are crucial to military readiness, and the Chamber of Commerce emphasizes the economic significance of the military presence in Hawaii, studies are not what is needed now. What is required is a plan of action to decide how the tanks will be upgraded so that the work can begin sooner rather than later, most certainly not 20 years later.

Thank you for the opportunity to submit testimony.



Testimony of the Sierra Club of Hawai'i to the

SENATE COMMITTEE ON CONSUMER PROTECTION AND HEALTH

COMMENTS on SB2930 Relating to Underground Storage Tanks

Monday, February 26, 2018 10:15AM Conference Room 229

Aloha Chairwoman Baker and members of the CPH Committee,

On behalf of our 20,00 members and supporters, the Sierra Club of Hawai'i, a member of the Common Good Coalition, offers this testimony on SB2930 to better protect our water resources from the threat of field constructed fuel storage tanks. We offer amendments to improve the bill.

BACKGROUND

The Navy's Red Hill Bulk Fuel Storage Facility has contaminated our groundwater. That fact is undisputed. Polluting our groundwater is unacceptable. If our enemies poisoned our drinking water, no doubt we would all be up in arms. Yet, here we are four years later and our water is still at immense risk.

The Red Hill underground storage tanks continue to pose a serious threat to the aquifer. In a sworn statement submitted in court, the administrator of the water quality division of the Honolulu Board of Water Supply stated that the Red Hill facility:

poses a serious risk to Oahu's groundwater aquifer and drinking water resources because of: its close proximity (100 feet) to the groundwater table and the groundwater's vulnerability to contamination; the large volume (187 million gallons) of petroleum fuel stored in it; records of past fuel leaks in addition to the 27,000 gallons released in January 2014 from a facility that is corroding and more than 75 years old; the presence of petroleum contamination detected in the groundwater underneath the facility since 2005; and the amount of contamination in at least one area of the groundwater under the Red Hill Bulk Fuel Storage Facility shows levels that pose an unacceptable threat to human health and the environment.

Government officials slept while the water in Flint, Michigan was contaminated. We cannot repeat that mistake here. The antiquated, leaky tanks at Red Hill need to be upgraded to secondary containment immediately, or they should be removed.

U.S. Navy

The Navy should operate in a way that respects the laws of Hawai‘i and does not contaminate our groundwater resources. We know this is possible. In Washington State, the Naval Base Kitsap's Manchester Fuel Depot is in the process of replacing its underground fuel storage tanks with state-of-the-art, above-ground steel tanks. According to Manchester's Regional Fuels Manager Glenn Schmitt, “Underground storage tanks have inherent environmental risks and so we're trying to avoid those risks by bringing the tanks above ground.”

It is incumbent on this Committee, and all legislators, to establish strong minimum expectations so that the Navy can meet them. The Administrative Order on Consent, the enforcement action ordered after the Navy polluted our groundwater, specifically anticipates and provides for new regulations to be adopted (§8(b)(iii)). Passing this bill does not jeopardize the AOC. Rather, passing this bill gives the Navy the kind of urgent justification needed to secure the necessary funding and expertise from the Department of Defense to either quickly upgrade the existing tanks or, if that is not possible, then begin the process of an orderly relocation of the fuel.

Hawai‘i has heard many times before that a particular action is essential to national security — such as bombing at Kaho‘olawe and Mākuā — and every time the military has modified its behavior to maintain national security while meeting our minimum expectations protecting our ‘āina.

Hawai‘i Department of Health

The Department of Health is constitutionally obligated to protect our drinking water from contamination. Hawai‘i State Constitution Article IX section 1, and Article XI sections 1 and 7; *Kauai Springs, Inc. v. Planning Comm'n of Kaua‘i*, 133 Hawai‘i 141, 172, 324 P.3d 951, 982 (2014); *Kelly v. 1250 Oceanside Partners*, 111 Hawai‘i 205, 140 P.3d 985 (2006). It is also statutorily required to do so. HRS §§ 174C-66, 321-1.1, 340E-2, 342D-4, and 342D-50.

In 1986, the legislature called on DOH to “establish state standards to protect Hawai‘i's public health and the environment from ground and surface water contamination resulting from leaking underground storage tanks.” Act 197, 1986 Hawai‘i Session Laws at 340. Six years later, the legislature amended the law, setting a deadline requiring DOH to adopt rules to ensure that pre-existing underground storage were upgraded and operated to prevent releases. Act 259, 1992 Hawai‘i Session Laws. The legislature mandated that the rules must require that underground storage tanks be replaced or upgraded in a manner that prevents releases by the end of 1998. And these rules must require that all tanks be operated to prevent releases.

Unfortunately, DOH failed to meet this mandate in significant ways. First, DOH was late in enacting rules. Despite a requirement that the rules require upgrading by December 22, 1998, DOH did not actually enact rules until the year 2000. Second, DOH exempted the underground storage tanks that pose the greatest threat to our groundwater. The tanks at Red Hill do not have to comply with significant and substantive portions of the underground storage tank rules. Third, there was no requirement that the Red

Hill tanks, and other tanks on military land, be upgraded.

In 2014, the legislature adopted Senate Concurrent Resolution 73 HD1, which required the Director of Health to submit its findings in a report from a task force studying the effects of the January 2014 tank leak at the Red Hill Fuel Storage Facility. In that report, DOH acknowledged that “the operation of this facility should only exist on the condition that the facility be upgraded with secondary containment and state-of-the-art leak detection to ensure safe operations and prevent adverse impact to the environment” and that “DOH should amend the State’s UST regulations to require secondary containment and leak detection for all of Hawaii’s field constructed USTs.” More than three years later, we are still waiting.

Last week, the first circuit court held that the special exemption that DOH carved out for the Navy was invalid. The Sierra Club’s complete motion for summary judgement, as well as the undisputed facts, can be read online at: <https://sierraclubhawaii.org/red-hill-water-security/>.

Assuming that this bill is intended – as it is currently written – to expedite the upgrading of the Red Hill tanks to secondary containment, the Sierra Club of Hawai‘i supports this bill as a better alternative to litigation. If, however, this bill is to be gutted and used as a vehicle for granting a special exemption to the tanks that pose the greatest threat to our groundwater, then we would oppose it. We do not need another Flint, Michigan in Hawai‘i nei.

We propose the following amendments to make this legislation stronger.

Proposed Amendments

It is simpler – and requires less administrative work – to codify the requirements into the statute, rather than to direct the Department of Health to subsequently adopt rules. The first paragraph in section 2 can be deleted. Similarly, the phrase “be required to upgrade” should be replaced with “be upgraded.”

~~SECTION 2.—On or before October 13, 2018, the department of health shall adopt rules pursuant to chapter 91, Hawaii Revised Statutes, including necessary revisions, to conform Hawaii's underground storage tank and tank system rules with the July 15, 2015, revisions to the United States Environmental Protection Agency underground storage tank regulations codified in title 40 Code of Federal Regulations part 280; provided that the department shall additionally require through rules that: HRS 342L is amended to include a new section to be designated HRS 342L-38 to read as follows:~~

342L-38 Field constructed tanks. (a) ~~(1)~~ All field-constructed underground storage tanks with storage capacities greater than fifty thousand gallons shall:

- (1) ~~Be required to be upgraded~~ with secondary containment with interstitial monitoring by July 1, 2023 ; and
- (2) Be subject to the permitting requirements specified in chapter 11-281, Hawaii Administrative Rules, or successor rules;

(b) ~~(2)~~ All onsite integral piping connected to any field-constructed underground storage tanks with storage capacities greater than fifty thousand gallons shall:

- (1) Be ~~required to~~ upgraded with secondary containment with interstitial monitoring by July 1, 2023 , if the piping is in contact with the soil, concrete, or cannot be visually inspected; and
- (2) Be subject to the permitting requirements specified in chapter 11-281, Hawaii Administrative Rules, or successor rules;

provided that "onsite integral piping" means on-site piping, originating or terminating at the regulated storage tank or tanks, that conveys regulated substances. Vapor, or other recovery lines, pipeline facilities, and vent lines, are not considered integral piping. Integral piping includes all valves, elbows, joints, flanges, pumps, and flexible connectors associated with the pipe originating at the storage tank up to the union of the integral piping with the dispensing system, the fill valve, the forwarding pump used for transferring regulated substances to a flow-through process tank or an industrial production or manufacturing point of use, the first flange or connection within a loading rack containment area, or the first shoreside valve after the marine transfer area for on-site piping at regulated underground storage tank facilities.;

(c) ~~(3)~~ Owners and operators of field-constructed underground storage tanks that fail to meet the deadline specified in subsections (a) and (b) ~~paragraphs (1)(A) and (2)(A)~~ shall empty the storage tank system, take the system out-of-service by July 1, 2028, and permanently close the tank by July 1, 2030, in accordance with chapter 11-281, Hawaii Administrative Rules, or successor rules.;

(d) ~~(4)~~ The department of health shall revoke the permits of any owners and operators of field-constructed underground storage tanks that fail to meet the deadline specified in subsections (a) and (b) ~~paragraphs (1)(A) and (2)(A)~~ for upgrading with secondary containment.

Thank you for the opportunity to provide testimony on this extremely important matter.

Sincerely,



Marti Townsend
Director
Sierra Club of Hawai'i



46-063 Emepela Pl. #U101 Kaneohe, HI 96744 · (808) 679-7454 · Kris Coffield · Co-founder/Executive Director

**TESTIMONY FOR SENATE BILL 2930, SENATE DRAFT 1, RELATING TO
UNDERGROUND STORAGE TANKS**

Senate Committee on Commerce, Consumer Protection, and Health
Hon. Rosalyn H. Baker, Chair
Hon. Jill N. Tokuda, Vice Chair

Monday, February 26, 2018, 10:15 AM
State Capitol, Conference Room 229

Honorable Chair Baker and committee members:

I am Kris Coffield, representing IMUAlliance, a nonpartisan political advocacy organization that currently boasts over 400 members. On behalf of our members, we offer this testimony in support of Senate Bill 2930, SD 1, relating to underground storage tanks.

Hawai'i's water resources are under siege. At the same time, enforcement of the State Water Code is spotty, at best. Degradation of the fuel storage system at Red Hill is a prime example of our failure to protect our water supply. For over 70 years, the U.S. Navy has stored 187 million gallons of fuel inside the Red Hill ridge, just 100 feet above O'ahu's main drinking water supply.

In that time, the facility has leaked more than 30 times, with the last known leak occurring in January 2014, when 27,000 gallons of fuel were released from a single tank. That leak resulted in a 20-year agreement between the U.S. Navy, Environmental Protection Agency, Defense Logistics Agency, and the Hawai'i Department of Health to study, monitor, and consider improvements to the storage facility. Those improvements need to happen now. All field-constructed underground storage tanks and tank systems must be upgraded or replaced. Furthermore, all tanks must be provided with secondary containment to prevent any future leaks.

Water is life. Mahalo for the opportunity to testify in support of this bill.

Sincerely,
Kris Coffield
Executive Director
IMUAlliance



**Testimony to the Senate Committee on Commerce,
Consumer Protection & Health
Monday, February 26, 2018 at 10:15 A.M.
Conference Room 229, State Capitol**

RE: SENATE BILL 2930 SD1 RELATING TO UNDERGROUND STORAGE TANKS

Chair Baker, Vice Chair Tokuda, and Members of the Committee:

The Chamber of Commerce Hawaii ("The Chamber") **opposes** SB 2930 SD1, which requires, on or before 9/1/2018, that the Department of Health adopt rules for underground storage tanks and tank systems to conform with certain federal regulations and that include additional requirements for field-constructed underground storage tanks and tank systems.

In recognizing how critical the U.S. military presence is to Hawaii's economy, the Chamber underscores that the Red Hill fuel 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.

It is the understanding of the Chamber that this legislation threatens the U.S. military's ability to respond to crisis in the region, whether it is conflict or humanitarian aid/disaster relief, due to the fact that the requirements proposed in this bill are not feasible based on the timeline prescribed in it. The military's ability to remain "ready to respond" is essential for preserving the military's presence in the State and protecting our second largest industry. If the current bill is passed it is likely that the Red Hill facility will not be able to meet these mandates. The Chamber requests that you defer this measure indefinitely.

Thank you for the opportunity to testify.

SENATE COMMITTEE OF COMMERCE, SONSUMER PROTECTION, AND HEALTH

DECISION MAKING
MONDAY, FEBRUARY 26, 2018
10:15 AM
CONFERENCE ROOM 229
STATE CAPITOL

TESTIMONY OF
Benton Kealii Pang, Ph.D., Hawaiian Civic Club of Honolulu
IN SUPPORT OF
SB 2930 SD1: RELATING TO UNDERGROUND STORAGE TANKS

As a member of the Hawaiian Civic Club of Honolulu and Ecosystem chair for the Ke One O Kākuhihewa (O'ahu Council for the Association of Hawaiian Civic Clubs) I strongly support SB2930 SD1.

Since 1992, the Department of Health has failed to enact rules requiring the upgrading of existing underground storage tanks and even exempted the Red Hill underground storage tanks (UST) in HAR 11-281-01(b)(2) where none is authorized. This left the antiquated, leaky UST insufficiently regulated for years. In 2014, the Red Hill Fuell Storage Facility leaked about 27,000 gallons of jet fuel into the ground. This resulted in groundwater contamination in an area below the UST and petroleum related compounds have been detected in groundwater monitoring wells.

On February 22, 2018, Circuit Judge Jeffrey P. Crabtree ruled in favor of the Sierra Club in its lawsuit against the Health Department (DOH) and Director Virginia Pressler (Civ No. 17-1-1350-08 JPC). The court ruled current DOH administrative rules, which exempted the Red Hill UST do not comply with the legislation approved by Legislature in 1992. The 1992 law requires replacement or upgrade of then-existing tank systems by December 22, 1998, to prevent releases over the operating life of the UST.

This bill ensures large field-constructed UST's and its piping be equipped with secondary containment and establishes a firm deadline for its installation. Red Hill is the state's largest field-constructed UST facility that should be regulated to a level proportional to the extrememe large volume of fule that it stores. The groundwater aquifer under the Red Hill UST is called the Southern Oahu Basal Aquifer and is designated by the US Environmental Protection Agency as a sole source aquifer and principal source of drinking water fro Wahiawā, 'Ewa, and portions of Honolulu.

Please pass this measure and ensure clean drinking water for generations to come.

Sincerely,



SB-2930-SD-1

Submitted on: 2/25/2018 10:34:51 PM

Testimony for CPH on 2/26/2018 10:15:00 AM

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---|---------------------------|---------------------------|
| Alan B Burdick | Testifying for Environmental Caucus of Democratic Party of Hawaii | Support | No |

Comments:

The Environmental Caucus of the Democratic Party of Hawaii is in strong support of legislation that will require the Department of Health to comply with its Federal statutory mandate to require the Navy to upgrade the fuel tanks at Red Hill. Those fuel tanks are now 75 years old. Perhaps they have managed to avoid serious leakage for those 75 years, but they are now on a very serious downward decline. The NAVY MUST MOVE MUCH MORE QUICKLY to upgrade and, preferably, to MOVE these tanks to safer areas.

A serious leak would be CATASTROPHIC to the people of Oahu.

SB-2930-SD-1

Submitted on: 2/23/2018 7:35:55 PM

Testimony for CPH on 2/26/2018 10:15:00 AM

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| Patricia Blair | Individual | Support | No |

Comments:

It is inexcusable that the Navy has not been held accountable for Red Hill leaking storage tanks.

SB-2930-SD-1

Submitted on: 2/23/2018 8:01:25 PM

Testimony for CPH on 2/26/2018 10:15:00 AM

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| Kat Culina | Individual | Support | No |

Comments:

SB-2930-SD-1

Submitted on: 2/24/2018 1:23:28 AM

Testimony for CPH on 2/26/2018 10:15:00 AM

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| Shannon Rudolph | Individual | Support | No |

Comments:

Strongly Support!

I can't believe the state & DOH have allowed the problems at Red Hill to go on for so long. We MUST protect our water to the absolute highest standards. How many other underground storage tanks are leaking?

Require the Department of Health to adopt rules for underground storage tanks and tank systems to meet federal regulations including additional requirements for field-constructed tanks (tanks at Red Hill) by October 2018.

Mahalo.

SB-2930-SD-1

Submitted on: 2/24/2018 12:08:00 PM

Testimony for CPH on 2/26/2018 10:15:00 AM

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| Leyton Cho | Individual | Oppose | No |

Comments:

I am concerned about financial conflicts of interest between the board of water supply and contractors.

SB-2930-SD-1

Submitted on: 2/24/2018 12:36:27 PM

Testimony for CPH on 2/26/2018 10:15:00 AM

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| Tia Parker | Individual | Oppose | No |

Comments:

Please stop attacking our military. My family has worked at the shipyard for three generations.

SB-2930-SD-1

Submitted on: 2/24/2018 2:26:43 PM

Testimony for CPH on 2/26/2018 10:15:00 AM

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| Kaliko Amona | Individual | Support | No |

Comments:

Please pass this bill and keep our water supply safe.

Mahalo,

Kaliko Amona

Hale'iwa

SB-2930-SD-1

Submitted on: 2/24/2018 4:23:21 PM

Testimony for CPH on 2/26/2018 10:15:00 AM

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| Terez Amato Lindsey | Individual | Support | No |

Comments:

SB-2930-SD-1

Submitted on: 2/24/2018 4:43:17 PM

Testimony for CPH on 2/26/2018 10:15:00 AM

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| cheryl | Individual | Support | No |

Comments:

IN light of all the hard work that people are doing to protect our water, including the Sierra Club's work on Red Hill, please continue to support and help them do what is right for our islands and support this bill.

SB-2930-SD-1

Submitted on: 2/24/2018 9:31:29 PM

Testimony for CPH on 2/26/2018 10:15:00 AM

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| Lucia You | Individual | Support | No |

Comments:

Please vote in favor of SB 2930 and require the Department of Health to adopt rules for underground storage tanks and tank systems to meet federal regulations.

The fuel storage tanks at Red Hill and the handful of other field constructed tanks are not sufficiently regulated and pose a huge threat to our ground water. They should all be immediately upgraded at the expense of those who are benefitting from them.

water is life

SB-2930-SD-1

Submitted on: 2/24/2018 11:41:57 PM

Testimony for CPH on 2/26/2018 10:15:00 AM

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| Jacqueline Chico | Individual | Support | No |

Comments:

I am a concerned honolulu resident. The underground storage tanks at the US Navy's Red Hill storage facility are posing a threat to Oahu's groundwater. These tanks have an extensive history of leaking fuel into our environment since it was constructed. The tanks should not be stored 100 feet above our groundwater. Our drinking water supply is at risk. Why does my family and my community have to wait 20 years for vital upgrades to be done? These tanks should follow federal regulations and be upgraded with the newest technology to guarantee no more leaks. I support SB 2930 SD1. Thank you for the opportunity to share my concerns.

Jacqueline Chico

SB-2930-SD-1

Submitted on: 2/25/2018 12:32:54 AM

Testimony for CPH on 2/26/2018 10:15:00 AM

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| Sherry Pollack | Individual | Support | No |

Comments:

Please pass SB2930 SD1. Twenty years is much too long to let the Navy fix these tanks. The tanks should be placed above ground, or have secondary containment within the next five years. The source of drinking water for over 500,000 people lies less than 100 feet below the Red Hill storage tanks.

Thank you for the opportunity to testify.

From: kkajihir@everyactioncustom.com on behalf of [Kyle Kajihiro](#)
To: [CPH Testimony](#)
Subject: Testimony for SB2930, CPH hearing 2/26
Date: Sunday, February 25, 2018 12:20:00 PM

Dear Chairwoman Baker and Members of the Committee on Commerce, Consumer Protection, and Health,

My name is Kyle Kajihiro and I am a resident of Mo‘ili‘ili, in the ahupua‘a of Waikiki, on the island of O‘ahu. I am writing you today to offer testimony on SB2930, requiring the Department of Health to adopt rules for underground storage tanks and tank systems to meet federal regulations including additional requirements for field-constructed tanks.

I have an MA and am currently working on my PhD in Geography. I have studied military impacts to the environment for over 20 years and have been involved in numerous efforts to hold the military accountable for cleaning up its messes. The military has a very poor environmental record. I do not entrust them with the safety of one of most important resources: clean drinking water.

I am very concerned that the underground storage tanks at the U.S. Navy’s Red Hill storage facility are not sufficiently regulated, despite the fact that they pose the greatest threat to O‘ahu’s groundwater. The state must do much more to protect the environment and health of its citizens.

The Red Hill facility has a long history of leaking fuel into the surrounding environment, leaking over 200,000 gallons since its construction. This facility is not alone, there are a handful of other field constructed tank facilities that also continue to pose a threat to our environment. The people of Hawai‘i cannot wait another 20 years for critical upgrades to be installed to these facilities.

It is utter madness to store more than 24 million gallons of fuel 100 feet above one of the most important aquifers on O‘ahu, which supplies 25% of the drinking water for residential users from Moanalua to Hawai‘i Kai. Such a project would not be allowed if it were to be built today.

I believe that these 70-year old tanks are antiques that should be decommissioned as soon as possible. Naval ships have been decommissioned after much shorter life-spans. However, understanding the practical considerations of such an undertaking, at minimum the tanks should be immediately upgraded with state-of-the-art technology to ensure they never leak into the environment again. The state must take stronger steps to protect our water.

Thank you for the opportunity to share my concerns on this extremely important issue. Water is life!

Sincerely,
Kyle Kajihiro
657 Hausten St Apt B Honolulu, HI 96826-4551

From: lucialyou@everyactioncustom.com on behalf of [Lucia You](#)
To: [CPH Testimony](#)
Subject: Testimony for SB2930, CPH hearing 2/26
Date: Saturday, February 24, 2018 9:21:25 PM

Dear Chairwoman Baker and Members of the Committee on Commerce, Consumer Protection, and Health,

My name is [NAME] and I am a resident of [TOWN/AHUPUA'A]. I am writing you today to offer testimony on SB2930, requiring the Department of Health to adopt rules for underground storage tanks and tank systems to meet federal regulations including additional requirements for field-constructed tanks.

I am incredibly concerned that the underground storage tanks at the U.S. Navy's Red Hill storage facility are not sufficiently regulated, despite the fact that they pose the greatest threat to O'ahu's groundwater.

The Red Hill facility has a long history of leaking fuel into the surrounding environment, leaking over 200,000 gallons since its construction. This facility is not alone, there are a handful of other field constructed tank facilities that also continue to pose a threat to our environment. The people of Hawai'i cannot wait another 20 years for critical upgrades to be installed to these facilities.

These tanks should be immediately upgraded with state-of-the-art technology to ensure they never leak into the environment again. If they cannot be upgraded enough to guarantee against leaks, then that fuel should not be stored 100-feet above our groundwater.

Thank you for the opportunity to share my concerns on this extremely important issue.

Sincerely,
Lucia You
989 Kina St Kailua, HI 96734-3604

From: ahuntemer@everyactioncustom.com on behalf of [Angela Huntemer](#)
To: [CPH Testimony](#)
Subject: Testimony for SB2930, CPH hearing 2/26
Date: Saturday, February 24, 2018 7:04:34 PM

Dear Chairwoman Baker and Members of the Committee on Commerce, Consumer Protection, and Health,

My name is Angela Huntemer and I am a resident of Kahuku. I am writing you today to offer testimony on SB2930, requiring the Department of Health to adopt rules for underground storage tanks and tank systems to meet federal regulations including additional requirements for field-constructed tanks.

I am incredibly concerned that the underground storage tanks at the U.S. Navy's Red Hill storage facility are not sufficiently regulated, despite the fact that they pose the greatest threat to O'ahu's groundwater.

The Red Hill facility has a long history of leaking fuel into the surrounding environment, leaking over 200,000 gallons since its construction. This facility is not alone, there are a handful of other field constructed tank facilities that also continue to pose a threat to our environment. The people of Hawai'i cannot wait another 20 years for critical upgrades to be installed to these facilities.

These tanks should be immediately upgraded with state-of-the-art technology to ensure they never leak into the environment again. If they cannot be upgraded enough to guarantee against leaks, then that fuel should not be stored 100-feet above our groundwater.

Thank you for the opportunity to share my concerns on this extremely important issue. Angela Huntemer, Educator.

Sincerely,
Angela Huntemer
57 -068 Eleku Kuilima Pl Apt 136 Kahuku, HI 96731-2140

SB-2930-SD-1

Submitted on: 2/25/2018 12:32:36 PM

Testimony for CPH on 2/26/2018 10:15:00 AM

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| Lana Thompson | Individual | Oppose | No |

Comments:

This is going to cost the state a huge amount of money! Most of our state funds come from federal grants!

SB-2930-SD-1

Submitted on: 2/25/2018 12:38:24 PM

Testimony for CPH on 2/26/2018 10:15:00 AM

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| Kelvin Chico | Individual | Support | No |

Comments:

I strongly support this bill. It is a step towards finally resolving the situation at Red Hill. It is important to ensure that our water and our environment are protected against a deteriorating system which has not been kept up to date with today's standards.

From: bentonrodden@everyactioncustom.com on behalf of [Benton Rodden](#)
To: [CPH Testimony](#)
Subject: Testimony for SB2930, CPH hearing 2/26
Date: Saturday, February 24, 2018 5:27:45 PM

Dear Chairwoman Baker and Members of the Committee on Commerce, Consumer Protection, and Health,

My name is [NAME] and I am a resident of [TOWN/AHUPUA'A]. I am writing you today to offer testimony on SB2930, requiring the Department of Health to adopt rules for underground storage tanks and tank systems to meet federal regulations including additional requirements for field-constructed tanks.

I am incredibly concerned that the underground storage tanks at the U.S. Navy's Red Hill storage facility are not sufficiently regulated, despite the fact that they pose the greatest threat to O'ahu's groundwater.

The Red Hill facility has a long history of leaking fuel into the surrounding environment, leaking over 200,000 gallons since its construction. This facility is not alone, there are a handful of other field constructed tank facilities that also continue to pose a threat to our environment. The people of Hawai'i cannot wait another 20 years for critical upgrades to be installed to these facilities.

These tanks should be immediately upgraded with state-of-the-art technology to ensure they never leak into the environment again. If they cannot be upgraded enough to guarantee against leaks, then that fuel should not be stored 100-feet above our groundwater.

Thank you for the opportunity to share my concerns on this extremely important issue.

Sincerely,
Benton Rodden
2111 Chamberlain St Apt A Honolulu, HI 96822-5410

SB-2930-SD-1

Submitted on: 2/25/2018 7:18:04 PM

Testimony for CPH on 2/26/2018 10:15:00 AM

| Submitted By | Organization | Testifier Position | Present at Hearing |
|--------------|--------------|--------------------|--------------------|
| Deborah Ward | Individual | Support | No |

Comments:

Aloha, Chair and Committee members,

My name is Deborah Ward, and I raised my babies in the apartment development overlying Red Hill, and hiked in that area daily, adjacent to the Navy storage tanks. It is clear that these tanks are outdated and it has been discovered that these tanks are out of compliance with today's state and federal regulations on underground storage tanks. I strongly support this bill to require the tanks at Red Hill be in compliance with the rules that are drafted by the Department of Health.

Red Hill, or Kapukaki, is a mountain ridge located between the ahupua'a of Hā•Iawa and Moanalua in the 'ewa district of O'ahu. For more than 70 years the United States Navy has stored fuel inside this ridge a mere 100 feet about O'ahu's primary drinking water supply. In that time, the facility has [leaked more than 30 times](#) with the last known leak occurring in January 2014, when 27,000 gallons of fuel was released from a single tank. This leak resulted in a [20-year agreement between the U.S. Navy, Environmental Protection Agency, Defense Logistics Agency, and the Hawai'i Department of Health](#) to study, monitor and consider improvements to the storage facility. The facility holds twenty fuel storage tanks, 18 of which are active. Total, these tanks store 225 million gallons of jet fuel or marine diesel—each tank big enough to fit Aloha Tower inside. 100 feet below this facility sits O'ahu's primary drinking water source, the Southern O'ahu Basal Aquifer which serves over 400,000 residents and visitors. The Environmental Protection Agency determined in 1987 that this aquifer is the "principal source of drinking water" for the island, and that "if contaminated, would create a significant hazard to public health." At least 200,000 gallons of fuel have leaked into the surrounding environment from Red Hill. This includes the 27,000 gallons that last leaked in 2014. While the drinking water is currently safe to consume, U.S. Navy studies are detecting traces of petroleum chemicals in the groundwater near the tanks. The U.S. Navy, Environmental Protection Agency, and Hawai'i Department of Health have released no plan for cleaning up the leaked fuel and cannot guarantee these tanks will not leak again.

Thank you for your consideration of this bill. I ask you to support it.

Thank you!

SB-2930-SD-1

Submitted on: 2/25/2018 9:19:57 PM

Testimony for CPH on 2/26/2018 10:15:00 AM

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| Marion McHenry | Individual | Support | No |

Comments:

This is an extremely important issue that has been delayed for far too long. Please pass this bill and take care of our islands' fragile ecosystems.

Thank you

From: aavery@everyactioncustom.com on behalf of [Alexandra Avery](#)
To: [CPH Testimony](#)
Subject: Testimony for SB2930, CPH hearing 2/26
Date: Sunday, February 25, 2018 3:32:30 PM

Dear Chairwoman Baker and Members of the Committee on Commerce, Consumer Protection, and Health,

My name is Alexandra Avery and I am a resident of Kailua, O'ahu. I am writing you today to offer testimony on SB2930, requiring the Department of Health to adopt rules for underground storage tanks and tank systems to meet federal regulations including additional requirements for field-constructed tanks.

I am incredibly concerned that the underground storage tanks at the U.S. Navy's Red Hill storage facility are not sufficiently regulated, despite the fact that they pose the greatest threat to O'ahu's groundwater.

The Red Hill facility has a long history of leaking fuel into the surrounding environment, leaking over 200,000 gallons since its construction. This facility is not alone, there are a handful of other field constructed tank facilities that also continue to pose a threat to our environment. The people of Hawai'i cannot wait another 20 years for critical upgrades to be installed to these facilities.

These tanks should be immediately upgraded with state-of-the-art technology to ensure they never leak into the environment again. If they cannot be upgraded enough to guarantee against leaks, then that fuel should not be stored 100-feet above our groundwater.

Thank you for the opportunity to share my concerns on this extremely important issue.

Sincerely,
Alexandra Avery
42 Palione Pl Kailua, HI 96734-2117

From: ntakakawa@everyactioncustom.com on behalf of [Nara Takakawa](#)
To: [CPH Testimony](#)
Subject: Testimony for SB2930, CPH hearing 2/26
Date: Sunday, February 25, 2018 4:05:44 PM

Dear Chairwoman Baker and Members of the Committee on Commerce, Consumer Protection, and Health,

My name is Nara Takakawa and I am a resident of Moanalua Valley. I am writing you today to offer testimony on SB2930, requiring the Department of Health to adopt rules for underground storage tanks and tank systems to meet federal regulations including additional requirements for field-constructed tanks.

I am incredibly concerned that the underground storage tanks at the U.S. Navy's Red Hill storage facility are not sufficiently regulated, despite the fact that they pose the greatest threat to O'ahu's groundwater.

The Red Hill facility has a long history of leaking fuel into the surrounding environment, leaking over 200,000 gallons since its construction. This facility is not alone, there are a handful of other field constructed tank facilities that also continue to pose a threat to our environment. The people of Hawai'i cannot wait another 20 years for critical upgrades to be installed to these facilities.

These tanks should be immediately upgraded with state-of-the-art technology to ensure they never leak into the environment again. If they cannot be upgraded enough to guarantee against leaks, then that fuel should not be stored 100-feet above our groundwater.

Thank you for the opportunity to share my concerns on this extremely important issue.

Sincerely,
Nara Takakawa
Resident of Moanalua Valley

Sincerely,
Nara Takakawa
1315 Ala Hoku Pl Honolulu, HI 96819-1430

From: kimikolahaelawalter@everyactioncustom.com on behalf of [Kimiko LaHaela Walter](#)
To: [CPH Testimony](#)
Subject: Testimony for SB2930, CPH hearing 2/26
Date: Sunday, February 25, 2018 4:24:27 PM

Dear Chairwoman Baker and Members of the Committee on Commerce, Consumer Protection, and Health,

My name is [NAME] and I am a resident of [TOWN/AHUPUA‘A]. I am writing you today to offer testimony on SB2930, requiring the Department of Health to adopt rules for underground storage tanks and tank systems to meet federal regulations including additional requirements for field-constructed tanks.

I am incredibly concerned that the underground storage tanks at the U.S. Navy’s Red Hill storage facility are not sufficiently regulated, despite the fact that they pose the greatest threat to O‘ahu’s groundwater.

The Red Hill facility has a long history of leaking fuel into the surrounding environment, leaking over 200,000 gallons since its construction. This facility is not alone, there are a handful of other field constructed tank facilities that also continue to pose a threat to our environment. The people of Hawai‘i cannot wait another 20 years for critical upgrades to be installed to these facilities.

These tanks should be immediately upgraded with state-of-the-art technology to ensure they never leak into the environment again. If they cannot be upgraded enough to guarantee against leaks, then that fuel should not be stored 100-feet above our groundwater.

Thank you for the opportunity to share my concerns on this extremely important issue.

Sincerely,
Kimiko LaHaela Walter
579 Lauiki St Apt D Honolulu, HI 96826-5146

From: junshinbusiness729@everyactioncustom.com on behalf of [Jun Shin](#)
To: [CPH Testimony](#)
Subject: Testimony for SB2930, CPH hearing 2/26
Date: Sunday, February 25, 2018 7:30:36 PM

Dear Chairwoman Baker and Members of the Committee on Commerce, Consumer Protection, and Health,

My name is Jun Shin and I am a resident of Honolulu. I am writing you today to offer testimony on SB2930, requiring the Department of Health to adopt rules for underground storage tanks and tank systems to meet federal regulations including additional requirements for field-constructed tanks.

I am incredibly concerned that the underground storage tanks at the U.S. Navy's Red Hill storage facility are not sufficiently regulated, despite the fact that they pose the greatest threat to O'ahu's groundwater. It is scary that our water is at risk.

The Red Hill facility has a long history of leaking fuel into the surrounding environment, leaking over 200,000 gallons since its construction. This facility is not alone, there are a handful of other field constructed tank facilities that also continue to pose a threat to our environment. The people of Hawai'i cannot wait another 20 years for critical upgrades to be installed to these facilities. The health and wellbeing of our fellow citizens need to come first.

These tanks should be immediately upgraded with state-of-the-art technology to ensure they never leak into the environment again. If they cannot be upgraded enough to guarantee against leaks, then that fuel should not be stored 100-feet above our groundwater.

Thank you for the opportunity to share my concerns on this extremely important issue.

Sincerely,
Jun Shin
1561 Kanunu St Apt 2106 Honolulu, HI 96814-3210

From: atchesond@everyactioncustom.com on behalf of [David Atcheson](#)
To: [CPH Testimony](#)
Subject: Testimony for SB2930, CPH hearing 2/26
Date: Sunday, February 25, 2018 7:19:30 PM

Dear Chairwoman Baker and Members of the Committee on Commerce, Consumer Protection, and Health,

It is encouraging to see the progress of SB2930, requiring the Department of Health to adopt rules for underground storage tanks and tank systems to meet federal regulations, including additional requirements for field-constructed tanks.

I feel it is appropriate for the legislature to mandate a process by which the underground storage tanks at the U.S. Navy's Red Hill storage facility are regulated in a way that ensures O'ahu's groundwater is not contaminated. The consequences of failure are severe.

The Red Hill facility has a long history of leaking fuel into the surrounding environment, leaking over 200,000 gallons since its construction. Other field-constructed tank facilities also continue to pose a threat to our environment. The people of Hawai'i cannot wait another 20 years for critical upgrades to these facilities.

Where it is possible to ensure the tanks will not leak again, they should be immediately upgraded with state-of-the-art technology. Where such assurance is not possible, the tanks should be decommissioned and removed. Water is life and not something to gamble with.

Thank you for your consideration.

Sincerely,
David Atcheson
1212 Nuuanu Ave Apt 906 Honolulu, HI 96817-4024

From: rossvilliger@everyactioncustom.com on behalf of [Ross Villiger](#)
To: [CPH Testimony](#)
Subject: Testimony for SB2930, CPH hearing 2/26
Date: Sunday, February 25, 2018 6:45:56 PM

Dear Chairwoman Baker and Members of the Committee on Commerce, Consumer Protection, and Health,

My name is Ross Villiger and I am a resident of Kailua. I am writing you today to offer testimony on SB2930, requiring the Department of Health to adopt rules for underground storage tanks and tank systems to meet federal regulations including additional requirements for field-constructed tanks.

I am incredibly concerned that the underground storage tanks at the U.S. Navy's Red Hill storage facility are not sufficiently regulated, despite the fact that they pose the greatest threat to O'ahu's groundwater.

The Red Hill facility has a long history of leaking fuel into the surrounding environment, leaking over 200,000 gallons since its construction. This facility is not alone, there are a handful of other field constructed tank facilities that also continue to pose a threat to our environment. The people of Hawai'i cannot wait another 20 years for critical upgrades to be installed to these facilities.

These tanks should be immediately upgraded with state-of-the-art technology to ensure they never leak into the environment again. If they cannot be upgraded enough to guarantee against leaks, then that fuel should not be stored 100-feet above our groundwater.

Thank you for the opportunity to share my concerns on this extremely important issue.

Sincerely,
Ross Villiger
1483 Kiukee Pl Kailua, HI 96734-4271

From: jade.frank@everyactioncustom.com on behalf of [Jade Frank](#)
To: [CPH Testimony](#)
Subject: Testimony for SB2930, CPH hearing 2/26
Date: Sunday, February 25, 2018 5:28:49 PM

Dear Chairwoman Baker and Members of the Committee on Commerce, Consumer Protection, and Health,

My name is Jade Frank and I am a resident of Oahu. I am writing you today to offer testimony on SB2930, requiring the Department of Health to adopt rules for underground storage tanks and tank systems to meet federal regulations including additional requirements for field-constructed tanks.

I am incredibly concerned that the underground storage tanks at the U.S. Navy's Red Hill storage facility are not sufficiently regulated, despite the fact that they pose the greatest threat to O'ahu's groundwater.

The Red Hill facility has a long history of leaking fuel into the surrounding environment, leaking over 200,000 gallons since its construction. This facility is not alone, there are a handful of other field constructed tank facilities that also continue to pose a threat to our environment. The people of Hawai'i cannot wait another 20 years for critical upgrades to be installed to these facilities.

These tanks should be immediately upgraded with state-of-the-art technology to ensure they never leak into the environment again. If they cannot be upgraded enough to guarantee against leaks, then that fuel should not be stored 100-feet above our groundwater.

Thank you for the opportunity to share my concerns on this extremely important issue.

Sincerely,
Jade Frank
3247 Francis St Honolulu, HI 96815-4139