

FEB 27 2020

SENATE RESOLUTION

URGING THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY AND HAWAII STATE DEPARTMENT OF HEALTH TO REJECT THE APPROVAL OF A SINGLE WALL TANK UPGRADE ALTERNATIVE OPTION FOR THE RED HILL BULK FUEL STORAGE FACILITY AND SUPPORT THE SECONDARY CONTAINMENT TANK UPGRADE ALTERNATIVE OPTION, OR, IF SECONDARY CONTAINMENT IS DETERMINED TO BE INFEASIBLE, THE RELOCATION OF THE FUEL TANKS AWAY FROM THE AQUIFER.

1 WHEREAS, as the primary source of potable water on Oahu,
2 groundwater must be preserved in as close to pristine condition
3 as possible to accommodate the needs of Oahu's residents and
4 visitors; and

5
6 WHEREAS, the Red Hill Bulk Fuel Storage Facility (Facility)
7 stores up to 187 million gallons of fuel per day, has a total
8 capacity of 250 million gallons, and is located only 100 feet
9 above a sole-source aquifer drinking water resource; and

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11 WHEREAS, in January 2014, the United States Department of
12 the Navy (Navy) reported a 27,000-gallon fuel leak at the
13 Facility to the United States Environmental Protection Agency
14 (Environmental Protection Agency) and the State of Hawaii
15 Department of Health (Department of Health), and subsequent
16 tests in and near the fuel release area indicated a spike in
17 levels of hydrocarbons in soil vapor and ground water; and

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19 WHEREAS, in response to the fuel release from the Facility,
20 the Environmental Protection Agency and the Department of Health
21 negotiated an Administrative Order on Consent with the Navy and
22 Defense Logistics Agency requiring the Navy and Defense
23 Logistics Agency to take actions, subject to Environmental
24 Protection Agency and Department of Health approval, to ensure
25 that the groundwater resource in the vicinity of the Facility is
26 protected and ensure that the Facility is operated and
27 maintained in an environmentally protective manner; and

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1 WHEREAS, in response to the Administrative Order on Consent
2 Statement of Work, the Navy submitted to the Environmental
3 Protection Agency and Department of Health for approval a Tank
4 Upgrade Alternatives and Release Detection Decision Document,
5 dated September 9, 2019; and

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7 WHEREAS, the Navy has concluded, among other things, that
8 the most practicable tank upgrade alternative is to retain the
9 single-walled steel tank liner configuration and implement
10 certain technical and mitigating improvements for the Facility,
11 including double-wall equivalency secondary containment, or
12 removal of fuel in the 2045 time frame; and

13
14 WHEREAS, concerns remain, however, as to whether the Navy's
15 proposed double-wall equivalency is comparable to a secondary
16 containment tank-within-a-tank double-wall system, and whether
17 the Navy's plans for the removal of fuel in the 2045 timeframe
18 are viable; and

19
20 WHEREAS, a quantitative risk and vulnerability assessment
21 for the Facility, which the Navy released in November 2018,
22 indicated that the tanks are at risk of additional leaks in the
23 future and that the undetected Facility-wide fuel release is
24 expected to be 5,803 gallons per year; and

25
26 WHEREAS, on March 8, 2019 the Honolulu City Council adopted
27 Resolution 18-266, C.D. 1, which, in part, urges the
28 Environmental Protection Agency and Department of Health to
29 reject the approval of a single wall tank upgrade alternative
30 option for the Facility and support the secondary containment
31 tank upgrade alternative option, or, if secondary containment is
32 determined to be infeasible, the relocation of the fuel tanks
33 away from the aquifer; and

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35 WHEREAS, on November 6, 2019 the Honolulu City Council
36 adopted Resolution 19-270, C.D. 1, which, in part, reaffirmed
37 their position as set forth in Resolution 18-266, C.D. 1; and

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39 WHEREAS, the Department of Health is also reviewing and
40 soliciting public comment on the Navy's application for an
41 underground storage tank permit for the Department of Health
42 Facility ID No. 9-102271, which would allow the Navy to operate



1 the Facility in accordance with Hawaii Revised Statutes Chapter
2 342L and Hawaii Administrative Rules Chapter 11-280.1; and

3

4 WHEREAS, as the Department of Health reviews the Navy's
5 application for a permit and a request for a contested case
6 hearing, the Navy is currently operating the underground storage
7 tank system pursuant to a July 16, 2019 letter from the
8 Department of Health; and

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10 WHEREAS, the Department of Health considers the Navy's
11 submission of its application for a permit as timely, and the
12 Department of Health is allowing the Navy to continue to operate
13 the subject underground storage tank system until the Department
14 of Health's decision on the permit application is rendered; now,
15 therefore,

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17 BE IT RESOLVED by the Senate of the Thirtieth Legislature
18 of the State of Hawaii, Regular Session of 2020, that due to the
19 lengthy review period for the Navy's permit application by the
20 Department of Health, this body urges the expeditious resolution
21 of all Administrative Order on Consent requirements in the
22 Department of Health's decision on the Navy permit application;
23 and

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25 BE IT FURTHER RESOLVED that this body urges the
26 Environmental Protection Agency and Department of Health to
27 reject the approval of a single wall tank upgrade alternative
28 option for the Red Hill Bulk Fuel Storage Facility and support
29 the secondary containment tank upgrade alternative option, or,
30 if secondary containment is determined to be infeasible, the
31 relocation of the fuel tanks away from the aquifer; and

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33 BE IT FURTHER RESOLVED that certified copies of this
34 Resolution be transmitted to the members of Hawaii's
35 congressional delegation, Secretary of the Navy, Commander of
36 the United States Indo-Pacific Command, Commander of the United
37 States Pacific Fleet, Governor, Chairperson of the Board of
38 Trustees of the Office of Hawaiian Affairs, Director of Health,
39 Chairperson of the Board of Land and Natural Resources,
40 Chairperson of the Commission on Water Resource Management,
41 Chairperson of the Board of Directors of the Honolulu Board of
42 Water Supply, Manager and Chief Engineer of the Honolulu Board



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1 of Water Supply, and the Executive Director of the Sierra Club
2 of Hawaii.

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