

Honolulu, Hawaii

APR 07 , 2022

RE: H.R. No. 2
H.D. 1

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirty-First State Legislature
Regular Session of 2022
State of Hawaii

Sir:

Your Committee on Consumer Protection & Commerce, to which was referred H.R. No. 2 entitled:

"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,"

begs leave to report as follows:

The purpose of this measure is to request 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 the law, establish a new water treatment facility, pay for all costs to the State, and comply with all future remediation efforts.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Department of Health, Office of Hawaiian Affairs, Honolulu Board of Water Supply, Livable Hawaii Kai Hui, and 350Hawaii.org.

Your Committee finds that the Red Hill Bulk Fuel Storage Facility, which was constructed during World War II and began operation in 1943, consists of twenty steel lined tanks, encased in concrete, and built into cavities that were mined inside of Red



Hill. Each tank measures one hundred feet in diameter and two hundred fifty feet in height and has a storage capacity of approximately 12,500,000 gallons. The tanks are connected to three pipelines that run two and a half miles through a tunnel to fueling piers at Pearl Harbor.

Your Committee further finds that the Red Hill Bulk Fuel Storage Facility sits approximately one hundred feet above the Southern Oahu Basal Aquifer, Oahu's federally designated sole-source groundwater aquifer. The Southern Oahu Basal Aquifer is used as the principal source of drinking water by the Honolulu Board of Water Supply and the Navy, with seventy-seven percent of the total island-wide water supply being sourced from the Southern Oahu Basal Aquifer.

Your Committee also finds that there have been numerous reported fuel releases from the Red Hill Bulk Fuel Storage Facility over the past eighty years. Specifically, there have been at least seventy-six incidents of fuel releases involving nearly two hundred thousand gallons of fuel.

On November 20, 2021, one of the most recent releases of fuel occurred as fourteen thousand gallons of a mixture of fuel and water was released from the Red Hill Bulk Fuel Storage Facility's fire-suppression system. On November 28, 2021, military families and civilians living in the Joint Base Pearl Harbor-Hickam military housing installation began reporting contaminated tap water. Impacted families shared personal experiences of the immediate and ongoing health impacts of exposure to the contaminated water in their homes including chemical burns, stomach and head pain, dizziness and nausea, rashes, and more. This has prompted affected persons to be housed in alternative lodging.

After it was definitively confirmed that the Red Hill Well was contaminated with petroleum, the Department of Health issued an emergency order on December 6, 2021, to the United States Navy to suspend operations and defuel the Red Hill Bulk Fuel Storage Facility. That emergency order was contested by the United States Navy in late December, and on January 3, 2022, it was reaffirmed by the Department of Health in its final decision and order. While the United States Navy has contested these orders, the United States Congress passed the federal Further Additional Extending Government Funding Act, P.L. 117-86, which was signed by



President Biden on February 18, 2022. This Act appropriated funds to support the response to the fuel release and conduct activities in compliance with the Department of Health orders.

Your Committee additionally finds that on March 7, 2022, the Pentagon announced that the Red Hill Bulk Fuel Storage Facility would be permanently shut down and the military would transition to a more distributed and dispersed fueling capability. The Secretary of the Navy and Director of the Defense Logistics Agency are set to provide an action plan by May 31, 2022, for the safe and expeditious defueling of the Red Hill Bulk Fuel Storage Facility, with a target completion date of twelve months.

As of March 18, 2022, Department of Health officials have determined that the tap water is safe to drink in all residential areas served by the United States Navy's water system.

Finally, your Committee notes that as of April 6, 2022, three key wells (the Halawa Shaft, Halawa Well, and Aiea Well) remain shut down by the Honolulu Board of Water Supply. This, in combination with recent dry conditions, has prompted the Honolulu Board of Water Supply to urge residents in the Aiea-Halawa and urban Honolulu areas to reduce water usage by ten percent in anticipation of a dry summer season.

Your Committee has amended this measure by:

- (1) Updating the findings to include events that transpired subsequent to the introduction of this measure;
- (2) Clarifying that the United States Department of Defense, Navy, is requested to prepare a plan to decommission the Red Hill Bulk Fuel Storage Facility, and amending the title accordingly; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 2, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 2, H.D. 1.



Respectfully submitted on
behalf of the members of the
Committee on Consumer
Protection & Commerce,

Aaron Ling Johanson for

AARON LING JOHANSON, Chair



