

BOARD OF WATER SUPPLY

CITY AND COUNTY OF HONOLULU
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January 10, 2023

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The Honorable Lloyd J. Austin III
Secretary of Defense
U.S. Department of Defense
1000 Defense Pentagon
Washington, DC 20301-1000

Dear Secretary Austin,

Subject: The Navy's Lack of Transparency in Response to Recent PFAS Releases at Red Hill Bulk Fuel Storage Facility, Honolulu, Hawaii

I write to express the Honolulu Board of Water Supply's (BWS) grave concern regarding the U.S. Department of the Navy's (Navy) lack of transparency in response to (1) the November 29, 2022 release of around 1,300 gallons of aqueous film forming foam (AFFF) concentrate liquid at its Red Hill Bulk Fuel Storage Facility (Red Hill) and (2) the Navy's detection of per- and polyfluoroalkyl substances (PFAS) in groundwater samples taken in 2020 and 2021 in the Navy's water distribution system. In response to these events, the Navy not only withheld vital water quality information from the public and the BWS, but also seemingly failed to comply with Department of Defense guidance regarding PFAS reporting and AFFF spill response handling. Accordingly, the BWS requests that the Department of Defense instruct the Navy, and other military entities as appropriate, to immediately:

1. Conduct weekly testing of all Navy Red Hill monitoring wells and the Red Hill Shaft for PFAS;
2. Provide the BWS with copies of all past and future PFAS testing results in laboratory-provided electronic data deliverable (EDD) format;
3. Disclose all past AFFF uses and releases at Red Hill;
4. Disclose any and all information indicating whether Red Hill had complete containment, capture, and proper disclosure mechanisms in place to ensure that no AFFF was released into the environment prior to November 2022;
5. Release all sampling/monitoring plans and results for all testing related to the November 29, 2022 AFFF release;
6. Release all videos and photographs of the November 29, 2022 AFFF release and cleanup;

7. Release any and all groundwater sampling data collected at Red Hill (in unredacted form) since 2016 that indicates that presence of PFAS; and
8. Release any and all groundwater sampling data collected at any former or current Department of Defense installations located on the island of Oahu, including but not limited to:
 - a. Joint Base Pearl Harbor-Hickam,
 - b. Schofield Barracks/Fort Shafter,
 - c. Marine Corps Base Hawaii,
 - d. Tripler Army Medical Center,
 - e. Kunia Regional SIGNIT Operations Center,
 - f. Wheeler Army Airfield,
 - g. Bellows Air Force Station,
 - h. Kuahua Peninsula (a.k.a. Diesel Purification Plant),
 - i. Hickam POL Annex (Kipapa), and
 - j. Hickam POL Annex (Waikakalaua).

As the largest municipal drinking water utility in Hawaii, the BWS has a constitutional public trust responsibility to protect the water resources it manages and to preserve the rights of present and future generations in the waters of Hawaii. To do so, the BWS needs accurate and timely information regarding potential threats to the natural resources it manages and protects. We are deeply concerned that by withholding key information, the Navy is further endangering Oahu's irreplaceable drinking water resources. The Navy has repeatedly represented to the BWS that it would be forthcoming and transparent concerning releases and release responses with the potential to impact Oahu's critical drinking water resources. The BWS asks that the Navy fulfill its promises by providing the information requested without further delay.

Recent PFAS Releases at Red Hill

As you are well aware, the people of Oahu are still coping with what the Hawaii Department of Health (DOH) aptly described as "a humanitarian and environmental disaster" caused by November 2021 fuel releases from the Navy's Red Hill facility that resulted in the contamination of Oahu's drinking water supply and the pollution of this island's irreplaceable, EPA-designated, sole-source groundwater aquifer. This is in addition to numerous other historic fuel release incidents at Red Hill that have had a devastating impact on Hawaii's natural resources and its people's health and welfare.

Recently—primarily through the reports of investigative journalists—the BWS became aware of additional, serious issues relating to AFFF releases at Red Hill and PFAS detections in drinking water at Red Hill Shaft. Although certain details remain scarce, the BWS understands that on November 29, 2022, approximately 1,300 gallons of AFFF concentrate liquid leaked from a fire suppression system at Red Hill into the environment, causing the potential release of PFAS to the underlying soil and

groundwater. Alarming, the Navy released very limited information concerning the incident, and it has even declined to publicly release a video documenting the release.

Further, we recently learned that the Navy detected PFAS in groundwater samples collected from its RHMW2254-01 well (Red Hill Shaft or Red Hill drinking water well) on December 20 and 27, 2021. We are also aware that the Navy report PFAS detections in their water system in their 2020 and 2021 water quality reports (NAVFAC, 2021 and NAVFAC, 2022). Copies of these reports are included in **Attachment A**. The 2021 Joint Base Pearl Harbor-Hickam Water System Water Quality Report presents sampling results for the system as a mixture (samples were collected from three sample points – Halawa Shaft Chlorinator, Waiawa Shaft Chlorinator, and Red Hill Shaft Chlorinator), yet the PFAS results displayed on the report do not distinguish what PFAS concentrations were identified at each sampling point. The 2022 Joint Base Pearl Harbor-Hickam Water System Water Quality Report presents sampling results for only the Aiea-Halawa Shaft Chlorinator. The BWS would appreciate clarification as to whether the other sampling points were likewise sampled and, if so, why such results were not included in the water system water quality reports. These reports indicate the presence of five (5) PFAS compounds from samples collected in 2020 and six (6) PFAS compounds from samples collected in 2021. A total of 18 PFAS compounds were tested for in 2020 and 2021, with perfluorooctanoic acid (PFOA) and perfluorooctanesulfonic acid (PFOS) identified each year at concentrations that exceed the PFOA and PFOS health advisory levels set by the United States Environmental Protection Agency (EPA) in June 2022 (0.004 parts per trillion [ppt] and 0.02 ppt, respectively) (Federal Register, Volume 87, No. 118, June 21, 2022). Additional information regarding these PFAS detections is critical for understanding the potential threats to our drinking water.

In letters to the EPA and DOH, the BWS asked, among other things, that the Navy disclose all past AFFF uses and releases and provide copies of future PFAS testing results to the BWS. So far, the regulators have only committed to encourage the Navy to take these important steps towards transparency. The Navy itself has not provided the requested data and information; instead, exhibiting a disturbing pattern of reluctance to work transparently with the BWS and the public. Given that the Red Hill facility will be permanently closed and that our data request generally seeks release history information and environmental sampling results that do not implicate critical infrastructure security information, there is no reasonable basis upon which to continue to withhold such information from a water utility, like the BWS, that has a compelling need to understand regional water quality in real time. Accordingly, we reiterate our request for this critical information so that the BWS can fulfill its mission to manage and protect Oahu's irreplaceable drinking water resources.

Department of Defense Policy

The Department of Defense itself recognizes the potential dangers associated with releasing PFAS-containing substances into the environment, as well as the associated potential detrimental impacts to groundwater. For example:

- In 2014 the Navy issued a memorandum for naval operations concerning PFAS and safe drinking water (Schregardus, 2014). There, the Navy stated its commitment to “ensure all men, women, and children who live or work on [Navy] installations and facilities are protected from environmental contaminants and receive safe drinking water.” To that point, the Navy directed its operations department to “identify all known and suspected sites where [certain PFAS chemicals] may have been released on active and Base Realignment and Closure (BRAC) installations” and to ensure that a system of PFAS testing and reporting was implemented. It is unclear whether Red Hill was identified during this process.
- Similarly, in 2016, the Navy circulated a memorandum regarding the risk of PFAS drinking water contamination at its installations, as well as the need for testing and reporting in response to a new EPA lifetime health advisory (Ohannessian, 2016). The Navy detailed “sampling requirements for potential at-risk drinking water systems in the U.S.” The policy directed sampling for PFAS “on all installations” covered by the memorandum and to report any “exceedances of the EPA lifetime health advisory levels.” Again, it is unclear whether drinking water at Red Hill was sampled and if it was sampled, whether the results were reported to either the Navy headquarters or federal and state regulators.

In April 2022, the Department of Defense issued additional memoranda regarding its policy towards AFFF use and the public disclosure of PFAS testing results (McAndrew, 2022) (McAndrew, 2022a). The Department of Defense acknowledged that AFFF is known to contain certain PFAS chemicals and stated that it is investing in discovering PFAS-free substitute (McAndrew, 2022). In the meantime, its policy was that “AFFF will not be used for training personnel or testing of equipment unless there are complete containment, capture, and proper disposal mechanisms in place to ensure no AFFF is released into the environment.” Further, it required the reporting—within 24 hours—of “any AFFF usage, or spill that is above 10 gallons of AFFF concentrate or 300 gallons of mixed foam” to the Department of Defense. The policy states that any reports should include information regarding the spill, as well as the “[r]oot cause of ... [the] spill” and a “[s]ummary narrative of AFFF ... spill.” Additionally, a report regarding planned response actions must be submitted within 45 days of any spill.

As to the April 2022 policy PFAS testing results, the Department of Defense committed to “[p]ublicly disclose a final result of testing drinking water for PFAS,” and to provide “local notification prior to any testing of PFAS in drinking water...” (McAndrew, 2022a).

This includes providing testing notice to “[m]anagers of the public water system serving the covered area where such testing is to occur.”

To date, the BWS is not aware of any public disclosure as to whether the Navy acted in accordance with either of these policies in respect to both the recent release of AFFF and the detection of PFAS in groundwater at Red Hill. The Navy has not indicated whether Red Hill had “complete” containment, capture and disposal mechanisms in place during the AFFF test to ensure that the PFAS-containing substance was not released into the environment. And, the Navy has not publicly released any reports or response plans following the recent release of AFFF, making it unclear as to whether it followed applicable policy. Further, while the AFFF release occurred in close proximity to the Navy’s water distribution system and any drinking water testing for PFAS would have been performed on that system, the Navy did not notify, even as a courtesy, the BWS of the release or any subsequent drinking water testing of PFAS. In sum, and based on information available to the BWS, it appears doubtful that the Navy complied with Department of Defense policy regarding PFAS testing and AFFF releases.

The Need for Transparency Moving Forward

Even if there were no policies requiring that the Navy provide timely and complete information regarding AFFF releases and PFAS testing, given the history of environmental contamination caused by Navy operations at Red Hill, the Navy should be transparent with the BWS and the public regarding ongoing release and release response issues. In the past year alone, the Red Hill leadership—on numerous occasions—committed, repeatedly, to be transparent with the public to rebuild trust within the community (emphasis added):

- In a December 1, 2022 press release, the Navy stated that the Joint Task Force Red Hill “is also committed to **consistent engagement** with local stakeholders to rebuild trust with the people of Hawaii” (Joint Task Force Red Hill, 2022).
- On October 3, 2022, Navy Rear Admiral John Wade (commander of the Joint Task Force Red Hill) stated: “I have an obligation to listen to you, and I also will tell you what we’re doing and why, provide timelines and communicate as transparently as possible when things are good, **but also when there are setbacks, either perceived or real**” (Jedra, 2022).
- On November 3, 2022, Rear Admiral Wade, in response to a question about how to rebuild trust with the community surrounding Red Hill, stated: “It’s one action at a time, I believe, and it’s through **consistent communications, transparency**” (Mangieri, 2022).
- In its June 30, 2022 Defueling Plan, the Navy stated that the Department of Defense “**is committed to transparency** in its assumptions and analyses, not

only to obtain regulatory concurrence from the DOH but also to build credibility and trust with the people of Hawaii.” “DoD leaders, including in particular the Secretary of the Navy, have socialized with community and regulatory partners the concept of an iterative plan that provides as much transparency as possible on current timeline projections and maintains transparency if updates to the timeline materialize” (Department of Defense, 2022).

- On its website concerning Red Hill, the Navy states that it: “continues efforts to facilitate **open and transparent communication with regulators, stakeholders, and the general public**” (Navy Commander Hawaii Region. 2022).

Despite these statements, and despite many other, similar statements, the Navy has not acted in a transparent manner regarding recent events. Instead of building trust with public, it continues to withhold information from public view. Accordingly, the BWS respectfully asks the Department of Defense to require the Navy to at least comply with existing policy and to act in accordance with its stated commitment to public transparency. By instructing the Navy to conduct follow-up PFAS groundwater testing, release key sampling data, and share information regarding AFFF uses and releases, the Department of Defense can begin to demonstrate to the people of Oahu the military’s commitment to its own policy, public transparency, and willingness to protect Oahu’s drinking water resources.

Very truly yours,



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Manager and Chief Engineer

cc.: The Honorable Carlos Del Toro, Secretary, United States Navy

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The Honorable Lloyd J. Austin III
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Brian Andaya, Chair, BWS

Attachment A – 2021 and 2022 NAVFAC Joint Base Pearl Harbor-Hickam Water System Water Quality Reports

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ATTACHMENT A

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