

BOARD OF WATER SUPPLY

CITY AND COUNTY OF HONOLULU
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HONOLULU, HI 96843
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May 19, 2017

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Deputy Manager and Chief Engineer *llk*

Mr. Bob Pallarino
EPA Red Hill Project Coordinator
United States Environmental Protection Agency
Region IX
75 Hawthorne Street
San Francisco, California 94105

and

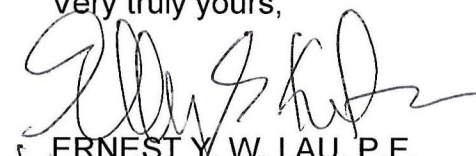
Mr. Steven Chang, P.E.
DOH Red Hill Project Coordinator
State of Hawaii
Department of Health
P.O. Box 3378
Honolulu, Hawaii 96801-3378

Dear Messrs. Pallarino and Chang:

Subject: Board of Water Supply (BWS) Meeting Minutes of "Check-In" Conference Call
Between the Environmental Protection Agency (EPA), Hawaii Department of
Health (DOH) and BWS Held on May 11, 2017

Enclosed is our meeting minutes of the subject conference call for your review and comment. Please submit any revisions by June 2, 2017. From there the changes will be incorporated and the minutes posted on the BWS web site. If you have any questions, please contact Erwin Kawata at (808) 748-5080.

Very truly yours,


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

Enclosure

**Board of Water Supply (BWS) Meeting Minutes
Of
United States Environmental Protection Agency (EPA)
and Hawaii Department of Health (DOH)
“Check-In” Conference Call with BWS
held May 11, 2017**

Call Participants:

BWS: Erwin Kawata and Ellen Kitamura, P.E.
EPA: Steve Linder, Bob Pallarino, Lyndsey Tu, and Tom Huetteman
DOH: Roxanne Kwan, Thu Perry, and Wade Hargrove
INTERA: John Sigda and Joe Tracy, on behalf of BWS
Exponent: Larry Eiselstein, Brian McDonald, and Meredith Sellers, on behalf of BWS

Introductions:

The meeting began with the EPA asking who was on the conference call and the conference call participants identified above introduced themselves. The BWS notes that Mr. Wade Hargrove participated in the conference call. Mr. Hargrove is the Deputy Attorney General for the State of Hawaii. While the BWS has no objections to attorneys being present on the call, the BWS would like to be informed of their participation and the opportunity to comment, before the meeting occurs. Given Mr. Hargrove's presence during the May 11, 2017 conference call, please be informed that the BWS will have our own attorney(s) present during all future “check-in” calls with EPA and DOH.

EPA Meeting Agenda:

1. BWS comments on data summary report
2. BWS initial thoughts on data gap analysis report
3. BWS thoughts on Section 8 SOW
4. Review of TIRM decision document
5. Regulatory agencies request for data from BWS
6. Planning for AOC meetings during the week of 6/19/17
7. Any other issues of interest to BWS

Discussion:

The BWS summarized the discussion per each Meeting Agenda Item. A summary of the discussion, per each Meeting Agenda Item (bold text), is included below.

Agenda Item No. 1 – BWS thoughts on data summary report

Mr. Steve Linder of the EPA initiated and led the discussion by starting the call and commenting that the EPA and DOH want BWS feedback on the recent deliverables submitted by the Navy, would like to know what thoughts the BWS may have regarding strategy moving forward, and stated that the recently submitted applicable derivative deliverables give everyone an opportunity to review the Navy's approach to Administrative Order on Consent (AOC) Section 6 (Investigation and Remediation of Releases) and Section 7 (Groundwater Protection and

Evaluation). Mr. Linder then asked for BWS comments concerning the Navy Existing Data Summary and Evaluation (EDSE) Report. Mr. Kawata of the BWS replied that the EPA and DOH have BWS written comments pertaining to the EDSE Report in the BWS letter dated April 17, 2017 (Lau, 2017).

Agenda Item No. 2 – BWS initial thoughts on data gap analysis report

Mr. Linder continued the discussion by asking what BWS preliminary comments were on the Data Gap Analysis (DGA) Report. Mr. Linder commented that holistically, EPA is not happy with either the EDSE Report and the DGA Report. Mr. Linder commented that the EPA does not agree with some of the data evaluation and data gaps identified by the Navy. Mr. Linder said that the EPA has given verbal comments to the Navy and anticipates sending a letter to the Navy in the next several days with comments documenting their “big picture” concerns as to why they are not satisfied with the EDSE and DGA Reports. Mr. Linder also indicated the EPA is not satisfied that the Navy has the expertise and resources to develop a defensible groundwater flow model.

The BWS (Dr. John Sigda of INTERA) commented that the BWS does have concerns about the EDSE and DGA Reports. The BWS has not completed review of the DGA Report and it will take two weeks or more to complete our review, but BWS initial thoughts are that the DGA Report does not:

1. Focus on important and pumping-dependent head gradients, especially the head difference between Red Hill and Halawa shaft;
2. Valley fill 3D geometry and hydraulic properties; and,
3. Location of fuel source in subsurface given it is likely that monitoring well RHMW02 is upgradient of Tank 5.

Mr. Linder asked when the EPA and DOH could expect the BWS’s written comments on the DGA Report. Mr. Kawata commented that the BWS would try to send the written comments in the next week or so and keep pace with the EPA and DOH. Further, Mr. Kawata told EPA not to wait for the BWS and should send comments to the Navy when the EPA and DOH feel it is necessary.

Agenda Item No. 3 – BWS thoughts on Section 8 SOW

Mr. Linder commented that the latest scope of work submitted for the Section 8 (Risk/Vulnerability Assessment) deliverable for the AOC was narrower than what was expected because it does not look at consequences, is missing the alternative location evaluation, and that the Navy’s contractor, ABS, is not using all the available data. Mr. Linder indicated that the EPA and DOH are still reviewing the document but are considering sending the Navy an approval letter with conditions. Mr. Linder stated that the EPA and DOH does not want to “get in the way” of the Navy getting things done. Mr. Kawata commented that issuing a conditional approval letter is the decision of EPA and DOH but it is important that the Regulatory Agencies follow through to make sure all conditions of the approval letter are met by the Navy.

The BWS (Dr. McDonald of Exponent), commented on the Section 8.0 Risk/Vulnerability Assessment (RVA) scope of work. Dr. McDonald shared concerns regarding the statement in the fourth paragraph of the Navy’s April 13, 2017 transmittal letter that the RVA Phase I report will satisfy the requirements of the AOC. The RVA Phase I covers only internal events (excluding fire and flooding) and does not cover external events such as seismic ground

shaking. Dr. McDonald noted that the AOC SOW identifies six potential areas to be included in the risk assessment, and that the RVA Phase I essentially addresses only one of those issues - issue (d) on Page 16 of the AOC/SOW: "Probability of mechanical and human errors". Dr. McDonald commented further that the BWS does not understand the statement in the April 13, 2017 RVA Phase I transmittal letter that "The most significant agreement from scoping was the upgrading of the Risk/Vulnerability Assessment to a Quantitative Risk and Vulnerability Assessment ("QRVA") due to its ability to provide a more in-depth, rigorous, and repeatable approach to assessing risk". The BWS understood that a quantitative risk assessment was always the intent, and that the submitted scope does not represent an upgrade to what had been previously proposed and discussed (For instance, the original August 11, 2016 draft risk assessment scope was titled "U.S. Navy Red Hill Bulk Fuel Storage Facility Quantitative Risk and Vulnerability Assessment Work Plan" – emphasis added). Finally, Dr. McDonald noted that the April 13, 2017 transmittal letter provides a five- to seven-year timeline for finishing the risk assessment, which appears to be significantly longer than what had been discussed as recently as in the February 2017 AOC subject matter experts (SME) meetings.

Dr. McDonald stated that, like EPA, the BWS was still conducting a comprehensive review of the April 13, 2017 RVA Section 8.2 Scope of Work submittal from the Navy and would send BWS written comments as soon as possible.

Agenda Item No. 4 – Review of TIRM decision document

Mr. Linder commented that the EPA and DOH feel that the TIRM decision document is closely in line with what the EPA was thinking and asked the BWS for comments. Mr. Kawata informed Mr. Linder that the BWS does not have comments prepared for the most recent TIRM document and would send written comments as soon as possible, but that it would likely be a couple weeks before a BWS letter would be submitted. Again, Mr. Kawata reiterated that the EPA and DOH should send written comments when they feel it is appropriate and to not wait for BWS written comments.

Agenda Item No. 5 – Regulatory agencies request for data from BWS

Mr. Linder stated that the Navy asked EPA and DOH to request information from the BWS and therefore EPA and DOH sent their letter dated May 4, 2017 requesting "all relevant information that will assist the Navy and DLA in implementing tasks required under Sections 6 and 7 of the AOC" (EPA and DOH, 2017). Mr. Kawata acknowledged receipt of the letter and noted BWS has shared information willingly with EPA and DOH in the past and will continue to do so in the future. Unfortunately, BWS has found this willingness is not reciprocated in an equal manner by the regulatory agencies and the Navy when BWS asks for information. Instead, when BWS asks for information we are instructed to submit our requests to the Freedom of Information Act (FOIA) web site and/or submit a Hawaii Revised Statutes 92F request eventually waiting months and sometimes years for resolution. When direct requests are made, we are often told the information is not ready or available. Mr. Linder acknowledged the need for the free flow of information and stated that EPA recently added contractor Mr. Joe McMahon to the team as a facilitator. Mr. Linder stated that it is his hope that Mr. McMahon will determine better methods for the transfer of information. Mr. Linder further stated that the EPA and DOH have been "fine" regarding data transfer. Mr. Kawata reminded him that BWS had to recently file an appeal to obtain records from EPA related to the AOC that the agency initially deemed not for release. The speed in which BWS responds to requests for information is not equally reciprocated by the EPA, DOH or Navy. Data transfer and sharing should be conducted by all parties in the same way. Mr. Kawata further stated that the Navy must better explain their information needs since

the recent EPA and DOH information request letter is not clear enough, including poor quality maps that accompanied the letter (EPA and DOH, 2017). Mr. Kawata stated that the BWS will be sending a letter to EPA and DOH pointing out the need for bi-directional information flow, additional clarification to the information being requested and a recommendation for the regulatory agencies to assign a single point of contact to meet with BWS to resolve these issues.

Agenda Item No. 6 – Planning for meetings during the week of 6/19

Mr. Linder stated that the EPA will send the week of June 19 meeting agenda to the BWS next week (week of May 15, 2017) for review. Mr. Kawata stated that the BWS needs to know the agenda/schedule for the June meetings as soon as possible to cost-effectively arrange travel for its consultant team.

Mr. Linder discussed the public meeting to be held on Thursday, June 22, 2017 and that the Navy has proposed to use Mr. David Yomes of the Salt Lake Neighborhood Board as the meeting facilitator. Mr. Linder asked how the BWS felt about Mr. Yomes acting as the meeting facilitator. Mr. Kawata stated that the BWS has serious concerns regarding Mr. Yomes as the meeting facilitator. Based on BWS's past experience with Mr. Yomes, we don't feel he would be a good choice to facilitate the public meeting nor be an impartial one. Mr. Linder further stated that the EPA and DOH are looking at a "workshop" format for the public meeting following the expert advice EPA is being given as to the best format for the public meeting. Mr. Linder stated that they will ask for feedback as each public meeting is held to make certain future public meetings are meeting public needs.

Agenda Item No. 7 – Any other issues of interest to BWS

Mr. Linder asked if there were any other issues of interest to BWS. Mr. Kawata stated that he would like to see meeting minutes developed by EPA and DOH after each meeting held between the AOC parties and the BWS. Mr. Linder stated that the Navy is required to develop meeting "summaries" and not detailed meeting minutes. Mr. Kawata asked if the BWS can tape record the meetings so accurate meeting summaries can be developed. Mr. Linder and Mr. Huetteman of EPA both stated that they were concerned that this would stifle conversation and the exchange of information. The EPA stated that they have "fallen short" regarding meeting minutes.

Mr. Linder asked Mr. Kawata if Mr. Jeff Scott of EPA could meet with the BWS the week of June 19, 2017. Ms. Kitamura of the BWS stated that the BWS will have a BWS Board Meeting on June 26, 2017 and invited EPA to attend and present to the BWS Board an update on the AOC. Mr. Linder stated that EPA may not be able to stay in Honolulu for that meeting and Ms. Kitamura then offered for the EPA to meet with the BWS Board Chair. Mr. Linder stated that a meeting with EPA (Mr. Scott and Mr. Linder), DOH (Mr. Steve Chang and Mr. Keith Kawaoka) and BWS (Mr. Kawata, Ms. Kitamura, and BWS Board Chair Mr. Bryan P. Andaya) should be conducted if possible the week of June 19, 2017 and the BWS agreed to try and arrange this meeting.

Mr. Linder stated that the week of June 19, 2017 will be the final week for Navy Rear Admiral John Fuller at Joint Base Pearl Harbor-Hickam (JBPHH) and that his replacement will start that Monday (June 19). Further, the AOC SME meetings will be held at the Federal Fire Building located just outside JBPHH (FFD HQ, Building 284, 650 Center Drive).

Mr. Linder then asked Mr. Kawata if BWS had any other issues they would like to discuss. Mr. Kawata had none to offer.

The conference call ended and was conducted from 11:00 AM to 11:55 AM Hawaii time (period of 55 minutes).

References

Lau, E. 2017. Board of Water Supply (BWS) Comments to the Existing Data Summary and Evaluation (EDSE) Report for the Groundwater Flow and Contaminant Fate and Transport Modeling, Red Hill Bulk Fuel Storage Facility Joint Base Pearl Harbor-Hickam, Oahu, Hawaii. March 5.

Pallarino and Chang. 2017. Letter to Mr. Ernest Lau, P.E. requesting information from the Board of Water Supply (BWS). May 4.