



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**

Region IX  
75 Hawthorne St  
San Francisco, CA 94105

ENFORCEMENT AND COMPLIANCE  
ASSURANCE DIVISION

**VIA ELECTRONIC MAIL – READ RECEIPT REQUESTED**

Rear Admiral Stephen Barnett  
Joint Base Pearl Harbor-Hickam  
Commander, U.S. Navy Region Hawaii  
850 Ticonderoga St, Suite 110  
Pearl Harbor, HI 96860-5101  
[stephen.d.barnett.mil@us.navy.mil](mailto:stephen.d.barnett.mil@us.navy.mil)

**Re: Request for Information Pursuant to Section 3007(a) of the Resource Conservation and Recovery Act for the Releases of Aqueous Film Forming Foam at Red Hill Bulk Fuel Storage Facility**

Dear Rear Admiral Barnett,

The United States Environmental Protection Agency, Region 9 (“EPA”) is requesting the United States Navy, Region Hawai‘i (Navy) to submit information about the clean-up, monitoring and remediation of the November 29, 2022 and other releases of Aqueous Film Forming Foam (“AFFF”) concentrate at the Red Hill Bulk Fuel Storage Facility and in the surrounding environment under Section 3007(a) of the Resource Conservation and Recovery Act (“RCRA”). AFFF is a material that is used in the Red Hill Bulk Fuel Storage Facility’s fire suppression system. AFFF contains per- and polyfluoroalkyl substances known as PFAS. PFAS are a family of compounds with a wide range of adverse human health & ecological impacts above certain exposure levels. It is important for EPA to understand not only the November 29, 2022, AFFF release and the Navy’s efforts to investigate, but all other known AFFF releases, as PFAS in an underground source of drinking water potentially poses an unacceptable risk to human health or the environment. Appendix A specifies the information requested and Appendix B provides the instructions and authorities for responding to this request. Please provide email confirmation immediately of your receipt of this letter. Your response to this request for information is due on or before February 6, 2023.

Please identify any information that you claim is confidential business information. If you make a confidentiality claim, and if EPA determines that the information you designated meets the criteria in 40 C.F.R. Section 2.208, we will disclose the information only to the extent, and by means of the procedures, specified in 40 C.F.R. Part 2, Subpart B. If you do not make a claim of confidentiality, we will assume that you are waiving confidentiality and the information you provide may be made public without further notice. If the Navy determines that information requested is classified in accordance with E.O. No. 13526, EPA will work with the Navy to protect such information. EPA has a “need to know” the information it requests. If you make such a claim, please simultaneously provide a copy of the reports with the claimed CBI or other privileged information redacted.

This request for information is not subject to review by the Office of Management and Budget (OMB) under the Paperwork Reduction Act because it is not a collection of information within the meaning of 44 U.S.C. §§ 3502(3), 3507, and 3512. *See also*, 5 CFR §§ 1320.3(c), 1320.5, and 1320.6(a). Furthermore, it is exempt from OMB review under the Paperwork Reduction Act because it is part of an investigation of a specific individual or entity. 44 U.S.C. § 3518(c)(1); 5 CFR § 1320.4.

If you have any questions concerning this letter or the information being requested of you, please contact me or Jamie Marincola at 415-972-3520 or [marincola.jamespaul@epa.gov](mailto:marincola.jamespaul@epa.gov).

Sincerely,

**KAORU  
MORIMOTO**

Digitally signed by KAORU  
MORIMOTO  
Date: 2023.01.06 13:24:58  
-08'00'

for Amy C. Miller-Bowen, Director  
Enforcement and Compliance Assurance Division

cc: Kathleen Ho, Deputy Director, Hawai‘i Department of Health  
Capt. Gordie Meyer, NAVFAC Hawai‘i Commanding Officer, U.S. Navy  
Karnig Ohannessian, U.S. Navy

Enclosures: Appendix A – Information Requested  
Appendix B – Instructions for Submission  
Appendix C – Certification of Answers

## Appendix A: Requested Information

1. Describe the November 29, 2022 and September 29, 2020 releases of AFFF and all other known PFAS releases, such as AFFF fire suppression system or any other sources at the Red Hill Bulk Fuel Storage Facility, including the estimated release quantities and the circumstances that led to each release. Provide a narrative response for each release, any videos of the releases, and maps and/or schematics that delineate the contaminated areas. Please describe any releases of AFFF discharged to sewer lines or storm drains. Provide any associated PFAS monitoring data that occurred around the time of the releases.
2. Identify water utility infrastructure in the immediate vicinity of the contaminated areas for each release, including drinking water supply, wastewater, or storm sewer piping or conveyances. Provide a map indicating the location of such infrastructure in relation to the releases.
3. Provide complete output data from the Navy's Supervisory Control and Data Acquisition ("SCADA") system for the AFFF fire suppression lines at Red Hill Bulk Fuel Storage Facility from November 28, 2022 to December 1, 2022. Provide the SCADA code key that defines SCADA shorthand text included in the output data.
4. Provide laboratory reports for all PFAS analytical results, both raw and validated, from any of the groundwater monitoring locations affiliated with Red Hill Bulk Fuel Storage Facility.
5. Provide laboratory reports for all PFAS analytical results, both raw and validated, from any JBPHH drinking water sources. Describe which drinking water location had PFAS detections provided in any report as well as reported in the NAVFAC 2021 and 2022 Annual Water Quality Reports.  
[https://cnrh.cnmc.navy.mil/Portals/79/CNRH/Documents/Environmental/Water\\_Quality/2021\\_JBPHH\\_WQRpt\\_Final-June2021.pdf](https://cnrh.cnmc.navy.mil/Portals/79/CNRH/Documents/Environmental/Water_Quality/2021_JBPHH_WQRpt_Final-June2021.pdf)  
[https://cnrh.cnmc.navy.mil/Portals/79/CNRH/Documents/Environmental/Water\\_Quality/2022%20WQR%20FINAL%20JBPHH.pdf?ver=Av4ZCGoatMmEmvD7w20zlg%3d%3d](https://cnrh.cnmc.navy.mil/Portals/79/CNRH/Documents/Environmental/Water_Quality/2022%20WQR%20FINAL%20JBPHH.pdf?ver=Av4ZCGoatMmEmvD7w20zlg%3d%3d)
6. Describe the Navy's efforts to remediate the November 29, 2022 release of AFFF and all other known PFAS releases. Explain how recovered AFFF or other PFAS media were stored, treated and/or disposed of. Provide photographic evidence of remediation actions.
7. Describe or provide the Navy's plan for addressing detections of PFAS in the sole source drinking water aquifer including the Navy's protocol for receiving and reviewing monitoring data results and criteria for making determinations of actions the Navy will take in response to PFAS detections.

## Appendix B – Instructions for Submission

In responding to this Request for Information, apply the following instructions and definitions:

1. Answer Every Question Completely. A separate response must be made to each of the questions set forth in this Information Request. For each question contained in this letter, if information responsive to this Information Request is not in your possession, custody, or control, please identify the person(s) from whom such information may be obtained.
2. Number Each Answer. When answering the questions in Appendix A , please precede each answer with the corresponding number of the question and subpart to which it responds.
3. Number Each Document. For each document produced in response to this Information Request, indicate on the document, or in some other reasonable manner, the number of the question to which it corresponds.
4. Provide the Best Information Available. Provide responses to the best of Respondent's ability, even if the information sought was never put down in writing or if the written documents are no longer available. You should seek out responsive information from current and former employees/agents, if necessary. If you are unable to answer a request in a detailed and complete manner or if you are unable to provide any of the information or documents requested, indicate the reason for your inability to do so. If you have reason to believe that there is an individual who may be able to provide more detail or documentation in response to any request, state that person's name and last known address and phone number and the reasons for your belief.
5. If anything is deleted from a document produced in response to this Request for Information, state the reason for and the subject matter of the deletion. If a document/information is requested but is not available, state the reason for its unavailability. In addition, identify any such document by author, date, subject matter, number of pages, and all recipients and their addresses.
6. Identify Sources of Answer. For each question, identify all the persons and documents that you relied on in producing your answer.
7. Continuing Obligation to Provide/Correct Information. If additional information or documents responsive to this Request become known or available to you after you respond to this Request, EPA hereby requests that you supplement your response to EPA.
8. Scope of Request. The scope of this request includes all information and documents independently developed or obtained by research on the part of your company, its attorneys, consultants or any of their agents, consultants or employees.
9. Have an Authorized Person Sign the Response and Certification (Attachment III). The signatory must be an officer or agent who is authorized to respond on behalf of the company or facility.
10. Confidential Information. The information requested herein must be provided even though you may contend that it includes confidential information or trade secrets. You may assert a confidentiality claim covering part or all of the information requested, pursuant to Section 3007(b) of RCRA, 42 U.S.C. § 6927(b), and 40 CFR § 2.203(b).

If you make a claim of confidentiality for any of the information you submit to EPA, you must prove that claim. For each document or response, you claim confidential, you must separately address the following points:

- i. clearly identify the portions of the information alleged to be entitled to confidential treatment;

- ii. the period of time for which confidential treatment is desired (e.g., until a certain date, until the occurrence of a specific event, or permanently);
- iii. measures taken by you to guard against the undesired disclosure of the information to others;
- iv. the extent to which the information has been disclosed to others, and the precautions taken in connection therewith; and
- v. pertinent confidentiality determinations, if any, by EPA or other federal agencies, and a copy of any such determinations or reference to them, if available.

To make a confidentiality claim, please stamp, or type, confidential on all confidential responses and any related confidential documents. Confidential portions of otherwise nonconfidential documents should be clearly identified. You should indicate the date, if any, after which the information need no longer be treated as confidential. Please submit your response so that all nonconfidential information, including any redacted versions of documents are in one envelope and all materials for which you desire confidential treatment are in another envelope that is clearly marked confidential.

All confidentiality claims are subject to EPA verification. It is important that you satisfactorily show that you have taken reasonable measures to protect the confidentiality of the information and that you intend to continue to do so, and that it is not and has not been obtainable by legitimate means without your consent. If no such claim accompanies the information when it is received by EPA, then it may be made available to the public by EPA without further notice to you.

If the EPA determines that the information so designated meets the criteria set forth in 40 CFR § 2.208, the information will be disclosed only to the extent, and by means of the procedures specified in 40 CFR Part 2, Subpart B.

### **Electronic Submissions**

To aid in our electronic recordkeeping efforts, we request that you provide all documents responsive to this information request in an electronic format according to paragraphs 1 through 5 below. These submissions are in lieu of a hard copy.

1. Provide all responsive documents, including photographic documentation, in Portable Document Format (PDF) or similar format, unless otherwise requested in specific questions. If the PDFs are scanned images, perform at least Optical Character Recognition (OCR) for “image over text” to allow documents to be searchable. Submitters providing secured PDFs should also provide unsecured versions for EPA use in repurposing text.
2. When specific questions request data in electronic spreadsheet form, provide the data and corresponding information in editable Excel format, and not in image format.
3. Documents claimed as confidential business information (CBI) must be submitted separately from the non-confidential information. This will facilitate appropriate records management and appropriate handling and protection of the CBI.
4. All required information made in response to this letter must be accompanied by the following certification, which is to be signed by a duly authorized representative in accordance with 40 C.F.R. §§ 144.32(b) and (d):

*“I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the*

*information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.”*

5. Your response to this information request must be submitted via email to Jamie Marincola, USEPA at [jamie.marincola@epa.gov](mailto:jamie.marincola@epa.gov) and Joanna Seto, HDOH, at [joanna.seto@doh.hawaii.gov](mailto:joanna.seto@doh.hawaii.gov).
6. If, for some reason, materials cannot be transmitted electronically, submissions can be sent to USEPA and HDOH to the following addresses:

Jamie Marincola Red Hill Enforcement Coordinator USEPA, Region 9 Enforcement and Compliance Assurance Division Drinking Water Section (ECAD 3-3) 75 Hawthorne Street San Francisco, CA 94105	Joanna Seto, Chief Environmental Management Division Hawai‘i Department of Health 2385 Waimano Home Road Uluakupu Bldg 4, Ste. 110 Pearl City, HI 96782-1400
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## Appendix C – Certification of Answers

### CERTIFICATION OF ANSWERS

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

NAME (print or type)

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TITLE (print or type)

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SIGNATURE

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DATE