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CITY AND COUNTY OF HONOLULU
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April 19, 2017

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The Honorable Brian Schatz
United States Senate
722 Hart Senate Office Building
Washington, DC 20510

and

The Honorable Mazie Hirono
United States Senate
730 Hart Senate Office Building
Washington, DC 20510

and

The Honorable Tulsi Gabbard
United States House of Representatives
1433 Longworth House Office Building
Washington, DC 20515

and

The Honorable Colleen Hanabusa
United States House of Representatives
422 Cannon House Office Building
Washington, DC 20515

Dear Senators Schatz and Hirono and Congresswomen Gabbard and Hanabusa:

Subject: Freedom of Information Act (FOIA) Requests for Information

We request your assistance to ask the Department of Navy (DON) for a timely response to our enclosed FOIA requests submitted on October 14, 2016 and November 11, 2016. These requests were assigned tracking numbers DON-NAVY-2017-000267 and DON-NAVY-2017-001057 and are asking for a copy of the following documents.

1. Engineering Survey of U.S. Navy Petroleum Facilities at Pearl Harbor for U.S. Navy Bureau of Yards and Docks, May 1949, Bechtel Corporation.
2. American Petroleum Institute (API) 653 inspection reports of all Red Hill tanks and API 570 pipeline inspection reports.

The Honorable Brian Schatz and Honorable Mazie Hirono,
The Honorable Tulsi Gabbard and Honorable Colleen Hanabusa
April 19, 2017
Page 2

We understand all federal agencies are required to respond to a FOIA request within 20 business days. On April 6, 2017 Naval Facilities Engineering Command sent an email apology for not attending to our requests sooner and referred our requests to Commander, Navy Region Hawaii (CNRH) for processing (copy enclosed). This email was sent in response to our inquiry as to the status of our request. While we welcome the apology, we remain disappointed with the extremely slow pace to get a reply.

Please note that our October 14, 2016 FOIA request for a copy of the Bechtel Corporation report follows our original request submitted on June 24, 2014 (copy enclosed). On June 25, 2014, the Navy sent us an email (copy enclosed) which stated:

“We have determined that if the records you are seeking still exist, they are no longer in the possession and control of the Navy, but may be maintained by the Director, National Archives and Records Administration II (NARA), Special Records Branch, located at 8601 Adelphi Road, College Park, MD 20740. In light of the above, we are closing our file on your request with the recommendation that you write directly to the proper official.”

Interestingly, the Navy was able to reply in one day in 2014 as to not having possession of the Bechtel report they have yet to determine for our 2016 FOIA request. Please note that on a visit to the Pearl Harbor Naval Supply Command (NAVSUP) offices in 2014, we actually saw a copy of the Bechtel report in the NAVSUP library. Nonetheless, per the Navy's June 25, 2014 email, we wrote to the National Archives requesting a copy of the Bechtel report on July 8, 2014, (copy enclosed). To date we have yet to obtain a copy of the Bechtel report. We humbly ask for your assistance to obtain a copy and a timely response to our 2016 FOIA request.

Thank you again for all you are doing to protect our drinking water and environment. If you have any questions, please feel free to contact me at 808-748-5061 or Mr. Erwin Kawata of my staff at 808-748-5080.

Very truly yours,



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

Enclosures

cc: Mr. Bryan Andaya, Chair, Board of Water Supply

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1

Tracking Number	Type	Track	Submitted	Due	Phase	Detail
<i>DON-NAVY-2017-001057</i>	Request	Simple	11/11/2016	TBD	Assignment	

In accordance with the Freedom of Information Act, 5 U.S.C. § 552, we hereby request that you make available for review and/or copying any and all documents, records and files, including computer data, in the possession or control of the United States Navy ("Navy") that are responsive to this request: All data obtained from or relating to groundwater or drinking water monitoring wells or monitoring stations at or in the vicinity of the Red Hill Bulk Fuel Storage Facility in Hawaii, including, without limitation, the monitoring wells commonly known as RHMW-01, RHMW-02, RHMW-03, RHMW-04, RHMW-05, RHMW-06, RHMW-07, RHMW-08, RHMW-09, RHMW-10, RHMW-11, the CWRM deep monitoring well, the oil waste disposal monitoring well, and any monitoring conducted at the Red Hill Shaft. To the extent that there are any documents, or portions thereof, which the Navy determines are exempt from disclosure and seeks to withhold, please provide us as soon as possible a listing of such documents and the names and titles or positions of each person responsible for the denial of such request as required under 5 U.S.C. § 552(a)(6)(C)(i). It is our understanding that by submitting this single request to your office, you will notify all appropriate divisions and departments within the Navy to produce any and all responsive documents. If this is not correct, please contact us immediately. We are aware that costs for the fulfillment of this request may be over twenty five dollars (\$25.00). We hereby confirm in advance our willingness to pay costs for the fulfillment of the request up to one hundred dollars (\$100.00). If costs are expected to exceed \$100.00, please contact me prior to performing any photocopying in excess of that amount. Additionally, we would appreciate a response to this request as soon as possible, and within the 20 days provided by 5 U.S.C. § 552(a)(6)(A)(i).

<i>DON-NAVY-2017-000267</i>	Request	Simple	10/14/2016	TBD	Assignment	
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In accordance with the Freedom of Information Act, 5 U.S.C. § 552, we hereby request that you make available for review and/or copying any and all documents, records and files, including computer data, in the possession or control of the United States Navy ("Navy") that are responsive to this request. Please produce: (1) Engineering Survey of U.S. Navy Petroleum Facilities at Pearl Harbor For U.S. Navy Bureau of Yards and Docks, May 1949, Bechtel Corporation, cited in the attached Red Hill Facility Corrosion and Metal Fatigue Practices Report at page 42 as reference "[5]"; (2) all American Petroleum Institute (API) 653 Tank Inspection, Repair, Alteration, and Reconstruction reports, or other tank inspection reports, relating to any tanks at the Red Hill Bulk Fuel Storage Facility in Hawaii; and (3) all API 570 Piping Inspection Code reports, or other pipeline inspection reports, relating to any pipelines at the Red Hill Bulk Fuel Storage Facility in Hawaii. To the extent that there are any documents, or portions thereof, which the Navy determines are exempt from disclosure and seeks to withhold, please provide us a listing of such documents as soon as possible and provide us with a listing of the names and titles or positions of each person responsible for the denial of such request as required under 5 U.S.C. § 552(a)(6)(C)(i). It is our understanding that by submitting this single request to your office, you will notify all appropriate divisions and departments within the Navy to produce any and all responsive documents. If this is not correct, please contact us immediately. We are aware that costs for the fulfillment of this request may be over twenty five dollars (\$25.00). We hereby confirm in advance our willingness to pay the costs for the fulfillment of the request up to one hundred dollars (\$100.00). If the costs are expected to exceed this amount, please contact me prior to performing any photocopying in excess of that amount.

ERWIN KAWATA

From: Rickard, Kelly A CIV NAVFAC HI, BD42 <kelly.rickard@navy.mil>
Sent: Thursday, April 6, 2017 1:16 PM
To: Hilton, Thomas V.; Brown, David K.
Subject: Acknowledgement Letter

FOIA Request: DON-NAVY-2017-001057 and DON-NAVY-2017-000267

Dear Mr. Hilton,

First and foremost, I would like to apologize for not attending to your request(s) sooner. Your FOIA request has been received by our office, however, after further review we have referred both requests to Commander, Navy Region Hawaii (CNRH) for processing. We have been in communication with CNRH with regards to these request's, and they are aware of the delay.

Commander Navy Region Hawaii
FOIA and Privacy Act Officer
850 Ticonderoga St.
Pearl Harbor, HI 96860-5101

To expedite your request, I have referenced below the web page to EPA & DOH's website, where you may find the information you seek.

EPA's website (<https://www.epa.gov/red-hill/october-2016-tirm-report-list-appendices>)
- API Reports (The only one not released is for Tank #5, that will be addressed in a separate response)

DOH's website (<http://health.hawaii.gov/shwb/ust-red-hill-project-main/>)
- Addresses DON-NAVY-2017-001057

Mahalo/Vr,
Kelly

Kelly Rickard
Government Information Specialist (BD42)
Naval Facilities Engineering Command, Hawaii
☎Office: (808) 474-3589
kelly.rickard@navy.mil

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<i>Tracking Number</i>	<i>Type</i>	<i>Track</i>	<i>Submitted</i>	<i>Due</i>	<i>Phase</i>	<i>Detail</i>
DON-NAVY-2015-001401	Request	Simple	11/28/2014	01/13/2015	Evaluation	
Request one (1) copy of the document titled: Final SI Results of Underground Storage Tank Leak Detection Program for FISC Pearl Harbor, 1991/08/18, prepared by Environmental Science and Engineering. The document is located at FISC PH site 00030 and filed as record numbers: 050061, 050062, 050064, 050065, 050066, 050067, 050068, 050069, 050070, 050039, 050040, 050041, 050044, 050046, and 050054. Request one(1) copy of each record.						
DON-NAVY-2015-000842	Request	Simple	11/03/2014	12/18/2014	Submitted	
Request one (1) copy of the document: Red Hill Secondary Containment Options Study Final Report prepared by Enterprise Engineering, Inc., September 2008.						
DON-NAVY-2014-009167	Request	Simple	08/28/2014	10/14/2014	Evaluation	
Request one copy of the following document: Work Plan, Long-Term Monitoring, Red Hill Bulk Fuel Storage Facility, Pearl Harbor, Oahu, Hawaii, September 2010 prepared by Environet, Inc.						
DON-NAVY-2014-009060	Request	Simple	08/25/2014	10/10/2014	Assignment	
Request one (1) copy of the following document: Final Report to Evaluate Treatment Technologies for the Red Hill Drinking Water Well, prepared by HDR/Hawaii Pacific Engineers, Contract No. N62742-06-D-1881, August 13, 2010.						
<input checked="" type="checkbox"/> DON-NAVY-2014-007031	Request	Simple	06/24/2014	TBD	Closed	
Request a copy of the following report: Engineering Survey of U.S. Navy Petroleum Facilities at Pearl Harbor For U.S. Navy Bureau of Yards and Docks, May 1949, Bechtel Corporation.						
DON-NAVY-2014-006761	Request	Simple	06/12/2014	07/25/2014	Closed	
We request a copy of the following document titled: Final Summary Report, Red Hill Fuel Storage Facility, Pearl Harbor, Hawaii, August 31, 2010 prepared by TEC, Inc. for						

<i>Tracking Number</i>	<i>Type</i>	<i>Track</i>	<i>Submitted</i>	<i>Due</i>	<i>Phase</i>	<i>Detail</i>
Commander, Navy Region Hawaii, Environmental Department, Code N45, prepared under Contract # N47408-04-D-8514, Task Order 54.						
<i>DON-NAVY-2014-006708</i>	Request	Simple	06/10/2014	07/23/2014	Assignment	
Request one (1) copy of the following documents. 1. Red Hill Complex Fire, Life Safety and Environmental Risk Assessment and Analysis Report, Wilbros Engineers, August 1998, Halawa, Oahu, Hawaii. 2. Red Hill Tunnel Fuel Storage Facility Response Annex, March 2009, Navy Region Hawaii. 3. Red Hill Bulk Fuel Storage Facility Site Characterization and Environmental Assessments, NAVFAC Hawaii, 1999 through 2013.						

ERWIN KAWATA

From: DONFOIA-PA@navy.mil
Sent: Wednesday, June 25, 2014 12:12 PM
To: ERWIN KAWATA
Subject: DON-NAVY-2014-007031

06/25/2014 06:05 PM
FOIA Request: DON-NAVY-2014-007031

Dear Mr. Kawata:

Thank you for your Freedom of Information Act (FOIA) request dated June 24, 2014 and received in our office the same day.

We have determined that if the records you are seeking still exist, they are no longer in the possession and control of the Navy, but may be maintained by the Director, National Archives and Records Administration II (NARA), Special Records Branch, located at 8601 Adelphi Road, College Park, MD 20740.

In light of the above, we are closing our file on your request with the recommendation that you write directly to the proper official.

Questions regarding the action that our office has taken during the initial processing of your request may be directed to our FOIA Service Center at donfoia-pa@navy.mil or (202) 685-0412.

Sincerely,

M. Phyllis Shaw

Senior PA/FOIA Program Analyst

Team Chief & DON FOIA Requester Service Center

OPNAV/SECNAV Privacy/Freedom of Information Program Office

BOARD OF WATER SUPPLY

CITY AND COUNTY OF HONOLULU
630 SOUTH BERETANIA STREET
HONOLULU, HI 96843





July 8, 2014

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

ELLEN E. KITAMURA, P.E. 
Deputy Manager and Chief Engineer

Director
National Archives and Records Administration
Special Records Branch
8601 Adelphi Road
College Park, MD 20740

Dear Sir or Madam:

Subject: Request for Document

We request your assistance for a copy of a document that we understand may be available from your office.

On June 24, 2014, we submitted through the Freedom of Information Act (FOIA) web site a request to the Department of Navy (DON) for a copy of a document titled: Engineering Survey of U.S. Navy Petroleum Facilities at Pearl Harbor for U.S. Navy Bureau of Yards and Docks, May 1949, Bechtel Corporation.

On June 25, 2014, we received an email from M. Phyllis Shaw, Senior FOIA Program Analyst and Team Chief of the DON FOIA Requester Service Center that the document is no longer in the possession and control of the Navy, but may be maintained at the National Archives along with a recommendation to write you directly. For reference, the FOIA Request number is DON-NAVY-2014-007031. For this reason, we are sending you this request for a copy of the document above.

Thank you in advance for your help. If you have any questions, please feel free to call me at 808-748-5080.

Very truly yours,



Erwin Kawata
Program Administrator
Water Quality Division