

Congress of the United States
Washington, DC 20510

November 1, 2021

The Honorable Carlos Del Toro
Secretary of the Navy
Department of the Navy
1000 Navy Pentagon
Washington, DC 20350

Dear Secretary Del Toro,

We write with increasing concerns about the safety of the Navy's fuel operations in Hawaii. We are particularly troubled about reports of a fuel leak near Hotel Pier at Joint Base Pearl Harbor-Hickam (JBPHH) that occurred in March 2020 and allegations that the Navy was not appropriately forthcoming about the source and scale of the fuel leak with state regulators, federal officials, and the public—including our offices.

The Navy made a commitment to engage the people of Hawaii through town halls and neighborhood boards, to brief state regulators and officials, and to keep lines of communication open with the Hawaii Congressional delegation about what the Navy is doing to remain good stewards of the environment. That is why we were disappointed to initially learn about the Hotel Pier fuel leak in the press instead of hearing from Navy leadership directly.

The Navy's decision not to publically acknowledge the Hotel Pier fuel leak and explain what it is doing to prevent future leaks is inconsistent with the commitment past secretaries of the Navy have made to the people of Hawaii to remain transparent on all matters that could affect our environmental resources. Further, it follows a May 6 fuel leak at the Red Hill Bulk Fuel Storage Facility in which the Navy initially told the public that no fuel released into the environment, a statement we learned not to be accurate once the Navy discovered the full extent of the spill. These recent incidents, including the manner in which the Navy has responded to them and its lack of transparency with the public, raise questions about the seriousness with which the Navy takes its responsibility to communicate clearly with the public about matters concerning health and safety. The people of Hawaii deserve better from the Navy.

As it relates to the Hotel Pier incident, we have specific concerns that call into question how the Navy is operating and conducting oversight of its fuel operations in Hawaii. We are requesting timely and thorough answers to the following questions:

- 1) What procedures did Navy officials use to discover the source and scope of the Hotel Pier leak and did those procedures follow Navy safeguards and testing standards that it has established to improve the safety of its fuel operations in response to other spills?
- 2) Did the Navy comply with all of its fuel release reporting requirements related to this incident and did it provide timely information to state regulators, including information that may have been relevant to the Red Hill operating permit hearing officer?

- 3) What is the total volume of fuel released at Hotel Pier and what has the Navy done to clean up and remediate the impacted area?
- 4) What evidence, if any, is there that Navy officials withheld information about the Hotel Pier leak that would have been material to the Hawaii Department of Health's consideration to renew the Red Hill operating permit?
- 5) What follow-on actions is the Navy conducting to identify other potential points of failure in its fuel operations, including the pipeline systems at or around JBPHH, that could result in a hazardous fuel leak? and
- 6) What, if any, relationship does the Hotel Pier pipeline have to the Red Hill Bulk Fuel Storage Facility and what implications could this have for the existing facility improvement plan, including those required by state and federal regulators?

The Navy must continue to improve the management and oversight of its operations, and provide timely and accurate information to state and federal regulators to ensure that its fuel activities do not pose a risk to the health and safety of the people of Hawaii. To that end, we expect that you will provide thorough and timely responses to the questions described above, and if any wrongdoing is uncovered, that you will subsequently take appropriate accountability action.

We respectfully request a member-level delegation meeting to discuss how the Navy is operating and conducting oversight of its fuel operations in Hawaii, including the steps it is taking to ensure public health and safety, no later than December 3, 2021. Thank you for your consideration of this request. We look forward to discussing this matter further.

Sincerely,



BRIAN SCHATZ
U.S. Senator



MAZIE K. HIRONO
U.S. Senator



ED CASE
U.S. Representative



KAIALI'I KAHELE
U.S. Representative