

Congress of the United States
Washington, DC 20510

November 3, 2021

Mr. Sean O'Donnell
Acting Inspector General
Department of Defense
4800 Mark Center Drive,
Alexandria, VA 22350-1500

Dear Mr. O'Donnell:

We write today calling for the Department of Defense Inspector General to initiate an independent investigation to determine whether Navy officials involved in the operation and oversight of the Red Hill Bulk Fuel Storage Facility (hereinafter "Red Hill") in Honolulu, Hawaii, properly investigated and executed notification of a fuel leak to state health officials, and specifically whether the Navy delayed investigation or notification out of concern it might influence its ability to secure an extension of Red Hill's state operating permit.

Two recently published Hawaii news articles¹ reference emails purportedly received from a Navy employee contending that officials had enough evidence as early as January 2021 to conclude fuel leaking into Pearl Harbor was coming from an active pipeline connected to Red Hill (and not from a historical plume as originally thought by the Navy in March 2020). The emails allege that officials waited months to report it to the Hawaii Department of Health amid concerns it would hamper the ability to secure a state operating permit. The articles quote two separate Navy Region Hawaii spokespersons who dispute key facts reported in both articles, including that the Navy withheld information that may have been material to state regulators concerning the extension of Red Hill's operation permit. Given the gravity of these allegations and the Navy's dispute of them, an independent inquiry is necessary to ensure integrity and public trust in how the Navy is operating and conducting oversight of Red Hill.

Therefore, we are requesting you convene an independent investigation to inquire into the facts concerning the following allegations made against the Navy:

- 1) Whether Navy officials, in the weeks leading up to the Red Hill operating permit hearing with the Department of Health held the first week in February 2021, covered up evidence or intentionally delayed concluding the leak into Pearl Harbor, first observed by the Navy in

¹ <https://www.civilbeat.org/2021/10/amid-political-concerns-navy-kept-quiet-about-red-hill-pipeline-leaking-into-pearl-harbor/>; <https://www.staradvertiser.com/2021/10/20/hawaii-news/lawmakers-seek-answers-about-navys-handling-of-pearl-harbor-fuel-leak/>

March 2020, was coming from an active pipeline and not a historical plume in order to avoid jeopardizing the approval of Red Hill's operating permit;

- 2) Whether Navy officials were deficient or somehow negligent in January 2021 or sooner in failing to conclude the leak was coming from an active pipeline and not a historical plume, given the information they had, which included the oil sheen first observed in Pearl Harbor in March 2020, subsequent remediation efforts that recovered 7,100 gallons of fuel, and two failed leak detection tests in January 2021;
- 3) Whether the leaking pipeline is connected to and therefore considered a part of the Red Hill facility;
- 4) Whether the Navy complied with all of its fuel leak/release reporting requirements related to this matter, including whether or not the Navy had an obligation to disclose this leak to the Hawaii Department of Health hearing officer during the February 2021 operating permit hearing and whether the Navy failed to timely disclose the two failed leak detection tests in January 2021 to the Department of Health and/or the Red Hill operating permit hearing officer;
- 5) Whether any officials intentionally misled the Department of Health, including the operating permit hearing officer, during the Red Hill operating permit approval process;
- 6) Whether all of the fuel has been cleaned up and the affected area remediated;
- 7) Whether the Navy was fined for the leak or subject to any other enforcement action; and
- 8) Any other matters the Inspector General deems relevant or pertinent regarding this matter

We recognize the strategic importance of Red Hill to our national security and expect that the facility is operated safely and in accordance with all federal and state environmental laws and regulations. The facts raised by several Hawaii news outlets in recent weeks are extremely troubling, and the Navy's disputes regarding several of the allegations warrant an independent investigation to restore the community's trust in how the Navy operates Red Hill. We anticipate that you will ensure an independent, fact-based inquiry is undertaken into this matter, and if any wrongdoing is uncovered, that appropriate action will subsequently hold those responsible accountable. Thank you for your consideration of this request.

Sincerely,



MAZIE K. HIRONO
U.S. Senator



BRIAN SCHATZ
U.S. Senator



ED CASE
U.S. Representative



KAIALI'I KAHELE
U.S. Representative