



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105-3901

VIA ELECTRONIC MAIL – READ RECEIPT

Col. Daniel Misigoy
Garrison Commander
U.S. Army Garrison Hawaii
745 Wright Avenue, B.107, Wheeler Army Airfield
Schofield Barracks, HI 96857-5000
daniel.misigoy.mill@army.mil

Re: Request for Information Pursuant to Stion 1445 of the Safe Drinking Water Act for the Aliamanu Public Water System (#HI0000337)

Dear Colonel Misigoy:

The United States Environmental Protection Agency, Region 9 (“EPA”) is requesting the United States Army Garrison, Hawaii (“Army”) to submit certain information about the Aliamanu Military Reservation public water system (“System”) under section 1445 of the Safe Drinking Water Act (SDWA). As you are aware, EPA performed a System inspection on April 7, 2022 and provided the Army with preliminary observations during EPA’s exit conference that same day. EPA is requesting follow-up information related to certain preliminary observations concerning the safety and structural integrity of the finished water storage tanks. 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 May 6, 2022.

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 Army determines that information requested is classified in accordance with E.O. No. 13526, EPA will work with the Army to protect such information. EPA has a “need to know” the information it requests. Information on the existence, absence, or level of contaminants in drinking water is not eligible for confidential treatment under the SDWA.

If you have any questions concerning this letter or the information being requested of you, please contact me or have your staff call Maria Alberty at (415) 972-3981.

Sincerely,

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

cc: Nisit A. Gainey, Director of Public Works, U.S. Army
Kathleen Ho, Deputy Director, Hawaii Department of Health

Enclosures: Appendix A – Information Requested
Appendix B – Instructions for Submission

Appendix A: Requested Information

1. Describe how the Army has addressed or corrected the following preliminary observations presented on April 7, 2022 at EPA's exit conference. Provide a narrative response and photographic evidence demonstrating the effort performed, including the date of completion.
 - a. Evidence of floating particles on the surface of the finished water in North Tank. This was also identified in Hawaii Department of Health's 2021 Sanitary Survey.
 - b. Excessive vegetation and structural integrity concerns at the finished water storage tanks, including:
 - i. Evidence of tree saplings with root systems living on Central Tank and vegetation impacting the wall and foundation of North Tank.
 - ii. Significant rust, corrosion, and pitting to booster pumps 1 and 2 and the inlets/outlets of Central Tank.
 - iii. Significant deterioration and pitting to the concrete exterior wall of Central Tank, including evidence of rebar protruding from the wall's surface.
 - iv. Central Tank's ladder is not locked, and the ladder's hatch hinge is broken and hanging in the air.
2. If the Army has not yet taken action on any or all the preliminary observations listed above, please describe any actions that the Army intends to take to address or correct each item, a proposed date for commencing and completing such actions; or if it does not intend to take action on any of the items, describe the reasons why not.
3. In addition, EPA requested certain documents during the April 7, 2022 inspection, but the Army failed to provide those documents. As a follow-up, provide the following documents requested initially at the inspection, or alternatively describe why such documents are not available:
 - a. The first notification received from the Navy that the drinking water provided to the Army was contaminated with petroleum products.
 - b. The first notification the Army made to its customers that the drinking water provided to the Army was contaminated with petroleum products.

Appendix B – Instructions for Submission

Section 1445 of the SDWA, 42 U.S.C. § 300j-4(a)(1)(B), provides, among other things, that every person who is subject to a national primary drinking water regulation under the SDWA shall provide such information as the EPA may reasonably require to determine whether such person has acted or is acting in compliance with the SDWA.

Failure to provide the information required by this letter may result in a civil penalty as provided in section 1447(b) of the SDWA, 42 U.S.C. § 300j-6 and/or an order under section 1414(g) of the SDWA, 42 U.S.C. § 300g-3(g). The information provided in response to this letter may be used by the EPA in administrative or criminal proceedings.

If additional information is required, you may receive another information request pursuant to the SDWA or another environmental statute. This letter does not constitute a waiver, suspension, or modification of any provision of the SDWA or any of its implementing regulations. Issuance of this letter is not an election by EPA to forgo any administrative or criminal action otherwise authorized under the SDWA.

This request for information is not subject to review by the Office of Management and Budget under the Paperwork Reduction Act because it is an exempt investigation under 44 U.S.C. § 3518(c)(1).

When providing the information requested in Appendix A, use the following instructions according to paragraphs 1 through 12, below.

1. Provide a separate narrative response to each question and subpart of a question set forth in Appendix A, accompanied by photographic evidence.
2. Precede each answer with the number of the question to which it corresponds and, at the end of each answer, identify the person(s) who provided information used or considered in responding to that question, as well as each person consulted in the preparation of that response. With respect to the person(s) identified, state name, title, business address, business telephone number, electronic mail address, and position in the organization.
3. Indicate on the electronic title of each document produced (including photographic documentation) or in some other reasonable manner, the number of the question to which the document corresponds.
4. When a response is provided in the form of a number, specify the units of measure of the number in a precise manner.
5. Where information or documents necessary for a response are neither in your possession or available to you, indicate in your response why the information or documents are not available or in your possession, and identify any source that either possesses or is likely to possess the documents or information.

6. If information is not known or not available to you as of the date of submission and later becomes known or available to you, you must supplement your response. Moreover, should you find at any time after the submission of your response that any portion of the submitted information is false or incorrect, you must notify EPA as soon as possible.

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 7 through 12, below. These submissions are in lieu of a hard copy.

7. 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 document to be searchable. Submitters providing secured PDFs should also provide unsecured versions for EPA use in repurposing text.
8. When specific questions request data in electronic spreadsheet form, provide the data and corresponding information in editable Excel format, and not in image format.
9. 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.
10. 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.”

11. Your response to this information request must be submitted via email to Maria Alberty, USEPA at alberty.maria@epa.gov and to Joanna Seto, HDOH, at joanna.seto@doh.hawaii.gov.
12. If, for some reason, materials cannot be transmitted electronically, hard copy submissions can be sent to USEPA and HDOH to the following addresses:

Maria Alberty 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 Hawaii Department of Health 2385 Waimano Home Road Uluakupu Bldg 4, Ste. 110 Pearl City, HI 96782-1400
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