NEIL ABERCROMBIE
GOVERNOR OF HAWAI'I

LINDA ROSEN, M.D., M.P.H.
DIRECTOR OF HEALTH

STATE OF HAWAI'I
DEPARTMENT OF HEALTH
P.O. Box 3378
HONOLULU, HAWAI'I 96801-3378

In reply, please refer to:
File: EHA / HEER Office
2014-127-ES

March 21, 2014

CERTIFIED MAIL 7010 0290 0002 9253 4778
RETURN RECEIPT REQUESTED

Mr. Gregory Raap, Regional Vice President
Ohana Military Communities, LLC
5173 North Nimitz Highway
Honolulu, Hawai'i 96818

Facility/Site: Military family housing sites at Marine Corps Base Hawai'i

Subject: Request for Information Regarding Pesticide-Impacted Soils at Military Family Housing Sites at Marine Corps Base Hawai'i

Dear Mr. Raap:

Ohana Military Communities (OMC) recently submitted a draft *Updated Pesticide Soil Management Plan* (July 2013) to the Hawai'i Department of Health (HDOH) as an update to its plan for management of soils containing organochlorine termiticides ("pesticide-impacted soils" or "PI soils"), at Navy and Marine Corps military family housing sites in Hawai'i, including military family housing sites at Marine Corps Base Hawai'i (MCBH), and is requesting our review and concurrence. Furthermore, we have recently received a written complaint from Dr. Walter Chun (attached) regarding PI soils at MCBH, as well as multiple inquiries from MCBH residents who have expressed concerns regarding potential health impacts posed by PI soils at MCBH.

We need additional information regarding OMC's PI soil management activities at MCBH to respond substantively to these citizen concerns. Furthermore, we cannot review, comment, concur with, or approve OMC's draft *Updated Plan* without considering all available information regarding the effectiveness of OMC's ongoing implementation of its existing *Pesticide Soil Management Plan*, particularly at MCBH housing sites. We believe that you possess documents regarding OMC's management of PI soils at military family housing sites at MCBH. We therefore request, pursuant to the applicable provisions of Hawai'i Revised Statutes Chapter 128D and Hawai'i Administrative Rules Chapter 11-451, that you provide us with copies of all such documents you possess or have access to.

This request includes documents pertaining to PI soils at MCBH housing sites in the following topics or categories:

1. Environmental Site Assessments (Phase I, Phase II, and Phase III), Environmental Closure Reports, Environmental Baseline Surveys, Findings of Suitability, and any other reports of soil sampling to assess PI soils, or any other reports documenting the investigation or remediation of PI soils at MCBH housing sites, or investigation and remediation of contamination at off-site locations (outside of MCBH housing areas) that may have originated from PI soil from MCBH housing sites.

2. Information on the implementation, operation, and maintenance of site controls (e.g., land use controls and institutional/engineering controls) to reduce exposure to PI soils.

3. Any other records, relevant to PI soil management at MCBH housing sites.

We understand that OMC is responsible for some but not all military family housing at MCBH. This request is focused on documents in the listed categories for MCBH military family housing sites under OMC's control. We may at a later date broaden this request.

"You" includes you, OMC, and OMC's officers, managers, employees, contractors, trustees, successors, assigns, and agents. "Documents" includes all written, recorded, computer-generated, or visually- or aurally-reproduced material of any kind in any medium in your possession, custody, or control, or known by you to exist, including originals, prior drafts, and non-identical copies. This request includes all information and documents independently developed or obtained by research by OMC, its agents, its attorneys, its consultants, or any of their agents, attorneys, consultants, or employees. If any person covered by this request possesses information that has not been memorialized in any document but is nonetheless pertinent, you must also provide such information in response to this request. If information or documents not known to you as of the date of your response to this request should later become available to you, you must supplement your response to us.

You may assert a confidentiality claim covering all or part of the information you provide pursuant to HRS §128D-12. To make a confidentiality claim, attach a cover sheet, stamped or typed legend, or other suitable form of notice, using language such as "trade secret" or "company confidential", and indicate a date if any when the information should no longer be treated as confidential. The absence of a confidentiality claim with your response will be construed as a waiver of such claim.

Please direct any legal questions regarding this request to:

Ms. Kathleen S.Y. Ho, Deputy Attorney General
Office of the Attorney General, Regulatory Division
465 South King Street, Second Floor, Kekuanao'a
Honolulu, Hawai'i 96813
Phone: (808) 587-3050

Please respond to this request for information as soon as possible and no later than 30 calendar days of receipt of this letter. Please provide all documents in electronic format on physical media (e.g., PDF files on a CD, DVD, or USB drive). Paper copies are discouraged. We encourage you to provide pertinent documents describing surface soil sampling results and/or documenting soil management practices in advance of the deadline to expedite our reviews and to assist us with responding to the public's concerns and to your request. If you require additional time to provide the information requested then by the due date provide all information you have available at the time and attach a brief letter which states the reason for the delay and provides a date when you will be providing the remaining information.

Thank you for your attention in this matter. Should you have any questions, please contact me at *eric.sadoyama@doh.hawaii.gov* or (808) 586-0955.

Sincerely,

ERIC SADOYAMA, Remedial Project Manager
Site Discovery, Assessment, and Remediation Section
Hazard Evaluation and Emergency Response Office

c: Mr. Bradford Davis, Naval Facilities Engineering Command Pacific
Mr. Randall Hu, Marine Corps Base Hawai'i

ADDRESSEES

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