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101-7-30-91

ATLANTIC DIVISION  
NAVAL FACILITIES ENGINEERING COMMAND  
NORFOLK, VIRGINIA 23511-6287

MEMORANDUM TO FILE

30 Jul 91

Subj: OUTGOING/INCOMING OFFICIAL PHONE CALLS

1. The following transaction was handled by telephone this date concerning the subject indicated:

Originator of Call: Ms. Maritza Montesinos-Gross  
RPM, LANTNAVFACENGCOM Code 1822  
(804) 445-9897

Receiver of Call: Mr. Sindulfo Castillo  
NAVSTA Roosy Rds Code 18E-6 (PWD)  
(809) 865-4429

Receiver of Call: Mr. Pedro Ruiz  
NAVSTA Roosy Rds Code 18E-3 (PWD)  
(809) 865-4429

Receiver of Call: Ms. Helen Shannon  
USEPA Region II Docket Coordinator  
(212) 264-6664

Subject Matter Discussed:

EPA has requested, via three letters, an SI for the Naval Ammunition Facility, Vieques, P.R, be conducted and the report to be submitted to them. EPA also requested that the essential data needed to meet the requirements of the PA scoring method and the new-HRS be submitted together with the SI report.

Information or Instructions Given or Received:

It is unknown at this time what our response was to EPA's first letter. I can only assume at this time that we sort of ignored their letter since we felt the SI and scoring had been completed and that the final reports would be available to forward to EPA within a year. At that time we would provide a letter together with the reports summarizing the situation. We probably felt they would agree with us that it was a misunderstanding. We only listed Vieques separately on the Docket in 11/88 because we were told that non-contiguous facilities had to be listed separately. This did not mean that this facility was suddenly discovered to have problems. We had been conducting studies at this facility since 1983, and we continue to conduct studies at this facility.

Mr. Ruiz originally contacted me on 5/17/91 concerning the second letter received by them on 3/11/91 regarding the above subject matter. Mr. Ruiz asked if I could review their response letter and provide comments. After researching this subject and discussing with other appropriate Code 18 personnel, I discovered that the base was misunderstanding EPA's second letter, therefore their response to the letter was incorrect. On 5/29/91, I forwarded a draft response letter to the base. My letter basically summarized the status at this facility. On 7/9/91, Mr Ruiz informed me that they had received another letter from EPA dated 6/18/91 and wanted to know what to do? I told him we should respond the same way as before and refer to the letter he had sent out with my help. I asked him to send me a copy of the letter he had sent so I could help him to respond better to EPA's third letter.

Mr. Castillo informed me on 7/24/91 that the activity's response letter to EPA's second letter was never sent!! Somehow it was placed on the backburner and forgotten. Obviously this explains why they got another letter almost exactly as before. Mr. Castillo wanted to know if it would be alright to send that "old" response letter now. I told him a few things have changed so I asked him to hold off for a moment until I could get advice from EPA, my supervisor, and our council.

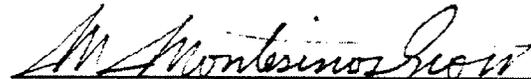
I called Ms. Shannon on 7/25/91 and apologized for the delays in answering the letter of 3/11/91. Unfortunately, there was originally a misunderstanding followed by forgetfulness! Nevertheless a letter shall be sent shortly which should address all the issues. I mentioned to her that the NAF Vieques sites are part of Roosy, therefore, the SI and the HRS was completed. It appears that EPA did not realize this was so. I told her it was our understanding that once a facility had been scored it would not need to be re-scored under the new-HRS. She said that this was their normal policy, but in this case Vieques is not contiguous with Roosy, therefore, it should be treated separately. I also indicated that the worst sites that were scored at Roosy and Vieques had a very low score, then how could she expect that they will have a higher score at the Vieques sites alone? I also pointed out to her that NUS's preliminary assessment did not take into account the SI work conducted at Vieques, therefore they should re-evaluate this facility. She agreed with the re-evaluation, but she still felt that we would have to still gather the additional data to complete the new-HRS and have this site scored separately. I told her that if we did have to obtain the missing data it would require a new contractor and about five months to complete and no additional chemical sampling would be conducted.

After speaking with Andrew Kissel, my boss, and John Thompson, our attorney, we decided that we would not do any additional work at this time. A letter would be prepared that will summarize all the efforts to date but with emphasis that

RR-00145  
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Vieques was scored. If EPA still requests Vieques sites be rescored then we shall try to fight back, since at other facilities EPA has allowed us to treat activities as one even though parts are not contiguous. Besides, we strongly believe the scores will be quite low anyway. Mr. Castillo will prepare the new letter with review and approval by Code 18.

Mr. Castillo drafted a new response letter and requested my input on 7/26/91. At first he indicated we would gather the missing data for the new-HRS, but the letter has now been revised. The response letter now summarizes all efforts to date, indicates that an SI was completed and that the facility was scored, thus no need to rescore and to please re-evaluate their position. A copy of all pertinent reports shall be enclosed with the letter.

  
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Maritza Montesinos-Gross  
Installation Restoration Section