

12/9/05-02462



DEPARTMENT OF THE NAVY
NAVAL FACILITIES ENGINEERING COMMAND
ATLANTIC
6506 HAMPTON BLVD
NORFOLK VA 23508-1278

TELEPHONE NO:

IN REPLY REFER TO:

December 9, 2005

Colonel Juan Sanchez
Director Negociado
Fuerza Unidad de Rápida Acción (FURA)
PO Box 70166
San Juan 00936-8166

**SUBJECT: Environmental Restoration and Munitions Response Program
Former Naval Facilities, Vieques Island, PR**

Dear Colonel:

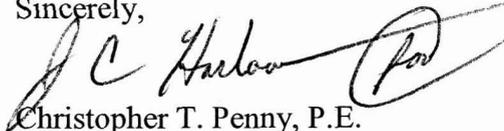
On October 4, 2005 I have the opportunity to meet Agent José Fernández during the Navy and Fish and Wildlife Service (FWS) quarterly meeting. At this meeting we discussed the need to allow your personnel to enter the restricted lands of the former Vieques Naval Training Range (VNTR) to enhance your mission. We also discussed the request for use of the helicopter-landing pad at OP1 and other already identified locations within the Munitions Response Sites (MRS). Since the former VNTR is now under the jurisdiction of the FWS, they will request a special use permit from their regional office to allow FURA to use some of the facilities located at OP1. In the meantime, it is the understanding of all the parties present at the meeting, that FURA can land at OP1 following the protocol enclosed with this letter.

We strongly believe that FURA's presence in the area will be beneficial for both, FURA and the Navy, to accomplish our missions and provide additional security to the area. But as you know, the MRS within the VNTR contains unexploded ordnance (UXO) that represent a risk for your personnel, our employees/contractors and any unauthorized person. For this reason, the Navy cannot assume any liability when your personnel are conducting operations in the VNTR. We also request that other operations, besides emergency response, are not conducted during the work time of our contractors. Strict adherence to the protocol is the best way to avoid miscommunication and unnecessary disruption of work.

Agent Fernández also notified us that in case of a medical emergency and the contracted private air medical helicopter cannot provide immediate support we could request aerial support from the Puerto Rico police. We really appreciate this since UXO presents an imminent danger to our personnel and anyone entering the area.

The Navy will continue looking into ways to improve communication with FURA by reestablishing utilities and installing a marine radar at OP1 that could be of mutual benefit to both agencies. We will also continue meeting with your personnel to discuss issues of mutual interest, but if you have any question regarding issues discussed in this letter, please contact Mrs. Madeline Rivera at (787) 865-4152 x460, which is my local contact.

Sincerely,

A handwritten signature in black ink, appearing to read "C. T. Penny", written over a horizontal line.

Christopher T. Penny, P.E.
Eastern Vieques Project Coordinator
Environmental Programs Branch (Caribbean Section)
Environmental Division NAVFAC ATLANTIC
By direction of the Commander

Copy to:

NAPR (Mrs. Madeline Rivera)

ROICC PRA (Mr. Carlton Finley)

DOI (Messrs. Bud Olivera, Oscar Díaz, Susan Silander, Feliz López)

NAVFAC ATLANTIC (Mr. Byron Brant, Mr. Jeffrey Harlow)

CH2MHILL (Mr. John Tomik)

Protocol For FURA To Access Munitions Response Sites at the Former Vieques Naval Training Range

The following protocol is to be adhered to by FURA for gaining access to the restricted lands located within the former Vieques Naval Training Range (VNTR). The protocol is necessary primarily to ensure the safety of all personnel, site workers, FURA personnel, and visitors, during investigations and/or remediation on the Munitions Response Sites (MRSs) (sites where unexploded ordnance (UXO) is found). The cardinal principle of Explosive Safety is - **The minimum number of people exposed to the minimum explosive hazard for the minimum period of time.** To achieve this, the Exclusion Zones (EZs) established around any MRS is considered absolute and shall not be accessed by personnel who are not part of the Munitions Response (MR) Field Crew (Essential Personnel) without proper advanced communication to the U.S. Navy. The following process has been jointly designed and supported by the U.S. Navy and the U.S. Fish and Wildlife Service (USFWS).

- Access to the VNTR by FURA must be authorized by the U.S. Navy by notifying the Navy on-site field representative (Mr. Carlton Finley 787-509-3071). Alternate Point of Contacts if Mr. Finley cannot be reached is Mr. Cliff Walden, Mr. Ted Dingle, or Mr. Phil Balvocius at 813-494-6097.
- All access, other than Essential Personnel, within the Exclusion Zones during the munitions response operation is strictly prohibited. The Exclusion Zones can be provided by the Navy on-site field representative (Mr. Carlton Finley 787-509-3071).
- Once authorization to enter the area is given to FURA, the Navy representative shall notify Mr. Oscar Diaz (787-741-2138 (ext. 0659) ; Oscar_diaz@fws.gov) the USFWS refuge manager,.
- Landing of FURA helicopter is authorized only at OP1 See attached map for location of the authorized landing points and coordinates.
- In case of an emergency operation that requires FURA to enter the MRS, FURA shall notify the Navy representative immediately, so appropriate actions can be taken by the Navy and contractor personnel/visitors.
- USFWS has authority to require the evacuation of on-site personnel in the event of an emergency.

This protocol requires strict adherence to ensure the safety of all personnel and visitors and to ensure efficiency in the MRP operations. Failure to comply with this protocol may result in further access restrictions to the former VNTR.