



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 2  
290 BROADWAY  
NEW YORK, NY 10007-1866

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Mr. Christopher T. Penny  
Project Coordinator  
Installation Restoration Section (South)  
Environmental Program Branch  
Environmental Division,  
Atlantic Division (LANTDIV), Code 182  
Naval Facilities Engineering Command  
6506 Hampton Blvd.  
Norfolk, VA 23508-1278

Re: Atlantic Fleet Weapons Training Facility (AFWTF) - EPA I.D.# PRD980536221  
Draft Final Closure Plan, Open Burn/Open Detonation Site

Dear Mr. Penny:

The United States Environmental Protection Agency (EPA) has completed its review of the *Draft Final Closure Plan, Open Burn/Open Detonation Site* (the document), dated July 2004, and the Navy's Responses to Comments, both of which were submitted with your letter of July 30, 2004. The Closure Plan is required for the former OB/OD hazardous waste management units pursuant to 40 CFR § 265 Subparts G and P, and was developed to address comments transmitted with EPA's letter of June 4, 2004.

EPA has determined that the July 30, 2004 Closure Plan (the document) submitted by the U.S. Navy constitutes an interim document and does not constitute the Final Closure Plan for the OB/OD units. However, the document does contain sufficient details regarding proposed investigation measures to characterize the OB/OD sites, and a process by which the mechanism for final closure will be determined, such that EPA has determined to proceed with public notice of the document pursuant to 40 C.F.R. § 265.112(d)(4). Following completion of that public notice and review of the document, EPA will advise whether or not the activities in the document should be implemented as described, or whether they should be modified. However, EPA's approval of the Closure Plan for the OB/OD units cannot be given until completion of the site characterization and other activities proposed in the document, development of a Revised Closure Plan as shown in Figure 4-1 of the document, and public notice and review of that Revised Closure Plan.

EPA has further determined that the Responses to Comments submitted with your letter of July 30, 2004, and the document adequately address the majority of comments provided to the Navy with EPA's June 2004 letter. However, the Navy's response to Comment 6 of EPA's June 4<sup>th</sup> letter is inadequate. Comment 6 had recommended a "more rigorous MEC<sup>1</sup> clearance for the OB/OD units be evaluated based on actual site conditions, which includes probable trespassing." The comment also states that "if more rigorous MEC clearance standards are subsequently applied to the LIA, EPA requests that those same standards then be implemented at the OB/OD units." The Navy's response links the MEC issues too closely to residual chemical contamination and the results of the proposed risk assessment (for chemical constituents), and does not take physical risk (explosion) sufficiently into account. Therefore, when the clean-up goals are developed as part of the Revised Closure Plan, as discussed in Section 5.16 of this document, the Revised Closure Plan should include an MEC risk assessment plan, risk management plan, or at a minimum confirm that if the LIA is addressed, the Navy will treat the OB/OD area in the same manner.

Attached for your information is a draft Public Notice, which EPA is considering publishing, pursuant to 40 C.F.R. § 265.112(d)(4). Within 21 days of your receipt of this letter, please advise any comments you may wish to make on the draft Public Notice.

Please telephone Mr. Tim Gordon of my staff at (212) 637- 4167 if you have questions.

Sincerely,



Adolph Everett, P.E.  
Chief, RCRA Programs Branch

Enclosure

cc: Mr. Esteban Mujica Cotto, Director Puerto Rico Environmental Quality Board (PREQB), w/o encl.  
Ms. Yariisa Martinez, PREQB, with encl.  
Dr. Juan Fernandez, Office of Special Commissioner for Vieques and Culebra, with encl.  
Mr. Felix Lopez, U.S. Dept. of the Interior, Fish & Wildlife Service, with encl.  
Mr. Paul Rakowski, Naval Facilities Engineering Command, w/o encl.  
Mr. John Tomik, CH2M Hill, with encl.  
Ms. Erica Downs, TechLaw Inc., w/o encl.

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<sup>1</sup> MEC = Munitions and Explosive of Concern (formerly referred to as unexploded ordnance, i.e., "UXO").

Public Notice No.:

Date

**Public Notice of Receipt of Closure Plan  
and Opportunity for Public Review  
ATLANTIC FLEET WEAPONS TRAINING FACILITY/VIEQUES PR  
Former Open Burning/Open Detonation (OB/OD) Units**

EPA I.D. # PRD980536221

The United States Environmental Protection Agency (EPA) has received a closure plan submitted by the United States Navy for its former open burning/open detonation (OB/OD) units located in Vieques, PR. The closure plan was submitted on July 30, 2004 in accordance with the requirements of the Resource Conservation and Recovery Act (RCRA) (42 U.S.C. 6901 et seq.) and regulations given 40 C.F.R. Part 265 Subparts G and P.

EPA has determined that the July 30, 2004 Closure Plan (the document) submitted by the U.S. Navy constitutes an interim document and does not constitute the Final Closure Plan for the OB/OD units. However, the document does contain sufficient details regarding proposed investigation measures to characterize the OB/OD sites, and a process by which the mechanism for final closure will be determined, such that EPA has determined to proceed with public notice of the document, pursuant to 40 C.F.R. § 265.112(d)(4). Nevertheless, EPA's approval of the Closure Plan for the OB/OD units, cannot be given until completion of the site characterization and other activities proposed in the document, development of a Revised Closure Plan as shown in Figure 4-1 of the document, and public notice and review of that Revised Closure Plan.

Interested persons may inspect the proposed Closure Plan at the following locations:

U.S. Environmental Protection Agency  
Caribbean Environmental Protection Division  
Centro Europa Building, Suite 417  
Attn. Ms. Brenda Reyes  
1492 Ponce de Leon Avenue  
San Juan, PR 00907  
Hours: Monday - Friday, 8:00 AM - 4:00 PM  
Telephone: 787- 977 - 5869

U.S. Environmental Protection Agency  
Caribbean Environmental Protection Division  
Attn. Mr. Daniel Rodriguez, Vieques Remedial Project Manager  
Vieques Office Park  
Carr. 200 Km. 0.4  
Vieques, PR 00765  
Hours: Monday -Friday, 8:00 AM - 4:00 PM  
Telephone: 787-741-5201

The purpose of this Public Notice is to invite comments from interested persons on the document. Comments may be submitted in writing to the addressee listed below within forty five (45) calendar days from today's date. The public comment period for this closure plan begins today and will extend to forty five (45) calendar days from today's date.

Mr. Adolph Everett, P.E.  
Chief, RCRA Programs Branch  
U.S. Environmental Protection Agency  
290 Broadway, 22<sup>nd</sup> Floor  
New York, NY 10007-1866

In making its decision regarding the Navy's closure plan, EPA will consider all written comments that it receives, which are postmarked on or before forty five (45) calendar days from today's date.