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8/8/01-02093

NASD CERCLA TECHNICAL COMMITTEE

Subject: Notes from Informal TRC Meeting — Environmental Restoration Activities at the Former U.S. Naval Ammunition Support Detachment (NASD), Vieques Island, PR

Date: August 8, 2001, 6:00 p.m.

Location: Vieques Conservation & Historical Trust Building, Esperanza, Vieques Island, PR

This meeting was intended as an informal discussion with several TRC members, in preparation for the next scheduled meeting of the TRC in September. However, there was good (although unexpected) turnout from the general public, including several community members who may be interested in joining the TRC. A list of attendees is attached.

Summary of Presentation

Christopher Penny opened the meeting with a summary of the TRC/Restoration Advisory Board (RAB) process that was previously presented at the first TRC meeting on May 15, 2001. The key points of the presentation included:

- A TRC/RAB is a public participation method that helps the community provide input on the decision process for site cleanup.
- Public notices and fact sheets have been presented to the public to keep them advised of the cleanup process. Final documents are made available to the public in the public information repositories and on a public Web site.
- A formal public comment period is established for the entire community to have an opportunity to review and comment on decision documents, such as No Further Action (NFA) Reports and Proposed Remedial Action Plans
- A TRC has been established and includes representatives from EQB, EPA, MOV, the Navy, and DOI. Four community members have been included in the TRC and four to six additional community members will be added during the next month, to be nominated by the original TRC members.
- A draft charter has distributed to the TRC members for review and discussion at the next meeting.
- Funding may be available to the TRC, through the Navy's Technical assistance for Public Participation (TAPP) program, that would allow the community to retain a technical consultant to help review reports.
- The TRC will expand to a RAB, which is open to the public, when the TRC members decide it is appropriate to do so.
- Any questions from the community regarding the cleanup process at the former NASD should be directed to Madeline Rivera (Naval Station Roosevelt Roads) or Christopher Penny (LANTDIV).

Christopher Penny also presented the anticipated project schedule, report deliverable schedule and funding allocations, which are provided in the draft Site Management Plan.

Questions and Comments

Q: Several community members expressed concern by the limited support provided by EQB.

A: The EQB President indicated she just recently became involved and assured that they are committed to being involved and will review documents.

Comment: A TRC member said that a representative from Lenny Seigel's office (Center for Public Environmental Oversight, CPEO) will be present at the next TRC meeting.

Q: The Commissioner requested that the MOV and himself be more involved more with the decision process for the cleanup of the NASD sites.

A: Christopher Penny stated that MOV representatives, including the Mayor, were invited to the first TRC meeting in May. Two MOV employees attended the meeting as private citizens; the Mayor had not appointed an MOV representative at that time. The Commissioner will be invited to all future TRC meetings. Also the MOV and Commissioner have been provided a Draft Site Management Plan to review and comment on.

Comment: A Navy representative expressed concern about the negative publicity given in the press by the politicians who said the Navy did not clean up the sites, but were not aware of the actions initiated by the Navy to clean up the sites.

Q: A TRC member indicated they did not receive all the draft documents.

A: Christopher Penny indicated that all the TRC members, EPA, EQB, the Mayor and the Commissioner either have or soon will be provided copies of the following draft reports: Draft Final Community Relations Plan (dated May 2001), Draft Background Study Report (June 2001), Draft Phase II PA/SI Report (July 2001), and Draft Site Management Plan (July 2001).

It was clarified that the regulatory agencies and the TRC members will be provided with all draft reports and asked to review them. However, the general public will be provided with draft reports only of decision documents (which call for public comment periods) such as the No Further Action Reports and the Proposed Remedial Action Plans.

Q: A TRC member requested that all draft documents be written in both Spanish and English.

A: Christopher Penny indicated that might not be practical due to the schedule and costs. He proposed that all draft documents be written in English and all final documents and draft / final decision documents (which call for public comment periods) will be written in both Spanish and English. The President of EQB indicated that EQB could review English documents and they didn't need Spanish versions for approval.

Q: A TRC member expressed concern that the Navy has not provided the public sufficient review time for decision documents. She asserted that the public did not have an opportunity to review the Finding of Suitability for Early Transfer (FOSET).

A: Christopher Penny stated that the Navy published a public notice for the FOSET and a public review and comment period was provided. He will provide this documentation at the next TRC meeting.

Comment: The meeting date for the next TRC meeting was proposed to be changed from 9/19/01 to 9/26/01, to avoid conflicting with another meeting scheduled by the MOV and the Commissioner. If any TRC member has conflicts with that date, they need to notify Christopher Penny by 8/15/01. He noted that, if TRC members miss two consecutive meetings (without sending an alternate in their place), they could be asked to resign from the TRC. [This is a standard RAB/TRC rule and is in the draft TRC charter.]

Q: A community member suggested that an outside consultant should provide review of the documents on behalf of the community.

A: Christopher Penny stated that EQB, EPA, DOI and the TRC members will be reviewing all draft documents to provide a wide range of input. In addition, the TAPP program may provide additional funding, through the TRC, for an outside consultant to review the documents.

Christopher Penny provided attendees with public website address and indicated that all final documents are on the website and in the public information repositories, including the Vieques library.

Comment: A Navy representative stated that the change in the government administration has delayed the process by at least 3-4 months.

Comment: A representative from the Department of Environmental and Natural Resources (DENR/DRNA, the umbrella agency over EQB) said that they will be involved and indicated that we need to slow down the process to make sure everyone is involved. They will provide the Navy with a description of their role.

Q: The Commissioner stated that the cleanup process should not be rushed to meet an accelerated project schedule; there should be sufficient time for the public, MOV and the regulators to have sufficient input.

A: Christopher Penny indicated that the current schedule allows 45 days for all parties to review and comment on the documents. John Tomik mentioned that the schedule will be updated annually in the Site Management Plan.

Q: A community member asked if more than 45 days could be made available to review the draft documents.

A: Christopher Penny replied that extended review times will slow down the entire cleanup process.

Comment: Christopher Penny noted that \$3.02 M has been spent in FY01 and FY02 and that \$13.7 M is budgeted for cleanup from FY 02- FY06, which includes an addition of \$500K to the original FY02 budget. This funding is separate from the \$40 M authorized by Congress for economic development in Vieques.

Q: The Commissioner asked if this funding has already been appropriated?

A: Christopher Penny indicated that it was allocated in the FY02-FY07 budgets but not yet appropriated [by Congress].

Following a break during the meeting, individual attendees introduced themselves and explained their interest in attending the meeting.

Plans for the Next TRC Meeting

Christopher Penny suggested that the TRC establish a Charter to define the goals of the TRC. A draft charter was distributed to TRC members for review and discussion at the next TRC meeting.

Christopher Penny requested that the TRC members provide the names of the new members to be added to the TRC. The members who were present indicated that they needed additional time and wanted to obtain feedback from the candidates regarding this meeting prior to making a decision. Several new member candidates attended this meeting.

The names of the new TRC community members will be provided to Christopher Penny before the next TRC meeting, which is scheduled for **September 26 at 6:30 p.m.** in the Vieques Conservation and Historical Trust building.

{Note: The schedule September 26 TRC meeting was postponed, due to the events of Sept. 11 and resulting travel restrictions on federal employees.}

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