

**CERCLA Technical Review Committee (TRC) Meeting**  
**for Environmental Restoration Activities**  
**at the Former U.S. Naval Ammunition Support Detachment (NASD), Vieques Island, PR**

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**Minutes of Meeting No. 6– June 1st, 2003**

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*Note: these Revised Final minutes include a corrective statement (following Attachment 4) that was offered by a TRC member after these minutes were approved (without comment) by TRC Co-Chairs and distributed as Final.*

**I. Opening/Introductions**

Chris Penny opened the meeting thanking the attendees for their participation, DOI for hosting this meeting, and the Vieques Conservation and Historic Trust for their hospitality during the previous meetings held at their pavilion.

Meeting facilitator, Susana Struve of CH2M HILL, was introduced. The meeting participants introduced themselves. Ricardo Jordán and Pablo Dávila were unable to attend this meeting. (A list of meeting attendees is included as Attachment 4.)

Chris stated that having TRC meetings only on weekends is logistically very difficult, and asked the participants to consider having alternating meetings on weekend and non weekend days. Different suggestions were made by the participants but no decisions were reached.

A list of Action Items from the meeting is included as Attachment 3.

**II. Plans for a public hearing on the NFA report (Eugene Scott, Environmental Quality Board)**

The number of NFA reports distributed among TRC members was reviewed. Comments to the report have been received and the responses have been incorporated.

Eugene Scott gave a brief presentation about the upcoming public hearing process for the NFA report. EQB Regulation 3672, drafted in 1998, states the process for the administrative hearings and there are 3 types of hearings: judicial, legislative and administrative.

The NFA public hearing process will begin with publishing a Public Notice and distributing information to radio stations and newspapers 30 days before the public hearing date.

There could be two public hearings, one in Vieques and another in San Juan. The presentations at the hearings are 30-40 minutes long; the public can ask for more information. All documents presented on the NFA report should be available to the public.

At the hearing process the Navy is to present the document in Spanish, following standard EQB procedures for a Record of Decision (ROD). After the public hearing, the examining officials will prepare their report, including responses to comments, and submit it to the Governing Board. The Governing Board, which is comprised of three members, including the president of the EQB, will review the document. The reviewed document will become a ROD and will be consider final 30-40 days after review by the Governing Board.

Since the NFA report is not a ROD, a Proposed Remedial Action Plan (PRAP) may need to be developed to support the ROD. The PRAP is part of the 9-step CERCLA process needed to move forward with the NFA decision. The PRAP could be released at the same time as the NFA report. EQB will check to determine if an extra 30 days can be allotted to develop the PRAP.

In response to questions about the process if there is no agreement between the Governing Board and the Navy, and how public comments are addressed, Chris Penny replied that response to comments will be based on their technical merit or technical support. If the Navy, at this stage, does not agree with regulatory comments, a dispute resolution process will start.

Eugene Scott will obtain a copy of the public hearing regulations and distribute them to the TRC members.

CH2M HILL walked the participants through a flow chart describing the process of the NFA report, which is based on background and acceptable risks (Attachment 1). Comments were received from the EPA, EQB, DOI. Several copies, and an addendum to the report have been provided. An electronic copy of the report is available to those TRC members who request it in writing or via email.

### **III. Community concerns, including any issues that should be discussed at the CTC meeting (Colleen McNamara, TRC Community Co-Chair)**

A member of the community asked about the groundwater tidal influence issue; she stated that this was never resolved. CH2MHILL indicated that this data was being collected during the RI/FS phase for the current RI/FS and further evaluated.

Colleen presented a list of requests from the community; these included:

1. A list of all documents related to the West Side.

CH2MHILL presented Colleen with 12 CDs containing primary documents. A list of the primary documents on the CDs (Attachment 2) was presented at the meeting.

It was mentioned, that there are problems maintaining documents at the library. It appears that when documents are retrieved from the library, there is no record of who has them, so they are not available to others. The library does not have a consistent method of signing documents out. Chris stated that the library is the only designated public repository. By law, the Navy is required to place documents in the repository but the Navy is not responsible for maintaining the records for the library.

Alternative repositories were proposed (Women's Alliance - Casa Alianza, Puerto Amerisol). Susana will check the existing repositories and make a list of the existing documents.

Stacy Notine asked for an explanation on the Versar Study and its contents, and expressed concerns on the way EPA has changed its policies. Susana suggested that Stacy meets separately with the Navy and EPA to talk about the Versar Study.

A member of the community objected to allowing only one member of the TRC to meet with the Navy and regulators. This is a group, she added. After asking the participants

if they felt as strongly as Stacy on this issue (no), Susana asked the participants to keep the meeting on the agenda items.

2. A list of the bibliographic references given on the primary documents and how to obtain these documents.

The Navy indicated that providing references is not a requirement. Nevertheless, upon request, CH2MHILL will provide information on how to obtain specific bibliographic references included in the reports. EQB supported this request.

3. Biological Study of the area to better determine the extent of contamination shown in the results of the crab report released by DOI.

CH2MHILL stated that the ecological evaluation is a 9-step process. During steps 1 and 2 samples of surface water and sediment are taken and compared to ecological screening criteria; subsequent steps can help evaluate the extent of contaminants. If the surface water and sediment analysis demonstrate that the site is a source of contamination, and the initial steps of the ecological assessment show there is an unacceptable ecological risk, then a biota sampling program will be conducted.

4. Timely Monthly Status Reports
5. Spanish interpreter for TRC meetings

Colleen expressed that the language is a big issue for the community. If the meetings are held in Spanish there will be more community members interested in attending, reaching more sectors of the community, and getting better representatives of the people of Vieques. DOI added that having the meetings in Spanish will help enhance the credibility and trust of the TRC among the community of Vieques.

The Navy is trying to find an interpreter with both accurate technical and language skills. A community member suggested trying ATABEX (a language company based in Puerto Rico). Chris agreed to have the next formal meeting translated into Spanish. Susana will follow up with finding the appropriate company for this activity.

6. Public access to the Red and Blue Beach reports, the Preliminary Range Assessment (PRA) report, and the Environmental Baseline Study (EBS) for the east side.

Chris explained that the PRA and EBS are currently under internal review process; the Red and Blue Beach report is not final yet.

7. TRC representative attendance at the CTC meeting

Chris stated that the CTC is a technical meeting and it is not open to the public.

8. Change of venue for upcoming TRC meeting

The TRC is proposing the Lighthouse to be considered for TRC meetings. Chris will visit the Lighthouse and consider the request.

#### **IV. Discussion of previously unresolved comments and issues. (John Tomik, CH2MHILL)**

John Tomik (CH2MHILL) handed out copies of questions and outstanding comments from the community and the Navy's proposed responses. In future, the TRC will try to

provide CH2M HILL with one consolidated set of comments [although consensus on comments is not required] and to present them under categories in order to avoid duplication.

**V. Brief progress report on the environmental restoration program for western Vieques (Chris Penny, TRC Navy Co-Chair)**

Chris Penny gave a brief overview on the environmental process for western Vieques. SWMU 4 is going through an expanded Phase III and the site characterization report will be completed in the fall. The next TRC meeting could be scheduled around this time period.

Chris asked the community to provide monthly reports of their activities. Colleen McNamara said that the TRC will do their best to comply with this request.

**Awareness of UXO safety risks on eastern Vieques (Susana Struve, CH2M HILL)**

Susana commented on the Navy's UXO awareness activities and expressed their importance in terms of public safety. Following the distribution of the Fact Sheet in May, the Navy is working on a UXO awareness video.

Meeting participants suggested alternative methods for disseminating this public safety message. Included among these was the need for additional signage, especially at the entrance near the USFWS kiosk.

**VII. Land use planning for Vieques National Wildlife Refuge (Oscar Díaz, USFWS)**

Oscar Díaz provided the participants with a summary of the land use planning process that will be used to develop a plan for the Vieques National Wildlife Refuge.

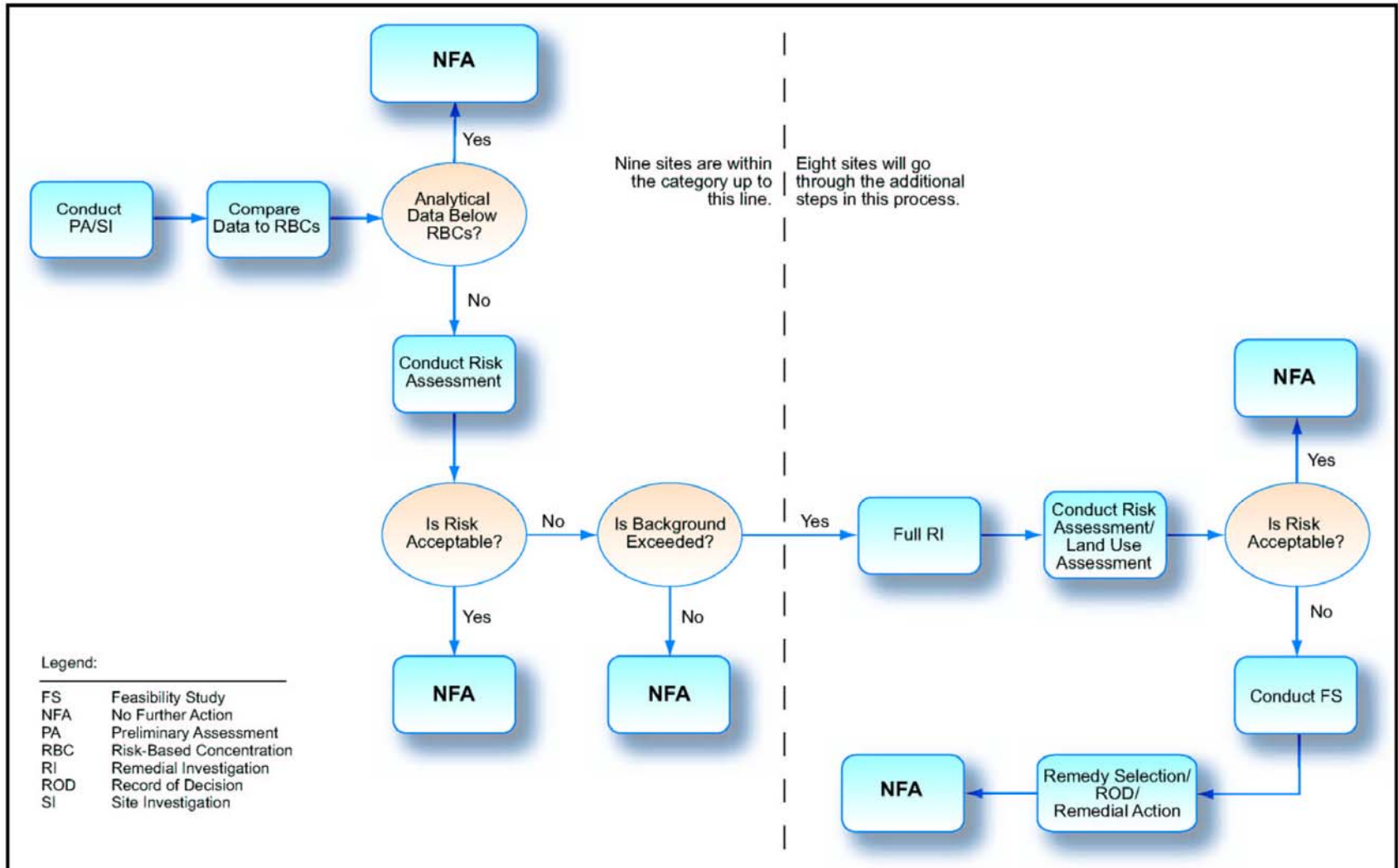
**VIII. Meeting wrap-up**

Other issues raised:

- A member of the community asked if the Site Management Plan has been updated? CH2MHILL responded that it will be updated in July.
- A member asked for a schedule for the health risk assessment training. Carlos Ramos responded that EPA does not have a set date for this workshop, but it will be developed.
- Training on other specific topics might need coordination with University of Puerto Rico-Mayaguez.
- DOI stated that a Management Plan for the west is needed. The land use plan is ongoing and will follow NEPA process. The east and west sides of Vieques will be combined as the Vieques National Wildlife Refuge.

Attachment 1

No Further Action Report Flow Chart



**Figure ES-1**  
 Site Risk Management Process for All 17 Sites Identified  
 NFA Report for Nine Sites  
 Former NASD, Vieques Island Puerto Rico

## Attachment 2

## List of Documents related to the West Side

<b>Primary Documents List Installation Restoration Program, (NASD), Vieques Island</b>	
<b>Document Name</b>	<b>Submission Date</b>
<b><u>YEAR 2000</u></b>	
<b><u>PROPERTY TRANSFER AND INSTALLATION RESTORATION</u></b>	
1. Final Expanded Preliminary Assessment/Site Investigation (PA/SI) Report NASD, Vieques, PR	October 30, 2000
2. Finding of Suitability for Early Transfer (FOSET) for Naval Ammunition Support Detachment, Vieques Island, Puerto Rico	November 11, 2000
3. Final Phase II Site Specific Work Plan Expanded Preliminary Assessment/Site Investigation for NASD	December 1, 2000
4. Final Work Plan and Sampling and Analysis Plan, Soil, Groundwater, Surface Water, and Sediment Background Investigation, NASD	December 2000
<b><u>YEAR 2001</u></b>	
5. Final Master Work Plan-NASD-January 2001	January 2001
<b><u>YEAR 2002</u></b>	
6. Final Site Management Plan FY 2001-2002, Former NASD Facility, May 2002	May 2002
7. Final Remedial Investigation/Feasibility Study (RI/FS) Work Plan for AOC E	May 2002
8. Final Soil, Groundwater, Surface Water, and Sediment Background Investigation Report, U.S. Naval Ammunition Support Detachment, Vieques Island, Puerto Rico	Oct. 16, 2002
9. Final Expanded Preliminary Assessment/Site Investigation (PA/SI) Phase II Seven Sites, Naval Ammunition Support Detachment	November 18, 2002
<b><u>ORDNANCE EXPLOSIVES/UNEXPLODED ORDNANCE</u></b>	
10. Final Initial Ordnance and Explosives Site Assessment Work Plan for the Green Beach Area, NASD, Vieques, PR	29-Mar-01
11. Final Preliminary Ordnance and Explosives Site Assessment Report for the Green Beach Area, NASD, Vieques, PR	13-Jul-01
12. Final Ordnance and Explosives Master Work Plan for Former NASD, Vieques, PR	26-Oct-01

<b>Primary Documents List</b> <b>Installation Restoration Program, (NASD), Vieques Island</b>	
<b>Document Name</b>	<b>Submission Date</b>
13. (addendum to) Final Ordnance and Explosives Master Work Plan for Former NASD -- SWMU 4 Site Specific Work Plan, Nov. 9, 2001	09-Nov-01

### **Attachment 3**

#### **Action Items after the June 2003 TRC Meeting**

- Plans for a public hearing on the NFA report (EQB). Eugene Scott will obtain a copy of the public hearing regulations and distribute them to the TRC members.
- Check existing repository and compile a list of the existing documents (Susana Struve, CH2M HILL)
- Provide TRC with timely monthly Status Reports on Navy activities (CH2MHILL)
- Provide Summary of CTC meeting (CH2MHILL)
- Provide the Navy with timely reports on TRC activities (Colleen McNamara, TRC)
- Research an appropriate company to provide translation of the TRC meetings into Spanish, focusing on accurate technical and language skills (Susana Struve, CH2M HILL)
- Provide the Navy with timely reports on TRC activities (Colleen McNamara, TRC)
- Work with DOI to update UXO sign language and to produce the UXO awareness video (Susana Struve, CH2M HILL)
- Update Site Management Plan (CH2MHILL)



**Attachment 4**  
**TRC Meeting Attendance**

**TRC Members Present:**

Michael Díaz (Community)  
Oscar Díaz (U.S. Fish and Wildlife Service)  
Felix López (U.S. Fish and Wildlife Service)  
Colleen McNamara (Community)  
Stacie Notine (Community)  
Christopher T. Penny (Atlantic Division, US Naval Facilities Engineering Command)  
Eugene Scott (Puerto Rico Environmental Quality Board)  
Jorge Fernández Porto (Community)  
Lirio Marquez (Community)  
Yarissa Martínez (Puerto Rico Environmental Quality Board)  
Myrna Pagán

**TRC Members Absent:**

Pablo Connelly (Community)  
Arcinio Corsino (Community)  
Luis Dávila (Community) - *excused*  
Ricardo Jordán (Community) - *excused*

**TRC Guests and Support Staff Present:**

Marty Clasen (CH2M HILL)  
Andy Crossland (US Environmental Protection Agency, Region 2)  
Rafael Cruz Pérez (Consultant to the Special Commissioner)  
Félix López (USFWS)  
Daniel Rodriguez (EQB)  
Vijaya Mylavarapu (CH2M HILL)  
Carlos Ramos (US Environmental Protection Agency, Region 2)  
Ivonne Santiago (University of Puerto Rico, Mayaguez)  
Michael Sivak (US Environmental Protection Agency, Region 2)  
Susana Struve (CH2M HILL)  
John Tomik (CH2M HILL)

To: Susana @ Nov 1st TRC meet / minutes  
The minutes of past TRC meetings - are  
not accurate or reliable representation  
this has been a constant concern since  
the 1st meeting minutes.  
Yet Navy has refused community suggestion  
that meetings be tape recorded.

Minutes of Nov 03. inaccurately state I asked  
for an explanation on the Versar Study...  
I did not request an "explanation on  
Versar Study" but stated, that  
the NAVY and EPA must clarify and discuss  
with the community - the actual limitations  
of the <sup>sequential</sup> TRP invest/analysis of Versar -  
to identify existing contamination: existing harm  
at Versar - Beginning with the Navy's  
NACIP - 1984 <sup>use</sup> Initial Ass. Survey of RSRs / 1986-88  
~~and~~ Confirmation Studies

I requested EPA explain why  
EPA was allowing Navy TRP invest/analysis  
of NASD to refer to the IAS/Confirmation  
Study "DATA" which EPA rejected in  
1995 RFI/RSRs. \*DATA/methodology @ UST analysis  
I would have liked UST methodology

EPA Response was that  
the RFI RCR as carried -  
out under RCR A <sup>Program</sup> ~~met~~  
CERCLA as <sup>is</sup> the case of "NASD"  
Investigation