

DRAFT

MEETING MINUTES

**Restoration Advisory Board (RAB)
for the Environmental Restoration and Munitions Response Program
in Vieques, Puerto Rico**

Meeting Number 4 - May 11, 2005

I. CALL TO ORDER AND WELCOMING REMARKS

The meeting began at 5:30pm by Susana Struve (CH2M HILL) welcoming those present. She gave instructions on how to use the headphones for the simultaneous translation equipment and introduced the representatives of the different agencies (NAVFAC Atlantic (Navy) - CH2MHill, Environmental Protection Agency (EPA), Environmental Quality Board (EQB), Fish and Wildlife Service (FWS) and National Oceanographic & Atmospheric Administration (NOAA)).

Jeff Harlow (Navy Co-chair) welcomed the attendees and mentioned that this meeting includes technical presentations on those topics requested by Restoration Advisory Board (RAB) members.

RAB charter. Following series of conference calls among the Navy, federal and local agencies and RAB members, the RAB charter was finalized and signed at this meeting. The signatures of those RAB members not present will be added to the charter in the future. The charter will guide the operational procedures for the RAB.

Susana went over the agenda, which allocated time for Community RAB members to present comments. In addition, a brief presentation on a proposed crab study by NOAA was included to the agenda.

II. APPROVAL OF MINUTES FROM PREVIOUS MEETING

The minutes from the previous RAB meeting (November 2004) were accepted without changes.

III. ONGOING BUSINESS

III.a Action Items Review

From the list of action times previously distributed with the minutes from the previous last meeting two were discussed and completed at this meeting:

1. Community RAB members stated that they have met with their Technical Assistant for Public Participation (TAPP) consultant and discussed the upcoming reports and how they would like to use his expertise.

2. Additional Public Repository for technical reports. Navy has agreed that the library in Esperanza denominated "La Luz de la Esperanza" will be the additional repository. The Navy will begin sending electronic copies of the documents released to the public, this library has internet access allowing visitors to also review documents posted on the Navy website.

III.b Pending Action Items

1. Navy to provide a Hydrology or Risk Assessment workshop to the community. This topic will be discussed during a conference call among Navy and RAB members which will be scheduled at a later date.
2. A community RAB member stated the Background report is not found at the Public Library in Isabel II. Susana explained that this particular document was deposited at the library with a receipt from the librarian.

This continues to be a problem; documents placed at the library by the Navy tend to disappear. Susana reminded the attendees that the library in Esperanza is the alternate electronic repository and that copies of the reports released to the public have been distributed among RAB members; additional copies are available at EPA and FWS offices in Vieques and EQB in the main island, and through the Navy's website (<http://public.lantops-ir.org/sites/public/vieques/>)

IV. BACKGROUND PRESENTATION

Brett Doerr (CH2M HILL) gave a summary of the Revised Draft Final Work Plan and Sampling and Analysis Plan Soil Inorganics Background Investigation - Former Atlantic Fleet Weapons Training Facility - Vieques, Puerto Rico.

Presentation highlights:

- Brett reviewed the key topics regarding the schedule and the selection of sample locations and reminded the participants that there is a public comment period from 15 April to 15 June 2005. Following the public notice for this document, all comments should be sent to Danny Rodriguez (EPA). He added that the comments received will be reviewed and considered based on their technical merit by the regulatory agencies and the Navy.
- Brett stated that the RAB members will have the opportunity to review the sampling locations by attending the site visit organized by the Navy on May 12, 2005. It was discussed that RAB members participating in the site visit should be at the entrance of Camp Garcia at 7:30 am. Bring lunch and water and wear appropriate clothing.

- RAB members asked if they could send a representative if they are not able to attend the site visit. The answer was yes, although we need to consider that the transportation is limited.

Community comments:

Note: every effort was made to capture all the comments and that these minutes include the text documents opinions/comments/questions by the community, and not the opinions/statements made by the Navy, unless so stated.

- Robert Rabin (community member) stated that the sample locations were within few miles of bombing range. How can the Navy propose to take samples on locations that may be impacted by air deposition of explosives components from the years of use of the range?
 - o Brett answered that the existing data do not support the supposition that air deposition has impacted areas outside of the ranges.
- Nilda Medina (RAB member) asked if there was a Viequense present during the site visit done by the agencies with knowledge of which activities took place around those sampling locations.
 - o Brett stated that Felix López (FWS) participated in the decision making process providing input on Navy past activities and on the selection of the sampling locations. EPA and EQB representatives and their consultants have reviewed and agreed on the sampling location proposed by the Navy.
- Stacie Notine stated that none of the comments from the community members have ever been taken into consideration. She challenged EPA, FWS and EQB to provide examples of when the Navy has incorporated their comments.
 - o Brett explained that during the site visit (tomorrow) the community could provide comments and information about the sample locations. Further, it was noted by EPA that reasonable comments are always taken into consideration, in combination with the knowledge and experience of the regulatory agency representatives.
- Jorge Colón [Technical Assistant Grant (TAG) consultant] presented a map that showed military activities in the vicinity of some locations that the Navy is proposing to take background samples.
- A community member stated that the Navy did not propose to sample for explosives and other man-made compounds on these locations; therefore the samples results cannot show that the locations are not contaminated.
- A community member asked why only sample for inorganics, and not explosives and pesticides?
 - o Brett answered that the intent of the inorganics study is to generate a set of inorganics data that can be compared to the inorganics data from a particular

Solid Waste Management Units (SWMU) or an Area of Concern (AOC) to determine if past Navy activities at each SWMUs/ AOCs contributed inorganics to the media at that particular site.

- Jorge Fernández Porto (RAB member) finds it surprising that EQB's comments to this document were not incorporated (surface sample depth of 0-6" is being proposed instead of 0-2' as EQB recommended).
 - o Brett responded that EQB, as well as the other regulatory agencies, have agreed that the 0-6" depth is appropriate for the background surface soil sample collection.
- A community member noted that there is an EQB recommendation to use another method that detects thallium at a lower level yet the Navy did not address/consider this recommendation.
 - o Brett explained that the Navy did accept this recommendation and that the background document was revised to incorporate this lower detection method for thallium.
- Myrna Pagán (RAB member) said that because we all know that there are historical sites near the sample locations (like Puerto Ferro lighthouse), we know that there were past human activities near the proposed locations.
 - o Again, it was pointed out that the intent of the background data set is to distinguish inorganics concentrations attributable to past activities at SWMUs/ AOCs from the inorganics concentrations far from these SWMUs/ AOCs.
- Jorge Cólón asked Brett for his professional opinion on this subject: "If the samples are analyzed for Volatile compounds (VOCs), Semivolatile compounds (SVOCs), pesticides, and explosives and these parameters are detected, does this mean that the locations have been impacted?"
 - o Brett answered: We are making an earnest effort not to sample in or near locations where historical knowledge shows human activity. We have a large distribution of samples. Based on the site visits and new information if some samples need to be relocated, they will be.

Other comments:

- Stacie Notine asked why is EPA not overseeing the work of the Navy
 - o Danny Rodriguez answered that EPA is overseeing the work. This site is now an NPL site so the Navy has to fully comply with the regulations before EPA grants approval to work plans.
- Lucy (community member from Esperanza) said that Navy should say the truth. Why is the Navy recruiting people to "help" in the clean up? To continue killing by exposing them to more contaminants? FWS, you should take your bags and leave. We will chase you out as we did to the Navy. EPA if your job is to watch over the Navy, you better do your work well.

IV.a RAB MEMBERS PRESENTATION ON THE BACKGROUND STUDY

Jorge Fernández Porto representing the RAB members gave a summary of their comments to the Background Work Plan. *(Note: A copy of these comments in Spanish was provided to Madeline Rivera (Navy). Official comments will be provided to the Navy soon.)*

Presentation highlights:

Most of the comments focused on why the community should not accept the proposed background study for inorganics:

- The trade winds influence the direction of the winds that pass over Vieques from east to west. This indicates that contaminants that originate from bombs in the east will pass and fall in some place in the west of Vieques.
 - o Brett replied that if this is the case, one would not expect a uniform distribution of inorganics. The study is designed to collect a sufficient number of samples such that, if any of the locations was impacted by historical activities that affected its inorganics concentrations, this will show up as an outlier in the data. Outliers will be evaluated and excluded from the background dataset, as appropriate.
- Contaminants transported by the air and deposited on land can migrate further by runoff and water infiltration.
- Background samples shall be taken in areas where there is no reasonable doubt that they have not been affected by the same contamination being investigated. There is not a place in Vieques that meets this requirement; therefore, background samples shall not be collected in Vieques. We recommend the Island of St. Johns, VI, which has a geologic origin similar to Vieques.
 - o Brett replied that although St. Johns may be of similar geologic origin, it may not have had the same natural processes over time as Vieques.
- Why is the Navy collecting more background samples in a geological zone that is so small compared to the other zones?
 - o The Navy is collecting background samples from the same geologic zones as the location of each particular SWMUs/AOCs.
- The contamination of east Vieques varies due to the different types of military activities that were conducted there. Too few samples are proposed for this non-homogeneous area.
 - o Heterogeneity was taken into consideration for the background study. That is why a statistically a sufficient number of samples will be collected from every geologic zone. If we are able to combine all of these data, it will provide an even higher level of statistical confidence.
- The map sample shows locations within AOCs or down gradient.
 - o No sample locations are within or downgradient of any SWMUs/AOCs. All locations were field verified to ensure this.

- The Navy is proposing subsurface samples in zones where there is not more than 4" of soil. Below this depth there is rock (limestone).
 - o Again, the purpose of the background sampling is to collect samples from the same geologic units where the SWMUs/ AOCs are located in. The actual sample depth is not significant. What is important is to sample within these same geologic units for each SWMU/ AOC.
- Outliers (samples) shall not be discarded. These samples may actually show contamination of the sites instead of lab contamination.
 - o If there are outliers in the data, they may not be used in the background dataset. This will depend on whether they are unique outliers or are outlier's representative of an entire geologic zone. If contamination is suspected, the Navy will propose appropriate follow up activities at the outlier locations.
- This study will be the base for upcoming work so it should be done correctly and not taken lightly.
- Jorge asked which were the 9 sample locations that were relocated after the regulatory visit, why, and to where?
 - o Brett described the 9 sample locations and explained the reason for moving. Felix (FWS) provided information that shows military activities in three of the proposed locations.)

Other Comments:

- José Rivera [(Chenán) - Community member]. He said that the clean up should begin by removing the ship (Killing) if the Navy truly wants to clean Vieques. We want Vieques clean right now. FWS is not doing a good job. Beaches are not safe. Tourists are being robbed and this may cause tourists to stop coming to Vieques.

V. PRESENTATION ON STATUS OF ERA/SI PHASE I AND TIME CRITICAL REMOVAL ACTION (TCRA)

Stacin Martin (CH2M HILL) discussed the objective of the investigation. He explained the areas being investigated and the methods and equipment used. He also presented information on what was found in each area investigated, and stated that this investigation is to determine what is there and to determine the best approach to clean the area.

Community Comments. *Note: every effort was made to capture all the comments and that these minutes include the text documents opinions/comments/questions by the community, and not the opinions/statements made by the Navy, unless so state.*

- Stacy Notine asked how the metal detector is calibrated.
 - o Stacin explained how they calibrate the detector using buried items similar to the ones found in each area.
- Edgar Colón [Community Member (Former OP1 worker) stated that he knows how the Live Impact Area (LIA) was used, how the targets were placed, the types of

bombs used, and the Navy efforts to collect some of the misfires. He described what was used at the small arms ranges and misfires (shortfalls and long falls in all the targets). He mentioned that MK 20 and old napalm bombs were shot at SAM west. We have the knowledge but the Navy is not using this knowledge to help them in the clean up.

- Flavio Cumpiano- Governor's senior counsel for Federal Affairs stated that Congress is interested in Vieques clean up and recommend for EPA, EQB and community leaders to brief congress and staffers about the clean up.
- A community member asked what about bombs in the water? The LIA gets flooded during storm events causing bombs to migrate to the sea.

V.b TAG CONSULTANT PRESENTATION ON THE TIME CRITICAL REMOVAL ACTION REPORT BY DR. JORGE COLON.

- Jorge showed slides on the Blast Chamber Technology for Demilitarization owned by Demil International. He claimed that there is a Donavan CDS blast chamber that could be transported for use to destroy large capacity (D-100, D-200, D-60) ordinances. He added that there are available technologies in lieu of Blow in Place (BIP) that need to be evaluated and explained to the Viequeses.
 - o Stacin stated that CH2M HILL bought the company that developed the blast chamber and explained that this technology can't be used in Vieques since the UXO technicians cannot move most of the fused/armed bombs.
- Robert Rabin said that there is no trust toward the agencies and added that there is enormous knowledge in the community but the agencies are not taking this into consideration. In Massachusetts the court stopped the open detonation in all military installations. Every BIP disperses contamination into the air. We request the Navy stop the BIPs immediately.
- Myrna Pagán asked why the Navy is not using the people who worked at the range.
- Deborah Santana expressed concern because the Navy is not investigating other technologies for destroying the bombs/UXO found.

VI. PRESENTATION BY NOAA- DAVID HOLST

- David explained NOAA's role and explained the funding received in FY 05 from Congress to assist the Navy and FWS in the clean up of Vieques.
- One of the areas in which NOAA is interested is a crab and fiddler crab study to determine if some areas can be open for harvesting crabs.

Questions/comments from community

- Has NOAA included in their studies radiation effects from the ROTH?
 - o The answer was negative

- Will NOAA investigate radiation from depleted uranium on the east?
 - o The answer was negative
- Have you considered/looked at other crabs studies done by FWS and Dr. Masol?
 - o David answered that they are aware of this study. We are working in collaboration with FWS.
- Ricardo Jordán (RAB member) stated that NOAA is proposing to sample for crab at military activities locations but these same areas are proposed as background.
- NOAA will send copies of the maps showing the sample locations. NOAA is open to suggestions about the crab study.

VIII. CLOSING REMARKS- JEFF HARLOW- NAVY

Jeff thanked the attendees and their participation stating that it is important for the Navy to keep the communication flow with the community as the investigations move forward. He thanked the RAB members for their input and hard work.

VIII.a Next RAB meetings

August 11, 2005, November 16, 2005

IX. ADJOURNMENT

The meeting was adjourned at 9:45 p.m.