

MEETING MINUTES

Restoration Advisory Board (RAB)

For the Environmental Restoration and Munitions Response Program in

Vieques, Puerto Rico

Meeting Number 9 – September 14, 2006

Note: These minutes are a summary based on informal notes taken at the meeting. They are not intended as a verbatim transcript and may not have captured everything that was discussed.

If comments or additional notes are provided by others who were present at the meeting, within 30 days of distribution of these minutes, those will be added as an attachment to these minutes.

I. CALL TO ORDER AND WELCOMING REMARKS

The meeting began at 5:30pm with welcoming and introductions of those present by Susana Struve (CH2M HILL). Mr. Chris Penny introduced Kevin Cloe as the Navy RAB Co-Chair person. New RAB Members were introduced; Hector Julian Camacho and Winston Lopez.

II. TOPICS DISCUSSED AND PRESENTATIONS

Iia. Status of TAPP Consultant – No TAPP consultant has been assigned yet. Sixto Perez, (RAB member), recommended contacting Ted Henry again. It was reminded that the TAPP consultant, as requested by the members, needs to be bilingual (English, Spanish).

Discussion Points

- Hector J. Camacho (RAB member) – What are we going to do until we have a TAPP consultant?
- Jorge Fernandez (RAB Member) – Is the RAB for the west and east side now? The Navy is too slow producing reports, therefore, at this moment is not that critical for us to have a consultant. We need to discuss what documents will the TAPP Consultant review, and if he/she needs to know Spanish or not.
- Nilda Medina (RAB Member) –Even when we have a consultant, its comments are not taken into consideration. We need someone that can transmit the message in our language.
- Chris Penny (Navy) – The west and the east programs are now one site under the NPL. The RAB is for both sites. The maximum amount for TAPP is \$100,000, divided in \$25,000 per year.
- Stacie Notine (RAB Member) – The EPA also allows a grant for NPL sites.

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- Danny Rodriguez (EPA) - The \$25,000 provided to the community for a TAG consultant was at the discretion of the Regional Administrator.
- Chris Penny - These are two separate programs. The Navy provides funds under the TAPP program and EPA provides funds under the TAG program.
- Cristina (Community Member) - You said that the TAPP consultant needs to be a specialized person, but you need to be more flexible.
- Hector J. Camacho - \$25,000 per year are not enough funds for any consultant to come to Vieques.
- Chris Penny - We are very flexible. We solicited the TAPP consultant and only received three (3) quotes. The \$100,000 is the maximum allowed by law. I cannot change that.
- Jorge Fernandez - We have been discussing the TAPP for years. Our intention is to stretch this fund. We only give the consultant those documents that are too technical. Could we combine the TAPP and TAG funds to obtain a better service?
- Danny Rodriguez - The TAG is funded by the EPA for the community to hire their own consultant, in TAPP, the Navy hires the consultant to assist the community.

Action Items:

Description	Status as of Oct 20, 2006	Comments
The Navy to review the draft scope of work for the TAPP consultant and send it to the RAB members.	<u>Action item completed,</u> information was sent to RAB members electronically, and via "snail mail" on October 2, 2006.	
RAB members will review and send their comments back to the Navy	Awaiting comments from the RAB members	
The Navy will attach to the meeting minutes a document stating the differences between TAPP and TAG Programs.	<u>Action item completed,</u> information was sent to RAB members electronically, and via "snail mail" on October 2, 2006.	
The Navy proposed the RAB members a visit to the LIA the week of November 13, 2007	The visit is scheduled for Nov. 16, more information will be provided closer to that date.	

Iib. EPA Presentation - Daniel Rodriguez (EPA) discussed the EPA's oversight role and who is part of the review team. He also discussed the status of documents review. The ECCA for SWMU 4 is under internal review. It is not available to the public yet. The comments to the Community Involvement Plan (CIP) will be sent to the Navy soon. The Air Monitoring Report was reviewed and comments submitted. The second report has not been reviewed yet. The Navy did not allow EPA/EQB to enter the LIA during working

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operations, but did allow EPA's UXO contractors. Now this has changed and we are allowed to see the operations. Most of the munitions found are concrete filled. EPA observed the detonations of May 25, 2006. The smoke plume passed by the air monitor stations located at the boat house and OP1. Inert bombs are being accumulated to be processed when the work plan and the rest of the equipment is on site. There is an intention to establish a monitor station near the population.

Discussion Points

- Hector J. Camacho - When they are detonating, do they use a detonation chamber?
- Danny - Not all the munitions found at the LIA can be detonated in a chamber.
- Michael Diaz (RAB Member) - The tests do not detect anything, so we don't have confidence in the data.
- Jorge - We ask the regulatory agencies to stop the Navy until they install a monitoring station near the population.
- Winston Lopez (RAB Member) - How do you know that the equipment is working properly? Who ensures that?
- Danny - There was not a requirement for the Navy to do monitoring. The community asked for this and the Navy agreed. The Navy needs the approval of a controlled burning plan to accelerate the clean up.
- Carlos Ventura (Community Member) - There is reasonable doubt to believe that the residues of the detonation are reaching the population. How about monitoring the communities of Lujan and Destino?
- Adalina Cruz (RAB Member) - How can you then explain about the women that had their hair tested and showed contamination when the only operation here was from the Navy?
- Danny - We can't investigate what happened in the past.
- Nilda - What kind of protective clothing does the people working on the range wears?
- Carlos Ventura - I know people that work at the range and they wear short pants.
- Hector Camacho - Have Osha been on the site? OSHA requires protection for the employees
- Danny - The QA plan used by the Navy contractors was found by our UXO expert to be followed and implemented properly.
- Chris - All the workers at the range wear the protective clothing in the approved plans.

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Iic. Background Investigation (EPA)

The samples for the background investigation were collected in June-July 2006. The Navy complied with the approved work plan. The sub surface samples were collected at 6 feet by hand augering.

Iid. CCP Status – Oscar Diaz

Oscar discussed the status of the FWS CCP which is currently in draft form and will be distributed to the public in English and Spanish (translation being done at this time) by December. Oscar invited anyone who has questions or comments to contact him or Gisela at the FWS offices

Iie. Time Critical Removal Action (TCRA) Update – Chris Penny

Chris began the presentation stating that they are removing munitions and metal scrap larger than 2" by 2". The mechanical mean that was used in the past is not longer allowed by the Naval Ordnance Safety and Security Office (NOSSA). We are approaching areas where sub munitions are found. The vegetation is also very tall and dense; therefore we need another mean to remove vegetation. Because of the restriction from NOSSA we have trained and hired more local residents to assist with the vegetation removal. But there is high risk in these areas.

Discussion Points

- Stacie – Why don't you use defoliation?
- Chris – The perception will be that we are using another chemical. If the public doesn't have a concern about this we can investigate.
- Danny – The use of chemical agents are an alternative, but this only eliminates the foliage, it will leave the trees.
- Jorge – This can worsen the problem. With the type of vegetation that is there, we need a very powerful chemical and that could be worse than what we have.
- Chris – We need to be able to see the surface to do the work. We are running out of low vegetation areas and need to approach the very dense areas by other means.
- Nilda – Can you explain what type of risks you are talking about?
- Chris – There are environmental and explosive risks. The site is very dangerous.
- Cathy – Why you said in your presentation that 13 local UXO Tech I are employed, when I know one that is not employed.
- Chris – You are right, 13 were trained but 11 are working. One of the other two had a work ethic problem, and the other one wanted to pursue a police career and did not want to work for us.

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- Cathy - How are you proposing to do the controlled burning?
- Chris - We are working with FWS to get our fire management plan approved. We are also discussing with EQB and EPA the air monitoring requirements stated in EQB letter. We will also have a public meeting to present you the plan.

IIf. Environmental Presentation - John Tomik

Discussion Points

- Jorge - Why do the No Further Action (NFA) sites require a remedial action, if you are not doing anything else on those?
- John - The remedial action can be institutional controls. Going through the process is a requirement to close the sites.
- Winston - Have you considered air contaminants?
- John - The investigation has not showed any volatile.

III. ADJOURNMENT

The meeting was adjourned at 9:30 PM

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