



# Vieques Investigation and Cleanup

Navy Facilities Engineering Command (NAVFAC) Atlantic

## RESTORATION ADVISORY BOARD (RAB)

Meeting Number 37

6:30 p.m. - 8:00 p.m. – June 12, 2013 – Ice House, Vieques

### DRAFT MEETING MINUTES

#### Attendees:

Laura Arroyo Lugo (DNER)	Lirio Márquez (RAB member)
Mike Barandiarán (USFWS)	Mary Kay McHoul (community member)
Juan C. Dávila (community member)	Doug McHoul (community member)
Brett Doerr (CH2M HILL)	Colleen McNamara (RAB member)
Jorge Fernández Porto (RAB member)	Hernán Morales (community member)
Ronny Fields (CH2M HILL)	Héctor Olivieri Cano (Vieques Emergency Management)
Bill Hannah (CH2M HILL)	Daniel Rodríguez (USEPA)
Rich Henry (USFWS)	Madeline Rivera (Navy)
Dora Irzay (community member)	Wilmarie Rivera (EQB)
Craig Lilyestrom (DNER)	Pedro Ruiz (Navy)
Félix López (USFWS)	Donald Shaw (USA Environmental)
Stacie Notine (RAB member)	Susana Struve (CH2M HILL)
	Ismael Umpierre (DNER)

#### 1. Welcome and Introductions – Dan Waddill/Navy

The meeting began at 6:10 PM. Dan welcomed participants and described the agenda for the meeting.

#### 2. Blue Beach Update – Dan Waddill

Dan Waddill described the background of Blue Beach stating that records indicate it was used for military landing exercises, not for live fire practices. No Munitions and Explosives of Concern (MEC) were identified on Blue beach in 2003. The Navy is re-evaluating the beach and adjacent areas as a precaution since MEC was recently found at PAOC EE (Punta Conejo) and UXO-18 (Cayo La Chiva). The evaluation approach will be done in phases (the sandy beach, the parking areas, and the forested area across the main road north of the beach).

Phase I (area north of the main road) is underway starting with westernmost end and is expected to be completed within the next 2 months. Phase II (beach, paths, parking areas, pavilions) is 100% complete. This phase involved conducting subsurface geophysics across 100% of the Phase II area and excavating and removing 100% of anything detected. The vast majority of what was found was trash; only several pieces of munitions debris and one munitions component were found in the subsurface on the beach.

The munitions component was found at the far eastern end of Blue Beach, adjacent to PAOC EE. As a safety measure, the far eastern area of the beach adjacent to PAOC EE is closed to the public.

**Discussion Points:**

- Lirio Marquez (RAB member) asked how many munitions items had been found to date and the locations where the items were found. Dan responded that the munitions component was found at the far east end of Blue Beach, one item was found in a parking area, and one was found north of the road and that all items were underground.
- Stacie Notine (RAB member) asked about the age of the munitions found. Don Shaw/USAE responded that they are older items and have deteriorated; likely they are from the Vietnam War era.
- Laura Arroyo (DNER) asked how long the beach will be closed. Dan responded that it is not known at this stage, and that the Navy is continually evaluating the information as it is gathered to determine how best to complete the work and is making every effort to maximize the public's access to the beach while taking measures to address safety.
- Stacie asked what depths are being investigated. Dan responded that the beach area is investigated to a depth of 4 ft and the north of the road to a depth of 2 ft.

**3. UXO Awareness Recent Fires /Emergency Removal Action – Dan Waddill**

Dan provided a summary on the three fires that occurred on the range and displayed a map showing the areas burned.

**UXO -12**

- Fire Duration: 3/26/13 - 3/27/13
- No Navy activities in the area where fire occurred
- Dry weather/vegetation probably contributed to the spread the fire.
- Approximately 300 acres were burned (fire burned undergrowth but left many of the larger trees)
- The Navy issued an Action Memorandum to conduct surface clearance of munitions (over 100 munitions items and several hundred munitions debris items were removed)

**EMA/SIA Border Brush Fire**

- Fire Duration: 4/24/13 - 4/25/13
- Fire occurred in area Navy previously surface cleared of munitions
- Dirt roads acted as fire breaks
- Approximately 53 acres burned

### **Central Processing Center (CPC) Area Brush Fire**

- Fire initiated on 4/28/13 in the Central Processing Center (CPC), including tire pile. The potential presence of munitions in or under the pile made fighting the tire pile fire unsafe. Note: tire pile no longer burning by 7/8/13.
- The burned area was previously surface cleared of munitions
- Approximately 100 acres were burned

#### **Discussion Points:**

- Colleen MacNamara (RAB member) asked how many tires were on the pile and if air monitoring is being conducted? Dan described the approximate size of the tire pile and confirmed that air monitoring has been conducted.
- Jorge Fernández Porto (RAB member) asked why the tires cannot be moved now if the area has already been surface cleared. Dan responded that the pile was never certified as being clean of munitions and there is uncertainty as to what is underground beneath the pile, which could be disturbed during fire fighting activities.
- Héctor Olivieri ( Director Emergency Management) – He stated that a community member approached him asking why the Navy won't put out the fire, assuming that the Navy is doing this on purpose to make the cleanup easier. The public is also concerned that the fire is disseminating chemical contaminants to the municipality. The public believes that the contractor in charge of the munitions cleanup is starting the fires and questioned why the Navy did not foresee that the tire fire could occur. Dan pointed out there was no information suggesting the tire fire would occur and that its remote location poses no risk to the community.
- Member of the public. How much money the contractors make because they can avoid vegetation clearing with the help of the fires? Dan responded that the fires do not save money for the contractor because they are only paid for the amount of vegetation clearance they actually do. In this particular case the contractor will only be paid for the munitions removal; no payment will be made for vegetation clearance. He also noted that where the fire burned vegetation in areas not yet surface cleared; the burning allowed the munitions to be found and removed quicker, which is good for everyone.
- Lirio asked what the tires were used for in the past. Dan responded that the tires were from the vehicles in the target areas.
- Jorge asked about other piles of tires on target areas. Dan responded that he is not aware of other tire piles, but will double check.

#### **4. SWMU 4 Update – Dan Waddill**

Dan discussed the path forward for SWMU 4 which, based on public input on the Proposed Plan, is that the Feasibility Study (FS) will be revised with additional remedial alternative considerations for munitions. In addition, because the FS included alternatives for groundwater and fish and blue crab in Laguna Boca Quebrada, a work plan for regulatory and RAB review is currently being developed to further evaluate these areas, which will help with the FS revision. The FS Addendum will include: an

evaluation of additional remedial alternatives for munitions removal (the “M” alternatives); potential modifications to biota remedial alternatives (the “B” alternatives) based on the newly collected fish and blue crab data; and potential modifications to the groundwater remedial alternatives (the “G” alternatives) based on the newly collected groundwater data.

**Discussion Points:**

- Jorge asked what about the timing for these studies. Dan responded that it takes a few months to develop an SAP and then several additional months for regulatory review, comment resolution, and RAB review and, therefore, the sampling will likely occur in 2014.
- Jorge asked if the munitions will be removed prior to the sampling. Dan responded that it is anticipated that munitions remedy will be implemented once the ROD is signed, which will occur after the additional sampling and FS addendum.
- Jorge asked about subsurface technologies. Dan responded that the Navy includes and will continue to include evaluation of potentially applicable subsurface technologies when evaluating alternatives to address subsurface munitions.

**5. Eastern Conservation Area – Jorge Porto Fernandez (RAB member)**

Jorge led a presentation describing the memorandum of agreement signed between the Navy and the Government of Puerto Rico in 1983. Jorge stated that the memorandum states that “Conservation zones will be protected from damaging activities and will be managed to maintain their natural values. Activities within the zones will be in strict accordance with the purpose of their creation.” Jorge specifically referred to the Eastern Conservation Area (ECA) and states that in 2008 the Navy destroyed large portions of the ECA and questions if the destruction of 124 acres of a unique dry forest was necessary in order to remove munitions items. He then presented several maps showing the density of the munitions found and later removed from the ECA and questions again, if that effort was worth destroying this unique vegetation. He presented pictures of the forest in 2000 and after the removal in 2010.

Jorge discussed the remedial alternatives presented in the PRAP, which included limited re-vegetation. Jorge added that he feels the Navy has reneged on the previous agreement and decisions made during past discussions with Navy representatives and the RAB, including: set new parameters for protecting unique habitats using less invasive vegetation clearing methods; enhancing the communication with the regulatory agencies, specifically Fish and Wildlife Service and RAB members; and a timely restoration of the ECA with native species. Jorge feels the current Navy’s proposed alternative for this area is unacceptable.

Jorge also stated that failing to discuss and consider restoring the ecologically sensitive areas in the ECA may result in a disbandment of the RAB and their support for the Navy’s restoration program as whole.

**Discussion Points:**

- Dan thanked Jorge for the comments and responded that the Navy and the regulatory agencies are re-evaluating the proposed remedy for this site and is involved in discussions with USFWS regarding their restoration plan.

- Lirio asked about the timeframe for implementing a new remedy. She feels the site vegetation conditions continue to degrade with time and invasive species soon will colonize the entire area. Dan responded that there are multiple agencies that need to approve the new direction, and cannot predict the timeframe at this stage.
  - ✓ **Action Item:** Jorge requested a RAB field trip to the area since the RAB visited the area back in 2010. Dan responded that a site visit is reasonable and will look into this.

## 6. Vieques Community Involvement Plan – Madeline Rivera/Navy

Madeline Rivera/Navy led the discussion providing a summary of the activities conducted since the beginning of the Navy's Community Involvement Program.

- Since 2007, the Navy has conducted or participated in 12 outreach events focused on munitions awareness/safety, cleanup progress information, and environmental protection.
- The Navy has organized 8 stakeholder visits since 2010 to demonstrate the progress of the cleanup, and highlight explosive safety hazards from munitions. Visitors have included: representatives from the Puerto Rico Senate and Municipality of Vieques, Mayor of Vieques and Legislative Assembly, Puerto Rico Governor Fortuño, EPA Region 2 Regional Administrator, UFWS Directors, EPA Region 2 Superfund Directors, White House Vieques Task Force; EPA, EQB, PR DNER and NOAA representatives.
- The Navy has organized 12 RAB site visits since 2004 to show the cleanup progress, sampling locations and field activities in East and West Vieques.
- The Navy hosts the Public Vieques website at: <http://public.lantopsir.org/sites/public/vieques/default.aspx>. Madeline informed the participants that a new website is under construction.
- The Navy issues notices in local newspapers and mailings to announce public comment periods, public meetings and major project milestones. Announcements for all RAB meetings are broadcast via a local megaphone truck. Key information regarding the cleanup progress is published in English and Spanish.
- Since 2007, 13 newsletters and 5 fact sheets have been distributed to mailing list (over 280 members), and placed in locations in the community and on the website
- Since 2006, 59 informational fliers featuring timely information about ongoing restoration activities, appeals to the community to obey warning signs, upcoming RAB meetings and other outreach events
- The Information Repository is located at the Biblioteca Electrónica in Isabel Segunda.

Madeline summarized the results of these efforts stating that some outreach events have attracted as many as 300 community members to learn about the cleanup process and munitions safety/awareness. Site visits enable the RAB to become familiar with the sites and proposed investigations and gives them an opportunity to provide input. Mass mailing of fliers and newsletters allows the Navy to reach community members that do not attend meetings.

**Community Involvement Plan.** The Navy's main objectives are to promote and facilitate communication and input about the Vieques cleanup; protect public safety through comprehensive

munitions safety efforts; provide factual, timely, and clear information about cleanup projects on Vieques, and encourage participation in the decision-making process. As part of this effort, the Navy issued in 2005 a Community Involvement Plan (CIP) which forms the foundation for the Navy's community outreach program on Vieques. To gather current interest and concerns from the Vieques Community, the Navy has started the process to update the CIP. New community interviews will be conducted including a wide range of questions to gauge interest and knowledge of the cleanup progress and plans, as well as community concerns and information needs. The RAB will play an important role in the update process. The Interviews are tentatively scheduled for September 2013.

**Discussion Points:**

- Jorge stated that regardless what other community members who don't attend meeting think, the RAB meetings are the forum where we the public can discuss with the Navy. He stated that the first two years were difficult but much has been accomplished since then in terms of the communication exchange efforts and trust in the cleanup process.

**7. Regulatory Agencies Update – Wilmarie Rivera / EQB**

Wilmarie gave a summary of the different activities EQB has participated in since the last RAB meeting including:

- Several document reviews; conference call with the agencies' environmental technical subcommittee to discuss SWMU 4 and SWMU 6; site visits to Laguna Anones with EPA, NOAA, FWS, DNER.
- March was a busy month for EQB starting on March 1<sup>st</sup> with a meeting with the Vieques Sustainability Task Force; a community meeting along with EPA, DNER, FWS, Navy, Casa Pueblo, fisherman and general public to discuss the approach to characterizing Laguna Anones; EQB participated in a public meeting to discuss the remediation alternative for SWMU 4; EQB President participated in an information meeting about Vieques in Fortaleza; by mid-March EQB inspected sampling activities at UXO 4; another meeting about Vieques in Fortaleza on March 27.
- In April, EQB participated in another meeting about Vieques in Fortaleza (Vieques Task Force Puerto Rico Government); a meeting at the Vieques Fort with government agencies and Puerto Rico Resident Commissioner Pierluzzi; On April 22, EQB met with the Governor of Puerto Rico to discuss the current status of the Vieques cleanup.
- In May, EQB participated in a technical meeting at EPA offices in New York and later a meeting in Fortaleza to plan the Economic and Health Forum to take place on Vieques late on May 8<sup>th</sup>.
- In June, the Governor of Puerto Rico and the Navy met in Washington, D.C.

**8. Other questions from the public.**

- Dora Irzay (participant) asked when the land will be returned to people of Vieques. Dan responded that the land transfer agreement is defined by the US Congress and it was designated

to be managed by USFWS. However, there were parts of the land that were transferred to the Municipality of Vieques. The Navy does not have control of the land ownership now, but is responsible for the cleanup. He responded that the public is not allowed entry in some areas due to safety risk as a result of the potential for munitions to be present.

- Juan Dávila (community member) – asked when the land will be cleaned up. He also asked about the situation with scrap metal being transported offsite on the ferry. Dan responded that the cleanup on land is estimated to take an additional 10 years and the underwater 15 years. He also discussed the CERCLA process which guides the clean up process and the timeframe for each activity.

Regarding the scrap transport situation, Dan responded the contractor was transporting scrap metal to a processing facility; the shipment did not contain explosives or hazardous materials.

- Juan Dávila asked what the Navy's opinion is of the ATSDR report. Dan responded that the data the Navy has collected, which is reviewed by the regulatory agencies, supports the findings that there are no health concerns related to past Navy activities.
- Héctor Olivieri (Vieques Emergency Management) – discussed agreement between Clinton and Governor of PR. He stated that Vieques' anthropological resources are on USFWS land and locals do not have access to these, which are valuable to the people. Dan responded that the Navy does work with the State Historic and Preservation Office (SHPO) and archaeologists evaluate areas before site work is conducted to ensure cultural resources are protected. Jorge clarified that the law was established by US Congress and is not an administrative decision between the President and Governor stating that part of the land on the west side of the island was to be transferred to the Conservation Trust.

## **9. Closing – Susana Struve**

Susana Struve/CH2M HILL thanked the attendees. The meeting ended at 8:30 PM.