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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 2
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NEW YORK, NY 10007-1866

APR - 7 2010

Mr. Roger M. Natsuhara
Assistant Secretary
Of the Navy (Acting)
Installations and Environment
1000 Navy Pentagon
Washington, D. C. 20350-1000

Dear Mr. Natsuhara:

I want to take this opportunity to thank your staff for an informative tour I took of the Atlantic Fleet Weapons Training Area Superfund site in Vieques, on March 4, 2010. I also appreciate that an open detonation was included during my visit. This enabled me to have first hand look at the procedure which is currently an integral part of the munitions removal operations.

One of the many issues discussed during my visit. The continuity problem of trespassers is of immediate concern to me. Trespassing on restricted areas of the property presents an unacceptable safety risk because of the presence of unexploded ordnance. According to your staff, local Vieques residents, including teenagers, trespass on the beaches in restricted areas to poach for crabs and other seafood. Moreover, your staff informed me that numerous pleasure boats lay anchor in bays and coves which may be laden with unexploded ordnance. In one instance, as the boat owner lifted an anchor, an ordnance was hauled to the surface by the anchor. When the boat owner saw this, he quickly cut the rope and let the ordnance fall to the floor of the bay.

It is my understanding that the Navy has been exploring options to address the issue of on-going trespassing. Among the options considered are the installation of waterway barriers and warning buoys in Icacos Bay, (the favorite spot for pleasure boats), the establishment of a restricted area in accordance with 33 CFR § 334 pertaining to navigation and navigable waters danger zone, restricted area regulations, patrols of the east coast of Vieques by the Coast Guard, contract law enforcement (for land based patrols) and the installation of land-based fencing. However, none of these alternatives have been implemented.

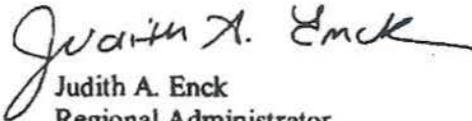
I was informed that the Coast Guard has requested \$12 million/year to perform fulltime patrols of the waters on the eastern end of Vieques. One alternative which you should consider is more limited Coast Guard patrols during weekends and special occasions such as Holy Week and the week encompassing July 25 and 27, which are Puerto Rican holidays. I hope an economically viable option can be worked out.

The establishment of a restricted area should also be considered as soon as possible. The above described trespassing is an accident waiting to happen. I feel compelled to bring this matter to your attention and urge you to quickly adopt interim measures while pursuing other alternatives which require more time. Funds need to be invested to address these serious safety issues before human lives are lost.

EPA supported your recent approach to the Coast Guard. An EPA representative attended a meeting in Miami between the Navy and the Coast Guard. We are willing to support the Navy on a more detailed approach, as well as with the formal establishment of a restrictive area and other measures.

Your support and cooperation in this matter will be deeply appreciated.

Sincerely,


Judith A. Enck
Regional Administrator

cc: Mr. Donal R. Schegordus
Deputy Assistant Secretary
Of the Navy
Installations and Environment
