



DEPARTMENT OF THE NAVY

OFFICE OF THE ASSISTANT SECRETARY
(ENERGY, INSTALLATIONS & ENVIRONMENT)
1000 NAVY PENTAGON
WASHINGTON DC 20350-1000

JUN 18 2010

Ms. Judith A. Enck
Regional Administrator, Region 2
U.S. Environmental Protection Agency
290 Broadway
New York, New York 10007-1866

Dear Ms. Enck:

Thank you for your letter of April 7, 2010 regarding safety and cleanup issues on the former Vieques Naval Training Range. The Department of the Navy staff appreciated the opportunity to meet with you and your staff during your visit to Vieques on March 4, 2010. The Navy shares your concerns regarding the need to safeguard our onsite workers, local Vieques residents, and trespassers in the extremely dangerous areas where explosive safety risks remain. We greatly appreciate your willingness to support us in selecting and implementing cleanup actions and security procedures to address these risks. The Navy has implemented a number of actions and is pursuing additional measures to limit public access to the restricted areas and to reduce the explosives safety risks at the former range.

The Navy has performed extensive surface clearance of munitions from over 1,500 acres of beaches and uplands within the National Wildlife Refuge Area, specifically within the Live Impact Area (LIA), Eastern Conservation Area (ECA), and the Surface Impact Area (SIA). These efforts have resulted in the identification, destruction and removal of over 34,000 live munitions items.

There is one area you can help to reduce explosive safety hazards on Vieques. Approximately 70 acres within the LIA still contain extremely dangerous and sensitive submunitions on the ground surface. These 70 acres are within a short walking distance from the cove most frequented by waterborne trespassers. These submunitions on the ground surface are the highest explosive safety risk on Vieques. Unfortunately, the type and density of munitions, combined with the thickness of the vegetation, preclude safe manual identification and clearance of the unexploded ordnance. Additionally, the terrain, vegetation density, and munition types are pushing the effective limits of the robotic removal methods we are pilot testing in this area. The Navy would like your support of our proposal to burn the vegetation in this area to allow for safe and effective identification and removal/elimination of munitions. We have worked closely with EPA, the Puerto Rico Environmental Quality Board, and the Fish and Wildlife Service over the last four years to develop the burn plan, conduct air monitoring and to demonstrate that controlled burning can be conducted safely while protecting health and the environment. Although the Navy has not received final approval from EPA, it is our understanding that

all substantive technical requirements have been resolved to EPA's satisfaction. I request your support to allow us to proceed with the burn plan.

The Navy is also pursuing the installation of a waterway barrier near the aforementioned cove to reduce the number of waterborne trespassers. This area contains underwater munitions where recreational boaters frequently anchor their boats. A work plan for the barrier system has been submitted for regulatory review. National Marine Fisheries is requiring a formal Endangered Species Act (ESA) Section 7 Consultation notwithstanding the CERCLA basis for the munitions response work being done. The Navy recognizes the ESA as an applicable or relevant and appropriate requirement. Further, we are working to accommodate the threatened or endangered sea turtles and various coral species in this removal action. As the Navy continues to address substantive ESA concerns with Marine Fisheries, the implementation of this measure may take an additional six months or more.

We are also working with the Army Corps of Engineers to establish a restricted area in the shallow waters around the former Navy facility. The implementation of this measure may take more than a year, because jurisdictional and fiscal authority issues for the various agencies involved must be resolved. This restricted area will establish enforceable regulations to limit access of the shallow waters by the public, which can be coupled with patrols afloat by the Coast Guard or Commonwealth Law Enforcement agencies. Additionally, we will forward your recommendation for limited Coast Guard patrols to the Coast Guard to review.

We greatly appreciate EPA's support in ensuring the safety of the public and our on-site workers as we conduct the environmental restoration of the former Naval facilities on Vieques. Our field teams have been working well over the past several years, and I welcome the opportunity to meet with you the next time you are in Washington, DC to explore further areas for mutual collaboration between our teams.

Sincerely,

A handwritten signature in black ink, appearing to read "Roger M. Natsuhara", with a long horizontal flourish extending to the right.

ROGER M. NATSUHARA
Principle Deputy