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MEETING SUMMARY

RESTORATION ADVISORY BOARD (RAB) FOR THE ENVIRONMENTAL RESTORATION AND MUNITIONS RESPONSE PROGRAM

MEETING NUMBER 16- MAY 7, 2008
LIGHT HOUSE - VIEQUES ISLAND, PUERTO RICO

Note: This meeting summary is based on informal notes taken at the meeting. They are not intended as a verbatim transcript and everything that was discussed may not have captured. If comments or additional notes are provided within 30 days of distribution of these minutes, those will be added as an attachment to this summary.

CALL TO ORDER AND WELCOMING REMARKS

The meeting began at 6:15 pm with Susana Struve (CH2M HILL) welcoming the participants. Kevin Cloe (Navy) conducted the introductions and reviewed the meeting agenda.

AGENCIES UPDATE

- **Wilmarie Rivera (Puerto Rico Environmental Quality Board – EQB)**: Wilmarie summarized all the activities the Environmental Quality Board has performed since the last RAB meeting, from November until February 2008. Wilmarie also informed the RAB that EQB has designated her as the new Coordinator of Federal Facilities, which is a new office

  - Jorge Fernández Porto (RAB Member) – Is the Board up to date with the pending documents? Wilmarie – Yes, all the documents received have been reviewed. Now with the Federal Facilities Agreement (FFA) in place, the review process follows the agreement which includes more stringent deadlines.

- **Matt Connolly (U.S. Fish and Wildlife Service – FWS):** Matt discussed the current and upcoming roads projects in the Vieques Wildlife Refuge. Among the projects mentioned is reconstructing roads between Camp Garcia and Red Beach. There will also be changes implemented regarding night fishing (which is now allowed at Playa Grande and Punta Arenas) for the protection of sea turtle during nesting season, and use of natural resources, following refuge guidelines for resources management and species protection. Certain beach sectors will be closed. A representative of FWS will be providing more details on these activities to the community.

  – Cristina Corrada (RAB Member) - When will the project in Playa Caracas (Red Beach) going to be completed? Matt responded that the project for Playa Caracas is 95% design complete. There will be a new contract beginning in October 2008 for this road. The work needs to be conducted outside of the hurricane season and during fiscal year 2009.

- Lirio Marquez (RAB Member) – What roads will be closed between the months of June and August, which is the season in which most Puerto Ricans come to Vieques? Matt – They will all be open, that is why we are beginning in October.
- Jorge - Can you clarify until what point will the main road be closed? Matt – From the entrance of Camp Garcia to Playa Caracas.
- Cristina- I have two questions regarding the bridges. Will you be renovating the bridge at Playa Grande and the bridge "de la chiva"? Matt – Playa Grande is not part of this project, it'll be part of the upcoming project. The bridge "de la chiva" is in good condition.
- Cristina – How will you deal with the petitions of the fishermen that fish during the night? Matt – We do not have the personnel to work during the night in this area. We are getting funds to hire two additional law enforcement officers. It is not until the officers are hired that we will be able to work during the evenings to support other public uses.
- Public Member – I appreciate you speaking in Spanish and encourage the other North Americans to learn Spanish.

- **Danny Rodriguez – US Environmental Protection Agency – (EPA)**: Danny summarized the document reviewed for both Munitions Response (MRP) and the Environmental Restoration Programs (ERP). One of the ERP documents identified the areas of concern (AOCs) that require No Further Action. Some MRP documents are in the process of being finalized.

  EPA conducted oversight of Time-Critical Removal Action (TCRA) Activities on February 29, 2008 and April 17, 2008. EPA participated in a visit to the Central Processing Center Site on February 19, 2008.

  On the environmental side, EPA provided Environmental Restoration field oversight for non-time-critical removal actions at SWMU 6, SWMU7, AOC J, and AOC R, including a site visit for selecting in-situ waste characterization sampling locations (Feb 20, 2008) and oversight of soil samples collection (Feb 25, 2008). Additionally, EPA provided oversight for the additional sampling collection for SWMU 4 after the Navy determined that further investigation of the site is needed to better delineate the extend of the contamination.

  EPA representatives participated on the Vieques Media Day (led by the Navy) on May 7, 2008. Other activities included presenting several displays during Earth Month celebrations. (See EPA presentation for more details.)

  - Public Member – What type of contamination is there? What kind of dangers? Danny – I do not have the list with me at this moment. The CERCLA process (which is the law regulating this program) establishes Preliminary Remedial Goals (PRGs) which determines the contaminants of concerns and their corresponding maximum acceptable levels. The contaminants found are analyzed and compared to their specific PRGs before any conclusion about risk can be determined. At the moment I don't have the document with me which has a list of contaminants and its corresponding concentrations.

- Public Member– Where can I find this information? Danny explained that the document will be available to the RAB when EPA has completed the regulatory review process and when all comments from the agencies have been addressed. When the document is finalized, it will be part of the official record and will be available at the Library in Isabel Segunda or at the Navy's public website. Additionally, the documents have been presented in previous RAB Meetings. The community has access to all the information that is being presented here.

- Stacie Notine (RAB Member) – I have seen such documents. There is always a problem between EPA and CH2M HILL approaches. In fact they do mention what has been identified out there, but they don't want to talk about uranium. It has been used by the military in other sites. CH2M HILL does print a list of the toxics.

- Jorge –You mentioned that one of the documents (Final Central Processing Center Work Plan) is under review. (Local residents know this area as the "chaparral".) There were thousands of tons of material removed from that area. How is that a pilot study? Danny – The pilot study had some limitations, although various methods were evaluated; perhaps the Navy can discuss this later during this meeting. The final work plan is under review. Currently, contractors are removing materials and recycling, the area is looking a lot better.

- Jorge – I found out about the Media Day through the media. I think that if the Navy was going to do a media day they should have invited the community. It seems like they didn't want the newspapers to speak with us. Danny – The Media Day was mentioned to the RAB members who participated in the RAB call to plan this RAB meeting. Kevin – Jorge, I do understand your point, but the Media Day activity was coordinated directly and solely by the Navy Public Affairs Office responding to a Navy Headquarters request; the folks on site provided the logistical support. This was discussed with the RAB during the RAB call.

- Lirio Marquez (RAB member) asked Danny if the characterization work has started or not? Danny - Samples have been collected. The Navy will conduct a study to determine if the material is solid waste or hazardous.

- Lirio – Will that data be compiled in some type of report? Will it be accessible to the public? Danny – There will be a report, but I don't know at what point it will be available to the public.

- Cristina – This is directed to Madeline and Kevin. I am very upset about Media Day. You guys get paid to sit here and bullshit us, we are volunteers. I specifically asked Kevin about the estimated duration of the completion of the clean up and you said (with your very politically correct attitude) "I don't know". And then I found through the press you confirmed a timeframe (2019). I live here, Kevin. You don't. I am risking my life trespassing and risking getting cancer because this is my home. I know you are paid to be dishonest. Kevin – The 2019 is a budgetary planning date (which is public information). The date does not refer to a project completion date; it simply is based on the funding available, which translates to 2019. That date can change, and so would the funding.

- Cristina – I am going to speak in your language so there will be no misunderstanding, but at least you should try to learn Spanish. I give you 3 months to answer me about the amount of depleted uranium that is still on Vieques. How

much, where is it and how you are going to clean up this mess. I am tired of your lies and your (...) answers.

- **Jason Rolfe (NOAA) Underwater Field Study**

Jason Rolfe (NOAA) – I want to apologize because I will be conducting the presentation in English. Jason pointed to a GIS map on the wall that shows the project area. He discussed the results, conclusions and recommendations from the underwater technology assessment that NOAA conducted on Vieques. The main goal for this underwater Unexploded Ordnance (UXO) project is to assess what NOAA can do with its mapping capabilities to support the identification of potential munitions under water. The underwater UXO demonstration projects used different technologies – NOAA boat, autonomous vehicle, video imaging, and SCUBA divers. The project concentrated specifically on a determined area in Bahia Salina del Sur. (See NOAA presentation for more details).

- Cristina – Quick question. Were you on top of the Killen? Where you in that area? Jason – Yes, That's what I was going to discuss next. Jason presented the images of the equipment and some of the results and challenges.

- Stacie – Before you continue, I see monthly and weekly on TV about Department of Defense (DoD) doing reconnaissance underwater with highly advanced equipment. It seems a little curious to me with the advances being made that you and Navy are using such rudimentary equipment. Jason – I do not want to give you the impression this equipment is rudimentary.

Jason continued discussing the Bahia Salina del Sur Project Area.

- Cristina - Can this technology assist the Navy to figure out how to remove the bombs? Jason – We hope to use it as a planning tool based on GIS and video data. All areas are different, so some of the things that work in this specific area may not work in other places.
- Public Member– When you finish the analysis underwater will you be cleaning up all the bombs? And when this process is done, will Puerto Ricans be able to reuse the beach in its natural state? Kevin – The purpose of NOAA was to evaluate technologies in underwater assessments. But before we do that, we want a toolbox of different alternatives to assist us in those assessments. We are not at that stage yet. An assessment must be done first to determine the nature and extent before any removal actions can occur.
- Public Member–Thanks for explaining your proposition. But my question is, if there is the intention to remove those bombs from underwater. What is the Navy's commitment in cleaning up underwater? Kevin – It is too premature to make any determinations at this moment.
- Public Member– I appreciate NOAA's presentation but it is too technical. I simply want to know what was found that can benefit us who live here. I would like to make some conclusions today. Would you be discussing what you found? When, you yourself felt at risk? There must be federal laws that govern what you do and to say "I don't know" is an insult to the public. Kevin – For me to speculate at this point in time what remedies will be taken is not possible.

- Public Member - What is the general law? Kevin - CERCLA is the process we are following.
- Public Member – Are you responsible for cleaning up the waters? Kevin - Cleanup is not a technical term. There are so many unknowns at this point; we need to follow the process. Public Member- Remember that I did not ask you for criteria. I asked you about what the law says. I don't think my question was answered but I do appreciate your attempt.
- Hector Julian Camacho (RAB member) – I think we all have a clear understanding of what NOAA or the Navy are doing with this specific underwater project. These last questions are not within the scope of what they are presenting right now. They are accessing the risks and identifying where the risks are and the tools they can use, correct? Kevin – Correct, tools, possible remedies. We are in the initial assessment phase.
- Hector Julian - The Navy can't say we are going to clean it up tomorrow. I believe there is no scope of any contract to do cleanup of underwater. Kevin – Yes, we don't have scope to do assessment yet.
- Stacie – The Puerto Rican government during the NPL listing was extremely clear that it was cleanup of land, water. They [Navy] did make all those promises. Have they retracted from all those promises? In my opinion they have. She asked if EPA and EQB would acknowledge that the Navy did commit to clean underwater.
- Stacie - Are you doing this work in another area and was cleanup implemented? Jason – Yes. Again, this is a study to assess the technology.
- Stacie – Was your information used? Jason – Absolutely. That is the whole point of the study, to provide information to aid with the decision making process.
- Stacie – You do know there are now cameras like the one you showed us that are being used for bomb removal. Jason – Good point.
- Cristina – Jason, what is your academic background? Jason - I am closer to a wildlife biologist. I've worked with NOAA for the last six years. I am the Vieques Program Coordinator for the NOAA Office of Response and Restoration.
- Cristina - In your professional opinion (I know I am pushing you to answer this), isn't it better to leave the area untouched and not try to remove the munitions at all? Jason - I represent NOAA, our mission is to protect corals and other organisms. Your question does not have an easy answer. You have to balance human safety and a concern about the environment.
- Danny Rodriguez – I don't like to over simplify things. Whether you leave the munitions in place or not, you must follow a regulatory process. Studies are currently being done. What Jason is presenting now are some technologies to aid in the detection of potential bombs underwater. There are too many things you have to consider prior to make a final determination on which is the most appropriate action. The data collected by not only NOAA but other companies are being compiled to be able to make responsible decisions.
- Jorge – First, we (the RAB) asked for this presentation. They [NOAA] did us the favor to come and present this information, which I appreciate. It seems, every time that we discuss underwater cleanup, the response we get is "it is left for later, because the Navy does not know what is underwater and what is the best approach to

address what is underwater." NOAA had the decency of coming to discuss their findings; I don't see the other companies doing that. As far as I know, this project was funded by Congressman José Serrano through a budgetary assignation to NOAA. The money is no longer available. I think this project should continue to refine the findings. We should clear up the investigation of what is underwater. But let's be clear that I understand that what we are discussing here is the first phase of the investigation. Perhaps there is a mechanism to contact Congressman José Serrano and request to continue this work by allocating funds to NOAA to complete their studies. Let's hold the fight with the Navy on how the underwater munitions will be cleaned until more information is available.

Jason – This presentation and my contact information will be made available to you. We'll add it to the Navy's Public website.

- Public Member – During the aquatic investigation did you consider different seasons and detecting objects below the ocean floor? Jason - Our equipment does not look below the surface. That is not something NOAA does. Our investigation did consider the seasonal changes in the analysis of the data.
- Stacie – Is there any way that you can have a fairly good idea of the amount of iron present? Jason – I cannot answer that question. The purpose of the study was to test the technology, not to gather specific data on the articles observed.

  Public Member – I still don't understand. What are the numbers and size of the objects found? Jason – Our report presents the data on the visible characteristics of the articles detected. This is the question for the Navy. Kevin – The Navy will try to present more information on this subject.
- Public Member- If you had the numbers and information from what you saw, I feel that should be part of the presentation. Jason –That information is part of a report being finalized by Geomarine. What I recall is that we observed and marked 82 bombs that we could see.
- Public Member - If I know that you found an 'x' number of bombs…that is information very useful for me. I feel it's important for me to know this information.
- Cristina – This is a pilot study. This is the first time that the Navy has done such an extensive cleanup. Vieques, in itself, is a pilot cleanup.

Diana Weiner (NOAA) –This particular project as well as other projects NOAA undertook were developed under Congressman Serrano's funding.

- Cristina - How much money would you need? Jason – I can't answer that.
- Cristina - How much did he give you? Jason – The appropriation was for $1 million dollars. We did not receive another appropriation for 2008.
- Public Member - What is your opinion of the beauty of Vieques? Jason – It cannot be disputed.
- Public Member - In your professional opinion, what is the grade of harm in Vieques? Jason - I don't know how to answer that, because I wasn't here before that happened so I have nothing to compare it to.
- Public Member- What would you say to your son about the harm the Navy has done to the island of Vieques? Jason - I actually discussed this project with my son

yesterday and explained what the project is about and what we are expecting from the technology. There is a lot that needs to be done, but I am not qualified to answer that question.

- Public Member- Thank you for your response. The reason why I asked you is because we are trying to remediate a disastrous situation the Navy caused to Puerto Rico and the island's resources and wanted to know your opinion.

  Jason showed underwater assessment videos and explained the steps and some of the challenges encountered during the investigation.

- Cristina – Did you find drums during your investigation? A submarine expert previously found drums in the Killen area. Jason – We heard about that survey being done in the Killen, but we did not spend time looking for them.

- **Tim Garretson (CH2M HILL) Burn Plan Update**

Tim Garretson (CH2M HILL) – This is information on the proposed burn plan we have already discussed with the RAB in previous meetings. Tim discussed the controlled Burn Plan (need, variance application process, procedures and controls, proposed air monitoring locations, fire breaks, and status of the variance waiver to perform the controlled burn presented to EQB). The initial proposal was for a much larger area. After the amount of work completed by the current workers, the new plan only asks for a waiver for 192 acres. There will be air monitoring locations set at Camp Garcia and the FWS Building in town. (See Burn Plan Update presentation for more details).

- Stacie – I don't understand. If you are saying you can't get to these munitions, how can you simultaneously say you can do air monitoring because you know what kind of munitions are there? Tim – I am saying that the areas where we can do vegetation removal are already completed, we can't continue with the removal in the acres proposed for controlled burn.

- Stacie - You are saying you've done air monitoring modeling. What information are you basing your air monitoring on? Where are you getting the information about those munitions? Tim – We know what is there based what we found in the areas we have already cleared.

- Stacie- You are speculating. Tim – It's not speculating. Yes, we know what kinds of munitions are there. This information is not going to change. We know what munitions we are going to encounter. It's not a secret.

- Stacie - In your documents, you refer to the munitions being used in 1978 and 1979. Certainly you are now finding new munitions not listed in those initial lists? Tim - We have not seen any new munitions, we now what kind of munitions are present. What I can't tell you is when they were manufactured.

- Stacie – You know exactly what's out there without seeing it. Tim – Yes, as far as munitions types goes, it's not going to change.

- Public Member- Is it certain that the burn plan will not affect the community? Tim - Based on the scientific data available, it will have no harmful effect on the environment or the public health.
- Cristina – My beef with you is regarding detonation chambers. On May 2nd, the College of Chemists made it very clear (reads from the article). "The detonation in an

open field releases chemicals…".Why doesn't your company make a custom-built detonation chamber or subcontract another company that can make one?
Tim - First, all of the air monitoring data have shown that there is no need to use a chamber. The College of Chemists is a very respectable organization, but nowhere in that article do they state any studies or scientific data. We do have the data available to the public.

- Wilmarie Rivera – I wanted to add to the question from the public regarding the proposed burning plan. EQB is not going to wait until the air monitoring results to determine whether it's hazardous to the community. The EQB Division of Air asked for a risk assessment of the existing air monitoring data. The number of acres necessary to burn has been reduced a lot since the initial proposal. Wilmarie then explained the regulatory process in regards to the burn plan more in more detail.
- Public Member– In relation to the air monitoring during the detonation, I would hope the Navy would be more willing to help and alleviate the public doubt, by allowing us to have some of our own scientists that we know and trust to be involved in the air monitoring to analyze the data. Kevin – The Navy does not have funds to perform outside agency sampling, since the funds are allocated for federal work only. I am not legally allowed to fund something that does not comply with federal regulations. Tim – This data goes to an independent lab for analysis.

ACTION ITEMS

Item	Comments	Status
Navy - To present more information on the NOOA's underwater findings related to the number and type of munitions		
NOAA/Navy – Load NOOA's presentation to public website		Completed.
Schedule RAB conference to plan the next meetings for 2008		
Navy – to present more details about depleted uranium data		

ADJOURNMENT

Kevin - August 27th is the proposed date for the next RAB meeting.