



MEETING MINUTES

Restoration Advisory Board (RAB)

For the Former Naval Station Roosevelt Roads

Club Cívico La Seyba, Ceiba, Puerto Rico

Meeting No. 2 - March 12, 2007

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 6:15 p.m. with Susana Struve (CH2M HILL) welcoming everyone and introducing the presenters to the audience. The following agency representatives were in attendance to address local community members' questions and concerns: David Criswell, Base Realignment and Closure (BRAC) Deputy Base Closure Manager, Navy; Mark Davidson, Remedial Project Manager for BRAC, Navy; Jeffrey Meyers, Environmental Coordinator for BRAC, Navy; Pedro Ruiz, Environmental Program Manager - Naval Activity Puerto Rico (NAPR); and Mark Kimes, Baker Environmental, Inc. (Navy Installation Restoration Program contractor). Attachment 1 provides a copy of the attendance list.

II. TOPICS DISCUSSED AND PRESENTATIONS

IIa. Sample Charters - Susana Struve asked if anyone had read the sample charters provided to them from the last meeting on February 7, 2007. She requested that the members be ready to discuss the development of the charter for the Roosevelt Roads RAB during the next meeting in April. She also stated that the election of the RAB Community Co-Chair will be discussed at that time.

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Discussion Points

- John Henry (RAB member) said that there are now 15 members who have been accepted to the RAB. Susana pointed out that there is still a need for diversity within the RAB, and this issue will be discussed during the election of the Community Co-Chair.

Iib. Status Report - Investigations and Cleanup - Mark Kimes (Baker Environmental) presented the Status Report of site investigation and cleanup activities. A copy of the presentation is provided in Attachment 2 (meeting presentations).

Discussion Points

- Ismael Velázquez (RAB member) voiced concern about what would happen to the dangerous materials in the landfill at Roosevelt Roads. He said that he had asked Pedro Ruiz (NAPR) about this issue during the site visit conducted on Sunday, March 11, 2007. He is concerned that if responsibility for the cleanup activities were to be in the hands of a third party owner in Puerto Rico, it will not be adequately addressed. He said that there is asbestos in the atmosphere from a building that was demolished incorrectly and as a result the asbestos was released into the air.

David Criswell (Navy) responded that there will be two phases of clean up at the landfill. The Navy will be responsible for the active portion of the landfill. The 50 acres of property that is inactive, where asbestos is buried underground, will be purchased by a third party and will sign an agreement to contain the asbestos. He explained that asbestos that is buried underground is not hazardous, if left undisturbed. He reiterated that the closure plan has been approved by the EPA and protection is in place.

- Luis Velázquez (RAB member) states that he has made comments regarding the asbestos problem since the first meeting was held. There was a law established in Puerto Rico to control asbestos handling and management, and that there is only one site that is approved for asbestos disposal (in Ponce). He claims that the asbestos was disposed of improperly by the Navy, and therefore it is now their responsibility.
- A community member stated that he was working in Building K-9 when the asbestos was removed by a private contractor. He states that he and a co-worker assisted in the removal, and that they were not provided any personal protective equipment. At the time they had no knowledge of what they were removing. He is now concerned about his health.

David Criswell reiterated that many people have concerns regarding health issues as a result of activities at Roosevelt Roads, but that this meeting is not the proper forum to discuss these concerns. He said that toxic chemicals have been handled and used in operations at many military bases and private lands, and that today there are strict regulations and controls in place. The focus of this meeting is strictly the clean up and transfer of parcels. David listed other agencies that are able to address community members' health concerns and how to contact them.

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- Ismael Velázquez stated that he had asked Pedro Ruiz during the site visit if he knew about the PCB contamination. At the site known as Area of Concern (AOC) C, or SWMU 46, Ismael had performed a survey of all of the transformers, and claims that a private contractor had an accident and spilled PCBs all over the ground. He believes that the Navy has not addressed this adequately.

Mark Kimes responded by describing the cleanup activities that have been implemented in this area, and that the contamination has indeed been addressed at SWMUs 9, 13, 46, 53, and AOC C.

Iic. Community Redevelopment through Early Transfer - David Criswell presented details regarding the early transfer process, community redevelopment, and the Covenant Deferral Request. Attachment 2 (meeting presentations) provides a copy of this presentation.

A document (paper and CD) was distributed among RAB members, which provides examples of bases closed through the BRAC process and reuse of lands termed "Brownfields." The document, *Property Revitalization - Lessons Learned from BRAC and Brownfields* produced by the Interstate Technology and Regulatory Council (ITRC) also is available on their website (www.itrcweb.org/gd_Brnflds.asp) for public information.

David explained that brownfields are environmentally-impacted properties that can be redeveloped with strict controls. They are usually developed for industrial uses. Early transfer is transfer to new owners of contaminated property that, under agreement with the EPA, must be cleaned up. He explained that the Navy remains ultimately liable for the cleanup, but that the new owners are responsible for the cleanup activities that are performed on the property daily.

Discussion Points

- John Henry (RAB member) asked about the public comment period for the Covenant Deferral Request (CDR). David explained the process and that most members of the RAB had received an advance copy of the CDR for early review. Susana Struve pointed out that there had been some problems with the mailing and that some members had not received the materials; however, it will be available online and will be placed in public information repositories.
- The review period will begin approximately on or around March 25, and will last for 30 days. The public comment review period will be advertised through local media when the CDR is placed in the public information repository. John Henry asked for clarification of what happens during the public comment period. Antonio Colorado (LRA) said that the governor will not sign the CDR unless he is in agreement with the terms. He said that technical experts and attorneys will be consulted to ensure that all rights are protected.
- Luis Mercado (Community member) asked how the price for sale of the land will be determined. He also asked how the Navy will ensure that the new owners are

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responsible for the cleanup. David Criswell provided more information about the Consent Order that was recently signed by the Navy and EPA. He said that the federal government will evaluate the financial responsibility of the parties that are involved in the purchase. The government will assess the ability of the new owners to obtain insurance for the cleanup. For example, if it is estimated that the cost of cleanup for the property will reach 10 million dollars, the Navy may determine that 20 million dollars of insurance must be obtained by the new property owner. The Navy will only consider bids from owners that can obtain insurance from reputable providers. The Navy consults a list of insurance providers and has resources to enable determination of what companies are considered reputable such as those with an A.M. Best Superior Rating for financial security.

David Criswell added that the base closure and redevelopment process has been generally successful. He cited NTC – Orlando, Florida as an example, which was given an environmental award. He added that Yarissa Martinez (EQB) had spoken with people involved in a base closure in California who were very pleased with the process.

- Ramón Figueroa (RAB Member) expressed concern that the successful cases cited were in the U.S., and not in Puerto Rico. He asked if once the governor signs the CDR, is there a mechanism to ensure or adjust the land use in case it changes hands or if a previously planned land use changes. He also asked if there was a time limit to complete the cleanup under the early transfer process. David explained that there is a process to follow if the property changes owners or if a land use is desired that is different from the intended land use. The Navy and EPA must be involved in the decision. All parties must be in agreement to change the intended land use.
- Luis Velázquez asked about the contamination near the port area, and whether workers who will be performing redevelopment activities will be exposed to dangerous risk. David Criswell answered that the EPA uses scientific methodology to determine the risk and exposure pathway of the contaminants present in the area, and that the level of possible contamination is taken into consideration to protect workers' health. He said that the EPA is aware of the risk, and the public's concern, and implements controls to protect the public. He added that the port area will be taken over by the Puerto Rican government and they will be required to follow the strict controls required by the EPA during the redevelopment activity.
- John Henry raised the question about when the auction of land would begin. David answered that it will begin in May or June of this year, and explained the process. There will be a due diligence process where interested parties can review documents about the property. They may hire technical consultants to review the documents and review data to determine whether the property is insurable. Once interested owners have demonstrated to the Navy that they have the financial means and have provided technically sound cleanup proposals, they will be given a password to go online to begin bidding on the property.

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- Lilyana Betancourt (community member) expressed concern that buyers in Puerto Rico will be irresponsible with the cleanup. She cited examples of developers who have contaminated the groundwater without care and claimed that the government is aware of these problems and has not intervened. She said that the Navy should perform a hydrological investigation in order to assess the impact that the sale of the land would have.

Antonio Colorado responded by saying that the CDR will be for the benefit of the Puerto Rican people and that every issue will be carefully thought through. He proposed meeting with a group of interested individuals to discuss the issues that have been brought up during this meeting to put before the governor.

David Criswell added that he believes that redevelopment is best handled at the local level. The community members are the most important part of the process and the stronger the public's voice, the more accurate the process will be. The bidders should hear the public's wishes through the Local Redevelopment Authority (LRA) so that they can adhere to how the public would like the property redeveloped. The LRA should present a strong vision of how they would like to see the land redeveloped.

- Samuel Caraballo (RAB Member) asked what financial advantage the early transfer process brings to the Navy. He also asked whether there were any unsuccessful examples that had taken place. He asked if there were any successful cases that were comparable to Roosevelt Roads. And finally, what had caused the lack of success in the unsuccessful cases.

David Criswell said that the advantage of early transfer is that the installation can be closed and as a result the government does not have to operate the facility. Money can also be saved by not having to maintain the property or provide security for the property. The main advantage for the Navy is the reduction of operational costs.

He said that the successful example that is most comparable to Roosevelt Roads is the Mare Island Shipyard in California. The property was rich in environmental resources and was redeveloped for commercial/business/residential use by a developer. They built a sustainable community for people to live, work, and conduct commercial activities in the local area without having to leave to access resources. He added that the regulatory process in California is very similar to Puerto Rico's, with two different environmental regulatory agencies in addition to the EPA.

David Criswell cited the case of the Naval Air Station in Weymouth, Massachusetts as an example of an unsuccessful early transfer case. The involved parties have spent the past two years reviewing the redevelopment plan in order to make it more viable for the community.

Antonio Colorado added that he is committed to making this process work for the people of Puerto Rico. He expressed the desire to meet with community members to

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hear their concerns and opinions. He said that good communication is important and that the issue must be separated from politics in order to expedite the process.

William Lourido (RAB Member) agreed with Mr. Colorado and said that he would like for all members of the community to write down questions and concerns, but avoiding politics or complaints. He would like to look forward instead of dwelling on the past. He would like to build a modern city, where people can help themselves instead of asking the government for help.

Adalia Ávila (Community member) claimed that the community in this case has been left behind. She would like to urge the people to act, break barriers in order to benefit the community. She wants to make sure that the LRA doesn't change its promise to the people. The RAB should be broader and include members of the ecological community.

- Mr. Cardona from Fajardo (local fisherman) asked whether it is safe to fish off of Piñeros Island. Mark Davidson (Navy) said that they are currently scanning the area for unexploded ordnance, and it is better to stay away. He provided details about the current investigation and emphasized the need to protect the community from these possible dangers.

IId. Planning for the Next Meeting - Susana Struve discussed the agenda for the next meeting.

Discussion Points

- Susana Struve suggested that the next meeting be held on April 12. She encouraged community members to meet with Antonio Colorado. Audience members accepted the proposed meeting date and proposed that the meeting be held again in Club Cívico La Seyba in Ceiba.
- Susana Struve addressed the mailing issue. She would like RAB members to inform her as to when their packages were received (and when they were sent).
- Luis Mercado (Community member) expressed concern that the CDR is only provided in English. David Criswell responded that we attempt to translate as much of the relevant information as is reasonably possible into Spanish, and that we have provided a summary of the CDR in Spanish to the RAB members. According to the Navy's agreement with the EPA, they are only required to provide summaries of relevant documents to the community in Spanish.

III. ADJOURNMENT

The meeting was adjourned at 9:10 p.m.

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IV. Action Item:

Description	Status (<i>will be updated in the next meeting minutes</i>)	Comments
RAB members prepare for discussion/development of Roosevelt Roads RAB charter by reviewing sample charters provided during February 2007 meeting.		
RAB members: Elect Community Co-Chair of RAB		
RAB members: Provide comments on the CDR		

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ATTACHMENT 1 - Meeting Attendees

RAB Members in Attendance:	RAB Members Absent:
John T. Henry	Lirio Márquez (Excused)
Ramón D. Figueroa	Jorge Fernando Porto (Excused)
Ángel L. de Jesús Matta	Daniel González
Luís A. Velázquez Rivera	Ramón Ríos
Agustín Velázquez Santos	Carlos Brown
Samuel Caraballo-López	Rafael Montes
William Lourido	Rogelio Figueroa
Ismael Velázquez	Debra McWhirter (Excused, sent representative)
Jimmy Concepción	
José J. Díaz	

Community Members and Visitors:	
William McWhirter (representative for Debra McWhirter)	Ismael Torres Millán
Gilberto Camacho (Mayor/Municipality of Ceiba)	Noraida Rodríguez
Hiram Rivera (Municipality of Ceiba)	Florence Torres
Lilyana Betancourt	Aurelio Colon
Luis E. Mercado (will submit RAB application)	Maria M. Ávila
Héctor M. Díaz	Danny Velázquez
Roberto Ortiz López	José A. Caraballo
Magaly Sánchez	Roberto Hernández
Jeanette Rodríguez	Abraham Montes
Luís Ferrer	Manuel Flores
Zulma Pomales	Adam Gailey
Jesse R. Rivera	

Agency Representatives in Attendance:
David Criswell, Navy; BRAC Deputy Base Closure Manager
Mark Davidson, Navy Co-Chair; Remedial Project Manager for the former Naval Station Roosevelt Roads
Jeffrey Meyers, Navy Environmental Coordinator for BRAC

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Agency Representatives in Attendance:

Pedro Ruiz, Environmental Program Manager - Naval Activity Puerto Rico (NAPR)

Susana Struve, CH2M HILL, Inc.
(meeting facilitator, Navy contractor)

Mark Kimes, Baker Environmental, Inc. (Navy Installation Restoration Program contractor)
Adam Gailey (Navy contractor)

Sara Vivas, CH2M HILL, Inc.
(meeting notes, Navy contractor)

Antonio Colorado, Portal del Futuro (LRA)
Alfonso Martínez, Portal del Futuro (LRA)

Dan Schnepf, Matrix Design Group
Michelle Beekman, Matrix Design Group

Agency Representatives Absent:

Neida Pumarejo Cintrón, PRCT

Yarissa Martínez, EQB

Timothy Gordon, EPA

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ATTACHMENT 2 - Meeting Presentations

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ATTACHMENT 3 - Meeting Handouts

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