

**Notice of Availability for Public Review
The Covenant Deferral Request for
Naval Activity Puerto Rico
(formerly Naval Station Roosevelt Roads)**

Pending the findings of an Environmental Assessment, the Navy proposes to transfer portions of Naval Activity Puerto Rico (NAPR), formerly Naval Station Roosevelt Roads (NSRR), by deed before all necessary environmental investigation and cleanup actions have been completed. Such a transfer is known as an “early transfer.” Early transfers allow new property owners, such as the Commonwealth, to begin redevelopment of the property immediately and realize economic gain, rather than requiring the property to remain unused until environmental cleanup is completed. Early transfer only applies to those portions of property that require additional environmental investigations or cleanup and not to parcels determined to be clean. Because of the various types of proposed property transfers planned, the Navy has subdivided the total 8,631 acres of NAPR into several smaller parcels. Of these subdivided parcels, several contain cleanup sites. If a cleanup site is located within a parcel, then the entire acreage of that parcel is included in the early transfer request. As such, approximately 4,599 acres will be affected by early transfer.

A document called a Covenant Deferral Request (CDR) must first be approved by the Governor of Puerto Rico to allow the early transfer to take place in accordance with Section 120(h)(C)(3) of the Comprehensive Environmental Response, Compensation and Liability Act of 1980 (CERCLA). The Governor’s approval must be based on a determination that the property is suitable for transfer for its intended use and measures will be enacted to protect human health and the environment. In addition, the Navy must provide assurances that necessary investigation and cleanup actions will be taken. The purpose of this notice is to inform the public that a draft version of the CDR has been prepared. The next step in the approval process of the CDR is to first present the Draft CDR to the public and invite comment. The Navy will receive the public’s comments for 30-days. Your comments will then be addressed as appropriate and incorporated into the Final version of the CDR. The proposed Final CDR will be submitted by the Deputy Assistant Secretary of the Navy (Installations & Facilities) to the Governor of Puerto Rico requesting approval and authority to proceed with the early transfer of property.

After approval of the CDR, portions of the Early Transfer Property will be eligible for transfer to the Commonwealth of Puerto Rico for port and airport operations and for economic development purposes, consistent with the December 2004 *Naval Station Roosevelt Roads Reuse Plan* developed by the Puerto Rico Department of Economic Development and Commerce (the Local Redevelopment Authority). The Navy proposes to sell the remainder of Early Transfer Property through an auction process.

The CDR provides a summary of the status, nature of contamination and proposed land use controls for each of the areas on the ET Property that have environmental work remaining to be completed. The proposed land use controls are necessary to prevent unacceptable risks to human health and the environment during site redevelopment while the site cleanups are continued by either the Navy or the new property owner(s). In the cases where a new owner assumes responsibility for completing cleanup obligations, the Navy will remain legally obligated to perform the necessary cleanup actions if they are not completed in a timely and competent fashion by the new owner as necessary to protect human health and the environment.

The CDR describes the Early Transfer Property; proposed property transfer mechanisms; the nature and extent of hazardous substance contamination; intended future land use and the land use controls needed to prevent unacceptable exposure to contaminants under the future use scenarios; work remaining to be completed at the sites and the process for ensuring it is completed; and the proposed deed language that will ensure the requirements and assurances of CERCLA 120(h)(3)(C) are met.

Through this notice, the Navy is soliciting public review and comment on the Draft CDR. The public review and comment period will run for thirty (30) days, commencing today and closing thirty (30) calendar days from today's date (March 18, 2007). Only written comments will be considered by the Navy. Written comments may be submitted by mail, telephone facsimile (fax), or express delivery and must be postmarked no later than April 17, 2007. Please provide your name, address, the page and line number of the CDR the comment refers to, and the comment. The Navy will not receive comments via telephone, e-mail, or personal communication. Comments must be submitted using the following address or fax number:

Mr. Jeff Meyers
Navy BRAC Program Management Office Southeast
4130 Faber Place Drive, Suite 202
North Charleston, SC 29405
Fax: (843) 743-2142

The Draft CDR and related investigation and cleanup documents that provide detailed information for sites with work remaining and sites for which investigation and/or cleanup activities have been completed are available for review at:

Public Library Alejandrina Quinones Rivera
Francisco Gautier Street, #816
Rossey Valley
Box 235 (Superintendent Office)
Ceiba, PR 00735

U. S. Environmental Protection Agency
Caribbean Environmental Protection Division
Centro Europa Building, Suite 417
1492 Ponce de Leon Ave
Santurce, PR 00907-4127
Attn: Mr. Luis Negron, phone (787) 977-5855

Puerto Rico Environmental Quality Board
Land Pollution Regulation Program
National Plaza Building
431 Ponce de Leon Ave
Hato Rey, PR 00917
Attn: Ms. Yarissa Martinez, phone (787) 365-8573

U.S. Environmental Protection Agency, Region 2
RCRA File Room
290 Broadway, 15th floor
New York, NY 1007-1866
Attn: Mr. David Abrines, phone (212) 637-3043

or

Online at: <http://nsrr-ir.org/>

Requests for single copies of the Draft CDR should be directed to Mr. Jeff Meyers at (843) 743-2134.