

**Overview of MMRP/SI-** Mr. Roger Azar provided an overview of the MMRP and the SI to be conducted. USACE must complete SIs for over 700 sites by FY 2010. Mr. Azar mentioned that the duration for the SI for Seal Island is approximately 18 months (including review and approval of Site-Specific Annex work plan), and that Alion was about 6-7 months into the process. It was emphasized that the SI is not a full scale study of nature and extent. The SI focuses on areas historically identified as having been used for ordnance activities and is limited to a surface inspection only for munitions and explosives of concern (MEC) along with sampling in the most likely areas for residual munitions constituents (MC). The primary objective of the SI is to determine if the site is to be recommended for No Department of Defense Action Indicated (NDAI) or if further work and investigation is required at the site. An emergency response (if there is just one or a few items) or a Time-Critical Removal Action (TCRA- if there are multiple items) can be conducted at any time throughout the program.

**Overview of TPP Process-** The purpose and objective for the TPP meeting was discussed. A key aspect of any TPP is the opportunity for all stakeholders to communicate their needs or concerns. At the beginning of the meeting each attendee was asked to introduce themselves and identify the agency or group they represent.

**Potential Stakeholders -** Other potential stakeholders were discussed. EPA will be kept informed of the process but is not expected to be an active participant unless the site goes beyond the SI stage. A question was raised about Marine Fisheries and whether local fishermen and lobstermen needed to be represented. It was discussed that local fishermen and lobstermen are aware of the MEC issues on Seal Island and potentially surrounding waters. ME DMR would be taking the lead in ensuring that the fishermen and lobstermen are informed. The FWS indicated that they have new hazard signs on order and will be installing them in the near future.

**Eligibility of Tidal Waters -** The majority of the FUDS acreage, as indicated in the Supplemental ASR, is over oceanic waters. Although Seal Island has been cleared several times, new items occasionally surface up on its shoreline as a result of winter storm wave action. Mr. Benedict indicated the tidal fluctuation at the site is about 12 ft, and the intertidal zone is generally topographically very steep. Mr. Wolf described an incident in 2003 where 5 “live” rounds had been washed up. In 2001, the State Police came out and identified the MEC. (The Brunswick Naval Air Station “bomb squad” had been disbanded and not available. A piece of MEC thrown overboard broke and released yellow material). Mr. Reese asked if there was more information (trip report, files etc, or pictures of the 8 in. round) on the incident. Mr. Benedict thought that everything was included in the ASR. Mr. Reese relayed that there was no picture of the 8 inch round in the ASR. Mr. Benedict agreed to try and locate these pictures for the Alion Team.

Mr. Wolfe inquired as to how the MEC would be addressed in tidal waters. Mr. Holtham explained that oceanic waters where military munitions are more than 100 yards seaward of the mean high-tide point are not eligible under DERP FUDS and therefore are not part of this SI. A viable approach to address these areas could involve institutional controls – informing and educating the public on the procedures to be followed when MEC is discovered. Mr. Holtham explained that in a situation where ordnance is discovered, the COE should be contacted

immediately and the COE will address the issue at hand. Mr. Wolfe inquired about DoD availability to provide MEC assistance to the FWS in the future. Mr. Holtham explained that although the extent of DoD involvement will be determined on a case by case basis, DoD will provide assistance when necessary (i.e. live MEC washes ashore). Mr. Benedict indicated that local fishermen are generally aware that there is a no – anchor zone surrounding the island. Mr. Azar noted that at the end of the SI process, the SI report could potentially cite institutional controls as an appropriate measure, and recommend a community information/education program.

**Action Item:**

- Mr. Benedict will check files to see if there are any pictures or possibly a presentation that includes pictures of the 8 in. round. If such information is present, Mr. Benedict will forward the information to the Alion Team.

***Current and Future Land Use*** - Mr. Blair noted that the current use of the site is a wildlife refuge. Only summer researchers and FWS personnel access the site. Moreover, he mentioned that the Fish and Wildlife Service welcomes the SI and plans to fully cooperate and assist in any manner possible. However, FWS has two primary concerns: protecting the birds and protecting their habitat. Along with the puffins and other migratory birds that nest on the island, 800 pair of Leach’s storm petrels nest in the soil, annually. The petrels go to the same burrow each year, and any excavation or compaction of soil must be minimized in these areas.

Mr. Holtham asked if it was the intention of the US Fish and Wildlife to open the island up to the public. Mr. Blair indicated that could be an option if Seal Island was deemed safe for public access by the DoD. Mr. Holtham said he did not think the Explosives Safety Board would ever certify it as safe, even if there were a high probability that it was. Mr. Blair indicated that without a certification, Seal Island would not be opened to the public.

***Permit Requirements and Summary of SI Activities*** - A Compatibility Determination made in accordance with the 1997 Wildlife Refuge System Improvement Act must be approved before any work is conducted on the island: Once they understand exactly what will be done, FWS will issue a special use permit, which can be done relatively in an expedited manner. There is a 14 day public comment period. Mr. Azar asked if the permitting process could be started immediately, if the required information is provided to FWS. Mr. Blair indicated that for the FWS to start the special use permit process, he would need from Alion a summary of the field activities and from MEDEP a letter explaining their involvement in the Seal Island SI process. Mr. Blair indicated that he will need a letter stating Mr. McLeod will be reviewing and commenting on the work plan to prevent delays in the permitting process. Mr. Azar and Mr. McLeod agreed to provide Mr. Blair with the requested information.

The SI activities will involve the use of hand-held analog geophysics equipment for MEC, and collection of surface soil (0-2”), surface water, and sediment samples for MC. Mr. Blair said he needed to know, the time of year, the study plan, the technology and process to be used, and how many people would be involved in the field work. It would be critical to have FWS accompany

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the team to provide transportation, ensure the team follows the correct paths, stays on trails and rock, and does not interfere with the petrel burrow areas. According to the FWS the ideal time to access the island for field work is during the months of August, September, and October. Typically the seas are calmest in October. May is the worst time because of nesting. There is a small window of time in March and early April before nesting begins, but the weather is less certain and it could be difficult to access the island. The team must be prepared to wait for good weather, to camp out on tent platforms, use a small unheated cabin for cooking and gathering, and stay at the island in the event weather conditions do not allow for a safe return to the main land. There is no regular access by helicopter.

Mr. Azar inquired if there were any other times to conduct field work because the project needed to be completed in accordance with a contract schedule and Alion had hoped to sample in May. Mr. Azar indicated his intention to keep the field team to a minimum: one UXO technician and one environmental technician.

Mr. Blair indicated that April 1 through April 15<sup>th</sup> would be possible. It was agreed that FWS would provide transportation and accompany the field team. It takes anywhere from 1 to 3 hours to get to the island, depending on the weather. Regular camping gear, including a small butane heater would be ok. The team would carry personal gear, geophysical equipment, GPS equipment, sampling equipment, and a cooler with dry ice for sample preservation.

FWS and the regulators agreed to expedite the processes to try and sample in April. Mr. Holtham noted that if for some reason the sampling could not occur in April and had to be postponed until September, then he would certainly consider that justification for an extension to the contract schedule.

**Action Items:**

- The Alion Team will prepare a summary of the field activities to be completed on Seal Island as part of the SI and forward it to Mr. Blair as soon as possible. (*Completed 2/14/06*)
- Mr. Blair will begin the process required to obtain a special use permit for the SI activities on Seal Island.
- Ms. Holt will coordinate with USACE Real Estate and Mr. Blair to expedite the right of entry process.
- Mr. McLeod will provide Mr. Blair with a letter explaining that he will be reviewing and commenting on the Seal Island Work Plan. (*Completed 2/10/06*)

**Sample Locations** – Mr. Azar reviewed the proposed sampling locations. According to a recent aerial three water bodies were observed on Seal Island and thus the Alion Team proposed three surface water samples. Mr. Blair explained that there is only one water body on the island which is referred to as a kettle hole and exists year round. The other two are transient depending on precipitation and tidal waters. The kettle hole is surrounded by granite. Mr. Azar proposed surface water and sediment samples be collected from the kettle hole. The remaining samples will be surface soil samples dispersed throughout the grassy areas on the island. Mr. Azar, with

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the help of Mr. Blair and Mr. Benedict, moved several soil samples to more appropriate locations, considering topography, geology, and the locations of MEC related discoveries. It was confirmed that one surface water, one sediment, and ten soil samples will be collected on Seal Island.

Three background samples will be collected during the SI. The location of these background samples was discussed. It was agreed that a nearby island with similar geology, soil, and habitat, (and which was not used as a bombing range) would be ideal. Considering the entire island had been used as a bombing range, it was agreed that adequate background samples could not be collected on Seal Island. Wooden Ball Island, Matinicus Rock, and Little Spoon Island were considered. Wooden Ball is privately owned, Matinicus is being used by the USCG in part, and Little Spoon is unoccupied. After discussion of the advantages and disadvantages of each island, and the given time constraints, it was decided that Little Spoon Island was the best choice for background samples since it is controlled by FWS and could be accessed under the same special use permit used for Seal Island. Mr. Azar requested that the special use permit include several potentially acceptable islands to allow for flexibility, and Mr. Blair agreed.

**Action Items:**

- The Alion Team will revise the sampling map to reflect the samples agreed upon during the TPP meeting and include a copy of this in the Draft Site-Specific Work Plan.
- Mr. Blair will obtain a special use permit that allows for flexibility in obtaining background samples from either Little Spoon Island or Matinicus Rock Island.

***Chemical Specific Data Quality Objectives (DQOs)*** - Mr. Azar reviewed the DQO's with the stakeholders. EPA region IX values and the MEDEP values will be used to develop the sample screening criteria for the SI. Mr. McLeod asked if the soil values would be used to assess sediment; Mr. Azar indicated that they would. Mr. Wolfe and Mr. McLeod asked how the analytes were selected and if they encompassed MC resulting from live munitions and/or rocket fuel. Mr. Azar explained that by reviewing the historical information and considering the potential MEC used on Seal Island, it was determined that TAL metals and the full suite of explosives will sufficiently screen for the presence of MC. Mr. Azar mentioned the majority of MEC that was used on the island was for practice purposes. Mr. Wolfe explained that if, as was reported in the ASR, explosions had occurred from a fire on the island this would indicate that live munitions were used at Seal Island. Mr. Holtham explained that the "explosions" that were reported by firefighters are somewhat vague and difficult to use as an indication of what was on the island. Unless someone from the EOD community who was familiar with the large array of munitions witnessed the explosions, it is hard to assess whether the explosions that actually occurred during the burning period were related to live munitions or other munition-related components. Mr. Holtham agreed to send a memo to USACE - Huntsville inquiring as to studies that have been conducted concerning the effects of wildfires on buried munitions.

**Action Item:**

- Mr. Holtham will send a memo to USACE - Huntsville inquiring about the effects of wildfires on buried munitions.

**Schedule** - The schedule will be revised and updated per meeting discussions. The next step will be issuance of a TPP Memorandum for review and concurrence. Within a week after the TPP is approved, the Alion Team will issue the Site-Specific Work Plan for stakeholder review. The stakeholders/regulators agreed to review and comment on the Work Plan within a two week period, and will try to complete the review in one week. Comments will be forwarded to Ms. Holt and copied to USACE Baltimore.

**Action Item:**

- Revise schedule based on discussions at the TPP Meeting. (*Completed 2/16/06 – Revised Schedule is included as Attachment 10*)

**Points of Contact** - Ms. Holt will be the key POC for USACE-New England District. Mr. Williams is the contact for USACE- Baltimore. Mr. McLeod will be the key POC for MEDEP. Mr. Blair will be the contact for US FWS.

**Path Forward**

- Meeting participants will review and comments on the TPP Memorandum; Alion will revise as necessary.
- Meeting members will sign the TPP Memorandum as an accurate record of what was discussed at the meeting. Alion will then finalize the TPP Memorandum.
- The Alion Team will complete the Draft Site-Specific Annex Work Plan for Seal Island and submit it to USACE and stakeholders one week after the TPP Memorandum has been finalized.