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Subject: The ex-USS Oriskany and the BMPs

Date: 10/06/2005 03:49:33PM

Captain L. M. Jones, Jr.  
Program Manager  
Inactive Ships Program Office  
United States Navy  
1333 Isaac Hull Avenue  
Washington Navy Yard, DC 20376-2101

Dear Captain Jones:

Thank you for submitting documentation detailing the preparation/clean-up of the ex-USS Oriskany for reefing at Florida's Escambia East Large Area Artificial Reef Site. As you know, the Navy must demonstrate that vessel clean-up meets the requirements in 10 U.S.C. 7306(b):

the preparation of a vessel transferred for use as an artificial reef must be conducted in accordance with the EPA/MARAD *National Guidance: Best Management Practices for Preparing Vessels Intended to Create Artificial Reefs* (August 2, 2004) (BMPs)."

Providing documentation verifying that the **BMP** narrative clean-up goals have been achieved is a crucial element of this vessel-to-reef project, especially given that the Navy has identified this project as a pilot to implement the BMPs. As discussed in previous email communications and meetings with the Navy, we believe the Navy needs to develop documentation describing how the clean-up has been performed, and what levels of contaminants remain on board. Further, we believe that each material of concern, as presented in the BMPs, should be addressed with the following information (see Attachment 3 for additional details):

a detailed description of the clean-up process,  
how each of the narrative goals in the BMPs have been met for each contaminant/material of concern identified in the **BMP** guidance, and  
a quantitative summary of all contaminant materials of concern that will remain on the vessel.

We believe that the Navy has completed a lot of clean-up on the ex-USS Oriskany,

however, from the information we have received thus far, we cannot discern if the BMPs have been followed. In response to Navy's submission of the Draft Working Paper, we are including two attachments that detail our concerns on the information provided and a third attachment that should serve as a template when providing the necessary information for the materials of concern to be presented in Navy's final report.

Attachment 1 presents general comments/concerns and provides examples of the types of information that should be included in the final report. Attachment 2 provides detailed comments that were inserted as redline/strikeout throughout the Draft Working Paper Navy submitted to EPA. Attachment 3 is a template the Navy should consider following when preparing and organizing the vessel preparation/clean-up information for the Final Report. EPA requests that the Navy revise the Draft Working Paper and resubmit this report with the appropriate revisions, which should include supplemental information as indicated in our specific comments (see Attachment 2).

Providing the aforementioned information will allow EPA and the public to understand which materials of concern and the quantities of such materials that will remain on the ex-USS Oriskany at the time of sinking. In addition, having a clear and complete document describing the implementation of the BMPs on the Oriskany will help us determine what modifications need to be made to improve the BMPs. Providing vessel preparation/clean-up documentation will validate that the vessel preparation/clean-up is acceptable and that the vessel can benefit the environment as artificial reef habitat. In order for EPA and the Navy to present this message to the public, Navy's documentation of achieving the **BMP** narrative clean-up goals should be submitted to EPA's Office of Water, Oceans and Coastal Protection Division prior to the Pensacola public meeting so we can resolve any concerns prior to the meeting.

Based on our experiences with various Navy vessel-related programs, the information we are requesting is consistent with the type of information the Navy routinely collects. Thus, we are not necessarily requesting that the Navy develop new information, as long as the existing information adequately verifies the means by which Navy achieved the **BMP** narrative clean-up goals.

EPA hopes that this letter will help the Navy to ensure that the ex-USS Oriskany is prepared and cleaned to the requirements of 10 U.S.C. 7306(b) and that it serves as a useful test of the clarity and completeness of the BMP document. We look forward to receiving a revised report well in advance of both the Pensacola public meeting and EPA's final inspection of the vessel to verify clean-up/preparation. Please contact me at (202) 566-1288, if you have any questions.

Sincerely,

David Redford  
Branch Chief  
Marine Pollution Control Branch