



-----NUMBER FIFTEEN (15)-----
-----DEED OF RATIFICATION AND CONVERSION-----
-----TO PUBLIC INSTRUMENT OF QUITCLAIM DEED-----
-----CLEAN PARCEL THREE (3)-----
---At San Juan, Puerto Rico, this twenty sixth (26th) day
of January, Two Thousand Twelve (2012).-----
-----BEFORE ME-----
---HÉCTOR F. LEBRÓN GONZÁLEZ, Attorney at Law and Notary
Public in and for the Commonwealth of Puerto Rico, with
residence in Guaynabo, Puerto Rico and offices located
at Suite Four Hundred Three (403), Two Two One (221)
Plaza, Two Two One (221) Ponce de León Avenue, Hato Rey,
San Juan, Puerto Rico.-----
-----APPEAR-----
---AS PARTY OF THE FIRST PART: United States of America,
hereinafter "Grantor", acting by and through the
Department of the Navy (the "Navy"), Real Estate
Contracting Officer, under and pursuant to the powers
and authority contained in the provisions of Section
2905(b)(4) of the Defense Base Closure and Realignment
Act of 1990, 10 U.S.C. § 2687 note, as amended, and the
implementing regulations of the Department of Defense
(32 C.F.R. Part 174), having an address of four thousand
nine hundred eleven (4911) South Broad Street,
Philadelphia, Pennsylvania herein represented by Gregory
C. Preston, also known as Gregory Charles Preston, of
legal age, married and resident of the State of New
Jersey, United States of America, who is authorized to
appear in this deed as real estate contracting officer,
by virtue of that Certificate of Appointment signed by
the Assistant Secretary of the Navy (Installations and
Environment) on August eighteenth (18th), Two Thousand Six
(2006).-----
---AS PARTY OF THE SECOND PART: the Commonwealth of
Puerto Rico, hereinafter "Grantee", acting by and

through the Local Redevelopment Authority for Naval Station Roosevelt Roads, public corporation and government instrumentality of the Commonwealth of Puerto Rico, herein represented by its Acting Executive Director, Jaime López Diaz, of legal age, married and resident of San Juan, Puerto Rico, as authorized by the Resolution Approving the Economic Development Conveyance Memorandum of Agreement Between the United States of America Acting by and Through the Navy and the Local Redevelopment Authority for Naval Station Roosevelt Roads signed on December twentieth (20th) two thousand eleven (2011) certified by Certificate of Resolution authorized by the Secretary of the Board of Directors, Robert Báez, on January twentieth (20th) of the year two thousand twelve (2011), under affidavit number two thousand four hundred and sixty nine (2469).-----

---I, the Notary, certify that I am personally acquainted with the persons appearing herein and by their statements I further certify as to their age, civil status, profession and residence. They assure me that they have and in my judgment they do have the necessary legal capacity to execute this instrument, and accordingly they do hereby.-----

-----STATE-----

---FIRST: The United States of America and the Commonwealth of Puerto Rico entered into a Quitclaim Deed dated January twenty fifth (25th), Two Thousand Twelve (2012), executed by the United States of America, represented by Gregory C. Preston, Real Estate Contracting Officer and the Local Redevelopment Authority for Naval Station Roosevelt Roads represented by Jaime López Díaz, as its Acting Executive Director, hereinafter "Quitclaim Deed".-----

---SECOND: The appearing parties state that the Quitclaim Deed pursuant to which the United States of



America transferred to the Local Redevelopment Authority for Naval Station Roosevelt Roads the title of the following described property, hereinafter the "Property", is presently in effect:-----

-----CLEAN PARCEL THREE (3)-----

---RURAL: Parcel of land identified as Remnant Parcel, situated in the Wards of Machos and Guayacán, Municipality of Ceiba, Puerto Rico, containing an area of two million eight hundred seventy six thousand four hundred eighty four square meters and one hundred forty nine thousandths of a square meter (2,876,484.149 s.m.); equivalent to seven hundred thirty one cuerdas and eight hundred fifty six thousandths of a cuerda (731.856 cuerdas); bounded on the NORTH by lands of José Aponte de la Torre Airport (Commonwealth of Puerto Rico, Puerto Rico Ports Authority) and Conservation Zone 39 (Commonwealth of Puerto Rico, Department of Natural and Environmental Resources); on the SOUTH by the Ensenada Honda, by lands of Conservation Zone 28 (Commonwealth of Puerto Rico, Department of Natural and Environmental Resources), Conservation Zone 60 (Commonwealth of Puerto Rico, Department of Natural and Environmental Resources), Parcel 46 property of the United States of America, Parcel 47 (property of the United States of America and Cabras Island property of the United States of America; on the EAST by lands of Hospital (Servicios de Salud Episcopales, Inc), Parcel 63 (ARMY Reserve Dry Dock) property of the United States of America, and Bahía de Puerca; and on the WEST by lands of Sale Parcel I D property of the United States of America. ---

---The Property was segregated from the Consolidated Parcel created by virtue of Deed of Consolidation Deed Number One (1), executed on the Twenty-fifth (25th) day of January, Two Thousand Twelve (2012), before Notary Public Eduardo Tamargo, pending presentation at the Registry of the Property, Fajardo Section.-----

---THIRD: The Grantor acquired title to the Property by virtue of segregation.-----

---FOURTH: The Property is free of liens and encumbrances except those that may appear of record.----

---FIFTH: The Grantor, as agreed in the Quitclaim Deed for and in consideration of the perpetual use of the Property, transfers to the Grantee and to its successors and assigns, subject to the reservations, exceptions, restrictions, conditions and covenants expressed and set



forth in the Quitclaim Deed, all right, title and interest in and to the Property.-----

---SIXTH: This conveyance is made subject to any and all existing rights-of-way, easements, covenants and agreements affecting the Property.-----

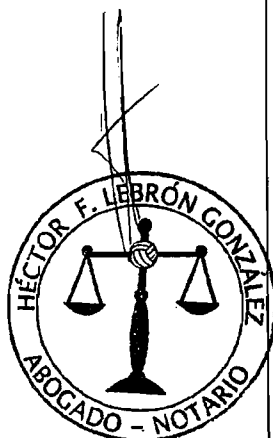
---SEVENTH: It is understood and agreed that the Grantee, its assigns, and all parties shall comply with all applicable Federal, State, municipal, and local laws, rules, orders, ordinances, and regulations in the occupation, use, and operation of the Property.-----

---EIGHT: The Quitclaim consists of eleven (11) pages. Appended thereto are nine (9) Exhibits that the appearing parties have agreed to attach to the first certified copy of this deed for purposes of recordation.-----

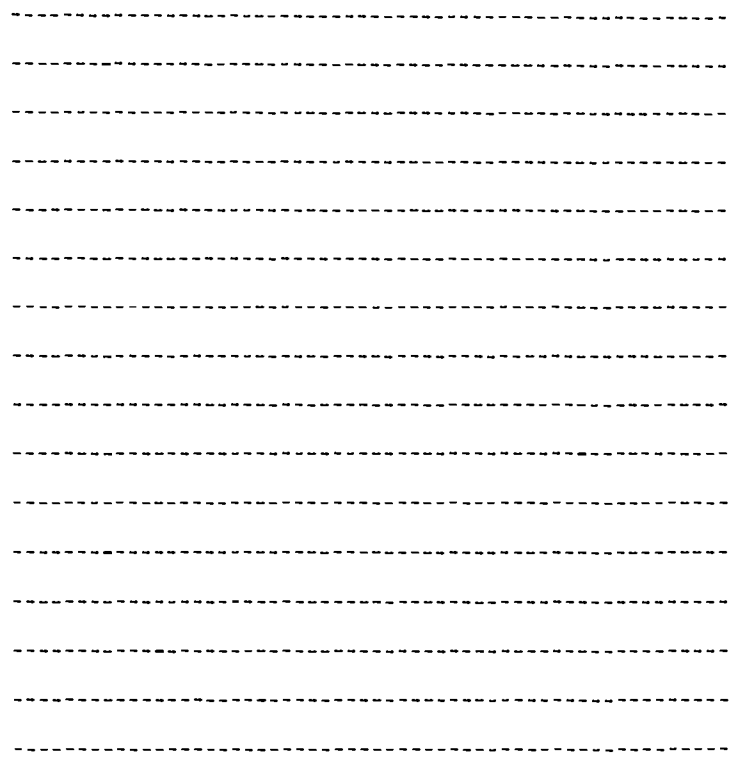
---NINTH: The appearing parties have agreed to convert the Quitclaim Deed into a public instrument for the purpose of recording it in the corresponding section of the Registry of Property of Puerto Rico and hereby do so by delivering the Quitclaim Deed to me, the Notary, which I proceed to attach to the original of the Quitclaim Deed so as to make it an integral part of my protocol of public instruments for the current year.-----

---TENTH: In addition to the contents of this public deed, the appearing parties hereby ratify and confirm all of the terms and conditions of the Quitclaim Deed and acknowledge that the attached document which they have delivered to me contains all the terms, covenants and conditions of their agreement, as per the terms of the present deed. -----

---ELEVENTH: The appearing parties hereby agree to the extent required by law applicable to the United States of America, to fully cooperate to remedy promptly any and all technical defects and irregularities of title that may constitute an impediment or bar to the due and



---THIRTEENTH: The appearing parties hereby request the Registrar of the Property to record the Quitclaim Deed which has been acknowledged, ratified and converted to a public deed hereunder, together with the restrictive covenants therein stated.-----



---The appearing parties in accordance with the particulars of this Deed accept the same, in all its parts after, I, the Notary, gave them the necessary legal admonitions and warnings pertinent to this public instrument. Thus, the appearing parties state and execute this deed in my presence after having read the same, and place their initials on each and every page hereof and signs their name on the last page of this deed, before, me the Notary, that as to everything else hereinbefore stated, I the Notary, hereby ATTEST.-----

---Signed: GREGORY CHARLES PRESTON, JAIME LOPEZ DIAZ.

---Signed, sealed, marked and flourished: HECTOR F. LEBRON GONZALEZ. -----

---Here appear the corresponding internal revenue stamps and the notarial stamp tax duly canceled with the notarial seal; which also appear. The initials of the appearing parties and the sign and seal of the Notary appear at the margin of each folio of the original of this document and the signatures of the appearing parties appear at the end of said original.-----

----I, the Notary CERTIFY that: the foregoing is a true, correct and exact copy of the original deed which under number FIFTEEN (15) appears in my protocol of public instruments for the current year, consisting of SIX (6) folios; there are the corresponding internal revenue stamps and notarial stamp canceled with the notarial seal on the last page of the original of the deed; that the initials of the appearing parties appear at the margin of each page of the original of this deed and the signatures of the appearing parties appear at the end of said original deed; that the seal and flourish of the notary appear on every page of the original of this deed and his signature, seal, mark and flourish appear on the last page of it, and issue this FIRST certified copy hereof to JAIME LOPEZ DIAZ.

---I have placed the corresponding note at the margin of the original of this document, which I sign, seal, mark and flourish, this twenty-sixth (26th) day of January, two thousand twelve (2012).---



~~NOTARY PUBLIC~~

QUITCLAIM DEED

Clean Parcel 3

(Sale Parcel 3a, Sale Parcel 3b, Sale Parcel 3d,
EDC Science Park, EDC Port I, EDC Port II, EDC University and Fire Station)

1 THIS INDENTURE ("Quitclaim Deed") is made the 25th day of January 2012 between
2 **United States of America**, acting by and through the Secretary of the Navy, NAVFAC Base
3 Closure Program Management Office Southeast, Charleston, South Carolina, hereinafter referred
4 to as "GOVERNMENT," and **Local Redevelopment Authority for Naval Station Roosevelt**
5 **Roads**, a government instrumentality of the Commonwealth of Puerto Rico ("Commonwealth"),
6 created, operated, and existing under and by virtue of the laws of the Commonwealth, and
7 designated by the Commonwealth and the Office of Economic Adjustment on behalf of the
8 Secretary of Defense as the public agency to plan, promote, and implement the redevelopment
9 of the former Naval Station Roosevelt Roads, hereinafter referred to as "GRANTEE." It is based
10 upon the following facts:

Recitals

11
12
13
14 A. Pursuant to Section 8132 of the Department of Defense Appropriations Act for
15 Fiscal Year 2004 (Public Law No. 108-87; the "Appropriations Act"), the GOVERNMENT was
16 directed to close Naval Station Roosevelt Roads, Puerto Rico ("NSRR") no later than six (6)
17 months after the enactment of the Appropriations Act, and to do so pursuant to the procedures
18 and authorities contained in the Defense Base Closure and Realignment Act of 1990, as amended
19 (title XXIX of Public Law No. 101-510, 10 U.S.C. § 2687 note; the "Base Closure Act").
20

21 B. Pursuant to the power and authority provided by Section 2905(b)(4) of the Base
22 Closure Act and the implementing regulations of the Department of Defense (32 C.F.R. Part
23 174), the GOVERNMENT is authorized to convey surplus property at a closing installation to a
24 local redevelopment authority for economic development purposes.
25

26 C. On August 30, 2006, the Office of Economic Adjustment of the Department of
27 Defense recognized the GRANTEE, also known as the Portal del Futuro Authority and the
28 Roosevelt Roads Naval Base Lands and Facilities Redevelopment Authority, as the local
29 redevelopment authority for purposes of implementing the local redevelopment plan at NSRR.
30

31 D. GRANTEE, by application dated 17 December 2010, requested an "Economic
32 Development Conveyance" ("EDC") of a portion of the surplus property comprised of
33 approximately 1370.20 acres of the former Naval Station Roosevelt Roads, Ceiba, Puerto Rico.
34

35 E. The GRANTEE's EDC application was accepted by the GOVERNMENT on 16
36 September 2011.
37

38 F. The GOVERNMENT and the GRANTEE executed an Economic Development
39 Conveyance Memorandum of Agreement on December 20, 2011 ("EDC Agreement") detailing

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1 the specifics of the transfer of property under the Government-approved EDC, including the
2 consideration to be paid by the GRANTEE to the GOVERNMENT for such transfer.

3
4 G. GRANTEE hereby offers consideration in the amount set forth in the EDC
5 Agreement, plus other good and valuable consideration, to it in hand paid by GRANTEE, the
6 receipt of which is hereby acknowledged; and GOVERNMENT has granted, bargained, sold,
7 and released and by these presents does grant, bargain, sell, and release unto the said
8 GRANTEE, its successors, and assigns, all right title and interest in and to that certain parcel of
9 real property at the former NSRR and identified as "Clean Parcel 3" by the NSRR Disposal Map
10 attached hereto and made a part hereof as **Exhibit "A."**

11
12 NOW THEREFORE, by the acceptance of this Quitclaim Deed or any rights hereunder,
13 the GRANTEE, for itself, its successors and assigns, agrees that the transfer of all the property
14 transferred by this Quitclaim Deed is accepted subject to the following terms, restrictions,
15 reservations, covenants, and conditions set forth below, which shall run with the land, provided
16 that the property transferred hereby may be successively transferred only with the proviso that
17 any such subsequent transferee assumes all of the obligations imposed upon the GRANTEE by
18 the provisions of this Quitclaim Deed with respect to the property being transferred.

19
20 IN CONSIDERATION OF THE FOREGOING, of the terms and conditions set forth
21 below and of other good and valuable consideration (the receipt and adequacy of which, as
22 consideration, the parties hereto both acknowledge), the parties hereto, intending to be legally
23 bound hereby, have agreed to, and do hereby, effectuate the conveyance set forth below.

Conveyance Language

24
25
26
27 GOVERNMENT does hereby, subject to any easements and encumbrances of record
28 and subject to the reservations, exceptions, notices, covenants, conditions, and restrictions
29 expressly contained herein, grant, sell, convey, remise, release, and quitclaim unto GRANTEE,
30 its heirs, successors, and its assigns, without any warranty, express or implied, as to the quantity
31 or quality of GOVERNMENT's title (except such warranties as are specifically set forth herein,
32 required by 42 U.S.C. § 9620(h)(3), or otherwise required by law), all GOVERNMENT's right,
33 title, and interest in that certain real property, comprising 710.806 acres or 731.856 cuerdas in
34 size (collectively, "PROPERTY"), including, but not limited to the underlying estate, buildings,
35 structures, and improvements situated or installed thereon, commonly known as and referred to
36 herein as Clean Parcel 3, more fully described on the documents attached to this Quitclaim Deed
37 and incorporated herein as **Exhibit "B"**.

38
39 TOGETHER WITH all and singular the ways, waters, water-courses, driveways, rights,
40 hereditaments and appurtenances, whatsoever thereunto belonging, or in any wise appertaining,
41 and the reversions and remainders, rents, issues and profits thereof; and all the estate, right, title,
42 interest, property, claim and demand whatsoever of GOVERNMENT, in law, equity, or
43 otherwise howsoever, of, in, and to the same and every part thereof, and

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TO HAVE AND TO HOLD the said lots or pieces of ground above described, the hereditaments and premises hereby granted, or mentioned and intended so to be, with the appurtenances, unto the said GRANTEE, its heirs, its successors, and its assigns, and subject to the reservations, restrictions, and conditions set forth in this instrument, to and for the only proper use and behalf of the said GRANTEE, its heirs, its successors, and its assigns forever.

Special Sections

I. Access Easements: GRANTEE, upon acceptance of the PROPERTY, shall enjoy the right and use of, and GRANTOR hereby assigns to GRANTEE, GRANTEE's interest in that certain non-exclusive easement(s), constituted by public deed number five hundred, seventy-five (575), executed on 8 October 2010 for the benefit of the GOVERNMENT, its successors, and assigns, all as illustrated by **Exhibit "C"**.

Environmental Notices for the Property

II. Notice of Environmental Condition: Information concerning the environmental condition of the PROPERTY is contained in documents known as the **Findings of Suitability to Transfer (FOSTs)** dated January 2009 (Sale Parcel III – Forrestal, and Addendum dated December 2011), October 2010 (Science Park), December 2008 (Port Parcel), 01 December 2008 (University Parcel), and 01 December 2008 (Fire Station), which are attached hereto and made a part hereof as **Exhibits "D", "E", "F", "G" and "H"**, respectively, the receipt of which is hereby acknowledged by the GRANTEE. An **Environmental Condition of Property (ECP)** report is referenced in the FOSTs; the FOSTs and ECP reference environmental conditions on the PROPERTY. The FOSTs set forth the basis for the GOVERNMENT's determination that the PROPERTY is suitable for transfer. Together, the ECP and FOSTs contain all pertinent information currently known by GOVERNMENT as to the environmental condition of the PROPERTY. GRANTEE hereby acknowledges that it has been provided copies of the ECP and FOSTs. The specific environmental conditions described in the FOSTs and ECP, which are applicable to the PROPERTY, are contained in this Quitclaim Deed.

III. CERCLA Covenant: Pursuant to Section 120(h)(4)(D)(i) of the Comprehensive Environmental Response, Compensation and Liability Act of 1980 (42 U.S.C. § 9620(h)(4)(D)(i)), the United States warrants that any response action or corrective action found to be necessary after the date of this deed for contamination existing on the PROPERTY prior to the date of this deed shall be conducted by the United States.

IV. Reservation of Access as Required by 42 U.S.C. §9620(h)(4)(D)(ii): The United States retains and reserves a perpetual and assignable easement and right of access on, over, and through the PROPERTY, to enter upon the PROPERTY in any case in which an environmental response or corrective action is found to be necessary on the part of the United States, without regard to whether such environmental response or corrective action is on the PROPERTY or on

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1 adjoining nearby lands. Such easement and right of access includes, without limitation, the right
2 to perform any environmental investigation, survey, monitoring, sampling, testing, drilling,
3 boring, coring, testpitting, installing monitoring or pumping wells or other treatment facilities,
4 response action, corrective action, or any other action necessary for the United States to meet its
5 responsibilities under applicable laws and as provided for in this instrument. Such easement and
6 right of access shall be binding on the GRANTEE and its successors and assigns and shall run
7 with the land.

8
9 In exercising such easement and right of access, the United States shall provide the GRANTEE
10 or its successors or assigns, as the case may be, with reasonable notice of its intent to enter upon
11 the PROPERTY and exercise its rights under this clause, which notice may be severely curtailed
12 or even eliminated in emergency situations. The United States shall use reasonable means to
13 avoid and to minimize interference with the GRANTEE's and the GRANTEE's successors' and
14 assigns' quiet enjoyment of the PROPERTY. At the completion of work, the work site shall be
15 reasonably restored. Such easement and right of access includes the right to obtain and use utility
16 services, including water, gas, electricity, sewer, and communications services available on the
17 PROPERTY at a reasonable charge to the United States. Excluding the reasonable charges for
18 such utility services, no fee, charge, or compensation will be due the GRANTEE, nor its
19 successor and assigns, for the exercise of the easement and right of access hereby retained by the
20 United States.

21
22 In exercising such easement and right of access, neither the GRANTEE nor its successors and
23 assigns, as the case may be, shall have any claim at law or equity against the United States or any
24 officer, employee, agent, contractor of any tier, or servant of the United States based on actions
25 taken by the United States or its officers, employees, agents, contractors of any tier, or servants
26 pursuant to and in accordance with this clause; Provided, however, that nothing in this paragraph
27 shall be considered as a waiver by the GRANTEE and its successors and assigns of any remedy
28 available to them under the Federal Tort Claims Act.

29
30 **V. Notice Of Hazardous Substance Activity in accordance with 42 U.S.C.**
31 **§9620(h)(3)(A)(i):** Pursuant to 40 C.F.R. 373.2 and Section 120(h)(3)(A)(i) of CERCLA (42
32 U.S.C. § 9620(h)(3)(A)(i)), and based upon a complete search of agency files, the United States
33 gives notice that no hazardous substances have been released or disposed of or stored for one
34 year or more on the PROPERTY.

35
36 **VI. Grantee Notice Requirement Regarding Future Sale or Assignment:** In accordance
37 with that certain RCRA 7003 Administrative Order on Consent (EPA Docket No. RCRA-02-
38 2007-7301) ("Order"), and for as long as such Order is in effect, GRANTEE, on behalf of its
39 heirs, successors and assigns, covenants that it shall provide written notice to the
40 GOVERNMENT of any subsequent sale or assignment of the PROPERTY, or any portion
41 thereof, and provide contact information concerning the new owner or assignee. The following
42 is the point of contact for notice to the GOVERNMENT:
43

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1 Director
2 NAVFAC BRAC Program Management Office SE
3 4130 Faber Place Drive
4 Suite 202
5 North Charleston, SC 29405
6

7 In the event GRANTEE, its successors or assigns (each hereinafter called a "Transferor")
8 conveys the PROPERTY, or any portion thereof, the Transferor shall provide to the party
9 acquiring the PROPERTY, or any portion thereof, notice of this requirement.
10

11 **VII. Lead Based Paint Hazard Disclosure and Acknowledgment:** The PROPERTY
12 contains improvements that, due to their age, are likely to have been painted with lead based
13 paint.
14

15 1. Lead from paint, paint chips, and dust can pose health hazards if not managed
16 properly. Pursuant to 40 C.F.R. Section 745.113, the following notice is provided: "Every
17 purchaser of any interest in residential real property on which a residential dwelling was built
18 prior to 1978 is notified that such property may present exposure to lead from lead-based paint
19 that may place young children at risk of developing lead poisoning. Lead poisoning in young
20 children may produce permanent neurological damage, including learning disabilities, reduced
21 intelligence quotient, behavioral problems, and impaired memory. Lead poisoning also poses a
22 particular risk to pregnant women. The seller of any interest in residential real property is
23 required to provide the buyer with any information on lead-based paint hazards from risk
24 assessments or inspections in the seller's possession and notify the buyer of any known lead-
25 based paint hazards. A risk assessment or inspection for possible lead-based paint hazards is
26 recommended prior to purchase." The GRANTEE will be responsible for managing all lead-
27 based paint and potential lead-based paint in compliance with all applicable Federal,
28 Commonwealth, and local laws and regulations.
29

30 2. The GRANTEE hereby acknowledges the required disclosure of the presence of
31 any known LBP and/or LBP hazards in target housing constructed prior to 1978 in accordance
32 with the Residential Lead-Based Paint Hazard Reduction Act of 1992, 42 U.S.C. Section 4852d
33 (Title X). The GRANTOR agrees that it has provided to GRANTEE, and GRANTEE
34 acknowledges the receipt of, available records and reports pertaining to LBP and/or LBP hazards
35 and receipt of the Environmental Protection Agency (EPA) approved pamphlet: Renovate Right:
36 Important Lead Hazard Information for Families, Child Care Providers and Schools.
37 Furthermore, the GRANTEE acknowledges that it has read and understood the EPA pamphlet.
38

39 3. The GRANTEE covenants and agrees that, in any improvements on the
40 PROPERTY defined as target housing by Title X and constructed prior to 1978, LBP hazards
41 will be disclosed to potential occupants in accordance with Title X before use of such
42 improvements as a residential dwelling (as defined in Title X). Further, the GRANTEE
43 covenants and agrees that it shall, or it shall require future transferees of the PROPERTY to,

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1 abate LBP hazards in any applicable target housing in accordance with the requirements of Title
2 X, to the extent applicable, before re-occupancy of the residential dwelling, in accordance with
3 applicable laws. "Target housing" means any housing constructed prior to 1978, except housing
4 for the elderly or persons with disabilities (unless any child who is less than six (6) years of age
5 resides, or is expected to reside, in such housing) or any zero-bedroom dwelling.
6

7 4. The GRANTEE acknowledges that the GRANTOR assumes no liability for costs
8 or any damages for personal injury, illness, disability, or death to the GRANTEE, or to any other
9 person, including members of the general public, arising from or incident to the purchase,
10 transportation, removal, handling, use, disposition, or other activity causing or leading to contact
11 of any kind whatsoever with LBP on the PROPERTY, arising after the conveyance of the
12 PROPERTY from the GRANTOR to the GRANTEE, whether the GRANTEE has properly
13 warned, or failed to properly warn, the persons injured.
14

15 5. Upon execution of this Quitclaim Deed, the GRANTEE covenants and agrees that
16 it shall, and it shall require future transferees of the PROPERTY to, be responsible at its own
17 cost and expense for the maintenance and management of LBP and LBP hazards located in the
18 improvements on the PROPERTY, and the GRANTEE shall comply with Title X and all
19 applicable Federal, Commonwealth, and local laws relating to LBP.
20

21 **VIII. Asbestos Containing Materials Disclosure and Acknowledgment:** GRANTEE hereby
22 acknowledges that asbestos containing materials (ACM) remain in buildings on the PROPERTY
23 and agrees to manage any and all remaining ACM in accordance with applicable laws and
24 regulations.
25

26 1. GRANTOR covenants that it has provided to the GRANTEE all documentation in
27 its possession regarding the presence of any known ACM, and the GRANTEE acknowledges
28 receipt of documentation disclosing the presence of any known ACM in the buildings and
29 structures on the PROPERTY. The GRANTEE covenants that it will, and it will require future
30 transferees of the PROPERTY to, prohibit use or occupancy of buildings and structures, or
31 portions thereof, containing known friable and accessible, or damaged ACM prior to abatement
32 of the friable and accessible, or damaged ACM or demolition of the building or structure, to the
33 extent required by applicable law.
34

35 2. The GRANTEE covenants and agrees that it shall require, and it shall require
36 future transferees of the PROPERTY, in its use and occupancy of the PROPERTY, including but
37 not limited to demolition of buildings containing ACM, to comply with all applicable Federal,
38 Commonwealth and local laws relating to ACM. The GRANTEE acknowledges that the
39 GRANTOR assumes no liability for costs or any damages for personal injury, illness, disability,
40 or death to the GRANTEE, or to any other person, including members of the general public,
41 arising from or incident to the purchase, transportation, removal, handling, use, disposition, or
42 activity causing or leading to contact of any kind whatsoever with ACM in the improvements on
43 the PROPERTY, arising after the conveyance of the PROPERTY from the GRANTOR to the

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GRANTEE, whether the GRANTEE has properly warned, or failed to properly warn the persons injured.

3. The GRANTEE covenants and agrees that it shall, and it shall require future transferees of the PROPERTY, upon demolition of the improvements located on the PROPERTY, remove all ACM in accordance with the EPA National Emission Standard for Hazardous Air Pollutants (NESHAP), 40 C.F.R. Section 61, Subpart M and applicable Commonwealth laws and regulations.

IX. Non-interference with Navigable Airspace: The GRANTEE covenants for itself, successors, and assigns, and every successor in interest to the PROPERTY herein described, or any part thereof, that any construction or alteration is prohibited unless a determination of no hazard to air navigation is issued by the Federal Aviation Administration in accordance with Title 14, Code of Federal Regulation, Part 77, entitled "Objects Affecting Navigable Airspace", or under the Authority of the Federal Aviation Act of 1958, as amended.

X. Protection of Archeological Resources: The GRANTEE shall monitor for archeological artifacts during its construction activities and shall take appropriate action should any artifacts be discovered in accordance with the Memorandum of Agreement between the United States Navy and the Puerto Rico Historic Preservation Officer concerning the disposal of Naval Activity Puerto Rico executed September 28, 2011.

XI. Protection of Wetlands: The GRANTEE is hereby notified that the PROPERTY may contain wetlands. Wetland activities such as filling, draining or altering are regulated by Federal laws. Section 404 of the Clean Water Act (CWA) establishes a program to regulate the discharge of dredged or fill material into waters of the United States, including wetlands. Activities in waters of the United States regulated under this program include fill for development, water resource projects (such as dams and levees), infrastructure development (such as highways and airports) and mining projects.

General Provisions

XII. Conveyance is "As Is - Where Is": Except as expressly provided in this Quitclaim Deed or as otherwise required by law, the PROPERTY is being conveyed "AS IS" and "WHERE IS," without representation, warranty, or guaranty as to quality, quantity, character, condition, size, kind, or fitness for a particular purpose.

XIII. Covenant Regarding Non-Discrimination: GRANTEE covenants for itself, its successors, and assigns and every successor in interest to the PROPERTY, or any part thereof, that GRANTEE and such heirs, successors, and assigns shall not discriminate upon the basis of race, color, religion, disability, or national origin in the use, occupancy, sale, or lease of the PROPERTY, or in their employment practices conducted thereon. This covenant shall not apply however, to the lease or rental of a room or rooms within a family dwelling unit, nor shall it

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1 apply with respect to PROPERTY used primarily for religious purposes. The United States of
2 America shall be deemed a beneficiary of this covenant without regard to whether it remains the
3 owner of any land or interest therein in the locality of the PROPERTY hereby conveyed and
4 shall have the sole right to enforce this covenant in any court of competent jurisdiction.
5

6 **XIV. General Notice Provision:**

7
8 To facilitate such future cooperation, the following points of contact have been designated by the
9 GOVERNMENT, GRANTEE, United States Environmental Protection Agency (USEPA) and
10 Puerto Rico Environmental Quality Board (PREQB):
11

12 GOVERNMENT: Director
13 NAVFAC BRAC Program Management Office Southeast
14 4130 Faber Place Drive
15 Suite 202
16 North Charleston, SC 29405
17

18 GRANTEE: Executive Director
19 Local Redevelopment Authority for Naval Station Roosevelt Roads
20 The New San Juan Office Building
21 159 Chardon Avenue, 2nd Floor
22 Hato Rey, PR 00918
23

24 With a copy to: Kutak Rock LLP
25 1101 Connecticut Avenue, NW
26 Suite 1000
27 Washington, DC 20036
28 Attention: George Schlossberg, Esq.
29

30 USEPA: U.S. Environmental Protection Agency
31 Region 2
32 290 Broadway - 22nd Floor
33 New York, NY 10007-1866
34 Attention: Chief, RCRA Programs Branch
35

36 PREQB: Puerto Rico Environmental Quality Board
37 Oficina del Presidente - Piso 5 Ave.
38 Ponce de Leon #1308
39 Carr Estatal 8838
40 Sector El Cinco
41 Rio Piedras, PR 00926
42



Clean Parcel 3 Deed
Page 9.

1 **XV. Recording of Title:**
2

3 The appearing parties do hereby acknowledge that although this Quitclaim Deed is a valid and
4 legally binding document, it may not fulfill the requirements established by the Mortgage and
5 Registry Property Act of 1979 for the recording of titles at the Registry of Property of Puerto
6 Rico (the "Registry"). Therefore, the appearing parties agree to jointly take all actions
7 reasonably necessary in accordance with and subject to the authorities and limitations proscribed
8 by applicable Federal and Commonwealth law to cause the recordable documents to be executed,
9 filed and registered in the Registry.

10
11 The appearing parties do hereby further acknowledge and recognize that in order for these
12 parcels to exist as separate properties and be developed as intended, it may be necessary for the
13 same to be segregated and the need for necessary easements to be created for the benefit of these
14 parcels may arise. In the event that such easements are granted by the GOVERNMENT, the
15 appearing parties acknowledge that the Recordable Documents must include such transactions
16 and in a timely manner and agree to jointly take all actions reasonably necessary in accordance
17 with and subject to the authorities and limitations proscribed by applicable Federal and
18 Commonwealth law to cause the recordable documents to be executed, filed and registered in the
19 Registry.

20
21 Notwithstanding the foregoing, it is the intent of the appearing parties that immediately upon
22 execution of this Quitclaim Deed, as it appears herein, all right, title and interest in the
23 PROPERTY shall have conveyed to the GRANTEE.

24
25 Any requirement for the obligation or payment of funds by the GOVERNMENT established by
26 any provision of this Quitclaim Deed shall be subject to the availability of appropriated funds,
27 and no provision herein shall be interpreted to require an obligation or payment in violation of
28 the Anti-Deficiency Act, 31 U.S.C. Section 1341.

29
30 **XVI. Counterparts:** This Quitclaim Deed may be executed in counterparts, each of which
31 shall be deemed an original, and such counterparts may be assembled to form a single document.
32

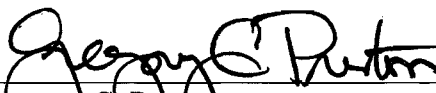
33 **The remainder of this page is intentionally left blank**

Execution

IN WITNESS WHEREOF, the undersigned, acting pursuant to the authority vested unto him as Real Estate Contracting Officer for the United States of America, has hereunto executed this Quitclaim Deed the day and year first written above.

UNITED STATES OF AMERICA

By: Navy BRAC PMO

By: 
Gregory C. Preston
Real Estate Contracting Officer

Affidavit No. -2507- (copy)

Acknowledged and subscribed before me by Gregory C. Preston, of legal age, married, public servant and resident of Mount Laurel, New Jersey, in his capacity as Real Estate Contracting Officer of the NAVY BRAC PMO of the Department of the Defense of the United States of America, who I personally know.

In San Juan, Puerto Rico on this 25 day of January, 2012.

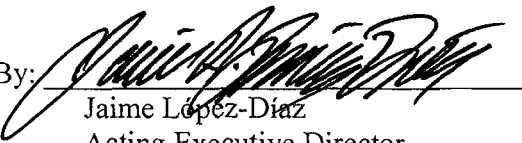
[Signatures Continue on Following Page]



Clean Parcel 3 Deed
Page 11.

IN WITNESS WHEREOF, the undersigned, acting pursuant to the authority vested unto him, as Acting Executive Director, has hereunto executed and accepted this Quitclaim Deed as of the day and year first written above.

LOCAL REDEVELOPMENT AUTHORITY
NAVAL STATION ROOSEVELT ROADS

By: 
Jaime López-Díaz
Acting Executive Director

Affidavit No. -740- (copy)

Acknowledged and subscribed to before me, by Jaime López-Díaz, of legal age, married, public servant and resident of San Juan, Puerto Rico in his capacity as Acting Executive Director, who I personally know.

In San Juan, Puerto Rico this 21 day of January, 2012.

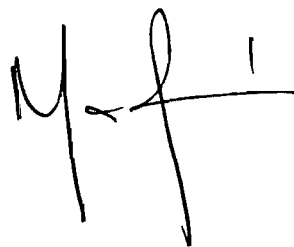




Exhibit "A"

NSRR DISPOSAL MAP

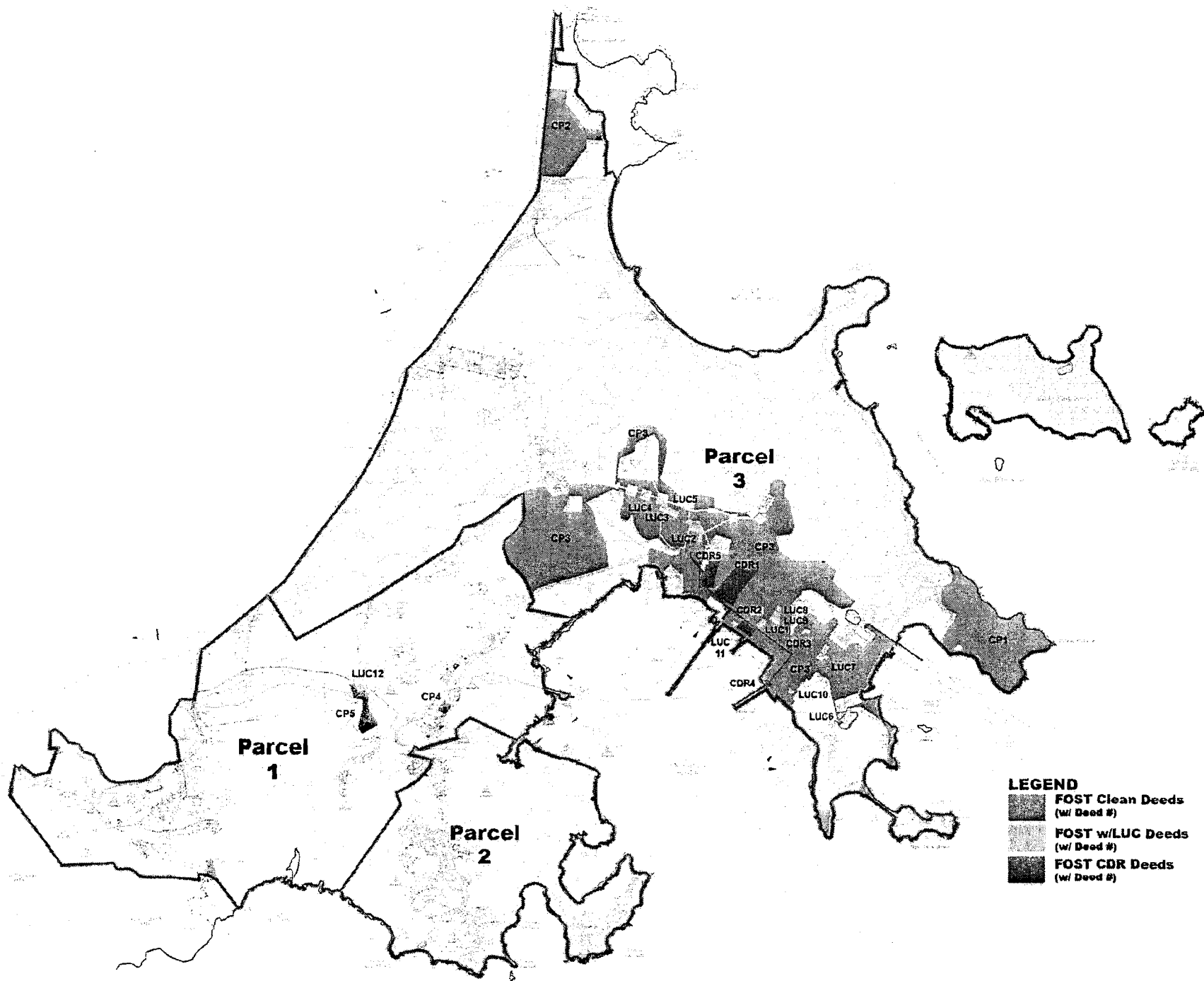


Exhibit "B"

LEGAL DESCRIPTIONS OF PROPERTY CONVEYED

RURAL: Parcel of land identified as Remnant Parcel, situated in the Wards of Machos and Guayacán, Municipality of Ceiba, Puerto Rico, containing an area of two million eight hundred seventy six thousand four hundred eighty four square meters and one hundred forty nine thousandths of a square meter (2,876,484.149 s.m.); equivalent to seven hundred thirty one cuerdas and eight hundred fifty six thousandths of a cuerda (731.856 cuerdas); bounded on the NORTH by lands of José Aponte de la Torre Airport (Commonwealth of Puerto Rico, Puerto Rico Ports Authority) and Conservation Zone 39 (Commonwealth of Puerto Rico, Department of Natural and Environmental Resources); on the SOUTH by the Ensenada Honda, by lands of Conservation Zone 28 (Commonwealth of Puerto Rico, Department of Natural and Environmental Resources), Conservation Zone 60 (Commonwealth of Puerto Rico, Department of Natural and Environmental Resources), Parcel 46 property of the United States of America, Parcel 47 (property of the United States of America and Cabras Island property of the United States of America; on the EAST by lands of Hospital (Servicios de Salud Episcopales, Inc), Parcel 63 (ARMY Reserve Dry Dock) property of the United States of America, and Bahía de Puerca; and on the WEST by lands of Sale Parcel I D property of the United States of America.

Exhibit "C"

ACCESS EASEMENTS

----DEED NUMBER FIVE HUNDRED SEVENTY FIVE (575)---

----- DEED OF CONSTITUTION OF PATH EASEMENTS-----

---In San Juan, Puerto Rico, this eighth (8th) day of October of the year two thousand ten (2010).-----

----- BEFORE ME -----

---RAÚL J. VILÁ SELLES, Attorney-at-Law and Notary Public in and for the Commonwealth of Puerto Rico, with office and residence in San Juan, Puerto Rico.-----

----- APPEARS -----

---AS SOLE PARTY: United States of America, acting by and through the Department of the Navy, Base Realignment and Closure Program Management Office Southeast, under and pursuant to the powers and authority contained in the provisions of Title Ten (10), Section Two Thousand Eight Hundred Seventy-Eight (2878), of the United States Code, and regulations and orders promulgated thereunder, having an address of forty-one thirty (4130) Faber Place Drive, Suite Two Hundred Two (202) North Charleston, South Carolina herein represented by Gregory C. Preston, also known as Gregory Charles Preston, of legal age, married and resident of the State of New Jersey, United States of America, who is authorized to appear in this deed as real estate contracting officer, by virtue of that Certificate of Appointment signed by B.J. Penn, Assistant Secretary of the Navy (Installations and Environment), on August eighteenth (18th), two thousand six (2006).-----

---I, the Notary Public, do hereby certify and attest that I personally know the appearing party

and his age, civil status, and residence, by his statements, he assures me to have, and in my judgment he does have, the legal capacity necessary for the execution of this deed, and for that purpose he freely-----

----- STATES-----

---FIRST: That the Airport, the Conservation Zones, Los Machos Three (3), and the Hospital parcels, appear recorded in the Registry of the Property, in favor of the United States of America, described in the English language as follows:-----

----- AIRPORT -----

---"Rural: Parcel of land identified as Airport situated in the Wards of Machos, Chupacallos and Quebrada Seca, Municipality of Ceiba, Puerto Rico, containing six million six hundred sixty-one thousand eight hundred and three point six (6,661,803.6) square meters equivalent to one hundred forty-five (1694.945) cuerdas, more or less. Bounded on the North and West by the Municipality of Ceiba, and on the South and East by lands of the principal estate from which it is segregated."-----

----- CONSERVATION ZONES-----

---"Rural: Parcel of land identified as Conservation Zones situated in the Wards of Los Machos, Guayacán and Quebrada Seca, Municipality of Ceiba and the Ward of Daguao, Municipality of Naguabo, Puerto Rico, containing an area of twelve million eighty five thousand nine hundred and thirty point nine (12,085,930.9) square meters equivalent to three thousand and seventy-four point nine hundred and ninety (3074.990) cuerdas more or less, comprised of the following:-----

---Conservation Zone One (1)-----

---"Rural: Parcel of land identified as Conservation Zone One (1) situated in the Ward of Daguao, Municipality of Naguabo, Puerto Rico containing an area of three hundred seventy-three thousand five hundred and forty-four point six (373,544.6) square meters equivalent to ninety-five point zero four zero (95.040) cuerdas, more or less, bounded on the North and East by lands of the principal estate from which it is segregated; on the South, by Felix Robles and the Municipality of Naguabo, Puerto Rico; and on the West, by the Municipality of Naguabo, Puerto Rico."-----

---Conservation Zone Five (5)-----

---"Rural: Parcel of land identified as Conservation Zone Five (5) situated in the Wards of Guayacan and Quebrada Seca, Municipality of Ceiba, Puerto Rico and the Ward of Dagua, Municipality of Naguabo, Puerto Rico, containing an area of three million six hundred and thirty-nine thousand four hundred and eighty-five point zero (3,639,485.0) square meters, equivalent to nine hundred and twenty-five point nine hundred eighty-four (925.984) cuerdas, more or less, comprising the following:-----

---Portion A. Municipality of Ceiba; -----

---"Rural: Parcel of land identified as Conservation Zone Five (5) situated in the Wards of Guayacan and Quebrada Seca, Municipality of Ceiba, Puerto Rico, containing an area of two million two hundred and seventy thousand eight hundred and five point five (2,270,805.5) square meters, equivalent to five hundred seventy-seven point seven hundred fifty-five (577.755) cuerdas, more or less, bounded on the North, East and West by lands of the principal estate from which it is segregated and on the South by Bahia Algodones."--

---Portion B. Municipality of Naguabo;-----

---"Rural: Parcel of land identified as Conservation Zone Five (5) situated in the Ward of Dagua, Municipality of Naguabo, Puerto Rico, containing an area of one million three hundred sixty-eight thousand six hundred seventy-nine point five (1,368,679.5) square meters, equivalent to three hundred forty-eight point two hundred twenty-nine (348.229) cuerdas, more or less, bounded on the North, East and West by lands of the principal estate from which it is segregated and on the South, by Bahia Algodones."-----

---Conservation Zone Nine (9);-----

---"Rural: Parcel of land identified as Conservation Zone Nine (9) situated in the Ward of Guayacan, Municipality of Ceiba, Puerto Rico containing an area of ten thousand three hundred and twenty-three point one (10,323.1) square meters, equivalent to two point six hundred and twenty-six (2.626) cuerdas, more or less, bounded on the North, South and West by lands of the principal estate from which it is segregated; on the East by the Caribbean Sea."-----

---Conservation Zone Eleven (11);-----

---"Rural: Parcel of land identified as Conservation Zone Eleven (11) situated in the Ward of Guayacan, Municipality of Ceiba, Puerto Rico containing an area of four thousand seven hundred and sixty four point eight (4,764.8) square meters, equivalent to one point two hundred and twelve (1.212) cuerdas, more or less, bounded on

the North, South and West by lands of the principal estate from which it is segregated; on the East by the Caribbean Sea."-----

---Conservation Zone Twelve (12);-----

---"Rural: Parcel of land identified as Conservation Zone Twelve (12) situated in the Ward of Guayacan, Municipality of Ceiba, Puerto Rico containing an area of seventy thousand two hundred and forty nine point nine (70,249.9) square meters, equivalent to seventeen point eight hundred and seventy three (17.873) cuerdas, more or less, bounded on the North and East by the Caribbean Sea and on the South and West by lands of the principal estate from which it is segregated."-----

---Conservation Zone Thirteen (13);-----

---"Rural: Parcel of land identified as Conservation Zone Thirteen (13) situated in the Ward of Guayacan, Municipality of Ceiba, Puerto Rico containing an area of one million five hundred and forty thousand and ten point nine (1,540,010.9) square meters, equivalent to three hundred and ninety-one point eight hundred and twenty-one (391.821) cuerdas, more or less, bounded on the North by lands of the principal estate from which it is segregated and Ensenada Honda, on the East by Ensenada Honda, on the South by lands of the principal estate from which it is segregated and by the Caribbean Sea, on the West by lands of the principal estate from which it is segregated."-----

---Conservation Zone Twenty-Six (26);-----

---"Rural: Parcel of land identified as Conservation Zone Twenty-Six (26) situated in the Ward of Guayacan, Municipality of Ceiba, Puerto Rico containing an area of one hundred and seventy-one thousand seven hundred and thirty-one point two (171,731.2) square meters, equivalent to forty-three point six hundred and ninety-three (43.693) cuerdas, more or less, bounded on the North, South and West by lands of the principal estate from which it is segregated; on the East by the Ensenada Honda."-----

---Conservation Zone Twenty-Eight (28);-----

---"Rural: Parcel of land identified as Conservation Zone Twenty-Eight (28) situated in the Ward of Guayacan, Municipality of Ceiba, Puerto Rico containing an area of six hundred and seven thousand three hundred and thirty point eight (607,330.8) square meters, equivalent to one hundred and fifty-four point five hundred and twenty-two (154.522) cuerdas, more or less, bounded on the North, East and West by lands of the principal estate from which it is segregated; on the South by the Ensenada Honda."-----

---Conservation Zone Los Machos Parcel One (1);---

---"Rural: Parcel of land identified as Los Machos Parcel One (1) situated in the Ward of Machos, Municipality of Ceiba, Puerto Rico containing an area of two hundred seventy-four thousand forty-two point two (274,042.2) square meters, equivalent to sixty-nine point seven hundred twenty-four (69.724) cuerdas, more or less, bounded on the North by the Majagua River, on the East by lands of the Commonwealth of Puerto Rico Department of Natural Resources, on the South by the lands of the principal estate from which it is segregated, and on the West by lands of Puerto Del Rey."-----

---Conservation Zone Thirty-Nine (39);-----

---"Rural: Parcel of land identified as Conservation Zone Thirty-Nine (39) situated in the Ward of Machos, Municipality of Ceiba, Puerto Rico containing an area of five million three hundred seventy-nine thousand nine hundred and nineteen point nine (5,379,919.9) square meters, equivalent to one thousand three hundred and sixty-eight point seven hundred and ninety-nine (1,368.799) cuerdas, more or less, bounded on the North by Media Mundo and by lands of the principal estate from which it is segregated, on the East by the Caribbean Sea and by lands of the principal estate from which it is segregated and on the South and West by lands of the principal estate from which it is segregated."-----

---Conservation Zone Fifty-Eight (58);-----

---"Rural: Parcel of land identified as Conservation Zone Fifty-Eight (58) situated in the Ward of Guayacan, Municipality of Ceiba, Puerto Rico containing an area of two thousand eighty-eight point six (2,088.6) square meters, equivalent to zero point five hundred and thirty-one (0.531) of a cuerda, more or less, bounded on the North, East and South by lands of the principal estate from which it is segregated; on the West by Ensenada Honda."-----

---Conservation Zone Sixty (60);-----

---"Rural: Parcel of land identified as Conservation Zone Sixty (60) situated in the Ward of Guayacan, Municipality of Ceiba, Puerto Rico containing an area of one thousand nine hundred and ninety-four point seven (1,994.7) square meters, equivalent to zero point five hundred and seven (0.507) of a cuerda, more or less, bounded on the North, East and West by lands of the principal estate from which it is segregated; on the South by the Caribbean Sea."-----

---Conservation Zone Sixty-Five (65);-----

---"Rural: Parcel of land identified as Conservation Zone Sixty-Five (65) situated in the Ward of Machos, Municipality of Ceiba, Puerto Rico containing an area of five thousand six hundred and twenty - four point four (5,624.4) square

meters, equivalent to one point four hundred and thirty-one (1.431) cuerdas, more or less, bounded on the North, East and West by lands of the principal estate from which it is segregated; on the South by the Caribbean Sea."-----

---Conservation Zone Sixty-Six (66);-----

---"Rural: Parcel of land identified as Conservation Zone Sixty-Six (66) situated in the Ward of Machos, Municipality of Ceiba, Puerto Rico containing an area of four thousand eight hundred and twenty point eight (4,820.8) square meters, equivalent to one point two hundred and twenty-seven (1.227) cuerdas, more or less, bounded on the North, East and South by lands of the principal estate from which it is segregated; on the West by the Caribbean Sea."-----

---LOS MACHOS THREE (3)-----

---"Rural: Parcel of land identified as Los Machos Parcel Three situated in the Ward of Machos, Municipality of Ceiba, Puerto Rico, containing five hundred sixty-nine thousand two hundred ninety-eight point three (569,298.3) square meters equivalent to one hundred forty-four point eight hundred forty-five (144.845) cuerdas, more or less. Bounded on the North and South by the lands of the principal estate from which it is segregated, on the East by the edge of water of Puerto Medio Mundo, and on the West by lands of the principal estate from which it is segregated."-----

-----HOSPITAL-----

---"Rural: Parcel of land identified as Hospital situated in the Ward of Machos, Municipality of Ceiba, Puerto Rico, containing an area of one hundred thirteen thousand seventy seven point zero (113,077.0) square meters equivalent to twenty-eight point seven hundred seventy (28.770) cuerdas, more or less, bounded on the North, East, South and West by lands of the principal estate from which it is segregated."-----

---All of the above described parcels were segregated from property number nine thousand seven hundred fifty-two (9,752), recorded at Page seventy-six (76), of volume one hundred fifty-one (151) of Ceiba, Registry of Property of Puerto Rico, Fajardo Section.-----

---As per the Registry of the Property, all of the above parcels are free from liens and encumbrances.-----

---SECOND: That the appearing party represents that it is also the owner and sole title holder of the following parcel of land, which is the remnant after the segregation of the Airport, the Conservation Zones, Los Machos Three (3), and the Hospital parcels. Said remnant is described in the English language as follows, hereinafter

"Remnant":-----

---"Rural: Parcel of land identified as Naval Activity Puerto Rico, formerly Naval Station Roosevelt Roads situated in the Wards of Chupacallos, Los Machos, Ensenada Honda, Guayacan and Quebrada Seca, Municipality of Ceiba and the Ward of Dagua, Municipality of Naguabo, Puerto Rico, containing an area of fourteen million one hundred and seventy seven thousand six hundred and thirty eight point two (14,177,638.2) square meters equivalent to three thousand six hundred and seven point one hundred and seventy-nine (3,607.179) cuerdas more or less, divided into two portions as follows:-----

---Portion A - Municipality of Ceiba - Rural: Parcel of land identified as Naval Activity Puerto Rico, formerly Naval Station Roosevelt Roads situated in the Wards of Chupacallos, Los Machos, Ensenada Honda, Guayacán and Quebrada Seca, Municipality of Ceiba, Puerto Rico, containing an area of twelve million one hundred twenty-eight thousand seven hundred and eighty-one point four (12,128,781.4) square meters equivalent to three thousand and eighty-five point eight hundred and ninety-three (3,085.893) cuerdas, more or less, bounded on the North, by the southerly bank of the Demajagua River and Puerto Del Rey Marina and lands of the United States of America; on the East, by the Caribbean Sea; on the South, by Ensenada Honda, Bahía Algodones and lands of the United States of America; on the West, by the Easterly line of the railroad Right of Way of the Fajardo Development Company.-----

---Portion B - Municipality of Naguabo - Rural: Parcel of land identified as Naval Activity Puerto Rico, formerly Naval Station Roosevelt Roads situated in the Ward of Dagua, Municipality of Naguabo, Puerto Rico containing an area of two million forty-eight thousand eight hundred and fifty-six point eight (2,048,856.8) square meters, equivalent to five hundred and twenty-one point two hundred and eighty-six (521.286) cuerdas, more or less, bounded on the North and East by lands of the United States of America; on the South, by Felix Robles and the Municipality of Naguabo, Puerto Rico; and on the West, by the Municipality of Naguabo, Puerto Rico.-----

---The remnant of property number nine thousand seven hundred fifty-two (9,752), recorded at Page seventy-six (76), of volume one hundred fifty-one (151) of Ceiba, Registry of Property of Puerto Rico, Fajardo Section.-----

---As per the Registry of the Property, the Remnant is free from liens and encumbrances.-----

---THIRD: The Airport, the Conservation Zones, the Los Machos Three (3), the Hospital parcels and the Remnant resulted from deed of segregations and description of remnant, number five hundred seventy four (574), executed on eighth (8th) day of October, two thousand ten (2010), before Notary Public Raúl J. Vilá Sellés.-----

---FOURTH: The Government hereby reserves and constitutes a perpetual non-exclusive easement for the purpose of motor vehicle and pedestrian ingress and egress over upon and across the Airport parcel for the construction, repair, replacement, maintenance and operation of a two-lane roadway, for the use and benefit of the Conservation Zones parcel, Los Machos Three (3) parcel, the Hospital Parcel and the Remnant, their owners, successors, assigns, tenants, subtenants, licensees, suppliers and customers which easement is described as follows:-----

---"Strip of land located in the wards of Machos, Chupacallos and Quebrada Seca, Municipality of Ceiba, with a total area of thirty-two thousand five hundred ninety-six point two (32,596.2) square meters, equivalent to eight point two hundred ninety-four (8.294) cuerdas, consisting of:-----

----- Segment Two (2) -----

---"Strip of land having an area of nineteen thousand six hundred fifteen point four (19,615.4) square meters, equivalent to four point nine

hundred ninety-one (4.991) cuerdas, with a length of one thousand three hundred four point zero (1,304.0) meters and a width of fifteen point zero zero (15.00) meters running from North to South."--

----- Segment Four (4) -----

---"Strip of land having an area of twelve thousand nine hundred eighty point eight (12,980.8) square meters, equivalent to three point three hundred three (3.303) cuerdas, with a length of seven hundred sixty point zero (760.0) meters and a width of fifteen point zero (15.0) meters running from South to North."-----

---FIFTH: To be recorded at the Registry of the Property, the easement is valued at ONE THOUSAND DOLLARS (\$1,000.00).-----

---SIXTH: The appearing party also hereby reserves and constitutes a perpetual non-exclusive easement for the purpose of motor vehicle and pedestrian ingress and egress over, upon and across the Conservation Zones parcel for the construction, repair, replacement, maintenance and operation of various two-lane roadways, for the use and benefit of the Airport parcel, the Los Machos Three (3) parcel, the Hospital Parcel and the Remnant, their owners, successors, assigns, tenants, subtenants, licensees, suppliers and customers which easement is described as follows:-----

---"Strip of land located in the wards of Los Machos, Guayacán and Quebrada Seca, Municipality of Ceiba and the ward of Daguao, Municipality of Naguabo, with a total area of one hundred thirty-eight thousand and twelve point five (138,012.5) square meters, equivalent to thirty-five point one hundred and fourteen (35.114) cuerdas, consisting of:-----

----- Segment Three (3) -----

---"Strip of land having an area of twenty-six thousand four hundred ninety-four point four (26,494.4) square meters, equivalent to six point seven hundred forty-one (6.741) cuerdas, with a length of one thousand seven hundred sixty-six point zero (1766.0) meters and a width of fifteen (15) meters running from Southwest to Northeast, thence Southwest."-----

----- Segment Five (5) -----

---"Strip of land having an area of twenty-two thousand four hundred eleven point five (22,411.5) square meters, equivalent to five point seven hundred two (5.702) cuerdas, with a length of one thousand three hundred point zero (1,300.0) meters and a variable width running from Northwest to Southeast and thence Southwest."-----

----- Segment Eight (8) -----

---"Strip of land having an area of sixteen thousand nine hundred forty-nine point three (16,949.3) square meters, equivalent to four point three hundred twelve (4.312) cuerdas, with a length of one thousand one hundred twenty-nine point zero (1,129.0) meters and a width of fifteen (15) meters running from West to East, thence South to Northeast."-----

----- Segment Nine (9) -----

---"Strip of land having an area of forty-six thousand eight hundred twenty-six point two (46,826.2) square meters, equivalent to eleven point nine hundred fourteen (11.914) cuerdas, with a length of three thousand one hundred sixteen point zero (3116.0) meters and with a variable width running from North to South."-----

----- Segment Fourteen (14) -----

---"Strip of land having an area of nine thousand six hundred thirty-nine point two (9,639.2) square meters, equivalent to two point four hundred fifty-two (2.452) cuerdas, with a length of six hundred forty-two point zero (642.0) meters and a width of fifteen (15) meters running from East to West thence South."-----

----- Segment Eighteen (18) -----

---"Strip of land having an area of six thousand four hundred twenty-one point seven (6,421.7) square meters, equivalent to one point six hundred thirty-four (1.634) cuerdas, with a length of three hundred fifty-five point zero (355.0) meters and a width of eighteen (18) meters running from East to West."-----

----- Segment Twenty (20) -----

---"Strip of land having an area of six thousand four hundred forty-eight point four (6,448.4) square meters, equivalent to one point six hundred forty-one (1.641) cuerdas, with length of four hundred thirty point zero (430.0) meters and a width of fifteen (15) meters running from Southwest to Northeast."-----

----- Segment Twenty Two (22) -----

---"Strip of land having an area of two thousand eight hundred twenty-one point eight (2,821.8) square meters, equivalent to zero point seven

hundred eighteen (0.718) cuerda, with a length of one hundred eighty-eight point zero (188.0) meters and a width of fifteen (15) meters running from North to South."-----

---SEVENTH: To be recorded at the Registry of Property, the easement is valued at ONE THOUSAND DOLLARS (\$1,000.00).-----

---EIGHTH: The appearing party also hereby reserves and constitutes a perpetual non-exclusive easement for the purpose of motor vehicle and pedestrian ingress and egress over, upon and across Los Machos Three (3) parcel for the construction, repair, replacement, maintenance and operation of various two-lane roadways for the use and benefit of the Airport parcel, the Conservation Zones parcel, the Hospital Parcel and the Remnant, their owners, successors, assigns, tenants, subtenants, licensees, suppliers and customers which easement is described as follows:-

-----Segment One (1) I-----

---"Strip of land having an area of ten thousand four hundred twenty-five point five (10,425.5) square meters, equivalent to two point six hundred fifty-three (2.653) cuerdas, with a length of five hundred sixty-eight point zero (568.0) meters and a variable width running from South to North."----

---NINTH: To be recorded at the Registry of the Property, the easement is valued at ONE THOUSAND DOLLARS (\$1,000.00).-----

---TENTH: The appearing party also hereby reserves and constitutes a perpetual non-exclusive easement for the purpose of motor vehicle and pedestrian ingress and egress over, upon and across the Remnant for the construction, repair, replacement, maintenance and operation of a two-lane roadways for the use and benefit of the Airport parcel, Los Machos Three (3) parcel, the Hospital Parcel and

the Conservation Zones parcel, their owners, successors, assigns, tenants, subtenants, licensees, suppliers and customers which easement is described as follows:-----

---"Strip of land located in the wards of Chupacallos, Los Machos, Ensenada Honda, Guayacán and Quebrada Seca, Municipality of Ceiba and ward of Dagua, Municipality of Naguabo, with a total area of three hundred fifty-three thousand three hundred and sixty-four point six (353,364.6) square meters, equivalent to eighty-nine point nine hundred fifty-three (89.953) cuerdas, consisting of:-----

----- Segment One (1) II-----

---"Strip of land having an area of ten thousand one hundred ninety-eight point three (10,198.3) square meters, equivalent to two point five hundred ninety-five (2.595) cuerdas, with a length of six hundred seventy-eight point five (678.5) meters and a width of fifteen point zero (15.0) meters running from South to North."-----

----- Segment Six (6) -----

---"Strip of land having an area of nine thousand two hundred twenty-six point eight (9,226.8) square meters, equivalent to two point three hundred forty-eight (2.348) cuerdas, a length of five hundred twelve point zero (512.0) meters and a width of eighteen (18) meters running from Northwest to Southeast."-----

----- Segment Seven (7) -----

---"Strip of land having an area of fifty thousand eight hundred ninety point one (50,890.1) square meters, equivalent to twelve point nine hundred forty-eight (12.948) cuerdas, with a length of three thousand two hundred fifty point zero (3250.0) meters and with a variable width running from West to East."-----

----- Segment Ten (10)-----

---"Strip of land having an area of fourteen thousand six hundred seventy-eight point two (14,678.2) square meters, equivalent to three point seven hundred thirty-five (3.735) cuerdas, with a length of eight hundred twenty-six point zero (826.0) meters and a variable width running from Southwest to Northeast."-----

----- Segment Eleven (11) -----

---"Strip of land having an area of eighty thousand five hundred seventy-two point nine (80,572.9) square meters, equivalent to twenty point five hundred forty-six (20.546) cuerdas, with a length of three thousand four hundred

seventeen point zero (3417.0) meters and a variable width running from North to South thence from Southwest to Northeast."-----

----- Segment Twelve (12) -----

---"Strip of land having an area of five thousand one hundred eighty three point eight (5,183.8) square meters, equivalent to one point three hundred nineteen (1.319) cuerdas, with a length of three hundred forty-six point zero (346.0) meters with a width of fifteen (15) meters running from East to West."-----

----- Segment Thirteen (13) -----

---"Strip of land having an area of thirty-six thousand six hundred ninety-three point nine (36,693.9) square meters, equivalent to nine point three hundred thirty-six (9.336) cuerdas, with a length of two thousand two hundred eighty-seven point zero (2287.0) meters and a variable width running from Northwest to Southeast."-----

----- Segment Fifteen (15) I-----

---"Strip of land having an area of seventeen thousand eight hundred two point five (17,802.5) square meters, equivalent to four point five hundred twenty-nine (4.529) cuerdas, with a length of one thousand twenty-four point zero (1,024.0) meters and a variable width running from Southeast to Northwest."-----

----- Segment Fifteen (15) II -----

---"Strip of land having an area of six thousand two hundred and eighty point seven (6,280.7) square meters, equivalent to one point five hundred ninety-eight (1.598) cuerdas, with a length of three hundred and forty-nine point zero (349.0) meters and a variable width running from Northwest to Southeast."-----

----- Segment Sixteen (16)-----

---"Strip of land having an area of thirty-three thousand two hundred thirty-three point four (33,233.4) square meters, equivalent to eight point four hundred fifty-five (8.455) cuerdas, with a length of two thousand two hundred fifteen point zero (2,215.0) meters and a width of fifteen (15) meters running from Northwest to Southeast."-----

----- Segment Seventeen (17)-----

---"Strip of land having an area of five thousand seventy-nine point two (5,079.2) square meters, equivalent to one point two hundred ninety-two (1.292) cuerdas, with a length of three hundred forty point zero (340.0) meters and a variable width running from North to South."-----

----- Segment Nineteen (19) -----

---"Strip of land having an area of thirty-two thousand six hundred six point nine (32,606.9) square meters, equivalent to eight point two hundred ninety-six (8.296) cuerdas, with a length of one thousand eight hundred twenty-three point zero (1,823.0) meters and a variable width running from East to West thence South."-----

----- Segment Twenty-One (21) -----

---"Strip of land having an area of twenty thousand five hundred eighty-two point six (20,582.6) square meters, equivalent to five point two hundred thirty-seven (5.237) cuerdas, with a length of one thousand three hundred seventy point zero (1370.0) meters and a width of fifteen (15) meters running from North to South."-----

----- Segment Twenty-Three (23) -----

---"Strip of land having an area of five thousand thirty-seven point zero (5,037.0) square meters, equivalent to one point two hundred eighty-two (1.282) cuerdas, with a length of three hundred thirty-six point zero (336.0) meters and a width of fifteen (15) meters running from Southwest to Northeast."-----

----- Segment Twenty-Four (24) -----

---"Strip of land having an area of ten thousand four hundred thirty-seven point three (10,437.3) square meters, equivalent to two point six hundred fifty-six (2.656) cuerdas, with a length of six hundred ninety-seven point zero (697.0) meters and a width of fifteen (15) meters running from Northeast to Southwest."-----

----- Segment Twenty-Five (25) -----

---"Strip of land having an area of two thousand ninety-nine point three (2,099.3) square meters, equivalent to zero point five hundred thirty-four (0.534) cuerda, with a length of one hundred forty point zero (140.0) meters and a width of fifteen (15) meters running from East to West."-----

----- Segment Twenty-Six (26) -----

---"Strip of land having an area of two thousand four hundred fifty point two (2,450.2) square meters, equivalent to zero point six hundred twenty-three (0.623) cuerda, with a length of two hundred forty-one point zero (241.0) meters and a variable width running from South to North."-----

----- Segment Twenty-Seven (27) -----

---"Strip of land having an area of ten thousand three hundred eleven point five (10,311.5) square meters, equivalent to two point six hundred twenty-four (2.624) cuerdas, with a length of six

hundred eighty-seven point zero (687.0) meters and a width of fifteen (15) meters running from South to North."-----

---ELEVENTH: To be recorded at the Registry of the Property, the easement is valued at ONE THOUSAND DOLLARS (\$1,000.00).-----

---TWELFTH: The appearing party also hereby reserves and constitutes a perpetual non-exclusive easement for the purpose of communication utilities over, upon and across the Remnant for the construction, repair, replacement, maintenance and operation of communication utilities for the use and benefit of the Airport parcel, Los Machos Three (3) parcel, the Conservation Zones parcel, and the Hospital parcel, their owners, successors, assigns, tenants, subtenants, licensees, suppliers and customers which easement is described as follows.-----

----- Segment Twenty-Eight (28) -----

---"Strip of land having an area of twenty-four thousand nine hundred fifty-six point eight (24,956.8) square meters, equivalent to six point three hundred fifty (6.350) cuerdas, with a length of seven hundred seventy-seven point zero (777.0) meters and a variable width running from North to South."-----

---THIRTEENTH: To be recorded at the Registry of Property, the easement is valued at ONE THOUSAND DOLLARS (\$1,000.00).-----

---FOURTEENTH: The appearing party requests from the Registry of the Property to record all of the above easements in its books.-----

---FIFTEENTH: All easements constituted by this deed are graphically depicted IN Exhibit "A", attached and made part of this deed.-----

---SIXTEENTH: The geometric descriptions of all the easement segments constituted in this deed,

are included, attached and made part of this deed,
as Exhibit 'B'.-----

----- ACCEPTANCE-----

---The appearing party in accordance with the
particulars of this Deed accepts the same, in all
its parts after, I, the Notary, gave him the
necessary legal admonitions and warnings pertinent
to this public instrument. Thus, the appearing
party states and executes this deed in my presence
after having read the same, and places his
initials on each and every page hereof and signs
his name on the last page of this deed, before, me
the Notary, that as to everything else
hereinbefore stated, I, the Notary, hereby
ATTEST.-----



Gregory E. Preston

Q



EXHIBIT B

LEGAL DESCRIPTION FOR EASEMENT 1 I

Beginning at a survey control point in the Ward of Machos, said point being a brass disk set in concrete. Said point also known as 'MOUND' and having a northing of 813308.1492 and an easting of 933097.0283 noted as the Point of Beginning on the plat labeled "UNITED STATES GOVERNMENT PROPERTY FORMER NAVAL STATION ROOSEVELT ROADS EASEMENT 1 I". Thence N71°50'03"W 1107.34' to an iron rod set, the True Point of Beginning, having a northing of 813653.3852 and an easting of 932044.8782:

Thence S73°51'24"W 49.23' to an iron rod set;

Thence following a curve to an iron rod set with a long chord of 345.49', chord bearing of N03°53'25"W'

Radius=880.61'

Arc=347.75'

Thence N82°34'38"W 25.39' to an iron rod set;

Thence N07°25'22"E 219.33' to an iron rod set;

Thence N13°24'22"E 243.35' to an iron rod set;

Thence N07°25'22"E 659.31' to an iron rod set;

Thence S05°28'47"W 408.52' to point not set;

Thence S81°38'12"E 49.28' to a point not set;

Thence S05°28'47"W 406.87' to point not set;

Thence S07°25'22"W 660.14' to point not set;

Thence S82°34'38"E 25.39' to a point not set;

Thence S07°25'22"W 461.34' to a point not set;

Thence N82°34'38"W 25.39' to a point not set;

Thence following a curve to an iron rod set, the True Point of Beginning with a long chord of 325.39', chord bearing of S03°51'45"E

Radius=831.39'

Arc=327.50'

Said easement containing 112,218.3 square feet or 2.576 acres, which equates to 10,425.5 square meters or 2.653 cuerdas.

LEGAL DESCRIPTION FOR EASEMENT 1 II

Beginning at a survey control point in the Ward of Machos, said point being a brass disk set in concrete. Said point also known as 'MOUND' and having a northing of 813308.1492 and an easting of 933097.0283 noted as the Point of Beginning on the plat labeled "UNITED STATES GOVERNMENT PROPERTY FORMER NAVAL STATION ROOSEVELT ROADS EASEMENT 1 II". Thence N22°09'05"W 2361.27' to an iron rod set, the True Point of Beginning, having a northing of 815495.1376 and an easting of 932206.6955:

Thence N81°38'12"W 49.28' to a point not set;

Thence N05°28'47"E 1994.60' to point not set;

Thence following a curve to a point not set with a long chord of 165.85', chord bearing of N03°53'22"W

Radius=509.39'

Arc=166.59'

Thence N05°39'24"E 117.42' to a point not set;

Thence following a curve to a point not set with a long chord of 291.12', chord bearing of S09°37'27"E

Radius=558.61'

Arc=294.51'

Thence S05°28'47"W 1997.07' to iron rod set, the True Point of Beginning.

Said easement containing 109,772.7 square feet or 2.520 acres, which equates to 10,198.3 square meters or 2.595cuerdas.

LEGAL DESCRIPTION FOR EASEMENT 2

Beginning at a survey control point in the Ward of Machos, said point being a brass disk set in concrete. Said point also known as 'MOUND' and having a northing of 813,308.1492 and an easting of 933,097.0283 noted as the Point of Beginning on the plat labeled "UNITED STATES GOVERNMENT PROPERTY FORMER NAVAL STATION ROOSEVELT ROADS EASEMENT 2 AND 4". Thence S50°05'29"W 669.86' to an iron rod set, the True Point of Beginning, having a northing of 812,878.3902 and an easting of 932,583.1982:

Thence S40°00'38"E 475.27' to an iron rod set;

Thence following a curve to an iron rod set with a long chord of 175.59', chord bearing of S33°21'21"E

Radius=757.61'

Arc=175.98'

Thence following a curve to a point not set with a long chord of 236.66', chord bearing of S17°42'56"E

Radius=757.61'

Arc=237.63'

Thence S08°43'48"E 1218.66' to a point not set;

Thence following a curve to a point not set with a long chord of 280.30', chord bearing of S10°31'28"E

Radius=4475.39'

Arc=280.33'

Thence following a curve to a point not set with a long chord of 397.21', chord bearing of S63°21'56"E

Radius=255.39'

Arc=455.07'

Thence N65°35'16"E 450.10' to a point not set;

Thence S32°17'53"E 49.69' to an iron rod set;

Thence S65°35'16"W 456.92' to a point not set;

Thence following a curve to a point not set with a long chord of 473.76', chord bearing of N63°21'56"W

Radius=304.61'

Arc=542.77'

Thence following a curve to a point not set with a long chord of 283.38', chord bearing of N10°31'28"W

Radius=4524.61'

Arc=283.41'

Thence N08°43'48"W 1218.66' to a point not set;

Thence following a curve to a point not set with a long chord of 381.96', chord bearing of N24°22'13"W

Radius=708.39'

Arc=386.74'

Thence N40°00'38"W 475.27' to a point not set;

Thence following a curve to a point not set with a long chord of 100.10', chord bearing of N39°32'42"W

Radius=6159.61'

Arc=100.13'

Thence N39°04'45"W 504.41' to a point not set;

Thence following a curve to a point not set with a long chord of 695.26', chord bearing of N15°49'42"W

Radius=880.61'

Arc=366.97'

Thence N73°51'24"E 49.23' to an iron rod set;

Thence following a curve to an iron rod set with a long chord of 344.74', chord bearing of S27°06'48"E

Radius=831.39'

Arc=347.26'

Thence S39°04'45"E 504.41' to an iron rod set;

Thence following a curve to an iron rod set, the True Point of Beginning with a long chord of 99.30', chord bearing of S39°32'42"E

Radius=6110.39'

Arc=99.33'

Said parcel containing 211,137.3 square feet or 4.847 acres, which equates to 19,615.4 square meters or 4.991 cuerdas.

LEGAL DESCRIPTION FOR EASEMENT 3

Beginning at a survey control point in the Ward of Guayacan, said point being a brass disk set in concrete. Said point also known as 'DOG' and having a northing of 805443.8964 and an easting of 933110.4735 noted as the Point of Beginning on the plat labeled "UNITED STATES GOVERNMENT PROPERTY FORMER NAVAL STATION ROOSEVELT ROADS EASEMENT 3". Thence N38°43'22"W 2713.86' to an iron rod set, the True Point of Beginning, having a northing of 807561.2021 and an easting of 934808.1316:

Thence following a curve to an iron rod set with a long chord of 56.94', chord bearing of N32°31'39"E

Radius=690.39'

Arc=56.95'

Thence N30°09'51"E 2439.05' to an iron rod set;

Thence following a curve to an iron rod set with a long chord of 1728.76', chord bearing of N42°07'27"W

Radius=907.39'

Arc=2289.65'

Thence S65°35'16"W 900.31' to an iron rod set;

Thence N32°17'53"W 49.69' to a point not set;

Thence N65°35'16"E 907.13' to a point not set;

Thence following a curve to a point not set with a long chord of 1822.53', chord bearing of S42°07'27"E

Radius=956.61'

Arc=2413.85'

Thence S30°09'51"W 2439.05' to a point not set;

Thence following a curve to a point not set with a long chord of 139.87', chord bearing of S35°35'25"W

Radius=739.61'

Arc=140.08'

Thence N05°12'00"E 90.85' to an iron rod set, the True Point of Beginning

Said parcel containing 285,182.4 square feet or 6.547 acres, which equates to 26,494.4 square meters or 6.741 cuerdas.

LEGAL DESCRIPTION FOR EASEMENT 4

Beginning at a survey control point in the Ward of Guayacan, said point being a brass disk set in concrete. Said point also known as 'DOG' and having a northing of 805443.8964 and an easting of 933110.4735 noted as the Point of Beginning on the plat labeled "UNITED STATES GOVERNMENT PROPERTY FORMER NAVAL STATION ROOSEVELT ROADS EASEMENT 2 AND 4". Thence N62°37'08"E 1139.76' to a point not set, the True Point of Beginning, having a northing of 805,968.0807 and an easting of 934,122.5427:

Thence N00°54'31"E 804.84' to a point not set;

Thence following a curve to a point not set with a long chord of 352.02', chord bearing of N25°23'51"E

Radius=424.61'

Arc=362.97'

Thence N49°53'12"E 523.53' to a point not set;

Thence following a curve to an iron rod set with a long chord of 180.18', chord bearing of N42°23'19"E

Radius=690.39'

Arc=180.70'

Thence S05°12'00"W 90.85' to a point not set;

Thence following a curve to a point not set with a long chord of 114.39', chord bearing of S45°27'05"W

Radius=739.61'

Arc=114.51'

Thence S49°53'12"W 523.53' to a point not set;

Thence following a curve to a point not set with a long chord of 311.21', chord bearing of S25°23'51"W

Radius=375.39'

Arc=320.90'

Thence S00°54'31"W 804.84' to a point not set;

Thence following a curve to a point not set with a long chord of 228.76', chord bearing of S06°58'49"W

Radius=833.39'

Arc=229.49'

Thence S22°19'52"E 75.42' to a point not set;

Thence following a curve to a point not set with a long chord of 367.19', chord bearing of S50°02'12"E

Radius=1543.42'

Arc=368.06'

Thence following a curve to an iron rod set with a long chord of 122.25', chord bearing of N82°40'41"W

Radius=2024.61'

Arc=122.25'

Thence N84°24'28"W 234.63' to a point not set;

Thence following a curve to a point not set with a long chord of 108.82', chord bearing of N20°10'41"E

Radius=107.10'

Arc=114.15'

Thence N14°52'08"W 157.68' to a point not set;

Thence following a curve to a point not set, the True Point of Beginning with a long chord of 242.28', chord bearing of N06°58'49"W

Radius=882.61'

Arc=243.04'

Said parcel containing 139,723.1 square feet or 3.208 acres, which equates to 12,980.8 square meters or 3.303 cuerdas.

LEGAL DESCRIPTION FOR EASEMENT 5

Beginning at a survey control point in the Ward of Guayacan, said point being a brass disk set in concrete. Said point known as "DOG" and having a northing of 805443.8964 and an easting of 933110.4735 noted as the Point of Beginning on the plat labeled "UNITED STATES GOVERNMENT PROPERTY FORMER NAVAL STATION ROOSEVELT ROADS EASEMENT 5". Thence S63°03'51"E 937.62' to an iron rod set, the True Point of Beginning, having a northing of 805019.1597 and an easting of 933946.3774:

Thence N63°28'17"E 59.67' to a point not set;

Thence S18°11'14"E 118.94' to a point not set;

Thence following a curve to a point not set with a long chord of 966.77', chord bearing of S36°32'12"E

Radius=1533.48'

Arc=983.50'

Thence S54°53'10"E 1634.30' to an iron rod set;

Thence S35°06'50"W 59.04' to an iron rod set;

Thence S86°03'23"W 149.04' to an iron rod;

Thence S73°15'38"W 1435.54' to an iron rod set;

Thence N01°00'48"W 51.13' to a point not set;

Thence N73°15'38"E 1421.68' to a point not set;

Thence N35°06'50"E 63.51' to a point not set;

Thence N54°53'10"W 1479.86' to a point not set;

Thence following a curve to a point not set, with a long chord of 1003.94', chord bearing of N36°32'12"W

Radius=1594.52'

Arc=1021.31'

Thence N18°11'14"W 110.29' to a point not set, True Point of Beginning.

Said parcel containing 214,234.4 square feet or 5.538 acres, which equates to 22,411.5 square meters or 5.702 cuerdas.

LEGAL DESCRIPTION FOR EASEMENT 6

Beginning at a survey control point in the Ward of Guayacan, said point being a brass disk set in concrete. Said point known as "DOG" and having a northing of 805443.8964 and an easting of 933110.4735 noted as the Point of Beginning on the plat labeled "UNITED STATES GOVERNMENT PROPERTY FORMER NAVAL STATION ROOSEVELT ROADS EASEMENT 6". Thence S51°52'31"E 3608.69' to an iron rod set, the True Point of Beginning, having a northing of 803215.9800 and an easting of 935949.3161;

Thence S54°53'10"E 1682.19' to an iron rod set;

Thence S35°06'50"W 59.04' to a point not set;

Thence N54°53'10"W 1682.19' to an iron rod set;

Thence N35°06'50"E 59.04' to an iron rod set, True Point of Beginning.

Said parcel containing 99,316.4 square feet or 2.280 acres, which equates to 9,226.8 square meters or 2.348 cuerdas.

LEGAL DESCRIPTION FOR EASEMENT 7

Beginning at a survey control point in the Ward of Guayacan, said point being a brass disk set in concrete. Said point also known as 'DOG' and having a northing of 805443.8964 and an easting of 933110.4735 noted as the Point of Beginning on the plat labeled "UNITED STATES GOVERNMENT PROPERTY FORMER NAVAL STATION ROOSEVELT ROADS EASEMENT 7". Thence N84°48'49"E 678.98' to a iron rod set, the True Point of Beginning, having a northing of 805505.2720 and an easting of 933786.6709:

Thence following a curve to an iron rod set with a long chord of 233.97', chord bearing of S85°20'41"E

Radius=7154.61'

Arc=234.00'

Thence S84°24'28"E 370.31' to an iron rod set;

Thence following a curve to a point not set with a long chord of 406.50', chord bearing of S78°38'46"E

Radius=2024.61'

Arc=407.19'

Thence S72°53'04"E 1013.37' to a point not set;

Thence following a curve to a point not set with a long chord of 370.17', chord bearing of S72°16'21"E

Radius=17324.61'

Arc=370.15'

Thence S71°39'37"E 1034.77' to a point not set;

Thence following a curve to a point not set with a long chord of 179.23', chord bearing of S82°31'33"E

Radius=475.39'

Arc=108.30'

Thence N86°36'32"E 255.03' to a point not set;

Thence following a curve to a point not set with a long chord of 1380.42', chord bearing of S69°39'13"E

Radius=1714.61'

Arc=1420.72'

Thence S45°54'58"E 670.96' to a point not set;

Thence following a curve to a point not set with a long chord of 341.13', chord bearing of S51°10'05"E

Radius=1863.39'

Arc=341.62'

Thence following a curve to a point not set with a long chord of 365.16', chord bearing of S46°46'26"E

Radius=1089.61'

Arc=366.90'

Thence S37°07'39"E 155.80' to a point not set;

Thence following a curve to a point not set with a long chord of 644.81', chord bearing of S16°29'13"E

Radius=914.61'

Arc=658.97'

Thence S04°09'13"W 115.96' to a point not set;

Thence following a curve to a point not set with a long chord of 380.82', chord bearing of S39°35'22"E

Radius=275.39'

Arc=420.50'

Thence following a curve to a point not set with a long chord of 96.52', chord bearing of S89°50'47"E

Radius=425.39'

Arc=96.72'
 Thence N83°38'23"E 113.50' to a point not set;
 Thence following a curve to a point not set with a long chord of 325.11', chord bearing of
 N81°34'11"E
 Radius=4500.39'
 Arc=325.18'
 Thence following a curve to a point not set with a long chord of 327.37', chord bearing of
 S81°57'14"E
 Radius=514.61'
 Arc=333.15'
 Thence following a curve to a point not set with a long chord of 437.63', chord bearing of
 S50°05'07"E
 Radius=949.61'
 Arc=441.60'
 Thence S36°45'47"E 111.79' to a point not set;
 Thence S63°24'52"E 381.66' to a point not set;
 Thence following a curve to a point not set with a long chord of 230.00', chord bearing of
 S81°15'13"E
 Radius=375.39'
 Arc=233.76'
 Thence N80°54'26"E 167.83' to an iron rod set;
 Thence S09°05'34"E 49.22' to an iron rod set;
 Thence S80°54'26"W 167.83' to a point not set;
 Thence following a curve to a point not set with a long chord of 260.16, chord bearing of
 N81°15'13"W
 Radius=424.61'
 Arc=264.41'
 Thence N63°24'52"W 234.68' to a point not set;
 Thence S53°14'13"W 71.16' to an iron rod set;
 Thence N36°45'47"W 265.23' to an iron rod set;
 Thence following a curve to an iron rod set with a long chord of 414.95, chord bearing of
 N50°05'07"W
 Radius=900.39'
 Arc=418.71'
 Thence following a curve to an iron rod set with a long chord of 296.05, chord bearing of
 N81°57'14"W
 Radius=465.39'
 Arc=301.29'
 Thence following a curve to an iron rod set with a long chord of 328.67, chord bearing of
 S81°34'11"W
 Radius=4549.61'
 Arc=328.74'
 Thence S83°38'23"W 113.50' to a point not set;
 Thence following a curve to a point not set with a long chord of 258.88, chord bearing of
 N80°31'59"W
 Radius=474.61'
 Arc=262.21'
 Thence following a curve to a point not set with a long chord of 109.91, chord bearing of
 N72°07'44"W
 Radius=425.39'
 Arc=110.22'
 Thence N79°33'06"W 66.90' to a point not set;
 Thence N08°57'37"E 71.30' to a point not set;
 Thence following a curve to a point not set with a long chord of 173.64, chord bearing of
 N06°33'25"E
 Radius=2070.39'

Arc=173.69'
 Thence N04°09'13"E 130.84' to a point not set;
 Thence following a curve to a point not set with a long chord of 610.11, chord bearing of
 N16°29'13"W
 Radius=865.39'
 Arc=623.50'
 Thence N37°07'39"W 155.80' to a point not set;
 Thence following a curve to a point not set with a long chord of 348.67, chord bearing of
 N46°46'26"W
 Radius=1040.39'
 Arc=350.32'
 Thence following a curve to a point not set with a long chord of 350.15, chord bearing of
 N51°10'05"W
 Radius=1912.61'
 Arc=350.64'
 Thence N45°54'58"W 670.96' to a point not set;
 Thence following a curve to a point not set with a long chord of 1340.80, chord bearing of
 N69°39'13"W
 Radius=1665.39'
 Arc=1379.93'
 Thence S86°36'32"W 255.03' to a point not set;
 Thence following a curve to a point not set with a long chord of 197.78, chord bearing of
 N82°31'33"W
 Radius=524.61'
 Arc=198.97'
 Thence N71°39'37"W 1034.77' to a point not set;
 Thence following a curve to a point not set with a long chord of 369.10, chord bearing of
 N72°16'21"W
 Radius=17275.39'
 Arc=369.10'
 Thence N72°53'04"W 1013.37' to an iron rod set;
 Thence following a curve to a point not set with a long chord of 396.62, chord bearing of
 N78°38'46"W
 Radius=1975.39'
 Arc=397.29'
 Thence N84°24'28"W 370.31' to a point not set;
 Thence following a curve to a point not set with a long chord of 148.75, chord bearing of
 N85°00'27"W
 Radius=7105.39'
 Arc=148.75'
 Thence S18°11'14"E 425.70' to a point not set;
 Thence S63°28'17"W 59.67' to a point not set;
 Thence N18°11'14"W 511.68' to an iron rod set, the True Point of Beginning.

Said parcel containing 547774.2 square feet or 12.575 acres, which equates to 50890.1 square
 meters or 12.948 cuerdas.

LEGAL DESCRIPTION FOR EASEMENT 8

Beginning at a survey control point in the Ward of Guayacan, said point being a brass disk set in concrete. Said point also known as 'CAMP' and having a northing of 800851.3059 and an easting of 941574.6311 noted as the Point of Beginning on the plat labeled "UNITED STATES GOVERNMENT PROPERTY FORMER NAVAL STATION ROOSEVELT ROADS, EASEMENT 8". Thence N48°18'42"E 1016.77' to an iron rod set, the True Point of Beginning, having a northing of 801527.5403 and an easting of 942333.9276:

Thence N80°54'26"E 434.18' to a point not set;

Thence following a curve to a point not set with a long chord of 463.10', chord bearing of N88°02'26"E

Radius=1864.61'

Arc=464.29'

Thence following a curve to a point not set with a long chord of 362.68', chord bearing of S73°28'41"E

Radius=921.61'

Arc=365.07'

Thence S62°07'48"E 205.39' to a point not set;

Thence following a curve to a point not set with a long chord of 267.28', chord bearing of S59°53'37"E

Radius=3424.61'

Arc=267.34'

Thence S57°39'26"E 142.96' to a point not set;

Thence following a curve to a point not set with a long chord of 168.92', chord bearing of N72°25'43"E

Radius=110.39'

Arc=192.34'

Thence N22°30'51"E 341.86' to a point not set;

Thence following a curve to a point not set with a long chord of 140.48', chord bearing of N27°43'01"E

Radius=774.61'

Arc=140.67'

Thence N32°55'10"E 115.54' to a point not set;

Thence following a curve to a point not set with a long chord of 88.65', chord bearing of N19°14'16"E

Radius=187.39'

Arc=89.49'

Thence N05°33'22"E 84.71' to a point not set;

Thence following a curve to a point not set with a long chord of 213.72', chord bearing of N43°17'24"E

Radius=174.61'

Arc=229.99'

Thence N81°01'25"E 75.96' to a point not set;

Thence following a curve to a point not set with a long chord of 389.23', chord bearing of S83°49'31"E

Radius=744.61'

Arc=393.81'

Thence S68°40'26"E 72.89' to a point not set;

Thence following a curve to an iron rod set with a long chord of 117.78', chord bearing of S48°57'51"E

Radius=174.61'

Arc=120.13'

Thence S60°44'45"W 49.22' to an iron rod set;

Thence following a curve to a point not set with a long chord of 84.58', chord bearing of N48°57'51"W

Radius=125.39'

Arc=86.27'

Thence N68°40'26"W 72.89' to a point not set;

Thence following a curve to a point not set with a long chord of 363.50', chord bearing of N83°49'31"W

Radius=695.39'

Arc=367.78'

Thence S81°01'25"W 75.96' to a point not set;

Thence following a curve to a point not set with a long chord of 153.48, chord bearing of S43°17'24"W

Radius=125.39'

Arc=165.16'

Thence S05°33'22"W 84.71' to a point not set;

Thence following a curve to a point not set with a long chord of 111.93, chord bearing of S19°14'16"W

Radius=236.61'

Arc=113.00'

Thence S32°55'10"W 115.54' to a point not set;

Thence following a curve to a point not set with a long chord of 131.55, chord bearing of S27°43'01"W

Radius=725.39'

Arc=131.73'

Thence S22°30'51"W 341.86' to a point not set;

Thence following a curve to an iron rod set with a long chord of 244.23, chord bearing of S72°25'43"W

Radius=159.61'

Arc=278.09'

Thence N57°39'26"W 142.96' to an iron rod set;

Thence following a curve to an iron rod set with a long chord of 263.44, chord bearing of N59°53'37"W

Radius=3375.39'

Arc=263.50'

Thence N62°07'48"W 205.39' to an iron rod set;

Thence following a curve to an iron rod set with a long chord of 343.32, chord bearing of N73°28'41"W

Radius=872.39'

Arc=345.57'

Thence following a curve to an iron rod set with a long chord of 450.87, chord bearing of S88°02'26"W

Radius=1815.39'

Arc=452.04'

Thence S80°54'26"W 434.18' to an iron rod set;

Thence N09°05'34"W 49.22' to an iron rod set, the True Point of Beginning.

Said parcel containing 182,440.5 square feet or 4.188 acres, which equates to 16,949.3 square meters or 4.312 cuerdas.

LEGAL DESCRIPTION FOR EASEMENT 9

Beginning at a survey control point in the Ward of Machos, said point being a brass disk set in concrete. Said point also known as 'MEDIO' and having a northing of 811980.2405 and an easting of 943163.0741 noted as the Point of Beginning on the plat labeled "UNITED STATES GOVERNMENT PROPERTY FORMER NAVAL STATION ROOSEVELT ROADS EASEMENT 9". Thence S42°23'29"W 2323.47' to an iron rod set, the True Point of Beginning, having a northing of 810264.2284 and an easting of 941596.6070:

Thence S32°59'45"W 82.86' to a point not set;
Thence following a curve to a point not set with a long chord of 134.73', chord bearing of S07°18'20"W

Radius=155.39'

Arc=139.35'

Thence S18°23'05"E 614.93' to a point not set;
Thence following a curve to a point not set with a long chord of 519.04', chord bearing of S07°11'21"E

Radius=1336.61'

Arc=522.35'

Thence following a curve to a point not set with a long chord of 409.95', chord bearing of S20°10'31"E

Radius=500.39'

Arc=422.38'

Thence S44°21'26"E 316.11' to a point not set;
Thence following a curve to a point not set with a long chord of 279.89', chord bearing of S48°38'12"E

Radius=1875.39'

Arc=280.15'

Thence S52°54'58"E 262.43' to a point not set;
Thence following a curve to a point not set with a long chord of 327.97', chord bearing of S44°00'48"E

Radius=1059.61'

Arc=329.29'

Thence S35°06'38"E 708.86' to a point not set;
Thence following a curve to a point not set with a long chord of 373.98', chord bearing of S29°35'03"E

Radius=1941.61'

Arc=374.56'

Thence S24°03'27"E 204.94' to a point not set;
Thence following a curve to a point not set with a long chord of 176.57', chord bearing of S22°00'17"E

Radius=2464.61'

Arc=176.61'

Thence S19°57'06"E 375.36' to a point not set;
Thence following a curve to a point not set with a long chord of 163.91', chord bearing of S47°48'32"E

Radius=175.39'

Arc=170.55'

Thence following a curve to a point not set with a long chord of 222.47', chord bearing of S51°29'26"E

Radius=271.61'

Arc=229.21'

Thence S27°18'54"E 248.18' to a point not set;
Thence following a curve to a point not set with a long chord of 418.53', chord bearing of S01°54'00"E

Radius=487.61'
 Arc=432.58'
 Thence following a curve to a point not set with a long chord of 722.70', chord bearing of
 S06°02'21"E
 Radius=732.60'
 Arc=755.77'
 Thence S35°35'35"E 38.54' to a point not set;
 Thence following a curve to a point not set with a long chord of 161.65', chord bearing of
 S40°29'50"E
 Radius=945.39'
 Arc=161.85'
 Thence following a curve to a point not set with a long chord of 194.35', chord bearing of
 S23°14'25"E
 Radius=257.61'
 Arc=199.28'
 Thence S01°04'45"E 554.93' to a point not set;
 Thence following a curve to a point not set with a long chord of 199.53', chord bearing of
 S20°08'47"E
 Radius=305.39'
 Arc=203.26'
 Thence S39°12'50"E 315.83' to a point not set;
 Thence following a curve to a point not set with a long chord of 200.61', chord bearing of
 S02°53'13"W
 Radius=149.61'
 Arc=219.87'
 Thence S44°59'16"W 27.23' to a point not set;
 Thence following a curve to a point not set with a long chord of 343.49', chord bearing of
 S65°05'37"W
 Radius=499.61'
 Arc=350.64'
 Thence S85°11'57"W 104.52' to a point not set;
 Thence following a curve to a point not set with a long chord of 229.39', chord bearing of
 S44°21'35"W
 Radius=175.39'
 Arc=250.03'
 Thence S03°31'12"W 236.43' to a point not set;
 Thence following a curve to a point not set with a long chord of 170.76', chord bearing of
 S14°08'35"E
 Radius=281.39'
 Arc=173.49'
 Thence S31°48'22"E 236.41' to a point not set;
 Thence following a curve to a point not set with a long chord of 114.50', chord bearing of
 S34°40'16"E
 Radius=1145.39'
 Arc=114.55'
 Thence S37°32'10"E 355.00' to a point not set;
 Thence S32°55'10"W 35.18' to a point not set;
 Thence following a curve to a point not set with a long chord of 55.09', chord bearing of
 S30°52'53"W
 Radius=774.61'
 Arc=55.10'
 Thence N08°32'02"W 72.51' to a point not set;
 Thence N37°32'10"W 323.62' to a point not set;
 Thence following a curve to a point not set with a long chord of 119.42', chord bearing of
 N34°40'16"W
 Radius=1194.61'

Arc=119.47
 Thence N31°48'22"W 236.41' to a point not set;
 Thence following a curve to a point not set with a long chord of 200.63', chord bearing of
 N14°08'35"W
 Radius=330.61'
 Arc=203.84
 Thence N03°31'12"E 236.43' to a point not set;
 Thence following a curve to a point not set with a long chord of 293.76', chord bearing of
 N44°21'35"E
 Radius=224.61'
 Arc=320.20
 Thence N85°11'57"E 104.52' to a point not set;
 Thence following a curve to a point not set with a long chord of 309.65', chord bearing of
 N65°05'37"E
 Radius=450.39'
 Arc=316.09
 Thence N44°59'16"E 27.23' to a point not set;
 Thence following a curve to a point not set with a long chord of 134.61', chord bearing of
 N02°53'13"E
 Radius=100.39'
 Arc=147.53
 Thence N39°12'50"W 315.83' to a point not set;
 Thence following a curve to a point not set with a long chord of 231.69', chord bearing of
 N20°08'47"W
 Radius=354.61'
 Arc=236.02
 Thence N10°04'45"W 554.93' to a point not set;
 Thence following a curve to a point not set with a long chord of 157.22', chord bearing of
 N23°14'25"W
 Radius=208.39'
 Arc=161.21
 Thence following a curve to a point not set with a long chord of 170.06', chord bearing of
 N40°29'50"W
 Radius=994.61'
 Arc=170.27
 Thence N35°35'35"W 38.54' to a point not set;
 Thence following a curve to a point not set with a long chord of 771.26', chord bearing of
 N06°02'21"W
 Radius=781.82'
 Arc=806.55
 Thence following a curve to a point not set with a long chord of 376.29', chord bearing of
 N01°54'00"W
 Radius=438.39'
 Arc=388.92
 Thence N27°18'54"W 248.18' to a point not set;
 Thence following a curve to a point not set with a long chord of 182.15', chord bearing of
 N51°29'26"W
 Radius=222.39'
 Arc=187.67
 Thence following a curve to a point not set with a long chord of 209.91', chord bearing of
 N47°48'32"W
 Radius=224.61'
 Arc=218.41
 Thence N19°57'06"W 375.36' to a point not set;
 Thence following a curve to a point not set with a long chord of 173.04', chord bearing of
 N22°00'17"W

Radius=2415.39'
 Arc=173.08
 Thence N24°03'27"W 204.94' to a point not set;
 Thence following a curve to a point not set with a long chord of 364.50', chord bearing of
 N29°35'03"W
 Radius=1892.39'
 Arc=365.07
 Thence N35°06'38"W 708.86' to a point not set;
 Thence following a curve to a point not set with a long chord of 312.73', chord bearing of
 N44°00'48"W
 Radius=1010.39'
 Arc=314.00
 Thence N52°54'58"W 262.43' to a point not set;
 Thence following a curve to a point not set with a long chord of 287.24', chord bearing of
 N48°38'12"W
 Radius=1924.61'
 Arc=287.51
 Thence N44°21'26"W 316.11' to a point not set;
 Thence following a curve to a point not set with a long chord of 450.28', chord bearing of
 N20°10'31"W
 Radius=549.61'
 Arc=463.93
 Thence following a curve to a point not set with a long chord of 499.92', chord bearing of
 N07°11'21"W
 Radius=1287.39'
 Arc=503.12
 Thence N18°23'05"W 614.93' to a point not set;
 Thence following a curve to a point not set with a long chord of 177.40', chord bearing of
 N07°18'20"E
 Radius=204.61'
 Arc=183.49
 Thence N32°59'45"E 74.06' to a point not set;
 Thence S67°08'10"E 50.00' to a point not set, the True Point of Beginning.

Said parcel containing 504,031.5 square feet or 11.571 acres, which equates to 46,826.2 square
 meters or 11.914 cuerdas.

LEGAL DESCRIPTION
EASEMENT 10

Beginning at a survey control point in the Ward of Guayacan, said point being a brass disk set in concrete. Said point also known as 'DOCK' and having a northing of 801006.9442 and an easting of 938162.6251 noted as the Point of Beginning on the plat labeled "UNITED STATES GOVERNMENT PROPERTY FORMER NAVAL STATION ROOSEVELT ROADS EASEMENT 10". Thence N82°18'33"W 6368.65' to an iron rod set, the True Point of Beginning, having a northing of 801859.2585 and an easting of 931851.2678:

Thence N21°17'11"W 70.94' to a point not set;

Thence following a curve to a point not set with a long chord of 544.78', chord bearing of N62°20'51"E

Radius = 1438.79'

Arc = 548.09'

Thence N73°15'38"E 791.28' to a point not set;

Thence S16°44'22"E 9.18' to a point not set;

Thence N73°15'38"E 1381.12' to a point not set;

Thence S01°00'48"E 51.13' to an iron rod set;

Thence S73°15'38"W 1367.26' to an iron rod set;

Thence S16°44'22"E 9.18' to an iron rod set;

Thence S73°15'38"W 791.28' to an iron rod set;

Thence following a curve to an iron rod set, the True Point of Beginning with a long chord of 539.87', chord bearing of S61°54'26"W

Radius = 1371.21'

Arc = 543.42'

Said parcel containing 157,993.8 square feet or 3.627 acres, which equates to 14,678.2 square meters or 3.735 cuerdas.

LEGAL DESCRIPTION EASEMENT 11

Beginning at a survey control point in the Ward of Guayacan, said point being a brass disk set in concrete. Said point also known as 'DELICIAS' and having a northing of 799143.8537 and an easting of 927504.4901 noted as the Point of Beginning on the plat labeled "UNITED STATES GOVERNMENT PROPERTY FORMER NAVAL STATION ROOSEVELT ROADS EASEMENT 11". Thence S83°29'58"W 1270.45' to an iron rod set, the True Point of Beginning, having a northing of 799000.0249 and an easting of 926242.2090:

Thence following a curve to a point not set with a long chord of 206.40', chord bearing of S44°37'24"E

Radius=799.52'

Arc=206.98'

Thence S37°12'25"E 184.72' to a point not set;

Thence following a curve to a point not set with a long chord of 310.18', chord bearing of S16°02'25"E

Radius=429.52'

Arc=317.35'

Thence S05°07'35"W 113.24' to a point not set;

Thence following a curve to a point not set with a long chord of 295.16', chord bearing of S13°33'58"E

Radius=460.48'

Arc=300.46'

Thence S32°15'31"E 300.98' to a point not set;

Thence following a curve to a point not set with a long chord of 368.15', chord bearing of S16°53'22"E

Radius=694.52'

Arc=372.60'

Thence S01°31'13"E 874.38' to a point not set;

Thence following a curve to a point not set with a long chord of 478.71', chord bearing of S11°36'57"E

Radius=1365.48'

Arc=481.20'

Thence following a curve to a point not set with a long chord of 450.35', chord bearing of S85°44'10"E

Radius=250.48'

Arc=559.79'

Thence N30°14'21"E 582.72' to a point not set;

Thence N59°45'39"W 19.69' to a point not set;

Thence N30°14'21"E 467.43' to a point not set;

Thence following a curve to a point not set with a long chord of 1610.03', chord bearing of N32°20'28"E

Radius=21949.21'

Arc=1610.45'

Thence N34°26'35"E 721.41' to a point not set;

Thence following a curve to a point not set with a long chord of 1138.26', chord bearing of N39°17'54"E

Radius=6724.21'

Arc=1139.63'

Thence following a curve to a point not set with a long chord of 684.73', chord bearing of N54°49'22"E

Radius=1849.21'

Arc=688.70'

Thence N65°29'32"E 226.98' to a point not set;

Thence S24°30'28"E 15.42' to a point not set;

Thence following a curve to a point not set with a long chord of 577.17', chord bearing of N42°44'26"E

Radius=746.21'

Arc=592.63'

Thence N19°59'21"E 655.01' to a point not set;

Thence following a curve to a point not set with a long chord of 779.77', chord bearing of N35°42'42"E

Radius=1438.79'

Arc=789.65'

Thence S21°17'11"E 70.94' to an iron rod set;

Thence following a curve to a point not set with a long chord of 722.84', chord bearing of S35°16'17"W

Radius=1371.21'

Arc=731.48'

Thence S19°59'21"W 651.23' to a point not set;

Thence following a curve to a point not set with a long chord of 629.45', chord bearing of S42°44'26"W

Radius=813.79'

Arc=646.30'

Thence S24°30'28"E 15.42' to a point not set;

Thence S65°29'32"W 226.98' to a point not set;

Thence following a curve to a point not set with a long chord of 648.29', chord bearing of S54°49'22"W

Radius=1750.79'

Arc=652.05'

Thence following a curve to a point not set with a long chord of 1121.60', chord bearing of S39°17'54"W

Radius=6625.79'

Arc=1122.95'

Thence S34°26'35"W 721.41' to a point not set;

Thence following a curve to a point not set with a long chord of 1602.81', chord bearing of S32°20'28"W

Radius=21850.79'

Arc=1603.23'

Thence S30°14'21"W 467.43' to a point not set;

Thence N59°45'39"W 19.69' to a point not set;

Thence S30°14'21"W 582.72' to a point not set;

Thence following a curve to an iron rod set with a long chord of 556.51', chord bearing of N85°44'10"W

Radius=309.52'

Arc=691.74'

Thence following a curve to an iron rod set with a long chord of 499.41', chord bearing of N11°36'57"W

Radius=1424.52'

Arc=502.01'

Thence N01°31'13"W 874.38' to an iron rod set;

Thence following a curve to an iron rod set with a long chord of 336.85', chord bearing of N16°53'22"W

Radius=635.48'

Arc=340.93'

Thence N32°15'31"W 300.98' to an iron rod set;

Thence following a curve to an iron rod set with a long chord of 333.00', chord bearing of N13°33'58"W

Radius=519.52'

Arc=338.98'

Thence N05°07'35"E 113.24' to an iron rod set;

Thence following a curve to an iron rod set with a long chord of 267.55', chord bearing of N16°02'25"W

Radius=370.48'

Arc=273.73'

Thence N37°12'25"W 184.72' to an iron rod set;

Thence following a curve to an iron rod set with a long chord of 203.46', chord bearing of N45°06'13"W

Radius=740.48'

Arc=204.10'

Thence N49°48'48"E 60.44' to an iron rod set, the True Point of Beginning.

Said parcel containing 869,213.9 square feet or 19.954 acres, which equates to 80,572.9 square meters or 20.546 cuerdas.

LEGAL DESCRIPTION FOR EASEMENT 12

Beginning at a survey control point in the Ward of Guayacan, said point being a brass disk set in concrete. Said point also known as 'DELICIAS' and having a northing of 799143.8537 and an easting of 927504.4901 noted as the Point of Beginning on the plat labeled "UNITED STATES GOVERNMENT PROPERTY FORMER NAVAL STATION ROOSEVELT ROADS EASEMENT 12". Thence N86°08'59"E 2916.67' to an iron rod set, the True Point of Beginning, having a northing of 799339.7094 and an easting of 930414.5800:

Thence following a curve to an iron rod set; with a long chord of 394.07', a chord bearing of S88°16'14"E,

Radius= 694.61'

Arc=399.55'

Thence S18°12'29"W 49.22' to a point not set;

Thence following a curve to a point not set; with a long chord of 366.14', a chord bearing of N88°16'14"W,

Radius= 645.39'

Arc=371.24'

Thence S75°15'02"W 302.30' to a point not set;

Thence following a curve to a point not set; with a long chord of 433.01', a chord bearing of N79°52'10"W,

Radius= 514.61'

Arc=446.92'

Thence N54°59'22"W 22.37' to a point not set;

Thence following a curve to a point not set; with a long chord of 49.37', a chord bearing of N39°39'44"E,

Radius= 6625.79'

Arc=49.37'

Thence S54°59'22"E 18.37' to a point not set;

Thence following a curve to a point not set; with a long chord of 391.60', a chord bearing of S79°52'10"E,

Radius= 465.39'

Arc=404.18'

Thence N75°15'02"E 302.30' to an iron rod set, the True Point of Beginning.

Said parcel containing 55,798.0 square feet or 1.281 acres, which equates to 5,183.8 square meters or 1.319 cuerdas.

LEGAL DESCRIPTION FOR EASEMENT 13

Beginning at a survey control point in the Ward of Guayacan, said point being a brass disk set in concrete. Said point also known as 'DELVIS' and having a northing of 796646.7678 and an easting of 927749.8902 noted as the Point of Beginning on the plat labeled "UNITED STATES GOVERNMENT PROPERTY FORMER NAVAL STATION ROOSEVELT ROADS EASEMENT 13". Thence S78°52'34"E 168.01' to an iron rod set, the True Point of Beginning, having a northing of 796614.3537 and an easting of 927914.7410:

Thence N30°14'21"E 51.03' to a point not set;

Thence S75°02'51"E 919.53' to a point not set;

Thence following a curve to a point not set; with a long chord of 462.99', a chord bearing of S29°33'20"E,

Radius= 324.61'

Arc=515.47'

Thence S15°56'11"W 360.72' to a point not set;

Thence following a curve to a point not set; with a long chord of 418.08', a chord bearing of S01°33'03"W,

Radius= 841.39'

Arc=422.51'

Thence S12°50'05"E 705.02' to a point not set;

Thence following a curve to a point not set; with a long chord of 237.97', a chord bearing of S10°24'27"E,

Radius= 2809.61'

Arc=238.04'

Thence S07°58'50"E 664.13' to a point not set;

Thence following a curve to a point not set; with a long chord of 161.35', a chord bearing of S12°03'18"E,

Radius= 1135.39'

Arc=161.48'

Thence S16°07'47"E 406.15' to a point not set;

Thence following a curve to a point not set; with a long chord of 121.76', a chord bearing of S21°04'50"E,

Radius= 705.39'

Arc=121.91'

Thence S26°01'54"E 754.37' to a point not set;

Thence N63°58'06"E 29.53' to a point not set;

Thence following a curve to an iron rod set; with a long chord of 243.72', a chord bearing of S17°46'50"E,

Radius= 849.14'

Arc=244.57'

Thence S09°31'46"E 282.37' to an iron rod set;

Thence following a curve to an iron rod set; with a long chord of 294.29', a chord bearing of S40°30'35"E,

Radius= 285.86'

Arc=309.13'

Thence S18°30'36"W 29.53' to a point not set;

Thence S71°29'24"E 79.41' to a point not set;

Thence following a curve to a point not set; with a long chord of 143.96', a chord bearing of S83°20'41"E,

Radius= 350.39'

Arc=144.99'

Thence N84°48'02"E 272.81' to an iron rod set;

Thence following a curve to an iron rod set; with a long chord of 241.06', a chord bearing of S70°36'19"E,

Radius= 289.61'

Arc=248.63'

Thence following a curve to an iron rod set; with a long chord of 530.38', a chord bearing of N84°01'47"E,

Radius= 346.39'

Arc=604.07'

Thence S55°55'45"E 49.22' to a iron rod set;

Thence following a curve to a point not set; with a long chord of 605.74', a chord bearing of S84°01'47"W,

Radius= 395.61'

Arc=689.90'

Thence following a curve to a point not set; with a long chord of 200.09', a chord bearing of N70°36'19"W,

Radius= 240.39'

Arc=206.37'

Thence S84°48'02"W 272.81' to a point not set;

Thence following a curve to a point not set; with a long chord of 164.18', a chord bearing of N83°20'41"W,

Radius= 399.61'

Arc=165.36'

Thence N71°29'24"W 79.41' to a point not set;

Thence following a curve to a point not set; with a long chord of 375.36', a chord bearing of N40°30'35"W,

Radius= 364.61'

Arc=394.30'

Thence N09°31'46"W 282.37' to a point not set;

Thence following a curve to a point not set; with a long chord of 221.12', a chord bearing of N17°46'50"W,

Radius= 770.39'

Arc=221.88'

Thence N26°01'54"W 754.37' to a point not set;

Thence following a curve to a point not set; with a long chord of 130.25', a chord bearing of N21°04'50"W,

Radius= 754.61'

Arc=130.41'

Thence N16°07'47"W 406.15' to a point not set;

Thence following a curve to a point not set; with a long chord of 168.34', a chord bearing of N12°03'18"W,

Radius= 1184.61'

Arc=168.49'

Thence N07°58'50"W 664.13' to a point not set;

Thence following a curve to a point not set; with a long chord of 233.80', a chord bearing of N10°24'27"W,

Radius= 2760.39'

Arc=233.87'

Thence N12°50'05"W 705.02' to a point not set;

Thence following a curve to a point not set; with a long chord of 442.54', a chord bearing of N01°33'03"E,

Radius= 890.61'

Arc=447.22'

Thence N15°56'11"E 360.72' to a point not set;

Thence following a curve to a point not set; with a long chord of 392.79', a chord bearing of N29°33'20"W,

Radius= 275.39'

Arc=437.31'

Thence N75°02'51"W 932.99' to an iron rod set, the True Point of Beginning.

Said parcel containing 394,968.0 square feet or 9.067 acres, which equates to 36,693.9 square meters or 9.336 cuerdas.

LEGAL DESCRIPTION FOR EASEMENT 14

Beginning at a survey control point in the Ward of Guayacan, said point being a brass disk set in concrete. Said point also known as 'DELVIS' and having a northing of 796646.7678 and an easting of 927749.8902 noted as the Point of Beginning on the plat labeled "UNITED STATES GOVERNMENT PROPERTY FORMER NAVAL STATION ROOSEVELT ROADS EASEMENT 14". Thence S47°16'47"E 6610.93' to an iron rod set, the True Point of Beginning, having a northing of 792161.7895 and an easting of 932606.7849:

Thence S48°34'14"W 49.22' to an iron rod set;

Thence following a curve to a point not set; with a long chord of 327.40', a chord bearing of N51°48'41"W,

Radius= 908.39'

Arc=329.19'

Thence N62°11'35"W 204.46' to a point not set;

Thence following a curve to a point not set; with a long chord of 285.17', a chord bearing of N87°30'50"W,

Radius= 333.39'

Arc=294.67'

Thence S67°09'55"W 249.07' to a point not set;

Thence following a curve to a point not set; with a long chord of 273.38', a chord bearing of S50°35'54"W,

Radius= 479.39'

Arc=277.23'

Thence S34°01'53"W 112.96' to a point not set;

Thence following a curve to a point not set; with a long chord of 157.69', a chord bearing of S03°58'06"W,

Radius= 157.39'

Arc=165.17'

Thence S26°05'42"E 141.99' to a point not set;

Thence following a curve to an iron rod set; with a long chord of 275.30', a chord bearing of S03°59'17"W,

Radius= 274.61'

Arc=288.37'

Thence N55°55'45"W 49.22' to an iron rod set;

Thence following a curve to a point not set; with a long chord of 225.95', a chord bearing of N03°59'17"E,

Radius= 225.39'

Arc=236.68'

Thence N26°05'42"W 141.99' to a point not set;

Thence following a curve to a point not set; with a long chord of 207.00', a chord bearing of N03°58'06"E,

Radius= 206.61'

Arc=216.82'

Thence N34°01'53"E 112.96' to a point not set;

Thence following a curve to a point not set; with a long chord of 301.45', a chord bearing of N50°35'54"E,

Radius= 528.61'

Arc=305.69'

Thence N67°09'55"E 249.07' to a point not set;

Thence following a curve to a point not set; with a long chord of 327.27', a chord bearing of S87°30'50"E,

Radius= 382.61'

Arc=338.17'

Thence S62°11'35"E 204.46' to a point not set;

Thence following a curve to an iron rod set; the True Point of Beginning with a long chord of 345.14', a chord bearing of S51°48'41"E,

Radius= 957.61'

Arc=347.03'

Said parcel containing 103,755.2 square feet or 2.382 acres, which equates to 9,639.2 square meters or 2.452 cuerdas.

LEGAL DESCRIPTION FOR EASEMENT 15 I

Beginning at a survey control point in the Ward of Machos, said point being a brass disk set in concrete. Said point also known as 'CAMP' and having a northing of 800851.3059 and an easting of 941574.6311 noted as the Point of Beginning on the plat labeled "EASEMENT 15 I". Thence S58°15'43"W 1415.33' to an iron rod set, the True Point of Beginning, having a northing of 800106.7923 and an easting of 940370.9503:

Thence S53°34'53"E 189.86' to an iron rod set;

Thence S50°43'25"E 313.99' to an iron rod set;

Thence following a curve to an iron rod set with a long chord of 278.22', chord bearing of S52°59'29"E

Radius=3515.39'

Arc=278.30'

Thence S34°44'26"W 49.22' to a point not set;

Thence following a curve to a point not set with a long chord of 282.12', chord bearing of N52°59'29"W

Radius=3564.61'

Arc=282.19'

Thence N50°43'25"W 313.99' to a point not set;

Thence N56°37'00"W 186.32' to a point not set;

Thence N54°53'10"W 2578.10' to an iron rod set;

Thence N35°07'20"E 59.04' to an iron rod set;

Thence S54°53'10"E 2578.09' to an iron rod set, the True Point of Beginning.

Said parcel containing 191,623.6 square feet or 4.399 acres, which equates to 17,802.5 square meters or 4.529 cuerdas.

LEGAL DESCRIPTION FOR EASEMENT 15 II

Beginning at a survey control point in the Ward of Machos, said point being a brass disk set in concrete. Said point also known as 'CAMP' and having a northing of 800851.3059 and an easting of 941574.6311 noted as the Point of Beginning on the plat labeled "UNITED STATES GOVERNMENT PROPERTY FORMER NAVAL STATION ROOSEVELT ROADS EASEMENT 15 II". Thence N71°48'01"W 4473.04' to an iron rod set, the True Point of Beginning, having a northing of 802248.3777 and an easting of 937325.3615:

Thence S54°53'10"E 1145.08' to an iron rod set;

Thence S35°07'20"W 59.04' to an iron rod set;

Thence N54°53'10"W 1145.07' to a point not set;

Thence N35°06'50"E 59.04' to an iron rod set, True Point of Beginning.

Said parcel containing 67,605.1 square feet or 1.552 acres, which equates to 6,208.7 square meters or 1.598 cuerdas.

LEGAL DESCRIPTION FOR EASEMENT 16

Beginning at a survey control point in the Ward of Machos, said point being a brass disk set in concrete. Said point also known as 'CAMP' and having a northing of 800851.3059 and an easting of 941574.6311 noted as the Point of Beginning on the plat labeled "UNITED STATES GOVERNMENT PROPERTY FORMER NAVAL STATION ROOSEVELT ROADS EASEMENT 16". Thence S25°34'47"W 1356.43' to a PK nail set, the True Point of Beginning, having a northing of 799627.8270 and an easting of 940988.9671:

Thence S55°15'34"E 1622.79' to a point not set;

Thence following a curve to a point not set with a long chord of 317.94', chord bearing of S44°08'39"E

Radius=824.61'

Arc=319.94'

Thence following a curve to a point not set with a long chord of 471.02', chord bearing of S44°53'41"E

Radius=1145.39'

Arc=474.41'

Thence S56°45'37"E 453.21' to a point not set;

Thence following a curve to a point not set with a long chord of 885.86', chord bearing of S25°20'19"E

Radius=849.61'

Arc=931.87'

Thence S06°04'59"W 307.16' to a point not set;

Thence following a curve to a point not set with a long chord of 263.68', chord bearing of S47°25'16"W

Radius=199.61'

Arc=288.03'

Thence S88°45'33"W 199.61' to a point not set;

Thence following a curve to a point not set with a long chord of 512.24', chord bearing of S54°06'07"W

Radius=450.39'

Arc=544.87'

Thence S19°26'41"W 326.67' to a point not set;

Thence following a curve to a point not set with a long chord of 80.15', chord bearing of S20°22'22"W

Radius=2474.61'

Arc=80.15'

Thence S21°18'03"W 174.42' to a point not set;

Thence following a curve to a point not set with a long chord of 181.43', chord bearing of N15°47'57"W

Radius=150.39'

Arc=194.76'

Thence S52°53'57"E 1350.91' to an iron rod set;

Thence S37°06'03"W 49.22' to an iron rod set;

Thence N52°53'57"W 1350.91' to a point not set;

Thence following a curve to a point not set with a long chord of 240.81', chord bearing of N15°47'57"W

Radius=199.61'

Arc=258.50'

Thence N21°18'03"E 174.42' to a point not set;

Thence following a curve to a point not set with a long chord of 78.56', chord bearing of N20°22'22"E

Radius=2425.39'

Arc=78.56'

Thence N19°26'41"E 326.67' to a point not set;
Thence following a curve to a point not set with a long chord of 568.22', chord bearing of
N54°06'07"E

Radius=499.61'

Arc=604.41'

Thence N88°45'33"E 199.61' to a point not set;
Thence following a curve to a point not set with a long chord of 198.67', chord bearing of
N47°25'16"E

Radius=150.39'

Arc=217.01'

Thence N06°04'59"E 307.16' to a point not set;
Thence following a curve to a point not set with a long chord of 834.54, chord bearing of
N25°20'19"W

Radius=800.39'

Arc=877.89'

Thence N56°45'37"W 453.21' to a point not set;
Thence following a curve to a point not set with a long chord of 491.26, chord bearing of
N44°53'41"W

Radius=1194.61'

Arc=494.79'

Thence following a curve to a point not set with a long chord of 298.96, chord bearing of
N44°08'39"W

Radius=775.39'

Arc=300.84'

Thence N55°15'34"W 1622.79' to a point not set;
Thence N34°44'26"E 49.22' to a PK nail set, True Point of Beginning.

Said parcel containing 357719.9 square feet or 8.212 acres, which equates to 33233.4 square
meters or 8.455 cuerdas.

LEGAL DESCRIPTION EASEMENT 17

Beginning at a survey control point in the Ward of Guayacan, said point being a brass disk set in concrete. Said point also known as 'EMBEACH' and having a northing of 798535.1118 and an easting of 943260.8239 noted as the Point of Beginning on the plat labeled "UNITED STATES GOVERNMENT PROPERTY FORMER NAVAL STATION ROOSEVELT ROADS EASEMENT 17". Thence S70°34'51"W 1062.22' to an iron rod set, the True Point of Beginning, having a northing of 798181.9491 and an easting of 942259.0304:

Thence S20°24'39"W 163.17' to an iron rod set;

Thence S35°11'24"W 90.57' to an iron rod set;

Thence S44°07'15"W 227.64' to a point not set;

Thence N45°48'06"W 38.83' to a point not set;

Thence N44°11'54"E 120.58' to a point not set;

Thence following a curve to a point not set with a long chord of 1000.12', chord bearing of N05°31'50"E

Radius=655.39'

Arc=1137.67'

Thence S55°15'34"E 344.36' to a point not set;

Thence S34°44'26"W 40.66' to a point not set;

Thence following a curve to a point not set, the True Point of Beginning with a long chord of 491.31', chord bearing of S05°35'53"E

Radius=704.61'

Arc=501.85'

Said parcel containing 54,671.6 square feet or 1.255 acres, which equates to 5,079.2 square meters or 1.292 cuerdas.

LEGAL DESCRIPTION FOR EASEMENT 18

Beginning at a survey control point in the Ward of Guayacan, said point being a brass disk set in concrete. Said point also known as 'DELICIAS' and having a northing of 799143.8537 and an easting of 927504.4901 noted as the Point of Beginning on the plat labeled "UNITED STATES GOVERNMENT PROPERTY FORMER NAVAL STATION ROOSEVELT ROADS EASEMENT 18". Thence S82°02'45"W 1321.16' to an iron rod set, the True Point of Beginning, having a northing of 798961.0287 and an easting of 926196.0422:

Thence following a curve to a point not set with a long chord of 58.03', chord bearing of N55°14'45"W

Radius=740.48'

Arc=58.05'

Thence following a curve to a point not set with a long chord of 749.97', chord bearing of N68°57'48"W

Radius=1885.48'

Arc=755.01'

Thence N80°26'05"W 333.41' to a point not set;

Thence N02°53'40"E 59.44' to an iron rod set;

Thence S80°26'05"E 340.32' to a point not set;

Thence following a curve to a point not set with a long chord of 773.46', chord bearing of S68°57'48"E

Radius=1944.52'

Arc=778.65'

Thence following a curve to a point not set with a long chord of 76.05', chord bearing of S54°45'56"E

Radius=799.52'

Arc=76.08'

Thence S49°48'46"W 60.43' to an iron rod set, the True Point of Beginning.

Said parcel containing 69,121.9 square feet or 1.587 acres, which equates to 6,421.7 square meters or 1.634 cuerdas.

LEGAL DESCRIPTION FOR EASEMENT 19

Beginning at a survey control point in the Ward of Guayacan, said point being a brass disk set in concrete. Said point also known as 'DELICIAS' and having a northing of 799143.8537 and an easting of 927504.4901 noted as the Point of Beginning on the plat labeled "UNITED STATES GOVERNMENT PROPERTY FORMER NAVAL STATION ROOSEVELT ROADS EASEMENT 19". Thence N84°23'00"W 2393.39' to an iron rod set, the True Point of Beginning, having a northing of 799378.0976 and an easting of 925122.5952:

Thence S02°53'40"W 59.44' to a point not set;

Thence N80°26'05"W 1000.44' to a point not set;

Thence following a curve to a point not set with a long chord of 524.92', chord bearing of N86°52'24"W

Radius=2340.48'

Arc=526.02'

Thence S86°41'17"W 956.85' to a point not set;

Thence S03°18'43"E 19.69' to a point not set;

Thence following a curve to a point not set with a long chord of 328.45', chord bearing of S73°39'55"W

Radius=728.79'

Arc=331.29'

Thence N29°21'27"W 19.69' to a point not set;

Thence S60°38'33"W 1014.42' to a point not set;

Thence following a curve to a point not set with a long chord of 440.23', chord bearing of S77°37'38"W

Radius=753.52'

Arc=446.74'

Thence N85°23'18"W 105.09' to a point not set;

Thence S06°29'05"W 565.74' to a point not set;

Thence following a curve to a point not set with a long chord of 240.83', chord bearing of S12°29'15"E

Radius=370.39'

Arc=245.29'

Thence S31°27'34"E 205.67' to a point not set;

Thence following a curve to an iron rod set with a long chord of 512.82', chord bearing of S25°12'28"E

Radius=2354.61'

Arc=513.83'

Thence S71°02'38"W 49.22' to an iron rod set;

Thence following a curve to an iron rod set with a long chord of 502.10', chord bearing of N25°12'28"W

Radius=2305.39'

Arc=503.09'

Thence N31°27'34"W 205.67' to an iron rod set;

Thence following a curve to a point not set with a long chord of 272.84', chord bearing of N12°29'15"E

Radius=419.61'

Arc=277.89'

Thence N06°29'05"E 488.65' to a point not set;

Thence N11°14'04"E 135.38' to a point not set;

Thence S85°23'18"E 141.19' to a point not set;

Thence following a curve to a point not set with a long chord of 405.74', chord bearing of N77°37'38"E

Radius=694.48'

Arc=411.74'

Thence N60°38'33"E 1014.42' to a point not set;

Thence N29°21'27"W 19.69' to a point not set;
Thence following a curve to a point not set with a long chord of 372.80', chord bearing of
N73°39'55"E

Radius=827.21'

Arc=376.03'

Thence S03°18'43"E 19.69' to a point not set;

Thence N86°41'17"E 956.85' to an iron rod set;

Thence following a curve to an iron rod set with a long chord of 538.16', chord bearing of
S86°52'24"E

Radius=2399.52'

Arc=539.29'

Thence S80°26'05"E 993.54' to an iron rod set, the True Point of Beginning.

Said parcel containing 350,976.2 square feet or 8.057 acres, which equates to 32,606.9 square
meters or 8.296 cuerdas.

LEGAL DESCRIPTION FOR EASEMENT 20

Beginning at a survey control point in the Ward of Dagupan, said point being a brass disk set in concrete. Said point also known as 'MANATI' and having a northing of 791059.1339 and an easting of 921490.5759 noted as the Point of Beginning on the plat labeled "UNITED STATES GOVERNMENT PROPERTY FORMER NAVAL STATION ROOSEVELT ROADS EASEMENT 20". Thence N12°12'56"W 5380.02' to an iron rod set, the True Point of Beginning, having a northing of 796317.3385 and an easting of 920352.2213:

Thence N07°23'37"W 50.22' to a point not set;

Thence following a curve to a point not set with a long chord of 262.52', chord bearing of N60°27'55"E

Radius=735.39'

Arc=263.93'

Thence N50°11'00"E 631.48' to a point not set;

Thence following a curve to an iron rod set with a long chord of 443.02', chord bearing of N15°36'49"E

Radius=390.39'

Arc=471.09'

Thence N71°02'38"E 49.22' to an iron rod set;

Thence following a curve to a point not set with a long chord of 498.88', chord bearing of S15°36'49"W

Radius=439.61'

Arc=530.48'

Thence S50°11'00"W 631.48' to an iron rod set;

Thence following a curve to an iron rod set, the True Point of Beginning, with a long chord of 290.24', chord bearing of S60°50'32"W

Radius=784.61'

Arc=291.92'

Said parcel containing 69,409.9 square feet or 1.593 acres, which equates to 6,448.4 square meters or 1.641 cuerdas.

LEGAL DESCRIPTION EASEMENT 21

Beginning at a survey control point in the Ward of Dagua, said point being a brass disk set in concrete. Said point also known as 'BAKER' and having a northing of 794549.6798 and an easting of 921077.9933 noted as the Point of Beginning on the plat labeled "UNITED STATES GOVERNMENT PROPERTY FORMER NAVAL STATION ROOSEVELT ROADS EASEMENT 21". Thence N13°53'46"W 1966.63' to an iron rod set, the True Point of Beginning, having a northing of 796458.7488 and an easting of 920605.6833;

Thence following a curve to a point not set with a long chord of 332.65', chord bearing of S21°45'22"W
Radius=349.39'
Arc=346.70'

Thence S06°40'17"E 707.30' to a point not set;

Thence following a curve to a point not set with a long chord of 228.51', chord bearing of S10°09'33"W
Radius=394.61'
Arc=231.83'

Thence S26°59'23"W 1182.66' to a point not set;

Thence following a curve to a point not set with a long chord of 62.33', chord bearing of S11°34'06"E
Radius=50.00'
Arc=67.30'

Thence following a curve to a point not set with a long chord of 239.96', chord bearing of S25°11'36"E
Radius=284.61'
Arc=247.71'

Thence S00°15'36"E 233.14' to a point not set;

Thence following a curve to a point not set with a long chord of 115.51', chord bearing of S27°41'13"E
Radius=125.39'
Arc=120.05'

Thence S55°06'51"E 162.71' to a point not set;

Thence following a curve to a point not set with a long chord of 156.28', chord bearing of S23°37'40"E
Radius=149.61'
Arc=164.43'

Thence S07°51'31"W 152.93' to a point not set;

Thence following a curve to a point not set with a long chord of 86.37', chord bearing of S27°05'18"E
Radius=75.39'
Arc=91.97'

Thence S62°02'07"E 305.68' to a point not set;

Thence following a curve to a point not set with a long chord of 349.05', chord bearing of S75°57'24"E
Radius=725.39'
Arc=352.51'

Thence S89°52'42"E 180.05' to a point not set;

Thence S01°18'44"E 49.24' to a point not set;

Thence N89°52'42"W 181.28' to a point not set;

Thence following a curve to a point not set with a long chord of 372.73', chord bearing of N75°57'24"W
Radius=774.61'
Arc=376.42'

Thence N62°02'07"W 305.68' to a point not set;

Thence following a curve to a point not set with a long chord of 142.76', chord bearing of N27°05'18"W
Radius=124.61'
Arc=152.01'

Thence N07°51'31"E 152.93' to a point not set;

Thence following a curve to a point not set with a long chord of 104.87', chord bearing of N23°37'40"W
Radius=110.39'
Arc=110.34'

Thence N55°06'51"W 162.71' to a point not set;

Thence following a curve to a point not set with a long chord of 160.86', chord bearing of N27°41'13"W

Radius=174.61'

Arc=167.17'

Thence N00°15'36"W 233.14' to a point not set;

Thence following a curve to a point not set with a long chord of 198.46', chord bearing of N25°11'36"W

Radius=235.39'

Arc=204.87'

Thence following a curve to a point not set with a long chord of 123.69', chord bearing of N11°34'06"W

Radius=99.22'

Arc=133.54'

Thence N26°59'23"E 1182.66' to a point not set;

Thence following a curve to a point not set with a long chord of 200.01', chord bearing of N10°09'33"E

Radius=345.39'

Arc=202.91'

Thence N06°40'17"W 707.30' to a point not set;

Thence following a curve to a point not set with a long chord of 228.97', chord bearing of N10°01'10"E

Radius=398.61'

Arc=232.24'

Thence following a curve to an iron rod set, the True Point of Beginning, with a long chord of 159.60', chord bearing of N56°01'16"E

Radius=784.61'

Arc=159.88'

Said parcel containing 221,548.7 square feet or 5.086 acres, which equates to 20,582.6 square meters or 5.237 cuerdas.

LEGAL DESCRIPTION FOR EASEMENT 22

Beginning at a survey control point in the Ward of Guayacan, said point being a brass disk set in concrete. Said point also known as 'DELVIS' and having a northing of 796646.7678 and an easting of 927749.8902 noted as the Point of Beginning on the plat labeled "UNITED STATES GOVERNMENT PROPERTY FORMER NAVAL STATION ROOSEVELT ROADS EASEMENT 22". Thence S10°14'36"E 5702.81' to an iron rod set, the True Point of Beginning, having a northing of 791034.8502 and an easting of 928764.0234;

Thence S37°21'10"E 56.21' to a point not set;

Thence following a curve to a point not set; with a long chord of 93.66', a chord bearing of

S32°30'14"W,

Radius= 399.61'

Arc=93.87'

Thence S39°14'01"W 203.42' to a point not set;

Thence S31°07'00"W 298.77' to a point not set;

Thence N82°23'22"W 53.67' to a point not set;

Thence N31°07'00"E 323.67' to a point not set;

Thence N39°14'01"E 206.91' to a point not set;

Thence following a curve to an iron rod set; the True Point of Beginning with a long chord of 107.32', a chord bearing of N30°25'29"E,

Radius= 350.39'

Arc=107.74'

Said parcel containing 30,374.0 square feet or 0.697 of an acre, which equates to 2,821.8 square meters or 0.718 of a cuerda.

LEGAL DESCRIPTION EASEMENT 23

Beginning at a survey control point in the Ward of Guayacan, said point being a brass disk set in concrete. Said point also known as 'DELVIS' and having a northing of 796646.7678 and an easting of 927749.8902 noted as the Point of Beginning on the plat labeled "UNITED STATES GOVERNMENT PROPERTY FORMER NAVAL STATION ROOSEVELT ROADS EASEMENT 23". Thence N50°37'43"E 1415.10' to an iron rod set, the True Point of Beginning, having a northing of 797544.4326 and an easting of 928843.8370:

Thence N55°35'04"W 49.22' to a point not set;

Thence N34°24'56"E 784.00' to a point not set;

Thence following a curve to an iron rod set with a long chord of 14.71', chord bearing of N10°38'54"W

Radius=10.39'

Arc=16.34'

Thence N55°42'43"W 262.55' to an iron rod set;

Thence N34°26'35"E 49.22' to a point not set;

Thence S55°42'43"E 262.42' to a point not set;

Thence following a curve to a point not set with a long chord of 84.40', chord bearing of S10°38'54"E

Radius=59.61'

Arc=93.77'

Thence S34°24'56"W 784.00' to an iron rod set, the True Point of Beginning.

Said parcel containing 54,217.7 square feet or 1.245 acres, which equates to 5,037.0 square meters or 1.282 cuerdas.

LEGAL DESCRIPTION FOR EASEMENT 24

Beginning at a survey control point in the Ward of Guayacan, said point being a brass disk set in concrete. Said point also known as 'DELVIS' and having a northing of 796646.7678 and an easting of 927749.8902 noted as the Point of Beginning on the plat labeled "UNITED STATES GOVERNMENT PROPERTY FORMER NAVAL STATION ROOSEVELT ROADS EASEMENT 24". Thence S25°06'47"E 5671.51' to an iron rod set, the True Point of Beginning, having a northing of 791511.3792 and an easting of 930156.9139:

Thence S18°30'36"W 166.08' to a point not set;

Thence N71°29'24"W 87.49' to a point not set;

Thence following a curve to a point not set; with a long chord of 395.01', a chord bearing of N49°38'14"W,

Radius= 530.61'

Arc=404.75'

Thence S64°52'27"W 372.81' to a point not set;

Thence following a curve to a point not set; with a long chord of 132.18', a chord bearing of N70°06'25"W,

Radius= 724.61'

Arc=132.36'

Thence S75°20'24"W 301.47' to a point not set;

Thence following a curve to a point not set; with a long chord of 167.79', a chord bearing of S88°16'52"W,

Radius= 374.61'

Arc=169.22'

Thence N78°46'40"W 162.48' to a point not set;

Thence following a curve to a point not set; with a long chord of 157.98', a chord bearing of S37°18'43"E,

Radius= 374.39'

Arc=159.18'

Thence S49°29'31"E 57.39' to a point not set;

Thence following a curve to a point not set; with a long chord of 155.14', a chord bearing of S18°15'41"E,

Radius= 149.61'

Arc=163.10'

Thence following a curve to a point not set; with a long chord of 89.12', a chord bearing of S19°22'19"W,

Radius= 399.61'

Arc=89.31'

Thence N37°21'10"W 56.21' to a point not set;

Thence following a curve to a point not set; with a long chord of 52.83', a chord bearing of N17°17'33"E,

Radius= 350.39'

Arc=52.88'

Thence following a curve to a point not set; with a long chord of 104.10', a chord bearing of N18°15'41"W,

Radius= 100.39'

Arc=109.44'

Thence N49°29'31"W 57.39' to a point not set;

Thence following a curve to a point not set; with a long chord of 193.18', a chord bearing of N36°18'43"W,

Radius= 423.61'

Arc=194.89'

Thence N23°07'54"W 41.33' to a point not set;

Thence N11°13'20"E 32.22' to a point not set;

Thence S78°46'40"E 234.00' to a point not set;

Thence following a curve to a point not set; with a long chord of 145.74', a chord bearing of N88°16'52"E,

Radius= 325.39'

Arc=146.99'

Thence N75°20'24"E 301.47' to a point not set;

Thence following a curve to a point not set; with a long chord of 123.20', a chord bearing of N70°06'25"E,

Radius= 675.39'

Arc=123.37'

Thence N64°52'27"E 422.09' to a point not set;

Thence following a curve to a point not set; with a long chord of 401.51', a chord bearing of S46°50'34"E,

Radius= 481.39'

Arc=414.16'

Thence S71°29'24"E 38.27' to a point not set;

Thence N18°30'36"E 116.78' to a point not set;

Thence S71°29'24"E 41.15' to a point not set;

Thence following a curve to an iron rod set, the True Point of Beginning with a long chord of 8.07', a chord bearing of S72°04'08"E,

Radius= 399.61'

Arc=8.07'

Said parcel containing 112,345.5 square feet or 2.579 acres, which equates to 10,437.3 square meters or 2.656 cuerdas.

LEGAL DESCRIPTION EASEMENT 25

Beginning at a survey control point in the Ward of Quebrada Seca, said point being a brass disk set in concrete. Said point also known as 'DELICIAS' and having a northing of 799143.8537 and an easting of 927504.4901 noted as the Point of Beginning on the plat labeled "UNITED STATES GOVERNMENT PROPERTY FORMER NAVAL STATION ROOSEVELT ROADS EASEMENT 25". Thence S65°46'40"W 1154.24' to an iron rod set, the True Point of Beginning, having a northing of 798670.2992 and an easting of 926451.8698:

Thence following a curve to a point not set with a long chord of 58.23', chord bearing of S32°42'00"E

Radius=370.48'

Arc=58.29'

Thence following a curve to a point not set with a long chord of 422.66', chord bearing of S69°24'05"W

Radius=320.39'

Arc=461.54'

Thence N71°15'39"W 15.42' to an iron rod set;

Thence N21°18'51"W 43.57' to a point not set;

Thence following a curve to a point not set with a long chord of 418.41', chord bearing of N66°36'34"E

Radius=369.61'

Arc=444.76'

Thence S37°12'25"E 17.52' to an iron rod set the True Point of Beginning.

Said parcel containing 22,596.3 square feet or 0.519 of an acre, which equates to 2,099.3 square meters or 0.534 of a cuerda.

LEGAL DESCRIPTION FOR EASEMENT 26

Beginning at a survey control point in the Ward of Daguao, said point being a brass disk set in concrete. Said point known as "COLINA" and having a northing of 797036.8324 and an easting of 916304.6005 noted as the Point of Beginning on the plat labeled "UNITED STATES GOVERNMENT PROPERTY FORMER NAVAL STATION ROOSEVELT ROADS EASEMENT 26". Thence N67°51'33"E 4952.64' to POINT # 26-3A, an iron rod set, the True Point of Beginning, having a northing of 798903.4095 and an easting of 920892.0277:

Thence N07°56'34"E 730.47' to a point not set;

Thence S83°59'00"E 26.33' to a point not set;

Thence S06°01'00"W 450.00' to a point not set;

Thence N83°59'00"W 15.00' to a point not set;

Thence S06°01'00"W 341.39' to a point not set;

Thence N85°23'18"W 41.58' to a point not set;

Thence N11°14'04"E 62.61' to a POINT # 26-3A, an iron rod set the True Point of beginning.

Said parcel containing 26,373.1 square feet or 0.605 of an acre, which equates to 2450.2 square meters or 0.623 of a cuerda.

LEGAL DESCRIPTION EASEMENT 27

Beginning at a survey control point in the Ward of Guayacan, said point being a brass disk set in concrete. Said point also known as 'DELICIAS' and having a northing of 799143.8537 and an easting of 927504.4901 noted as the Point of Beginning on the plat labeled "UNITED STATES GOVERNMENT PROPERTY FORMER NAVAL STATION ROOSEVELT ROADS EASEMENT 27". Thence N67°33'29"E 3925.91' to an iron rod set, the True Point of Beginning, having a northing of 800642.5529 and an easting of 931133.0789:

Thence N74°40'21"W 111.12' to a point not set;

Thence following a curve to a point not set with a long chord of 408.37', chord bearing of N65°04'28"W

Radius=1224.61'

Arc=410.28'

Thence N55°28'36"W 108.63' to a point not set;

Thence following a curve to a point not set with a long chord of 239.53', chord bearing of N32°33'46"W

Radius=307.61'

Arc=246.04'

Thence N09°38'56"W 228.13' to a point not set;

Thence N04°39'23"W 217.78' to a point not set;

Thence following a curve to a point not set with a long chord of 226.29', chord bearing of N18°40'54"E

Radius=285.61'

Arc=232.67'

Thence N42°01'11"E 105.61' to a point not set;

Thence following a curve to a point not set with a long chord of 161.10', chord bearing of N18°55'46"E

Radius=205.39'

Arc=165.55'

Thence N04°09'40"W 140.27' to a point not set;

Thence following a curve to a point not set with a long chord of 166.96', chord bearing of N14°16'29"W

Radius=475.39'

Arc=167.83'

Thence following a curve to a point not set with a long chord of 49.52', chord bearing of N04°54'08"W

Radius=74.22'

Arc=50.48'

Thence N14°35'03"E 89.02' to a point not set;

Thence following a curve to a point not set with a long chord of 61.93', chord bearing of N67°13'22"E

Radius=263.00'

Arc=62.07'

Thence S14°35'03"W 126.60' to a point not set;

Thence following a curve to a point not set with a long chord of 16.68', chord bearing of S04°54'08"E

Radius=25.00'

Arc=17.00'

Thence following a curve to a point not set with a long chord of 184.25', chord bearing of S14°16'29"E

Radius=524.61'

Arc=185.21'

Thence S04°09'40"E 140.27' to a point not set;

Thence following a curve to a point not set with a long chord of 199.71', chord bearing of S18°55'46"W

Radius=254.61'

Arc=205.22'

Thence S42°01'11"W 105.61' to a point not set;

Thence following a curve to a point not set with a long chord of 187.29', chord bearing of S18°40'54"W

Radius=236.39'

Arc=192.58'

Thence S04°39'23"E 215.64' to a point not set;

Thence S09°38'56"E 225.98' to a point not set;

Thence following a curve to a point not set with a long chord of 201.21', chord bearing of S32°33'46"E

Radius=258.39'

Arc=206.67'

Thence S55°28'36"E 108.63' to a point not set;

Thence following a curve to a point not set with a long chord of 391.95', chord bearing of S65°04'28"E

Radius=1175.39'

Arc=393.79'

Thence S74°40'21"E 116.04' to a point not set;

Thence S19°59'21"W 12.83' to a point not set;

Thence following a curve to an iron rod set, the True Point of Beginning with a long chord of 36.64', chord bearing of S21°23'45"W

Radius=746.21'

Arc=36.64'

Said parcel containing 110,992.1 square feet or 2.548 acres, which equates to 10,311.5 square meters or 2.624 cuerdas.

LEGAL DESCRIPTION EASEMENT 28

Beginning at a survey control point in the Ward of Guayacan, said point being a brass disk set in concrete, Said point also known as 'DOG' and having a northing of 805443.8964 and an easting of 933110.4735 noted as the Point of Beginning on the plat labeled "UNITED STATES GOVERNMENT PROPERTY FORMER NAVAL STATION ROOSEVELT ROADS EASEMENT 28". Thence S80°32'06"W 1455.73' to an iron rod set, the True Point of Beginning, having a northing of 805204.5081 and an easting of 931674.5620:

Thence S02°46'27"E 399.73' to an iron rod set;

Thence S23°35'04"W 247.75' to an iron rod set;

Thence S19°01'22"W 388.54' to a MAG nail set;

Thence S29°57'10"W 290.23' to an iron rod set;

Thence S32°49'53"W 712.89' to an iron rod set;

Thence S32°37'31"W 558.73' to a point not set;

Thence following a curve to a point not set with a long chord of 107.57', chord bearing of N63°04'19"W

Radius=263.00'

Arc=108.33'

Thence N32°37'31"E 1500.73' to a point not set;

Thence N21°31'21"E 641.58' to a point not set;

Thence N02°46'27"W 368.63' to an iron rod set;

Thence N71°08'07"E 114.48' to an iron rod set, the True Point of Beginning.

Said parcel containing 268,631.5 square feet or 6.170 acres, which equates to 24,956.8 square meters or 6.350 cuerdas.

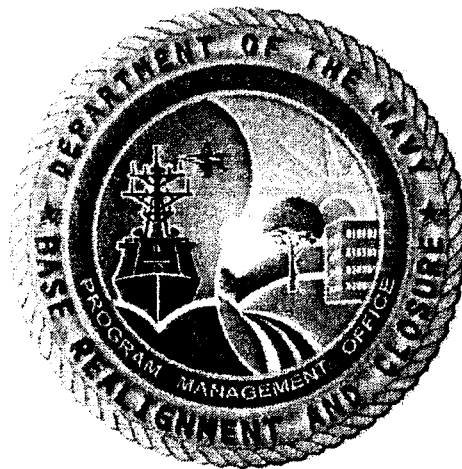
Exhibit "D"

**FINDING OF SUITABILITY TO TRANSFER FOR SALE PARCEL III. – FORRESTAL
AND ADDENDUM**

FINDING OF SUITABILITY TO TRANSFER

SALE PARCEL III - FORRESTAL

**NAVAL ACTIVITY PUERTO RICO
CEIBA, PUERTO RICO**



Prepared by:

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January 2009

**FINDING OF SUITABILITY TO TRANSFER
SALE PARCEL III - FORRESTAL
NAVAL ACTIVITY PUERTO RICO**

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FINDING OF SUITABILITY TO TRANSFER SALE PARCEL III - FORRESTAL NAVAL ACTIVITY PUERTO RICO

1.0 PURPOSE

This Finding of Suitability to Transfer (FOST) summarizes how the requirements and notifications for hazardous substances, petroleum products and other regulated material on the property have been satisfied, and documents my determination, as the responsible Department of Defense (DoD) component official, that certain real property and associated improvements known as Sale Parcel III - Forrestal (Subject Property) at Naval Activity Puerto Rico (NAPR), Ceiba, Puerto Rico are environmentally suitable for deed transfer. This decision is based primarily on my review of information contained in two of the documents listed in Exhibit A (References) – CERFA Identification of Uncontaminated Property, Former Naval Station Roosevelt Roads, Puerto Rico (the CERFA Report; Navy, 2006b) and Phase I/II Environmental Condition of Property Report, Former Naval Station Roosevelt Roads, Ceiba, Puerto Rico (the ECP Report; Navy, 2005). Factors leading to this decision and other pertinent information related to property transfer requirements are stated below.

2.0 DESCRIPTION OF PROPERTY

NAPR was formerly known as Naval Station Roosevelt Roads (NSRR) until it ceased operation as an active Naval Station on March 31, 2004, at which point it was designated Naval Activity Puerto Rico. NAPR is located on the east coast of Puerto Rico adjacent to the municipality of Ceiba.

The Subject Property is comprised of approximately 633 acres located primarily along the ridge overlooking the northeastern side of Ensenada Honda and on the two peninsulas that form Bahía de Puerca. There is also a small parcel of land near the north gate. A large portion of the Subject Property is undeveloped. Facilities located on the Subject Property include multiple warehouse and storage buildings, maintenance shops, recreational facilities, Bachelor Officer Quarters (BOQ) and Bachelor Enlisted Quarters (BEQ).

As shown on the vicinity map in Exhibit B, the Subject Property does not include numerous non-contiguous areas wholly or partially surrounded by Sale Parcel III. These areas total approximately 330 acres and are comprised of Resource Conservation and Recovery Act (RCRA) Area of Concern (AOC) F (two locations – Buildings 1738 and 1995) and Solid Waste Management Units (SWMUs) 3, 9, 11/45, 57, 59, 60, 67, 70, 74, 77 and 78. These areas were carved out of Sale Parcel III because they have work remaining to be completed under the U.S.

FINDING OF SUITABILITY TO TRANSFER SALE PARCEL III - FORRESTAL NAVAL ACTIVITY PUERTO RICO

Environmental Protection Agency (EPA) Administrative Order on Consent (Consent Order) that sets out the Navy's corrective action obligations under RCRA. Furthermore, these SWMUs cannot be included in the transfer of Sale Parcel III because all necessary remedial actions have not been taken prior to transfer as required by Section 120(h)(3)(A)(ii)(I) of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA). The Navy and the winning bidder in the public auction of Sale Parcel I will execute a lease in furtherance of conveyance for the carve-out areas, including SWMU 77 (Small Arms Range) which the Navy originally intended to transfer to the Department of Homeland Security (DHS) for continued use as a small arms range. DHS has decided not to accept the range, so it will now become part of Sale Parcel III. Under the terms of Section VIII (Work to be Performed), Paragraph 25.I (Contingent Investigation and Corrective Action Requirements for SWMU 77), the Navy must now submit to EPA for review and approval a work plan for a Phase I RFI to determine whether releases of hazardous waste or solid waste and/or hazardous constituents are present at SWMU 77. Upon successful completion of all necessary remedial actions by the Navy, the leased property will be transferred to the new owner of Sale Parcel III.

The Subject Property is comprised of all or parts of Sub-Parcels 30, 31, 37, 40, 41, 42, 43, 45, 48, 53, 54, 56, 59 and 64, as shown on parcel maps (Exhibit C) from the Draft Report, Parcel Map for the Disposal of Naval Activity Puerto Rico (GMI, 2005). The boundaries and/or cleanup status of some of the SWMUs and AOCs shown on these maps have changed since the draft parcel map report was produced.

Since the draft parcel map report was published, the boundary of Sub-Parcel 31 has been changed to reduce its area considerably, and the boundary of Sub-Parcel 40 has been altered slightly at its eastern end and the fire station has been carved out of the parcel to form what is now Parcel 34. The boundary and survey maps in Exhibit D provide the final boundaries for the Subject Property, including the carve-outs.

Table 1 (Exhibit E) provides the facility number, former user, name or description, area and year of construction of each of the numbered buildings, structures, and facilities on the Subject Property.

FINDING OF SUITABILITY TO TRANSFER SALE PARCEL III - FORRESTAL NAVAL ACTIVITY PUERTO RICO

3.0 PAST USE AND PROPOSED REUSE

The Subject Property has been used as a military installation since its acquisition and development by the Navy in the 1940s. The ECP Report states that most of the arable land on what is now NAPR was previously used for sugar cane cultivation and cattle grazing. No significant industrial facilities or environmental concerns were identified with respect to activities conducted on the former NSRR prior to Navy ownership.

The Navy established NAPR to serve as the caretaker of the real property associated with NSRR and to assist in the transfer of the property. Since the establishment of NAPR, all industrial and commercial operations on the Subject Property with a significant potential for environmental contamination have ceased.

The Naval Station Roosevelt Roads Reuse Plan (CBRE et al, 2004) developed by the Puerto Rico Department of Economic Development and Commerce (acting as the Local Redevelopment Authority [LRA]) anticipates the following types of land uses for the Subject Property: University Campus, Industrial, Recreation or Open Space Reserve, Science Park/Conference Center, Water-Oriented Commercial, and Passenger/Cargo Ferry Terminal and Related Uses. The Subject Property will be sold via public auction to the highest qualified bidder.

4.0 ENVIRONMENTAL FINDINGS

All available information concerning the past storage, release, or disposal of hazardous substances and/or petroleum products on NAPR, as collected through record searches, aerial photographs, personnel interviews, and on-site visual inspections, is contained in the ECP Report. The following summarizes the findings as they relate to the Subject Property and the corresponding Condition of Property Classification assigned to the real property to be transferred.

A. Hazardous Substance Contamination

There are 13 SWMUs and two AOCs on the Subject Property that require no further action under RCRA as they have been designated either Corrective Action Complete Without Controls (SWMUs 5, 17, 18, 38, 40, 47, 49, 52 and 58, and AOC D) or Corrective Action Complete With Controls (SWMUs 10, 30 and 39) in the Consent Order or subsequent to the signing of the Consent Order (AOC A and SWMU 25) based on meeting the requirements of the order. In addition, one AOC and three SWMUs were designated for Corrective Measures Implementation

**FINDING OF SUITABILITY TO TRANSFER
SALE PARCEL III - FORRESTAL
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in the Consent Order (AOC C and SWMUs 13, 46, and 53). The corrective measures on these SWMUs and AOC will be completed prior to transfer of the property. Detailed descriptions of these SWMUs and AOCs are provided in the ECP Report, while summary descriptions and their current status are provided in Table 2 (Exhibit E).

Under the Consent Order, the No Further Action determination is contingent for SWMU 38 (Sanitary and Storm Sewer Systems) based upon the Navy fully addressing any releases that may have impacted the sanitary and/or storm sewer systems as part of the corrective action(s) for releases from SWMUs 4, 12, 13 and 14 and/or any other SWMU at the NAPR facility where releases may have impacted the sewer systems. SWMUs 4, 12 and 14 are located wholly outside of the Sale Parcel III property. For SWMU 13, which is within the Sale Parcel III property, the Navy has recently completed the corrective measures required under the Consent Order, and expects to request a corrective action complete status for that SWMU prior to transfer of the Subject Property. EPA has concurred with the determination that the Navy has satisfied all requirements of the Consent Order applicable to the portions of SWMU 38 within the Subject Property, subject to the Navy's submission of an acceptable final report documenting the completion of all required corrective measures at SWMU 13. EPA's concurrence letter is attached as Exhibit F. Navy will not convey title to the property until the final report for the corrective measures at SWMU 13 is approved by EPA.

SWMU locations are shown on the maps in Exhibits B and C. The Subject Property does not include the areas shown on the parcel maps in Exhibit C for AOC F and SWMUs 3, 9, 11/45, 57 (ECP 3), 59 (ECP 5), 60 (ECP 6), 67 (ECP 13), 70 (ECP 16) and 74 (ECP 20). SWMUs 77 (ECP 23) and 78 were also carved out of the Subject Property, but are not shown on the maps in Exhibit C because the parcel map for SWMU 77 did not overlap with other SWMUs (and was therefore not included), and there is no parcel map for SWMU 78, a transformer storage pad discovered subsequent to the ECP Report and the signing of the Consent Order.

B. Petroleum Contamination

According to the ECP Report, there were four underground storage tanks (USTs) that stored diesel fuel on the Subject Property at the time of the ECP inspection in March 2005. A former UST associated with the SWMU 30 incinerator was removed in 1993 along with petroleum-contaminated soil. Table 3 lists the known USTs on the Subject Property along with their location, capacity, material stored and the year installed. The ECP Report and field verification documented four operational aboveground storage tanks (ASTs) and two oil/water separators

FINDING OF SUITABILITY TO TRANSFER SALE PARCEL III - FORRESTAL NAVAL ACTIVITY PUERTO RICO

(OWSs) on the Subject Property. These ASTs and OWSs are also listed in Table 3. Other than the SWMU 30 UST, the records do not indicate there have been any spills or releases associated with the USTs, ASTs and OWSs on the Subject Property.

On 19 October 1999, approximately 110,000 gallons of JP-5 fuel were released from a day tank near Hangar 200 (approximately 1,500 feet northwest of Sub-Parcel 31 of the Subject Property) during the transfer of JP-5 fuel from UST 381 to UST 429. The spill was caused by a valve failure resulting in the overfilling of the day tank. The JP-5 fuel entered the storm water drainage system, including open-air ditches and culverts, and flowed southeast through Sub-Parcel 31 to mangrove areas in Sub-Parcel 28 (outside the Subject Property) and finally into Enseñada Honda. The oil spill impacted mangrove areas in Sub-Parcel 28 that were later named Sections A, B and C. The spill response efforts were mainly focused on diversion of the spilled oil to promote flushing, allow drainage from the impacted mangrove Sections A and B into a lower collection point, and placement of containment booms at the mouth of the drainage channel in Section C. The investigation consisted of an evaluation of the nature and extent of the contamination as well as an assessment of the natural resources injuries on the impacted Sections A through C. The findings of the investigation were that the impact was limited to areas outside of the Subject Property consisting of the mangrove sections mentioned above and sea grass beds along the shoreline (1,000 feet) of Enseñada Honda. No major injuries were detected for fish, shellfish, benthic communities, birds, or endangered species. (Navy et al, 2002)

To comply with Oil Pollution Act (OPA) regulations, the Trustees - Department of Navy, Department of Commerce (through National Oceanic and Atmospheric Administration), Department of Interior (through the Fish and Wildlife Service), and the Puerto Rico Department of Natural Resources - determined that a Damage Assessment and Restoration Plan/Environmental Assessment (DARP/EA) was required. The DARP/EA (Navy et al, 2005) was completed in June 2005.

Based on the DARP/EA approved by the Trustees, the preferred alternatives for the restoration were natural recovery for injured Sections A and B, and selective clearing & planting for injured Section C. The compensatory restoration alternative was the restoration and enhancement of mangroves within the Los Machos mangrove area. The clearing of debris and planting of sea grass has been completed, and the restoration plan for the Los Machos mangrove area was completed in September 2007.

FINDING OF SUITABILITY TO TRANSFER SALE PARCEL III - FORRESTAL NAVAL ACTIVITY PUERTO RICO

C. Condition of Property Classification

The ECP Report divided all property at NAPR into parcels, and classified them into one of the three following categories:

- **Category 1** – Areas where no known or documented releases, or disposal of hazardous substances or petroleum products or their derivatives has occurred, including no migration of these substances from adjacent areas.
- **Category 2** – Areas where the release, disposal, or migration, or some combination thereof, of hazardous substances, or petroleum products or their derivatives has occurred, but at concentrations that do not require a removal or remedial action, or all remedial actions necessary to protect human health and the environment have been taken.
- **Category 3** – Areas where a confirmed or suspected release, disposal, or migration, or some combination thereof, of hazardous substances, or petroleum products or their derivatives has occurred, but required investigation and/or response actions have not yet been initiated or are ongoing.

These categories are derived from the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), Community Environmental Response Facilitation Act (CERFA) and the American Society for Testing and Materials (ASTM) Standard Practice for Conducting Environmental Baseline Surveys (ASTM Standard D 6008-96), which further incorporates ASTM D 5746-98 (2002) Standard Classification of Environmental Condition of Property Area Types for Defense Base Closure and Realignment Facilities.

CERFA stipulates that the federal government must identify "uncontaminated property" scheduled for transfer, and defines this as "...real property on which no hazardous substances and no petroleum products or their derivatives were known to have been released, or disposed of" [(Section 9620(h)(4)(A)]. In accordance with the property condition classification guidelines discussed above, the Navy classified the Subject Property as Category 1 uncontaminated property, with the exception of SWMUs 10, 30, 39 and 40 (Category 2), SWMUs 13, 17, 18, 25, 38, 46 and 53 (Category 3), and AOCs A and C (Category 3) and D (Category 2). Following its review of the CERFA Report, the Puerto Rico Environmental Quality Board (EQB) concurred with this classification and provided a concurrence statement (Exhibit G) in the Final CERFA Report on 11 August 2006.

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The Category 1 and 2 areas on the Subject Property are suitable for transfer because they are either uncontaminated or all remedial actions necessary to protect human health and the environment have been taken. SWMUs 17 (DRMO Non-Flammable Storage) and 18 (DRMO Ignitable Hazardous Waste Storage) were designated Category 3 at the time of the CERFA Report, but have since been determined to be suitable for transfer because RCRA clean closure was certified for these storage facilities. The required corrective measures for AOC A and SWMUs 13 and 25 have been completed, and those for AOC C and SWMUs 46 and 53 will be completed prior to transfer of the property. The portion of SWMU 38 (Sanitary and Storm Sewer System) on the Subject Property is transferable because it was designated Corrective Action Complete Without Controls by EPA in the Consent Order signed on 29 January 2007.

The Corrective Action Complete Without Controls determination for SWMU 38 is contingent upon the Navy fully addressing any releases that may have impacted the sanitary and/or storm sewer systems as part of the corrective action(s) for releases from SWMUs 4, 12, 13 and 14 and/or any other SWMU at the NAPR facility where releases may have impacted the sewer systems. SWMUs 4, 12 and 14 are located wholly outside of the Sale Parcel III property. For SWMU 13, which is within the Sale Parcel III property, the Navy expects to request a corrective action complete status for that SWMU prior to transfer of the Subject Property. EPA has concurred (Exhibit F) with the determination that the Navy has satisfied all requirements of the Consent Order applicable to the portions of SWMU 38 within the Subject Property, subject to the Navy's submission of an acceptable final report documenting the completion of all required corrective measures at SWMU 13. Navy will not convey title to the property until the final report for the corrective measures at SWMU 13 is approved by EPA.

D. Other Environmental Aspects

1. Munitions and Explosives of Concern

According to the ECP Report, there are no heavy (crew-served) weapon ranges, unexploded ordnance/impact areas, explosive ordnance disposal areas or open burning/open detonation activities on the Subject Property.

2. Asbestos Containing Materials

According to the June 2005 *Final Asbestos Inspection Report for Naval Activity Puerto Rico, Ceiba, Puerto Rico* (Baker, 2005), asbestos-containing material (ACM) was identified in nine (9) of the facilities inspected on the Subject Property, as summarized in

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Table 3 of Exhibit E. Friable, accessible and damaged (FAD) ACM was not identified in any of the facilities. Detailed information about the materials identified and sampled during the asbestos inspection, including summary tables, location drawings, photographs and laboratory reports, is included in the report.

The possibility remains for the presence of undiscovered ACM associated with underground utilities and miscellaneous building materials at NAPR. While this potential ACM does not pose a hazard to site users, future demolition and/or subsurface work performed by the transferee could result in FAD ACM hazards. Thus, the transferee must comply with all applicable Commonwealth and Federal laws relating to ACM management in order to ensure future protection of human health and the environment during any future renovation/demolition activities or underground utility work. An ACM acknowledgement form (Exhibit H) will be provided to the transferee for execution at the time of transfer.

3. Lead-Based Paint

A lead-based paint (LBP) survey and risk assessment was completed at NAPR in 2005 for military family housing only, thus none of the facilities on the Subject Property were included in the survey.

Table 1 (Exhibit E) indicates approximately 52 buildings, structures and facilities on the Subject Property were constructed prior to 1978, the year in which LBP was banned for consumer use. These facilities and any others built before 1978 are presumed to contain LBP. A Lead-Based Paint Hazards Advisory Statement, Exhibit I to this FOST, will be provided to the transferee as an attachment to the deed and executed at the time of transfer.

4. Polychlorinated Biphenyls

All PCB-contaminated transformers and equipment, including any on the Subject Property, were removed from the former NSRR prior to 1998. Due to the age of the majority of facilities and the size of the station, it is possible that PCB-contaminated fluorescent light ballasts and other minor PCB sources may be present on NAPR. There are no other records of PCBs having been stored, released or disposed of on the Subject Property.

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5. Radon

According to the U.S. Geological Survey Open-File Report 93-292-K, Preliminary Geologic Radon Potential Assessment of Puerto Rico (USGS, 1993), the Commonwealth of Puerto Rico exhibits generally low indoor radon levels, and a survey of radon concentrations of offices, housing units, schools and other buildings was conducted by the DoD between 1989 and 1992 on federal military reservations in Puerto Rico, including the former NSRR. Indoor radon levels ranged from 0.0 to 1.9 picoCuries/Liter (pCi/L), well below the current EPA residential indoor radon screening action level of 4 pCi/L. The majority of the reservations, including NAPR, are situated on coastal plains, therefore, low indoor radon levels would be expected on the Subject Property.

6. Threatened and Endangered Species

As shown on the individual sub-parcel maps in Exhibit C, breeding habitat and nesting/foraging palms for the endangered yellow-shouldered blackbird and sea turtle habitat have been identified on the Subject Property. The Commonwealth of Puerto Rico has indicated that it intends to zone the property in a manner that will implement the planning, development, maintenance, mitigation and use requirements described on the parcel maps.

In accordance with the Endangered Species Act, the Navy developed a Biological Assessment (BA) for the former NSRR in 2006 to assess the potential impact on any federally protected species from the disposal of NSRR. Given the protection measures addressed in detail in the Biological Assessment for the Disposal of Naval Station Roosevelt Roads/Naval Activity Puerto Rico Final Report (Navy, 2006a), the Navy has determined that the disposal of the former NSRR and transfer of the property to future owners is not likely to adversely affect federally-listed species and would not result in adverse modification of designated critical habitat within the project area. The U.S. Fish and Wildlife Service concurred with this determination in a letter dated April 7, 2006.

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5.0 REQUIREMENTS APPLICABLE TO PROPERTY TRANSFER

A. NEPA Compliance

In accordance with National Environmental Policy Act (NEPA) requirements, an Environmental Assessment and Finding of No Significant Impact (FONSI) have been prepared and executed in connection with the planned disposal and reuse of NAPR. The FONSI was signed on April 10, 2007.

B. Hazardous Substance Notice

In accordance with Section 120(h)(3)(A)(i) of CERCLA, all deeds transferring federal property must provide notice as to those hazardous substances which it is known, based on a complete search of agency files, were stored for 1 year or more, released or disposed on the Subject Property in excess of those reportable quantities specified under 40 CFR 373 (Hazardous Substances Reporting Requirements for Selling or Transferring Federal Real Property), and all response actions taken to date to address any such releases or disposals. Hazardous materials use/storage and hazardous waste generation/management at the former NSRR are discussed in Section 5.2 of the ECP Report. The hazardous substances notice and response action summary for the Subject Property is attached to this FOST as Exhibit J.

C. CERCLA Covenant

The deed that conveys the Subject Property will contain the covenants provided for under CERCLA Section 120(h)(3)(A)(ii)(I) that all necessary remedial actions have been taken prior to transfer, and CERCLA Sections 120(h)(3)(A)(ii)(II) and 120(h)(4)(D)(i) that any response action or corrective action found to be necessary after the date of transfer shall be conducted by the United States.

D. CERCLA Access Clause

In accordance with CERCLA Sections 120(h)(3)(A)(iii) and 120(h)(4)(D)(ii), the deed transferring the Subject Property shall contain a clause granting to the United States, its officers, agents, employees, contractors, and subcontractors the right to enter upon the transferred property in any case that remedial or corrective action is found to be necessary after the date of transfer. The right to enter to be set forth shall include the right to conduct annual physical inspections, tests, investigations, long term monitoring, 5-year reviews, and surveys, including, where necessary,

**FINDING OF SUITABILITY TO TRANSFER
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drilling, test pitting, boring, and other similar activities. Such right shall also include the right to construct, operate, maintain, or undertake any other response or remedial action as required or necessary, including, but not limited to, monitoring wells, pumping wells, and treatment facilities. The United States retains the authority to enter to conduct investigations on adjacent parcels as well as the parcel subject to the transfer. These access rights are in addition to those granted to Federal, state, and local authorities under applicable environmental laws and regulations.

E. Land and Groundwater Restrictions

The Navy will transfer all of the Subject Property without restrictions, except for a non-residential use only restriction at SWMUs 10, 13, 39, 46, 53 and AOC C, a soil disturbance/invasive activity restriction at SWMU 25, and a groundwater use restriction at SWMUs 13 and 30. These land use controls (LUCs) will be implemented through the Navy-EPA Consent Order and the subsequent transfer deed. The Navy transfer deed for the Subject Property will refer to LUC requirements contained in the Consent Order which will be attached to the deeds. The Consent Order requires the establishment of LUCs with detailed requirements (implementation, compliance, monitoring, enforcement, modification/termination, etc.) developed in other documents agreed to between the Navy and EPA or the new owner and EPA with concurrence by Puerto Rico EQB.

F. Environmental Compliance Agreements / Permits / Orders

On January 29, 2007, the Navy and EPA voluntarily entered into a Consent Order. The Consent Order set out the Navy's corrective action obligations under RCRA and replaced the 1994 RCRA permit as the document memorializing these obligations concerning NAPR. The 16 SWMUs and three AOCs on the Subject Property require no further action under RCRA as they have been designated either Corrective Action Complete Without Controls or Corrective Action Complete With Controls in the Consent Order or subsequent to the signing of the Consent Order based on meeting the requirements of the order. Detailed descriptions of the SWMUs and AOCs on the Subject Property are provided in the ECP Report, while summary descriptions and their current status are provided in Table 2 (Exhibit E). It should be noted that, as discussed in Section 2.0, the Subject Property does not include 12 SWMUs, that are either wholly or partially surrounded by Sale Parcel III, where corrective action investigation and/or remediation requirements are not yet completed.

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Puerto Rico EQB issued a draft Title V Operating Permit, number TV9711-19-0397-0012, for air emissions at the former NSRR in Spring 2003. This draft permit went into public review on July 8, 2003, where NSRR presented extensive comments/changes due to the relocation of many tenant commands. A final Title V Operating Permit was issued by EQB on September 30, 2006. NSRR had a wide variety of small emission sources, which operated intermittently, with no set operation schedule. Most volatile organic compound and hazardous air pollutant emissions were generated by combustion sources, which are powered by diesel, JP-5, gasoline or propane gas. Significant emission units on the Subject Property included a spray paint booth for heavy equipment and automobiles at Building 3188 (Alfa Company Maintenance Building). Because of station closure, air emission sources associated with the Subject Property have been discontinued. There is no documentation of any current, or previous Notices of Violation issued to the former NSRR as a result of a deviation from the Title V Permit.

Six storm water outfalls at NSRR are regulated under EPA's Multi-Sector General Permit program. The former NSRR obtained initial permit coverage in 1995, and re-applied for the permit in 2000, which became effective upon submittal. The six outfalls are regulated due to the Standard Industrial Classification (SIC) code for the type of industrial activity conducted in the area that contributes to the outfall. The one regulated outfall associated with the Subject Property is Outfall 002 (SIC Code 5093 - scrap and waste material processing and recycling). It receives storm water runoff from the Building 1973 DRMO Complex on the Subject Property, and also storm water from other areas, and discharges to Enseñada Honda.

Historically, storm water discharges from industrial areas were not regulated or controlled. RCRA investigations conducted at NSRR, specifically at SWMU 38 and AOC D on the Subject Property, evaluated whether suspected historical release of hazardous substances to storm water ditches, outfalls on the Subject Property, and associated sediments may have resulted in potentially significant impacts to human health and/or the environment. No significant releases of hazardous substances or subsequent human health risks were identified, and no further investigation was required for these SWMUs.

G. Notification to Regulatory Agencies / Public

In accordance with DoD guidance, EPA Region 2 and the Puerto Rico EQB have been advised of the proposed transfer of the Subject Property, and copies of the ECP Report, CERFA Report, and Draft FOST were provided to those agencies for review and comment. Navy responses to EPA

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and EQB comments are included as Exhibit K. The ECP Report was made available for public review upon finalization. Copies of all transfer documentation will be made available to EPA and EQB representatives upon request after execution of the same.

6.0 SUITABILITY DETERMINATION

NOW THEREFORE, based on my review of the information contained in this FOST, the notices discussed herein, and the restrictions and covenants that will be contained in the deed, the Subject Property is suitable for transfer.

2 FEB 2009

Date

James E. Anderson

JAMES E. ANDERSON

Director

BRAC Program Management Office Southeast
North Charleston, South Carolina

Exhibit A
References

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SALE PARCEL III - FORRESTAL
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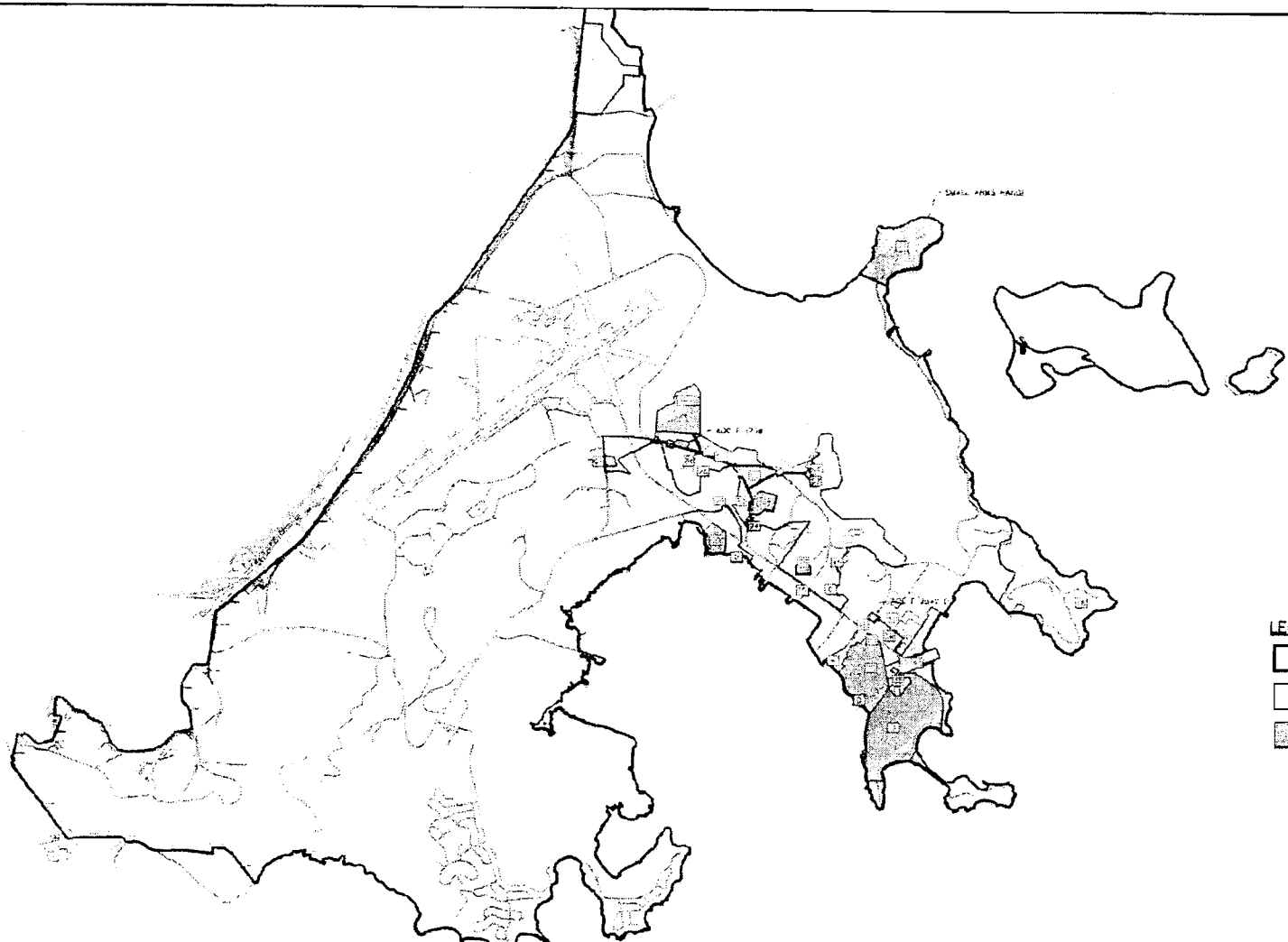
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NAVAL ACTIVITY PUERTO RICO**

Navy, 2006b. (Department of the Navy, Base Realignment and Closure Program Management Office Southeast) *CERFA Identification of Uncontaminated Property, Former Naval Station Roosevelt Roads, Puerto Rico*. North Charleston, South Carolina, April 27, 2006.

USGS, 1993. (U.S. Geological Survey) *Open File Report 93-292-K, Preliminary Geologic Radon Potential Assessment of Puerto Rico*. 1993.

Exhibit B
Vicinity and Sewer System Maps



LEGEND

-  PR PUERTO RICO BOUNDARY
-  SALE PARCEL II
-  SALE PARCEL I (LEASE AREA)
-  DRAIN CANAL
-  WELL CANAL



1001 AMERSON DRIVE • FORT MYR FLORIDA 3
PITTSBURGH, PA 15220
T: (412) 921-7000 F: (412) 921-7000

NO.	DATE	DESCRIPTION	BY

**SALE PARCEL III
NAVAL ACTIVITY PUERTO RICO
CEIBA, PUERTO RICO**

DATE:	1/2/2008
PROJECT NO:	110000001
DRAWN BY:	
CHECKED BY:	
DATE:	

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REFERENCES

54-6777

FORCE

المشكلة

DECLARATION

[illegible]

Exhibit C

Sub-Parcel Maps

NOTE: The sub-parcel maps in this exhibit are from the Draft Report, Parcel Map for the Disposal of Naval Activity Puerto Rico (GMI, 2005). The boundaries of Sub-Parcels 31 and 40 have changed since these maps were published (the final boundaries are shown in Exhibit D).

The boundaries and/or cleanup status of some of the Solid Waste Management Units (SWMUs) and Areas of Concern (AOCs) shown on these maps have changed since the draft parcel map report was produced.

The ECP sites shown on these maps correlate to the following SWMUs:

- ECP 3 – SWMU 57
- ECP 5 – SWMU 59
- ECP 6 – SWMU 60
- ECP 13 – SWMU 67
- ECP 16 - SWMU 70
- ECP 20 – SWMU 74

The following should be noted about the AOCs and SWMUs shown on the sub-parcel maps:

- Sub-Parcel 43 – SWMU 59 is incorrectly shown as SWMU 5.
- Sub-Parcel 48 – ECP 20 (SWMU 74) is incorrectly shown as SWMU 20 and should be shown as falling within Parcel 49.
- Sub-Parcel 59 – SWMU 45 is shown incorrectly as SWMU 48.
- SWMU 38 (Sanitary and Storm Water Sewer Systems) is not shown on these maps. A separate utility map is provided in Exhibit B.

THREATENED AND ENDANGERED SPECIES CONSERVATION MEASURES—PARCEL 30

Common Name—Sale

Conveyance—Sale

Neighboring Parcel(s)—28, 29, 31

Yellow-shouldered Blackbird

GENERAL REQUIREMENTS

- No development is allowed in Parcel 28 (Conservation).
- All development related activities (new construction, ground clearing, demolition/remodeling) adjacent to conservation parcels (28) should occur between September 1 and March 15 (non-breeding season) or be restricted to an area 50 m from the parcel boundary from March 15-August 30 (breeding season).
- Notify USFWS if a yellow-shouldered blackbird nest is found anywhere on the property (787-851-7297).
- Pesticide and herbicide applications must follow Commonwealth of Puerto Rico regulations.

Activity	Conservation Measures
Development Planning	Save as many existing on site palms and trees as possible in new development plans.
Grounds Maintenance	No trimming or cutting of palms and trees between March 15 and August 30 except in an emergency (i.e., downed trees and palms from storms).
Property Sale/Lease	Notify buyer/lessee of all mitigation requirements (see above) and include mitigation with all legal documents.

NOTICE:

Consult with the U.S. Fish and Wildlife Service if you have any questions on the conservation measures. Property owners that cannot adhere to the conservation measures must consult with the U.S. Fish and Wildlife Service to seek a Section 10.0 permit for authorization to modify the identified critical habitat. Failure to comply with the identified conservation measures violates Section 9.0 and/or Section 10.0 of the Endangered Species Act. The U.S. Fish and Wildlife Service has the authority to prosecute violations under the Endangered Species Act.

**Parcel Map for the Disposal
of Naval Activity Puerto Rico**

Parcel Index 30

Common Name: Sale
Conveyance: Sale
Neighboring Parcel(s): 28, 29, 31

Legend
Parcel
Neighboring Parcel Boundaries
Yellow-shouldered Blackbird
Nesting/Foraging Pairs
Breeding Habitat

August 18, 2006



1 inch equals 223 Feet

0 150 300 Feet



Parcel Index 30

Common Name: *Salé*

Conveyance: *Salé*

Neighboring Parcel(s): 28, 29, 31

Legend

-  Parcel
-  Neighboring Parcel Boundary
-  Cleanup Status
-  Complete with Land Use Controls
-  Complete
-  Cleanup Remaining

August 18, 2006



1 inch equals 223 Feet

0 150 300 Feet



THREATENED AND ENDANGERED SPECIES CONSERVATION MEASURES—PARCEL 53

Common Name—Sale
Conveyance—Sale
Neighboring Parcel(s)—49, 51, 52, 54, 59

GENERAL REQUIREMENTS

- No Requirements

Activity	Conservation Measures
NA	NA

NOTICE:

Consult with the U.S. Fish and Wildlife Service if you have any questions on the conservation measures. Property owners that cannot adhere to the conservation measures must consult with the U.S. Fish and Wildlife Service to seek a Section 10.0 permit for authorization to modify the identified critical habitat. Failure to comply with the identified conservation measures violates Section 9.0 and/or Section 10.0 of the Endangered Species Act. The U.S. Fish and Wildlife Service has the authority to prosecute violations under the Endangered Species Act.

THREATENED AND ENDANGERED SPECIES CONSERVATION MEASURES—PARCEL 31

Common Name—Sale

Conveyance—Sale

Neighboring Parcel(s)—27-29, 33, 40

Yellow-shouldered Blackbird

GENERAL REQUIREMENTS

- No development is allowed in Parcel 28 (Conservation).
- All development related activities (new construction, ground clearing, demolition/remodeling) adjacent to conservation parcels (28) should occur between September 1 and March 15 (non-breeding season) or be restricted to an area 50 m from the parcel boundary from March 15-August 30 (breeding season).
- Notify USFWS if a yellow-shouldered blackbird nest is found anywhere on the property (787-851-7297).
- Pesticide and herbicide applications must follow Commonwealth of Puerto Rico regulations.

Activity	Conservation Measures
Development Planning	Save as many existing on site palms and trees as possible in new development plans.
New Construction/Clearing	If undeveloped yellow-shouldered blackbird habitat is proposed for clearing consult with USFWS a minimum of one year prior to planned project initiation.
Demolition/Remodeling	Schedule activity from September 1 through March 14 or conduct outdoor survey of building(s) (ledges, etc.) and nearby trees (within 50 m of the building) for yellow-shouldered blackbird nests prior to start date if the development activity is scheduled to occur between March 15 and August 30. Consult with USFWS if a yellow-shouldered blackbird nest is found.
Grounds Maintenance	No trimming or cutting of palms and trees between March 15 and August 30 except in an emergency (i.e., downed trees and palms from storms).
Building Maintenance	Check for yellow-shouldered blackbird nests prior to any outdoor building maintenance activities between March 15 and August 30. Determine identity of any bird nest found. Notify and consult with USFWS if a yellow-shouldered blackbird nest is found.
General Operations	Before moving parked outdoor equipment (e.g., carts, vehicles) check for yellow-shouldered blackbird nests (March 15-August 30). Notify USFWS if a yellow-shouldered blackbird nest is located.
Property Sale/Lease	Notify buyer/lessee of all mitigation requirements (see above) and include mitigation with all legal documents.

NOTICE:

Consult with the U.S. Fish and Wildlife Service if you have any questions on the conservation measures. Property owners that cannot adhere to the conservation measures must consult with the U.S. Fish and Wildlife Service to seek a Section 10.0 permit for authorization to modify the identified critical habitat. Failure to comply with the identified conservation measures violates Section 9.0 and/or Section 10.0 of the Endangered Species Act. The U.S. Fish and Wildlife Service has the authority to prosecute violations under the Endangered Species Act.

*Parcel Map for the Disposal
of Naval Activity Puerto Rico*

Parcel Index 31

Common Name: Sale
Conveyance: Sale
Neighboring Parcel(s): 27-30,
33, 40

Legend
 Parcel
 Neighboring Parcel Boundary
 Yellow-shouldered Blackbird
 Nesting/Foraging Pair
 Nesting/Foraging Habitat

August 18, 2005



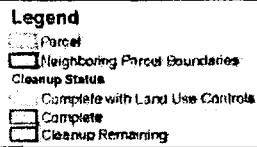
1 inch equals 422 Feet

0 300 600
Feet



Parcel Index 31

Common Name: Sale
Conveyance: Sale
Neighboring Parcel(s): 27- 30,
33, 40



August 18, 2008

1 inch equals 422 Feet

0 300 600 Feet



THREATENED AND ENDANGERED SPECIES CONSERVATION MEASURES—PARCEL 37

Common Name—Los Machos 2

Conveyance—Sale

Neighboring Parcel(s)—35, 36

GENERAL REQUIREMENTS

- No Requirements

Activity	Conservation Measures
NA	NA

NOTICE:

Consult with the U.S. Fish and Wildlife Service if you have any questions on the conservation measures. Property owners that cannot adhere to the conservation measures must consult with the U.S. Fish and Wildlife Service to seek a Section 10.0 permit for authorization to modify the identified critical habitat. Failure to comply with the identified conservation measures violates Section 9.0 and/or Section 10.0 of the Endangered Species Act. The U.S. Fish and Wildlife Service has the authority to prosecute violations under the Endangered Species Act.

*Parcel Map for the Disposal
of Naval Activity Puerto Rico*

Parcel Index 37

Common Name: Los Machos 2

Conveyance: Sale

Neighboring Parcel(s): 35, 36

Legend
Parcel
Neighboring Parcel Boundaries
Yellow-shouldered Blackbird
● Nesting/Foraging Pairs
// Breeding Habitat

August 18, 2006



1 inch equals 361 Feet

0 255 510 Feet



Parcel Index 37

Common Name: Los Machos 2
Conveyance: Sale
Neighboring Parcel(s): 35, 36

Legend	
	Parcel
	Neighboring Parcel Boundary
Cleanup Status	
	Complete with Land Use Controls
	Complete
	Cleanup Remaining

August 18, 2006



1 inch equals 361 Feet

0 250 500 Feet



THREATENED AND ENDANGERED SPECIES CONSERVATION MEASURES—PARCEL 40

Common Name—Sale

Conveyance—Sale

Neighboring Parcel(s)—28, 31, 33, 39, 41, 43, 44, 48, 50, 52, 55

Yellow-shouldered Blackbird

GENERAL REQUIREMENTS

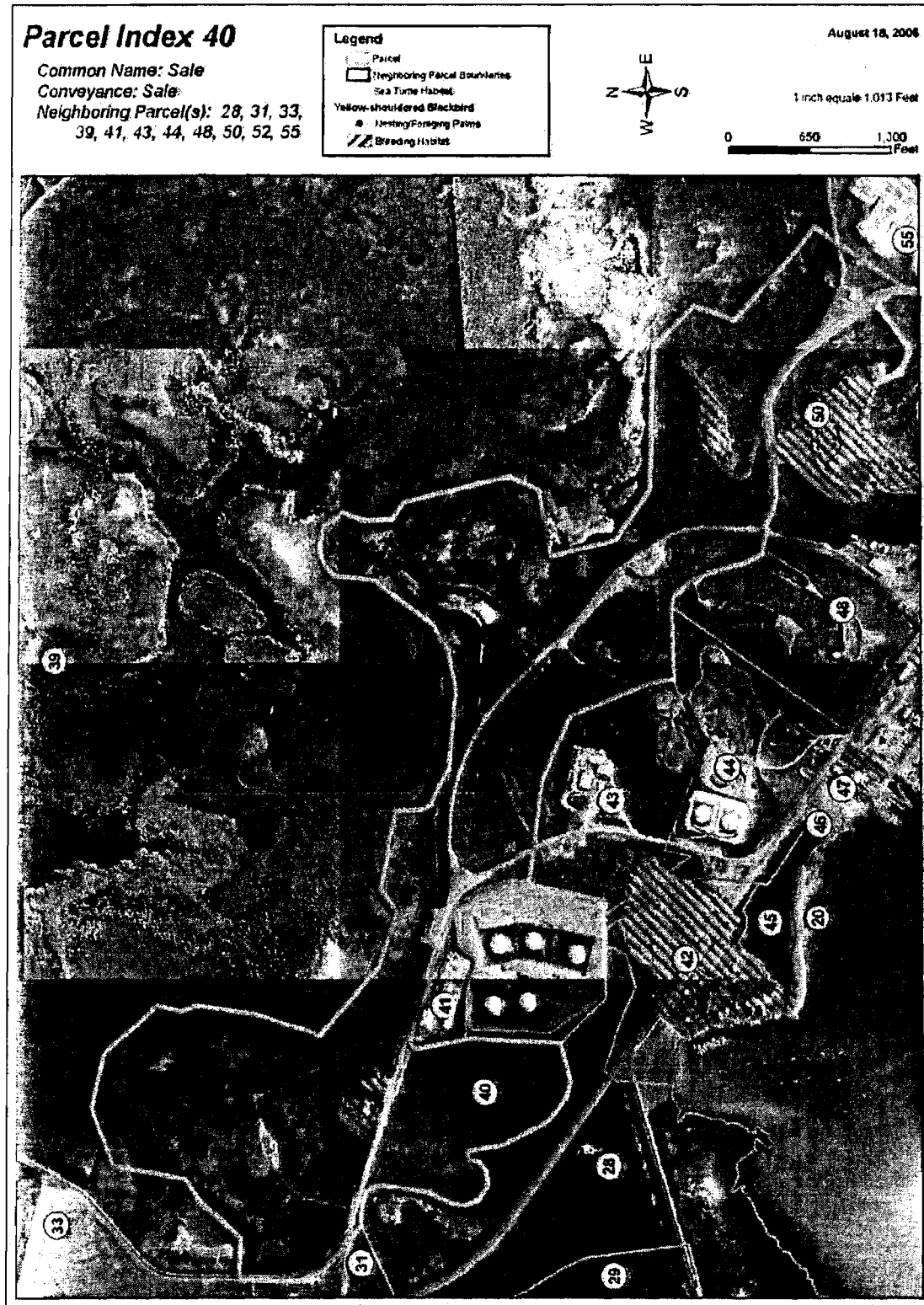
- No development is allowed in Parcel 28 and 39 (Conservation).
- All development related activities (new construction, ground clearing, demolition/remodeling) adjacent to conservation parcels (28, 29) should occur between September 1 and March 15 (non-breeding season) or be restricted to an area 50 m from the parcel boundary from March 15-August 30 (breeding season).
- Notify USFWS if a yellow-shouldered blackbird nest is found anywhere on the property (787-851-7297).
- Pesticide and herbicide applications must follow Commonwealth of Puerto Rico regulations.

Activity	Conservation Measures
Development Planning	Save as many existing on site palms and trees as possible in new development plans.
New Construction/Clearing	If undeveloped yellow-shouldered blackbird habitat is proposed for clearing consult with USFWS a minimum of one year prior to planned project initiation
Demolition/Remodeling	Schedule activity from September 1 through March 14 or conduct outdoor survey of building(s) (ledges, etc.) and nearby trees (within 50 m of the building) for yellow-shouldered blackbird nests prior to start date if the development activity is scheduled to occur between March 15 and August 30. Consult with USFWS if a yellow-shouldered blackbird nest is found.
Grounds Maintenance	No trimming or cutting of palms and trees between March 15 and August 30 except in an emergency (i.e., downed trees and palms from storms).
Building Maintenance	Check for yellow-shouldered blackbird nests prior to any outdoor building maintenance activities between March 15 and August 30. Determine identity of any bird nest found. Notify and consult with USFWS if a yellow-shouldered blackbird nest is found.
General Operations	Before moving parked outdoor equipment (e.g., carts, vehicles) check for yellow-shouldered blackbird nests (March 15-August 30). Notify USFWS if a yellow-shouldered blackbird nest is located.
Property Sale/Lease	Notify buyer/lessee of all mitigation requirements (see above) and include mitigation with all legal documents.

NOTICE:

Consult with the U.S. Fish and Wildlife Service if you have any questions on the conservation measures. Property owners that cannot adhere to the conservation measures must consult with the U.S. Fish and Wildlife Service to seek a Section 10.0 permit for authorization to modify the identified critical habitat. Failure to comply with the identified conservation measures violates Section 9.0 and/or Section 10.0 of the Endangered Species Act. The U.S. Fish and Wildlife Service has the authority to prosecute violations under the Endangered Species Act.

**Parcel Map for the Disposal
of Naval Activity Puerto Rico**



Parcel Index 40

Common Name: Sale

Conveyance: Sale

Neighboring Parcel(s): 28, 31, 33,
39, 41, 43, 44, 48, 50, 52, 55

Legend

-  Parcel
-  Neighboring Parcel Boundary
- Cleanup Status**
 -  Complete with Land Use Controls
 -  Complete
 -  Cleanup Remaining



August 18, 2008

1 inch equals 1,013 Feet

0 650 1,300 Feet



THREATENED AND ENDANGERED SPECIES CONSERVATION MEASURES—PARCEL 41

Common Name—Sale
Conveyance—Sale
Neighboring Parcel(s)—40, 44

GENERAL REQUIREMENTS

- No Requirements

Activity	Conservation Measures
NA	NA

NOTICE:

Consult with the U.S. Fish and Wildlife Service if you have any questions on the conservation measures. Property owners that cannot adhere to the conservation measures must consult with the U.S. Fish and Wildlife Service to seek a Section 10.0 permit for authorization to modify the identified critical habitat. Failure to comply with the identified conservation measures violates Section 9.0 and/or Section 10.0 of the Endangered Species Act. The U.S. Fish and Wildlife Service has the authority to prosecute violations under the Endangered Species Act.

*Parcel Map for the Disposal
of Naval Activity Puerto Rico*

Parcel Index 41

Common Name: *Sale*

Conveyance: *Sale*

Neighboring Parcel(s): 40, 44

Legend

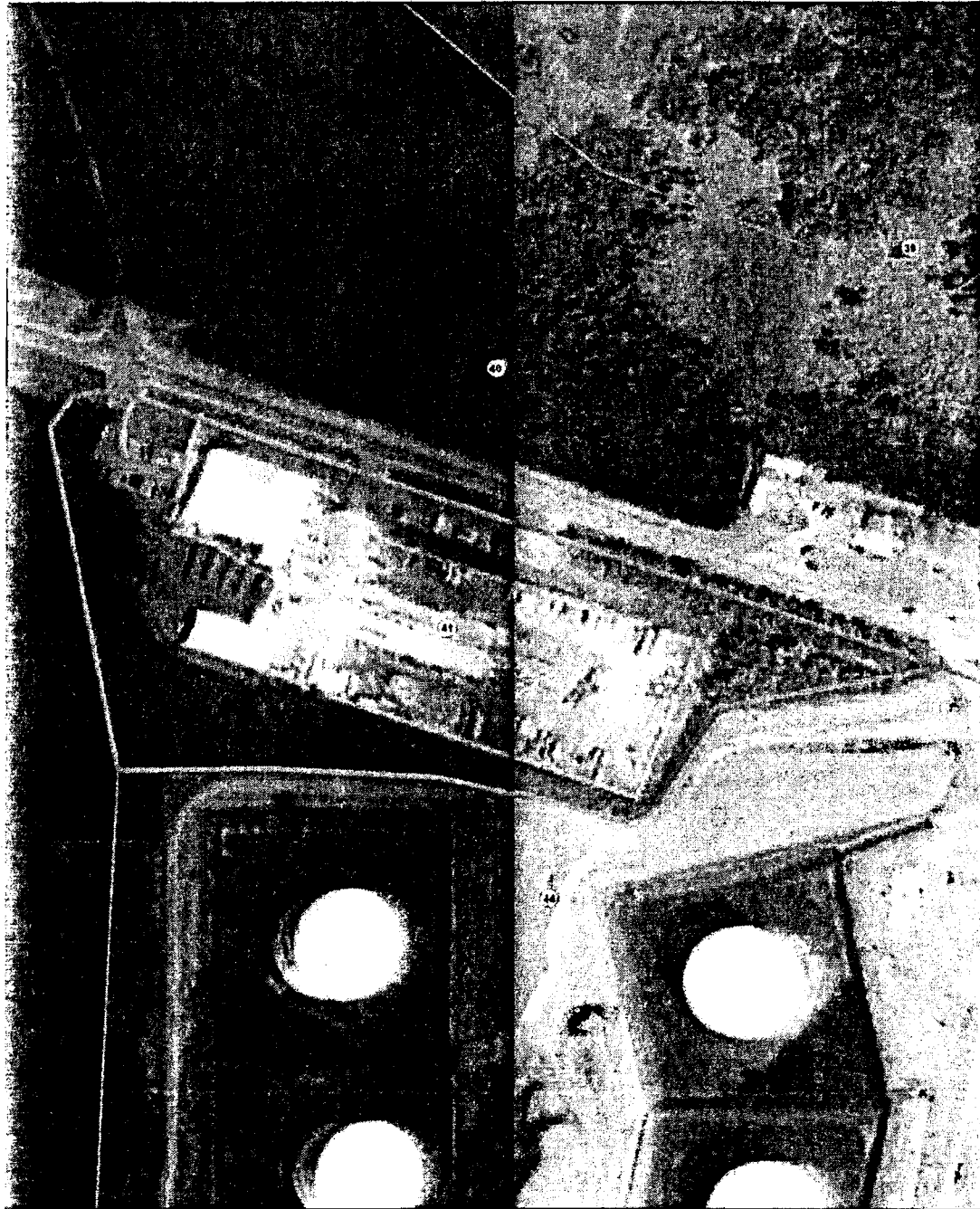
-  Parcel
-  Neighboring Parcel Roundabout
-  Yellow-shouldered Blackbird
-  Nesting/Foraging Pairs
-  Breeding Habitat

August 18, 2006



1 inch equals 164 Feet

0 125 250 Feet



*Parcel Map for the Disposal
of Naval Activity Puerto Rico*

Parcel Index 41

Common Name: Sale
Conveyance: Sale
Neighboring Parcel(s): 40, 44

Legend

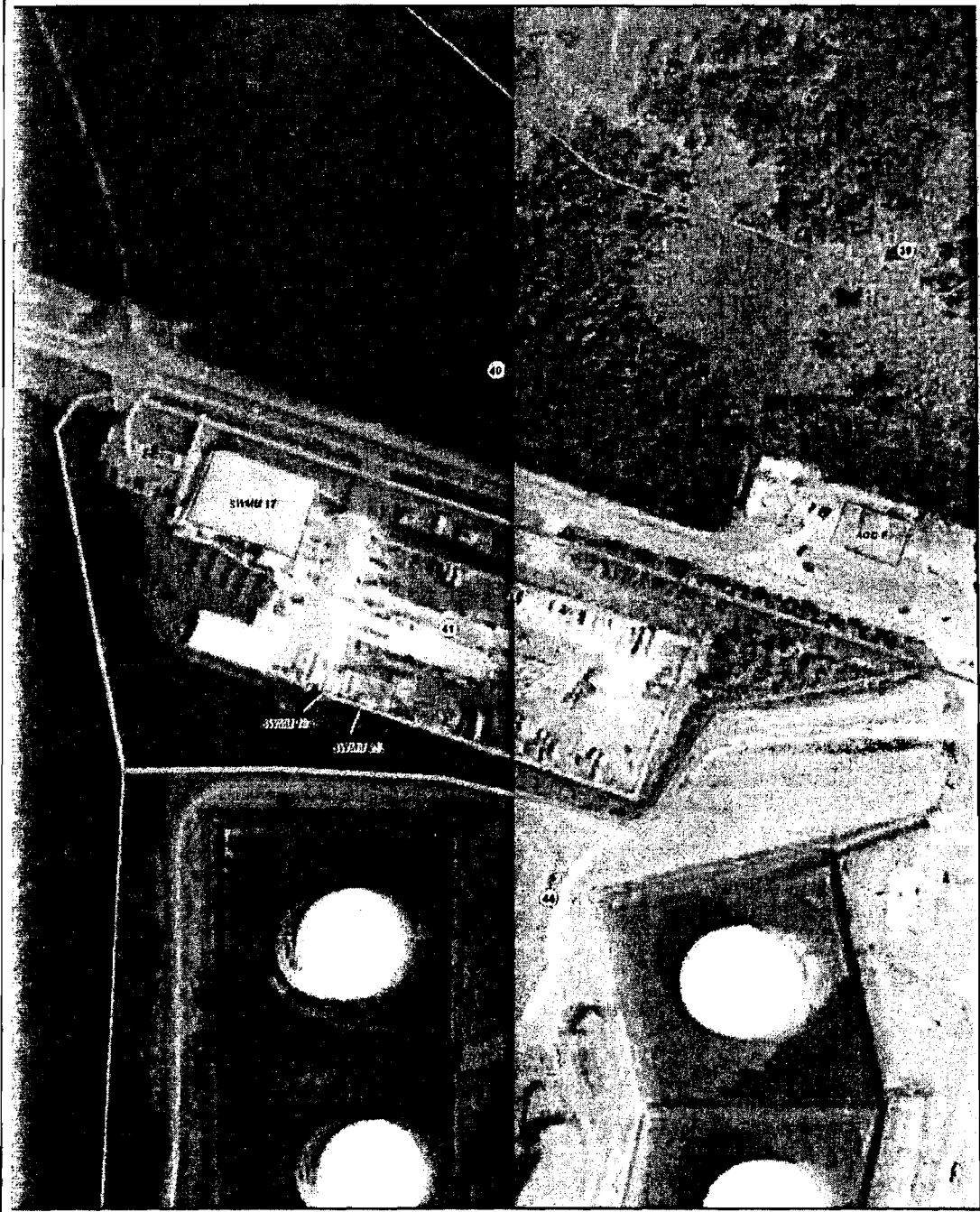
-  Parcel
-  Neighboring Parcel Boundary
- Cleanup Status**
 -  Complete with Land Use Controls
 -  Complete
 -  Cleanup Remaining

August 18, 2008



1 inch equals 164 Feet

0 125 250 Feet



THREATENED AND ENDANGERED SPECIES CONSERVATION MEASURES—PARCEL 42

Common Name—Sale
Conveyance—Sale
Neighboring Parcel(s)—28, 44, 45,

Yellow-shouldered Blackbird

GENERAL REQUIREMENTS

- No development is allowed in Parcel 28 (Conservation).
- All development related activities (new construction, ground clearing, demolition/remodeling) adjacent to conservation parcels (28) should occur between September 1 and March 15 (non-breeding season) or be restricted to an area 50 m from the conservation parcel boundary from March 15-August 30 (breeding season).
- Notify USFWS if a yellow-shouldered blackbird nest is found anywhere on the property (787-851-7297).
- Pesticide and herbicide applications must follow Commonwealth of Puerto Rico regulations.

Activity	Conservation Measures
Development Planning	Save as many existing on site palms and trees as possible in new development plans.
Demolition/Remodeling	Schedule activity from September 1 through March 14 or conduct outdoor survey of building(s) (ledges, etc.) and nearby trees (within 50 m of the building) for yellow-shouldered blackbird nests prior to start date if the activity is scheduled to occur between March 15 and August 30. Consult with USFWS if a yellow-shouldered blackbird nest is found.
Grounds Maintenance	No trimming or cutting of palms and trees between March 15 and August 30 except in an emergency (i.e., downed trees and palms from storms).
Building Maintenance	Check for yellow-shouldered blackbird nests prior to any outdoor building maintenance activities between March 15 and August 30. Determine identity of any bird nest found. Notify and consult with USFWS if a yellow-shouldered blackbird nest is found.
General Operations	Before moving outdoor equipment (e.g., carts, vehicles) check for yellow-shouldered blackbird nests from March 15-August 30. Notify USFWS if a yellow-shouldered blackbird nest is located.
Property Sale/Lease	Notify buyer/lessee of all mitigation requirements (see above) and include mitigation with all legal documents.

Sea Turtle

GENERAL REQUIREMENTS

- Consult with U.S. Fish and Wildlife Service (USFWS) and Puerto Rico Department of Environmental Resources (DNER) on all beach use plans and permit requirements.
- Notify USFWS if you observe an injured or dead turtle anywhere on the property (787-851-7297).
- Pesticide and herbicide applications must follow Commonwealth of Puerto Rico regulations.

***Parcel Map for the Disposal
of Naval Activity Puerto Rico***

Activity	Conservation Measures
Beach Development/Use	Implement all USFWS and Puerto Rico DNER lighting standards/requirements (includes parcels bordering the nesting area). Implement USFWS/ Puerto Rico DNER precautionary measures for sea turtles before, during, and after development activities. Establish a 50 m buffer zone between any developed or undeveloped site and the land edge of the sea turtle nesting beach.

NOTICE:

Consult with the U.S. Fish and Wildlife Service if you have any questions on the conservation measures. Property owners that cannot adhere to the conservation measures must consult with the U.S. Fish and Wildlife Service to seek a Section 10.0 permit for authorization to modify the identified critical habitat. Failure to comply with the identified conservation measures violates Section 9.0 and/or Section 10.0 of the Endangered Species Act. The U.S. Fish and Wildlife Service has the authority to prosecute violations under the Endangered Species Act.

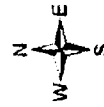
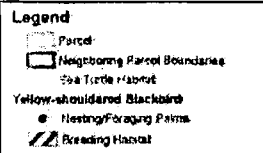
*Parcel Map for the Disposal
of Naval Activity Puerto Rico*

Parcel Index 42

Common Name: Sale

Conveyance: Sale

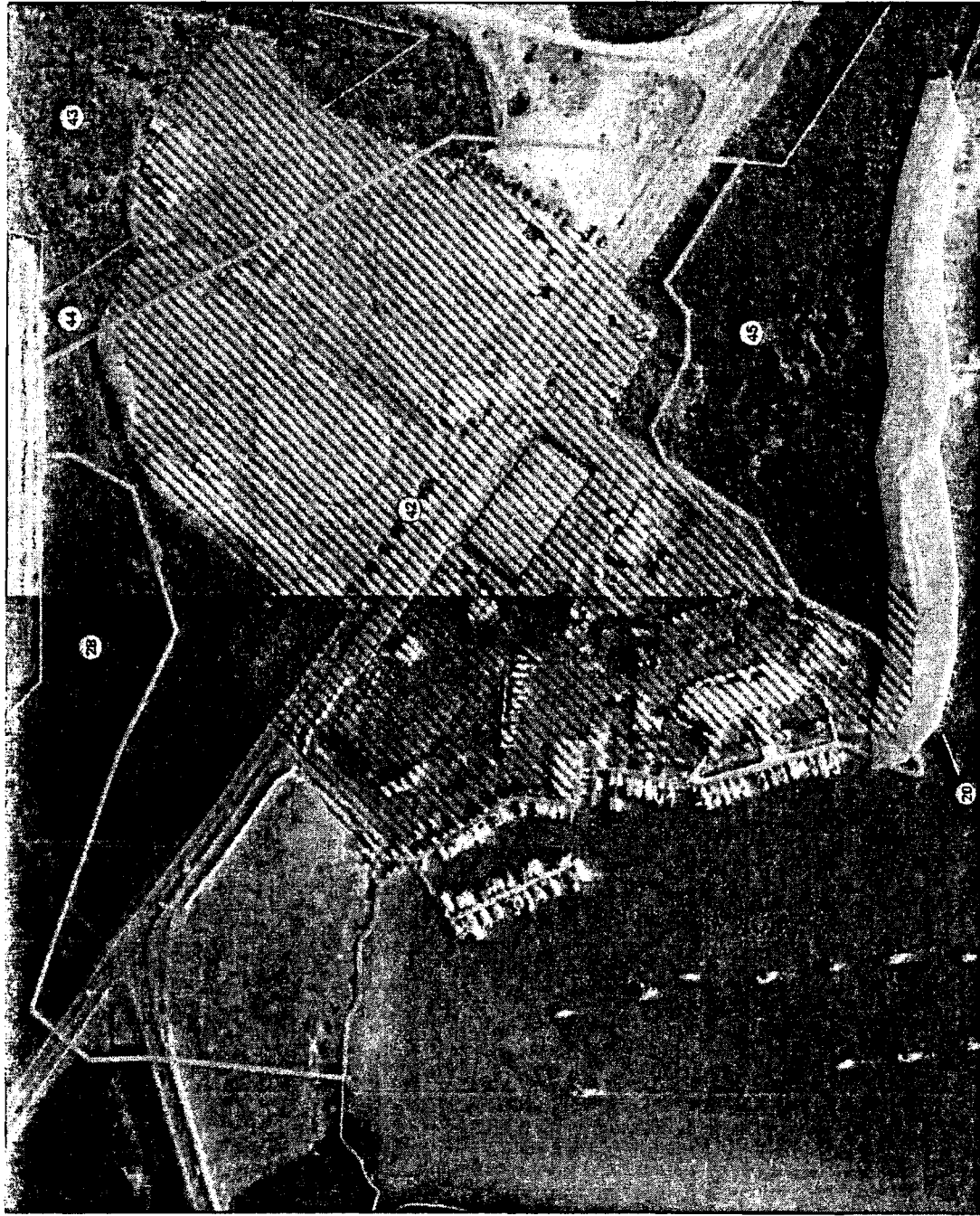
Neighboring Parcel(s): 28, 44, 45



August 10, 2008

1 inch equals 240 Feet

0 175 350 Feet



Parcel Index 42

Common Name: Sale

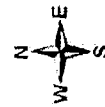
Conveyance: Sale

Neighboring Parcel(s): 28, 44, 45

Legend

-  Parcel
-  Neighboring Parcel Boundary
-  Cleanup Status
-  Complete with Land Use Controls
-  Complete
-  Cleanup Remaining

August 18, 2008



1 inch equals 240 Feet

0 175 250 Feet



THREATENED AND ENDANGERED SPECIES CONSERVATION MEASURES—PARCEL 43

Common Name—Sale

Conveyance—Sale

Neighboring Parcel(s)—40, 44

Yellow-shouldered Blackbird

GENERAL REQUIREMENTS

- Notify USFWS if a yellow-shouldered blackbird nest is found anywhere on the property (787-851-7297).
- Pesticide and herbicide applications must follow Commonwealth of Puerto Rico regulations.

Activity	Conservation Measures
Development Planning	Save as many existing on site palms and trees as possible in new development plans.
New Construction/Clearing	If undeveloped yellow-shouldered blackbird habitat is proposed for clearing consult with USFWS a minimum of one year prior to planned project initiation.
Demolition/Remodeling	Schedule activity from September 1 through March 14 or conduct outdoor survey of building(s) (ledges, etc.) and nearby trees (within 50 m of the building) for yellow-shouldered blackbird nests prior to start date if the development activity is scheduled to occur between March 15 and August 30. Consult with USFWS if a yellow-shouldered blackbird nest is found.
Grounds Maintenance	No trimming or cutting of palms and trees between March 15 and August 30 except in an emergency (i.e., downed trees and palms from storms).
Building Maintenance	Check for yellow-shouldered blackbird nests prior to any outdoor building maintenance activities between March 15 and August 30. Determine identity of any bird nest found. Notify and consult with USFWS if a yellow-shouldered blackbird nest is found.
General Operations	Before moving parked outdoor equipment (e.g., carts, vehicles) check for yellow-shouldered blackbird nests (March 15-August 30). Notify USFWS if a yellow-shouldered blackbird nest is located.
Property Sale/Lease	Notify buyer/lessee of all mitigation requirements (see above) and include mitigation with all legal documents.

NOTICE:

Consult with the U.S. Fish and Wildlife Service if you have any questions on the conservation measures. Property owners that cannot adhere to the conservation measures must consult with the U.S. Fish and Wildlife Service to seek a Section 10.0 permit for authorization to modify the identified critical habitat. Failure to comply with the identified conservation measures violates Section 9.0 and/or Section 10.0 of the Endangered Species Act. The U.S. Fish and Wildlife Service has the authority to prosecute violations under the Endangered Species Act.

*Parcel Map for the Disposal
of Naval Activity Puerto Rico*

Parcel Index 43

Common Name: *Salé*

Conveyance: *Salé*

Neighboring Parcel(s): 40, 44

Legend

-  Parcel
-  Neighboring Parcel Boundary
-  Yellow-shouldered Blackbird
-  Nesting/Foraging Pairs
-  Breeding Habitat

August 18, 2008



1 inch equals 225 Feet

0 175 350 Feet

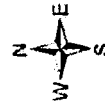


Parcel Index 43

Common Name: Sale
Conveyance: Sale
Neighboring Parcel(s): 40, 44

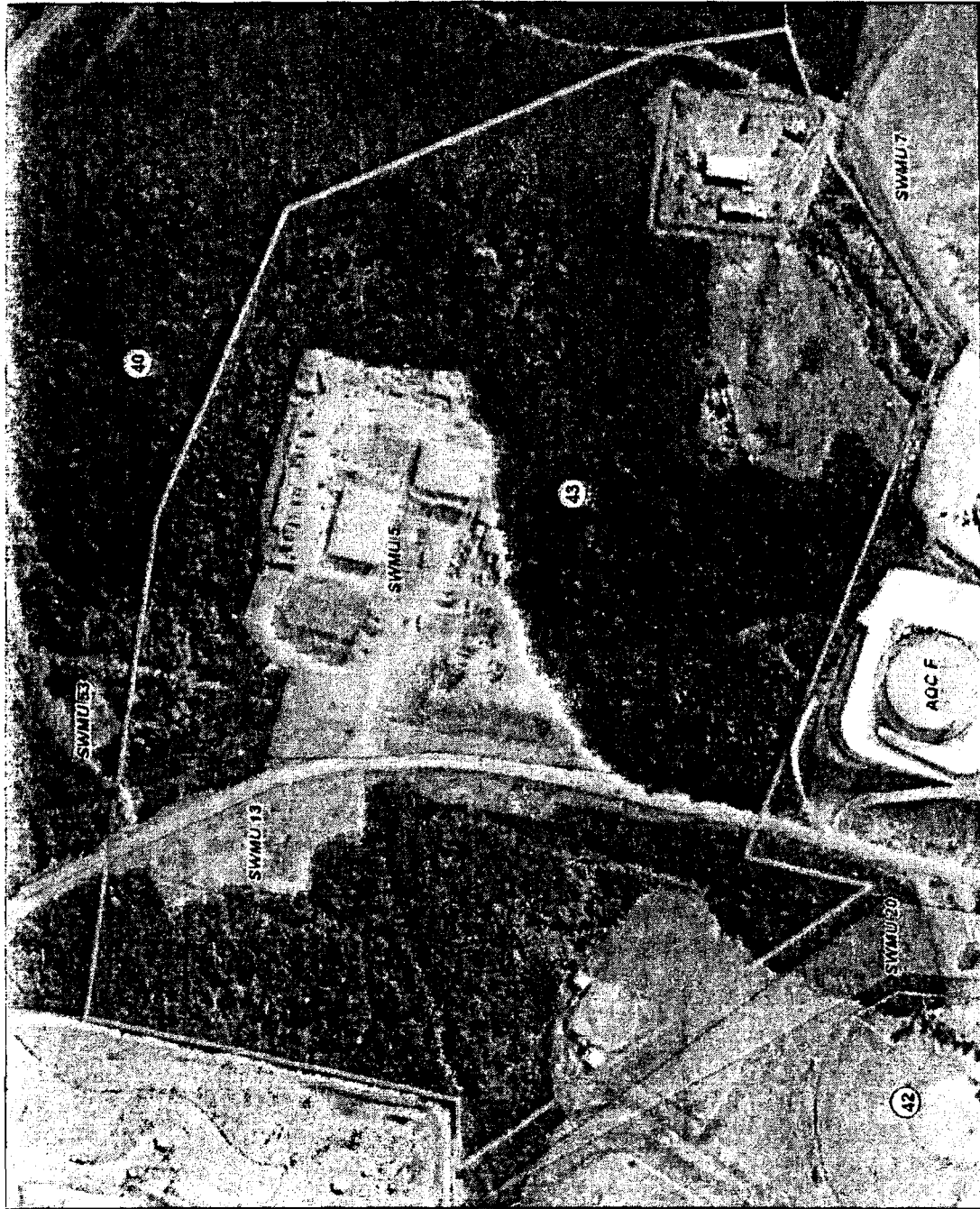
Legend	
	Parcel
	Neighboring Parcel Boundary
Cleanup Status	
	Complete with Land Use Controls
	Complete
	Cleanup Remaining

August 18, 2008



1 inch equals 225 Feet

0 175 350 Feet



THREATENED AND ENDANGERED SPECIES CONSERVATION MEASURES—PARCEL 45

Common Name—Sale

Conveyance—Sale

Neighboring Parcel(s)—42, 44, 46

Yellow-shouldered Blackbird

GENERAL REQUIREMENTS

- No development is allowed in Parcel 1 and 5 (Conservation).
- All development related activities (new construction, ground clearing, demolition/remodeling) adjacent to conservation parcels (1, 5) should occur between September 1 and March 15 (non-breeding season) or be restricted to an area 50 m from the parcel boundary from March 15-August 30 (breeding season).
- Notify USFWS if a yellow-shouldered blackbird nest is found anywhere on the property (787-851-7297).
- Pesticide and herbicide applications must follow Commonwealth of Puerto Rico regulations.

Activity	Conservation Measures
Development Planning	Save as many existing on site palms and trees as possible in new development plans.
New Construction/Clearing	If undeveloped yellow-shouldered blackbird habitat is proposed for clearing consult with USFWS a minimum of one year prior to planned project initiation.
Grounds Maintenance	No trimming or cutting of palms and trees between March 15 and August 30 except in an emergency (i.e., downed trees and palms from storms).
Property Sale/Lease	Notify buyer/lessee of all mitigation requirements (see above) and include mitigation with all legal documents.

Sea Turtle

GENERAL REQUIREMENTS

- Consult with U.S. Fish and Wildlife Service (USFWS) and Puerto Rico Department of Environmental Resources (DNER) on all beach use plans and permit requirements.
- Notify USFWS if you observe an injured or dead turtle anywhere on the property (787-851-7297).
- Pesticide and herbicide applications must follow Commonwealth of Puerto Rico regulations.

Activity	Conservation Measures
Beach Development/Use	Implement all USFWS and Puerto Rico DNER lighting standards/requirements (includes parcels bordering the nesting area). Implement USFWS/ Puerto Rico DNER precautionary measures for sea turtles before, during, and after development activities. Establish a 50 m buffer zone between any developed or undeveloped site and the land edge of the sea turtle nesting beach.

*Parcel Map for the Disposal
of Naval Activity Puerto Rico*

Parcel Index 45

Common Name: *Sale*

Conveyance: *Sale*

Neighboring Parcel(s): 42, 44, 46

Legend
Parcel
Neighboring Parcel Boundaries
Sea Turtle Habitat
Yellow-shouldered Blackbird:
Nesting/Foraging Pairs
Breeding Habitat



August 18, 2008

1 inch equals 163 Feet

0 125 250 Feet



Parcel Index 45

Common Name: *Salé*
Conveyance: *Salé*
Neighboring Parcel(s): 42, 44, 46

Legend	
	Parcel
	Neighboring Parcel Boundary
Cleanup Status	
	Complete with Land Use Controls
	Complete
	Cleanup Remaining

August 18, 2006



1 inch equals 193 Feet

0 125 250 Feet



THREATENED AND ENDANGERED SPECIES CONSERVATION MEASURES—PARCEL 48

Common Name—Sale

Conveyance—Sale

Neighboring Parcel(s)—40, 44, 46, 47, 49, 50, 51

Yellow-shouldered Blackbird

GENERAL REQUIREMENTS

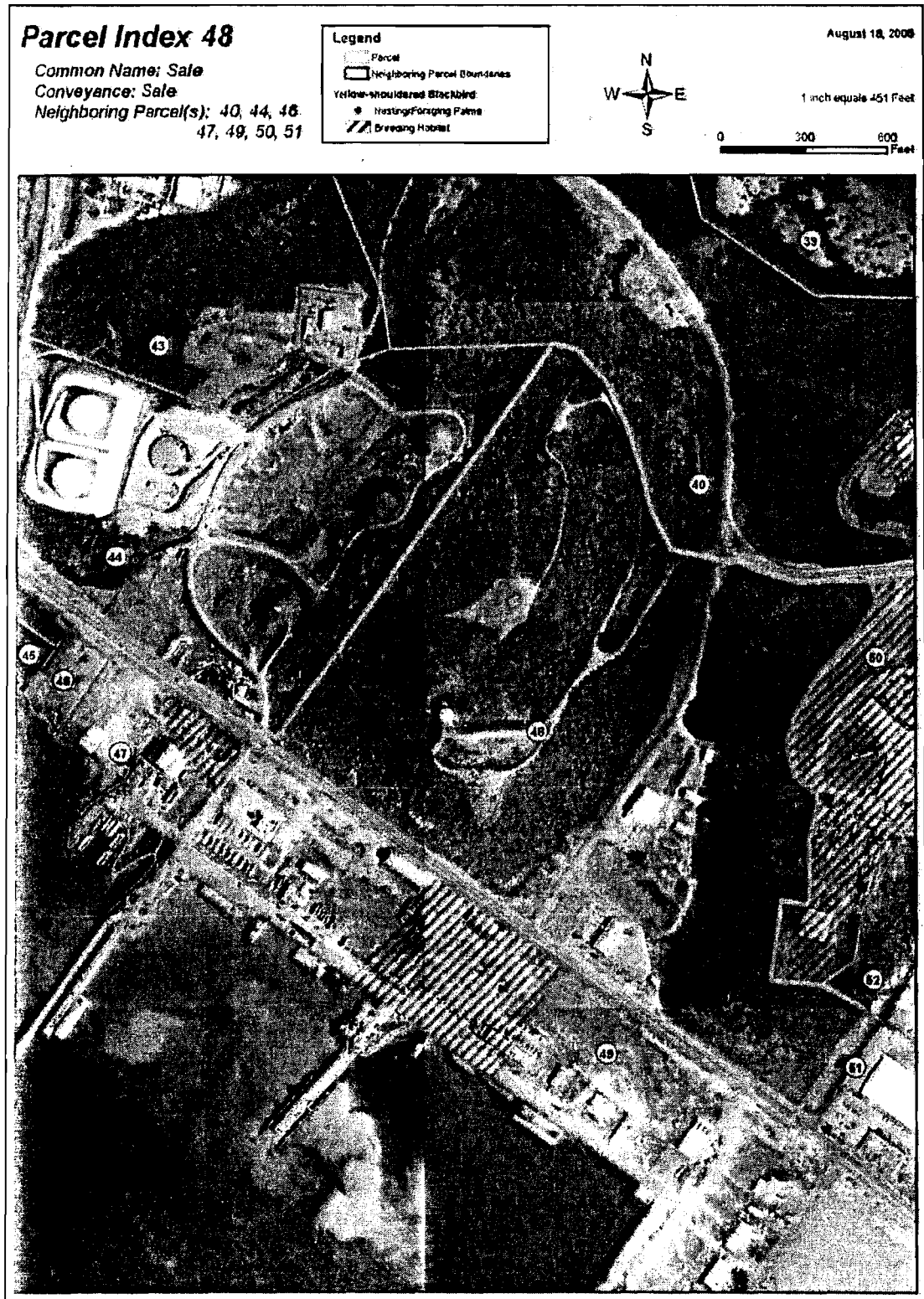
- Notify USFWS if a yellow-shouldered blackbird nest is found anywhere on the property (787-851-7297).
- Pesticide and herbicide applications must follow Commonwealth of Puerto Rico regulations.

Activity	Conservation Measures
Development Planning	Save as many existing on site palms and trees as possible in new development plans.
New Construction/Clearing	If undeveloped yellow-shouldered blackbird habitat is proposed for clearing consult with USFWS a minimum of one year prior to planned project initiation
Grounds Maintenance	No trimming or cutting of palms and trees between March 15 and August 30 except in an emergency (i.e., downed trees and palms from storms).
General Operations	Before moving parked outdoor equipment (e.g., carts, vehicles) check for yellow-shouldered blackbird nests (March 15-August 30). Notify USFWS if a yellow-shouldered blackbird nest is located.
Property Sale/Lease	Notify buyer/lessee of all mitigation requirements (see above) and include mitigation with all legal documents.

NOTICE:

Consult with the U.S. Fish and Wildlife Service if you have any questions on the conservation measures. Property owners that cannot adhere to the conservation measures must consult with the U.S. Fish and Wildlife Service to seek a Section 10.0 permit for authorization to modify the identified critical habitat. Failure to comply with the identified conservation measures violates Section 9.0 and/or Section 10.0 of the Endangered Species Act. The U.S. Fish and Wildlife Service has the authority to prosecute violations under the Endangered Species Act.

*Parcel Map for the Disposal
of Naval Activity Puerto Rico*



*Parcel Map for the Disposal
of Naval Activity Puerto Rico*

Parcel Index 48

Common Name: Sale
Conveyance: Sale
Neighboring Parcel(s): 40, 44, 46
47, 49, 50, 51

Legend	
	Parcel
	Neighboring Parcel Boundary
	Cleanup Status
	Complete with Land Use Controls
	Complete
	Cleanup Remaining



August 18, 2006

1 inch equals 451 Feet



**Parcel Map for the Disposal
of Naval Activity Puerto Rico**

Parcel Index 53

Common Name: **Sale**

Conveyance: **Sale**

Neighboring Parcel(s): 49, 51, 52
54, 59

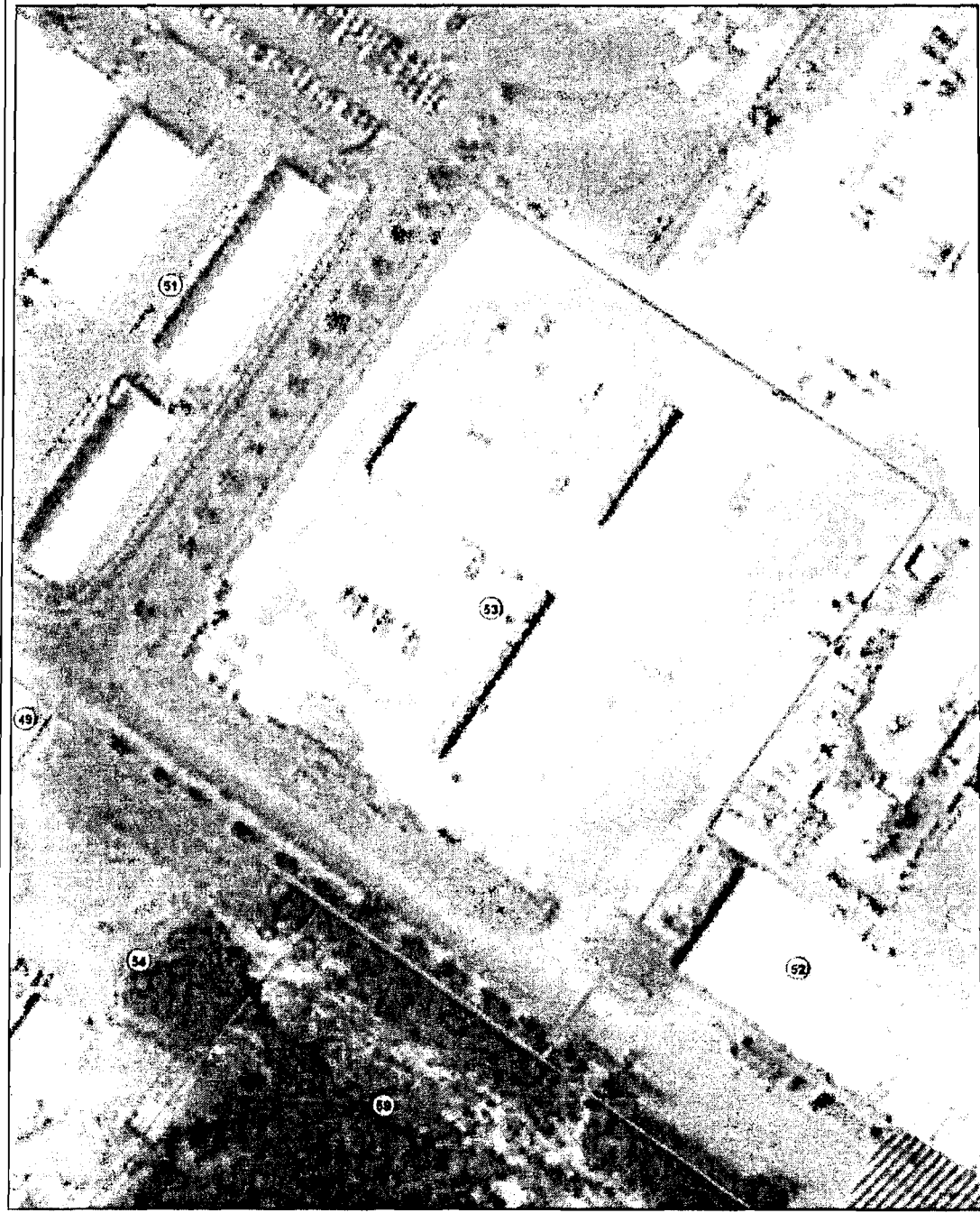


August 18, 2008



1 inch equals 111 Feet

0 75 150
Feet



Parcel Index 53

Common Name: Sale

Conveyance: Sale

Neighboring Parcel(s): 49, 51, 52
54, 59

Legend

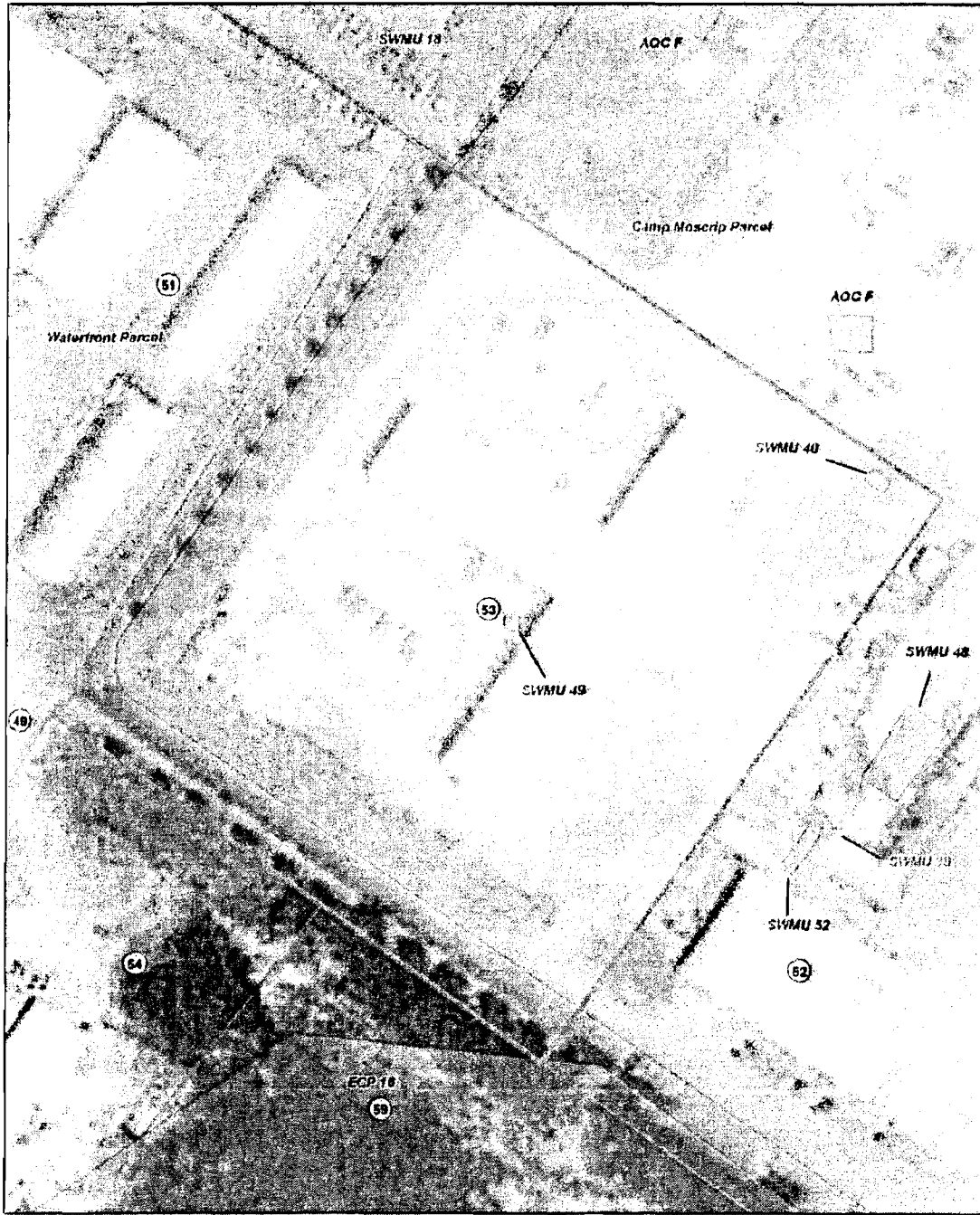
- Parcel
- Neighboring Parcel Boundaries
- Cleanup Status
- Complete with Land Use Controls
- Complete
- Cleanup Remaining

August 18, 2006



1 inch equals 111 Feet

0 75 150 Feet



THREATENED AND ENDANGERED SPECIES CONSERVATION MEASURES—PARCEL 54

Common Name—Sale

Conveyance—Sale

Neighboring Parcel(s)—49, 51, 53, 56, 59

GENERAL REQUIREMENTS

- No Requirements

Activity	Conservation Measures
NA	NA

NOTICE:

Consult with the U.S. Fish and Wildlife Service if you have any questions on the conservation measures. Property owners that cannot adhere to the conservation measures must consult with the U.S. Fish and Wildlife Service to seek a Section 10.0 permit for authorization to modify the identified critical habitat. Failure to comply with the identified conservation measures violates Section 9.0 and/or Section 10.0 of the Endangered Species Act. The U.S. Fish and Wildlife Service has the authority to prosecute violations under the Endangered Species Act.

*Parcel Map for the Disposal
of Naval Activity Puerto Rico*

Parcel Index 54

Common Name: Sale

Conveyance: Sale

Neighboring Parcel(s): 49, 51, 53
56, 59

Legend

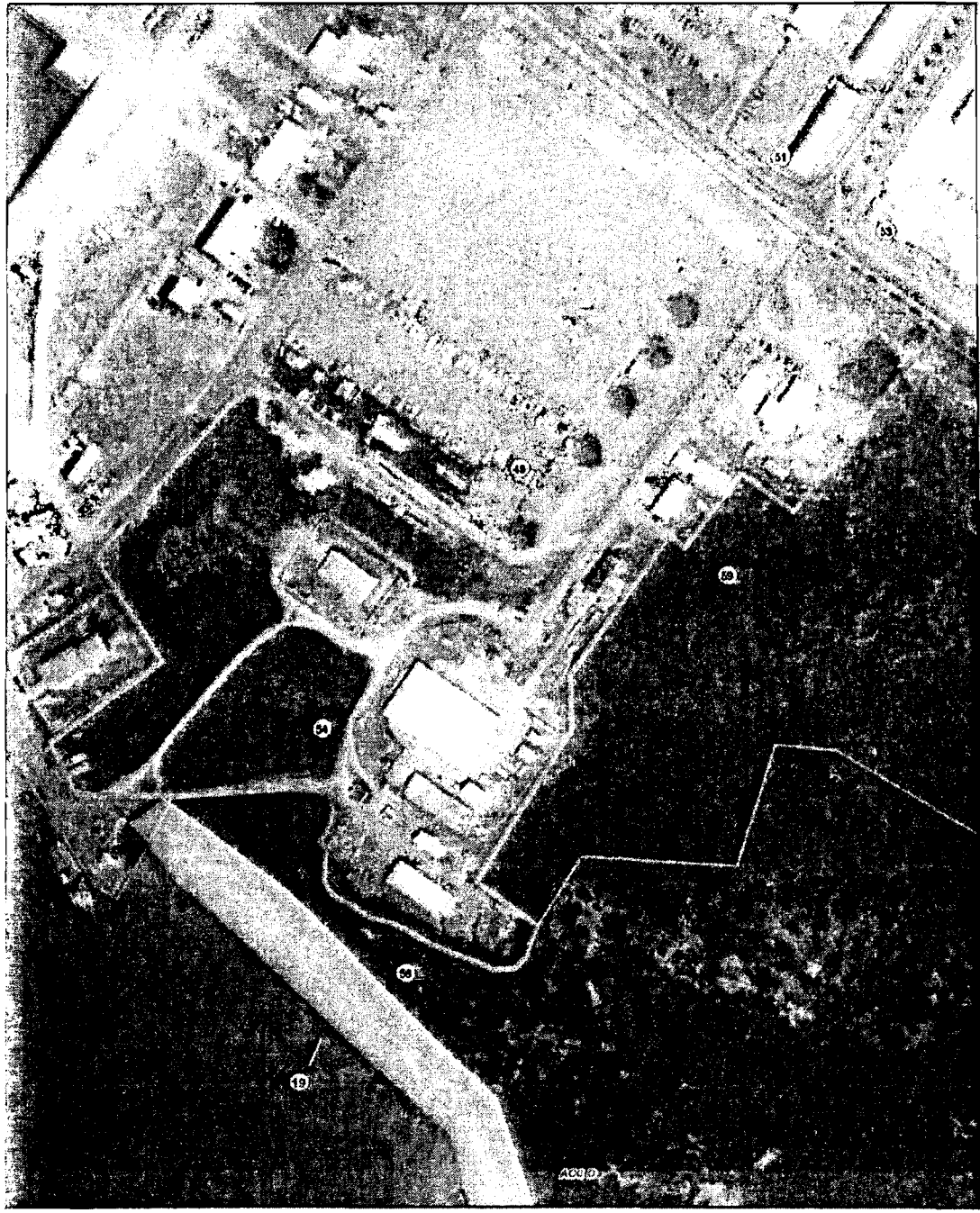
-  Parcel
-  Neighboring Parcel Boundaries
-  Sea Turtle Habitat
-  Yellow-shouldered Blackbird
-  Nesting/Foraging Pairs
-  Breeding Habitat

August 18, 2006



1 inch equals 229 Feet

0 150 300 Feet



Parcel Index 54

Common Name: Sale

Conveyance: Sale

Neighboring Parcel(s): 49, 51, 53
56, 59

Legend	
	Parcel
	Neighboring Parcel Boundary
Cleanup States	
	Complete with Land Use Controls
	Complete
	Cleanup Remaining

August 18, 2006



1 inch equals 229 Feet

0 150 200 Feet



THREATENED AND ENDANGERED SPECIES CONSERVATION MEASURES—PARCEL 56

Common Name—Sale

Conveyance—Sale

Neighboring Parcel(s)—49, 54, 59

Sea Turtle

GENERAL REQUIREMENTS

- Consult with U.S. Fish and Wildlife Service (USFWS) and Puerto Rico Department of Environmental Resources (DNER) on all beach use plans and permit requirements
- Notify USFWS if you observe an injured or dead turtle anywhere on the property (787-851-7297).
- Pesticide and herbicide applications must follow Commonwealth of Puerto Rico regulations.

Activity	Conservation Measures
Beach Development/Use	Implement all USFWS and Puerto Rico DNER lighting standards/requirements (includes parcels bordering the nesting area). Implement USFWS/ Puerto Rico DNER precautionary measures for sea turtles before, during, and after development activities. Establish a 50 m buffer zone between any developed or undeveloped site and the land edge of the sea turtle nesting beach.

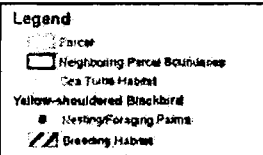
NOTICE:

Consult with the U.S. Fish and Wildlife Service if you have any questions on the conservation measures. Property owners that cannot adhere to the conservation measures must consult with the U.S. Fish and Wildlife Service to seek a Section 10.0 permit for authorization to modify the identified critical habitat. Failure to comply with the identified conservation measures violates Section 9.0 and/or Section 10.0 of the Endangered Species Act. The U.S. Fish and Wildlife Service has the authority to prosecute violations under the Endangered Species Act.

**Parcel Map for the Disposal
of Naval Activity Puerto Rico**

Parcel Index 56

Common Name: **Salé**
Conveyance: **Salé**
Neighboring Parcel(s): 49, 54, 59



August 18, 2008



1 inch equals 250 Feet

0 175 350 Feet



Parcel Index 56

Common Name: Sale

Conveyance: Sale

Neighboring Parcel(s): 49, 54, 59

Legend

-  Parcel
-  Neighboring Parcel Boundary
-  Cleanup Status
-  Complete with Land Use Controls
-  Complete
-  Cleanup Remaining

August 18, 2008



1 inch equals 250 Feet

0 175 350 Feet



THREATENED AND ENDANGERED SPECIES CONSERVATION MEASURES—PARCEL 59

Common Name—Sale

Conveyance—Sale

Neighboring Parcel(s)—52-54, 56-58, 60-62

Yellow-shouldered Blackbird

GENERAL REQUIREMENTS

- No development is allowed in Parcel 58 (Conservation)
- All development related activities (new construction, ground clearing, demolition/remodeling) adjacent to conservation parcels (58) between September 1 and March 15 (non-breeding season) or be restricted to an area 50 m from the conservation parcel boundary from March 15-August 30 (breeding season).
- Notify USFWS if a yellow-shouldered blackbird nest is found anywhere on the property (787-851-7297).
- Pesticide and herbicide applications must follow Commonwealth of Puerto Rico regulations.

Activity	Conservation Measures
Development Planning	Save as many existing on site palms and trees as possible in new development plans.
New Construction/Clearing	If undeveloped yellow-shouldered blackbird habitat is proposed for clearing consult with the USFWS a minimum of one year prior to planned project initiation.
Demolition/Remodeling	Schedule activity from September 1 through March 14 or conduct outdoor survey of building(s) (ledges, etc.) and nearby trees (within 50 m of the building) for yellow-shouldered blackbird nests prior to start date if the activity is scheduled to occur between March 15 and August 30. Consult with USFWS if a yellow-shouldered blackbird nest is found.
Grounds Maintenance	No trimming or cutting of palms and trees between March 15 and August 30 except in an emergency (i.e., downed trees and palms from storms).
General Operations	Before moving parked outdoor equipment (e.g., carts, vehicles) check for yellow-shouldered blackbird nests (March 15-August 30). Notify USFWS if a yellow-shouldered blackbird nest is located.
Property Sale/Lease	Notify buyer/lessee of all mitigation requirements (see above) and include mitigation with all legal documents.

Sea Turtle

GENERAL REQUIREMENTS

- Consult with U.S. Fish and Wildlife Service (USFWS) and Puerto Rico Department of Environmental Resources (DNER) on all beach use plans and permit requirements.
- Notify USFWS if you observe an injured or dead turtle anywhere on the property (787-851-7297).
- Pesticide and herbicide applications must follow Commonwealth of Puerto Rico regulations.

***Parcel Map for the Disposal
of Naval Activity Puerto Rico***

Activity	Conservation Measures
Beach Development/Use	Implement all USFWS and Puerto Rico DNER lighting standards/requirements (includes parcels bordering the nesting area). Implement USFWS/ Puerto Rico DNER precautionary measures for sea turtles before, during, and after development activities. Establish a 50 m buffer zone between any developed or undeveloped site and the land edge of the sea turtle nesting beach.

NOTICE:

Consult with the U.S. Fish and Wildlife Service if you have any questions on the conservation measures. Property owners that cannot adhere to the conservation measures must consult with the U.S. Fish and Wildlife Service to seek a Section 10.0 permit for authorization to modify the identified critical habitat. Failure to comply with the identified conservation measures violates Section 9.0 and/or Section 10.0 of the Endangered Species Act. The U.S. Fish and Wildlife Service has the authority to prosecute violations under the Endangered Species Act.

*Parcel Map for the Disposal
of Naval Activity Puerto Rico*

Parcel Index 59

Common Name: *Sale*

Conveyance: *Sale*

Neighboring Parcel(s): 52-54,
56-58, 60-62

Legend

-  Parcel
-  Neighboring Parcel Boundary
-  Sea Turtle Habitat
-  Yellow-shouldered Blackbird
-  Nesting/Foraging Palm
-  Breeding Habitat

August 18, 2008



1 inch equals 725 Feet

0 500 1,000 Feet



Parcel Index 59

Common Name: Sale
Conveyance: Sale
Neighboring Parcel(s): 52-54,
56-58, 60-62

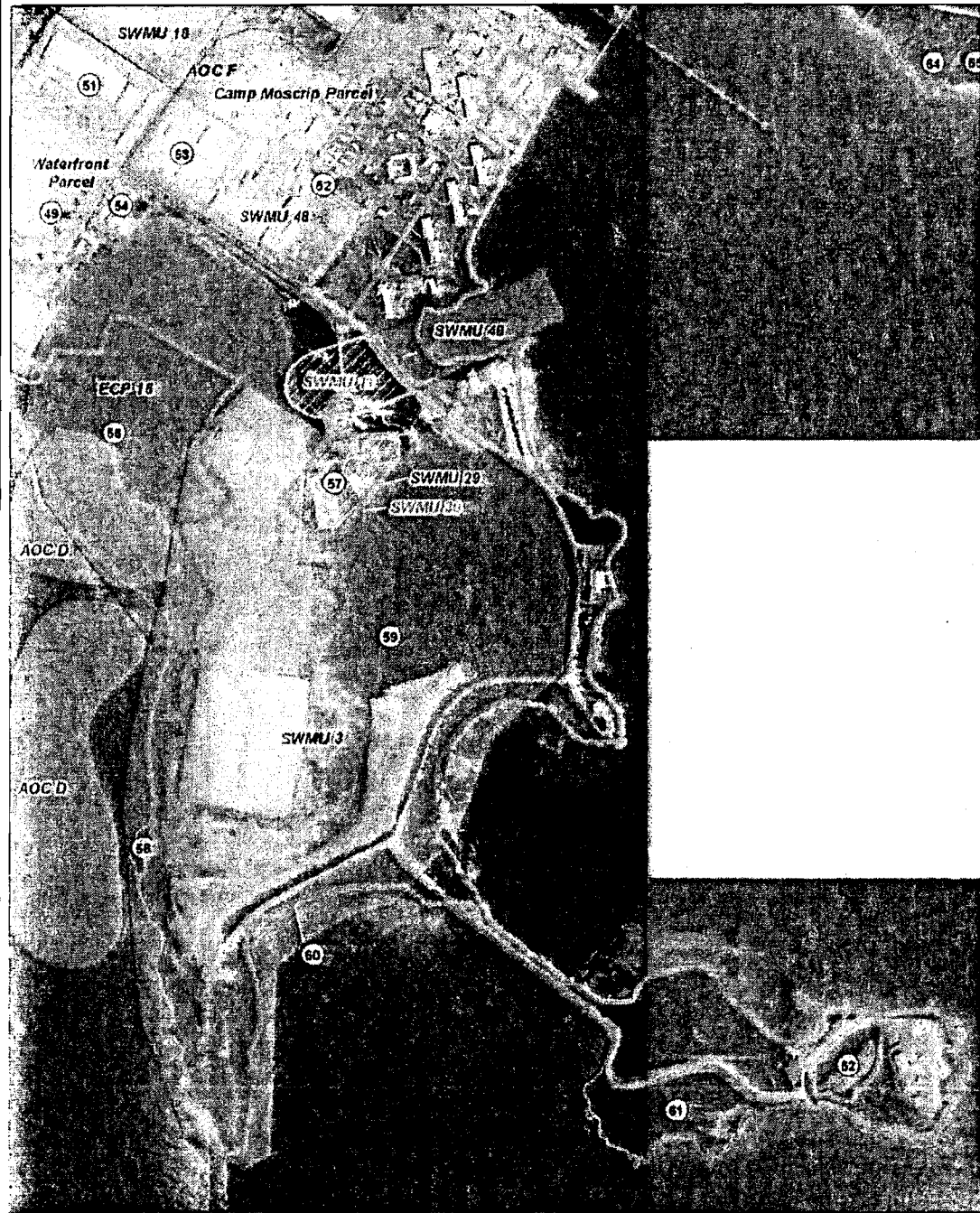
Legend	
	Parcel
	Neighboring Parcel Boundaries
Cleanup Status	
	Complete with Land Use Controls
	Complete
	Cleanup Remaining

August 18, 2008



1 inch equals 795 Feet

0 500 1,000 Feet



THREATENED AND ENDANGERED SPECIES CONSERVATION MEASURES—PARCEL 64

Common Name—Sale

Conveyance—Sale

Neighboring Parcel(s)—39, 65, 66

Sea Turtle

GENERAL REQUIREMENTS

- Consult with U.S. Fish and Wildlife Service (USFWS) and Puerto Rico Department of Environmental Resources (DNER) on all beach use plans and permit requirements.
- Notify USFWS if you observe an injured or dead turtle anywhere on the property (787-851-7297).

Activity	Conservation Measures
Beach Development/Use	Implement all USFWS and Puerto Rico DNER lighting standards/requirements (includes parcels bordering the nesting area). Implement USFWS/ Puerto Rico DNER precautionary measures for sea turtles before, during, and after development activities. Establish a 50 m buffer zone between any developed or undeveloped site (parcel 59) and the land edge of the sea turtle nesting beach.

NOTICE:

Consult with the U.S. Fish and Wildlife Service if you have any questions on the conservation measures. Property owners that cannot adhere to the conservation measures must consult with the U.S. Fish and Wildlife Service to seek a Section 10.0 permit for authorization to modify the identified critical habitat. Failure to comply with the identified conservation measures violates Section 9.0 and/or Section 10.0 of the Endangered Species Act. The U.S. Fish and Wildlife Service has the authority to prosecute violations under the Endangered Species Act.

*Parcel Map for the Disposal
of Naval Activity Puerto Rico*

Parcel Index 64

Common Name: *Salé*
Conveyance: *Salé*
Neighboring Parcel(s): 39, 65, 68

Legend
Parcel:
Neighboring Parcel Boundary:
Sea Turtle Habitat:
Yellow-shouldered Blackbird:
Hesting/Foraging Palm:
Breeding Habitat:



August 18, 2005

1 inch equals 540 Feet

0 350 700 Feet



Parcel Index 64

Common Name: *Sale*

Conveyance: *Sale*

Neighboring Parcel(s): 39, 65, 66

Legend	
	Parcel
	Neighboring Parcel Boundary
Cleanup Status	
	Complete with Land Use Controls
	Complete
	Cleanup Remaining

August 18, 2008



1 inch equals 540 Feet

0 350 700 Feet



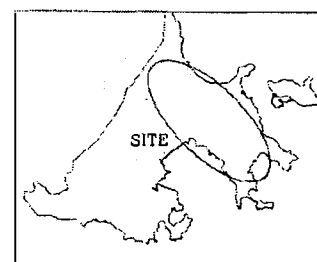
Exhibit D
Boundary and Carve Out Survey Maps

SURVEY NOTES:

1. BOUNDARY SURVEY: PREPARED BY TRANSYSTEMS CORPORATION FROM FIELD DATA OBTAINED BY COMPUTER & DEUTERON 2000. FIELD PHOTOGRAPHIC OBSERVATIONS AND FIELD PLAT HAVE BEEN REVIEWED FOR CORRECTNESS BY LUIS BERNARD MONTES & ASSOCIATES OF VEGA DADA, PUERTO RICO.
2. HORIZONTAL COORDINATES SHOWN HEREON ARE IN FEET AND RELATE TO THE PUERTO RICO/PUERTO RICO STATE PLANE COORDINATE SYSTEM, NAD 83 (1983 ADJUSTMENT). HORIZONTAL COORDINATES WERE DERIVED USING DUAL FREQUENCY GPS RECEIVERS AND ARE REFERENCED TO NATIONAL GEODETIC SURVEY INSTRUMENTS ANGEL (PD 448897), FARMER (PD 48884), HERACLES 2 (PD 48884) AND MT BERTON (PD 48884).
3. THE FOLLOWING PLATS AND DEEDS WERE USED TO ESTABLISH THE BOUNDARY LINES AS SHOWN ON THIS PLAT:
A) PLAT TITLED "UNITED STATES GOVERNMENT PROPERTY FORMER NAVAL STATION ROOSEVELT ROADS BOUNDARY REESTABLISHMENT SURVEY" PREPARED BY TRANSYSTEMS CORPORATION AND LUIS BERNARD MONTES, NAVAC GROUND No. 422,922, DATED FEBRUARY 12, 2003.
4. PLATIMETRIC DATA AND SHORELINE PROVIDED BY FORGARD & ASSOCIATES PORTSMOUTH, VA. AERIAL SURVEY PERFORMED BY AERONAUTICAL CORPORATION CHARLOTTE, NC. SURVEY FROM FEBRUARY 1998.

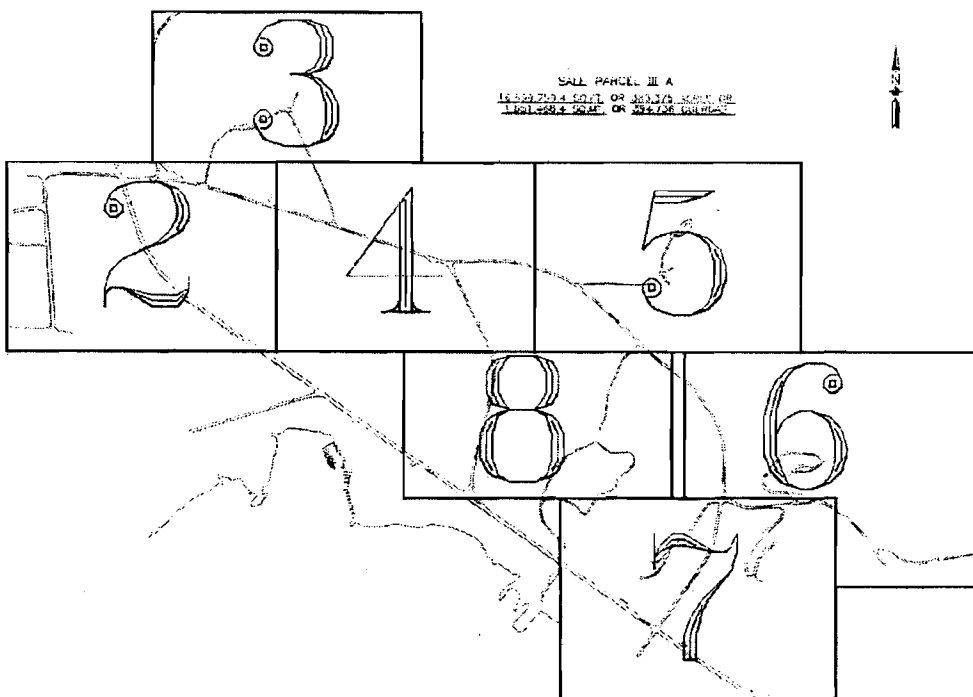


LOCATION MAP
NOT TO SCALE



NAVAL ACTIVITY PUERTO RICO
NOT TO SCALE

SALE PARCEL III A
16,559,700.4 SQ. FT. OR 378.37 ACRES OR
1,651,428.4 SQ. M. OR 404.74 HECTARES



CERTIFICATION

I, LUIS BERNARD MONTES, CERTIFY THAT THE INFORMATION THAT FOLLOWS REPRESENTS
FAITHFULLY WHAT I FOUND PHYSICALLY ON THE GROUND AND/OR BY THE
INVESTIGATIONS THAT HAD BEEN MADE BY ME.

DATE: 5/1/14
LUIS BERNARD MONTES
Surveyor License No. 8659

LUIS BERNARD MONTES
Surveyor License No. 8659
4000 Ave. P.R. 100
P.O. Box 100000, San Juan, P.R. 00950

TRANSYSTEMS CORPORATION 1000 Ave. P.R. 100 P.O. Box 100000, San Juan, P.R. 00950 www.transystems.com	
ATLANTIC DIVISION NAVAL ACTIVITY PUERTO RICO UNITED STATES GOVERNMENT PROPERTY FORMER NAVAL STATION ROOSEVELT ROADS SALE PARCEL III A	
DATE OF SURVEY: 5/1/14 DATE OF FIELD: 5/1/14 DATE OF PLAT: 5/1/14 DATE OF RECORD: 5/1/14 DATE OF DEED: 5/1/14 DATE OF TITLE: 5/1/14 DATE OF SALE: 5/1/14 DATE OF RECORD: 5/1/14 DATE OF DEED: 5/1/14 DATE OF TITLE: 5/1/14 DATE OF SALE: 5/1/14	SALE PARCEL III A 16,559,700.4 SQ. FT. OR 378.37 ACRES OR 1,651,428.4 SQ. M. OR 404.74 HECTARES

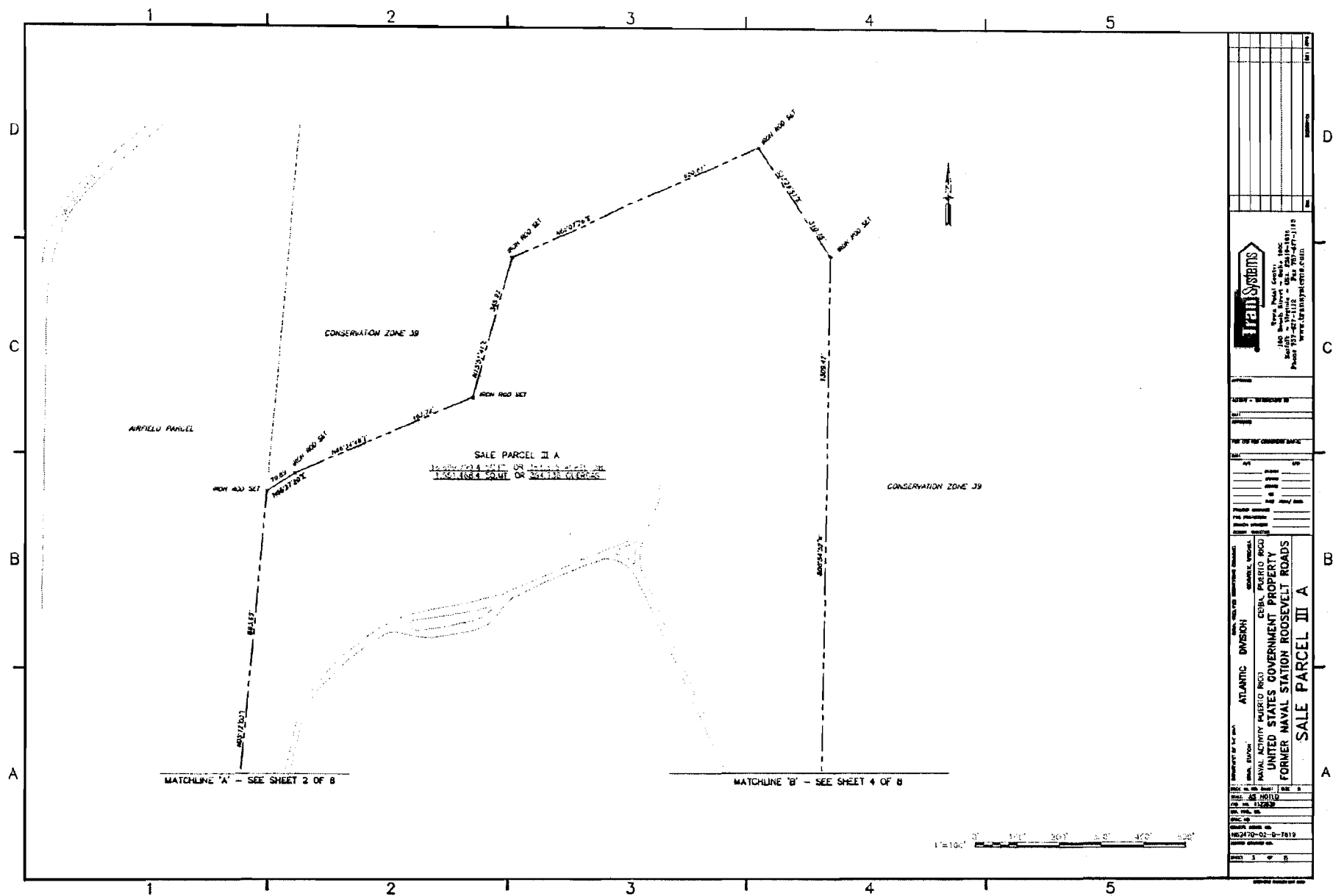
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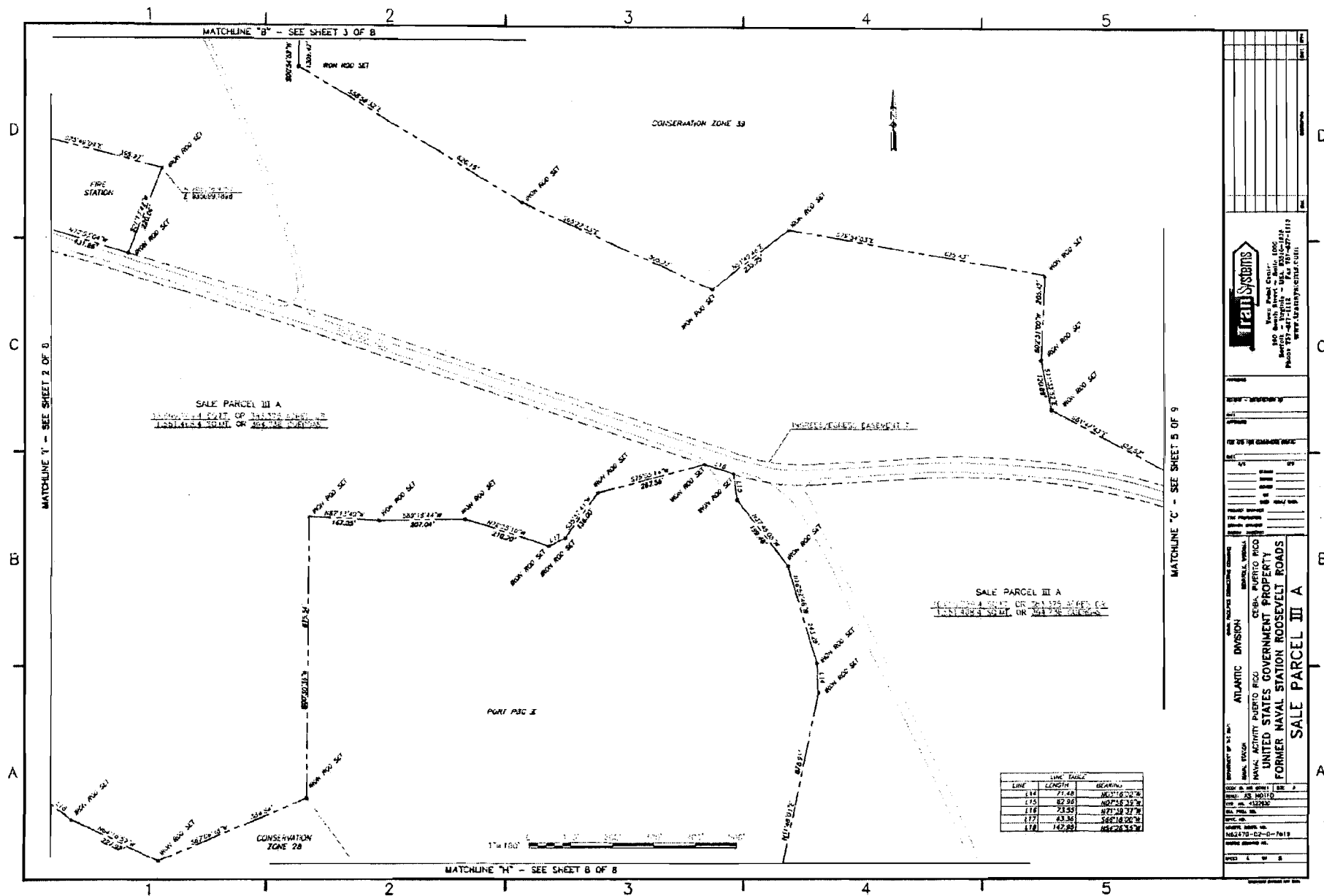
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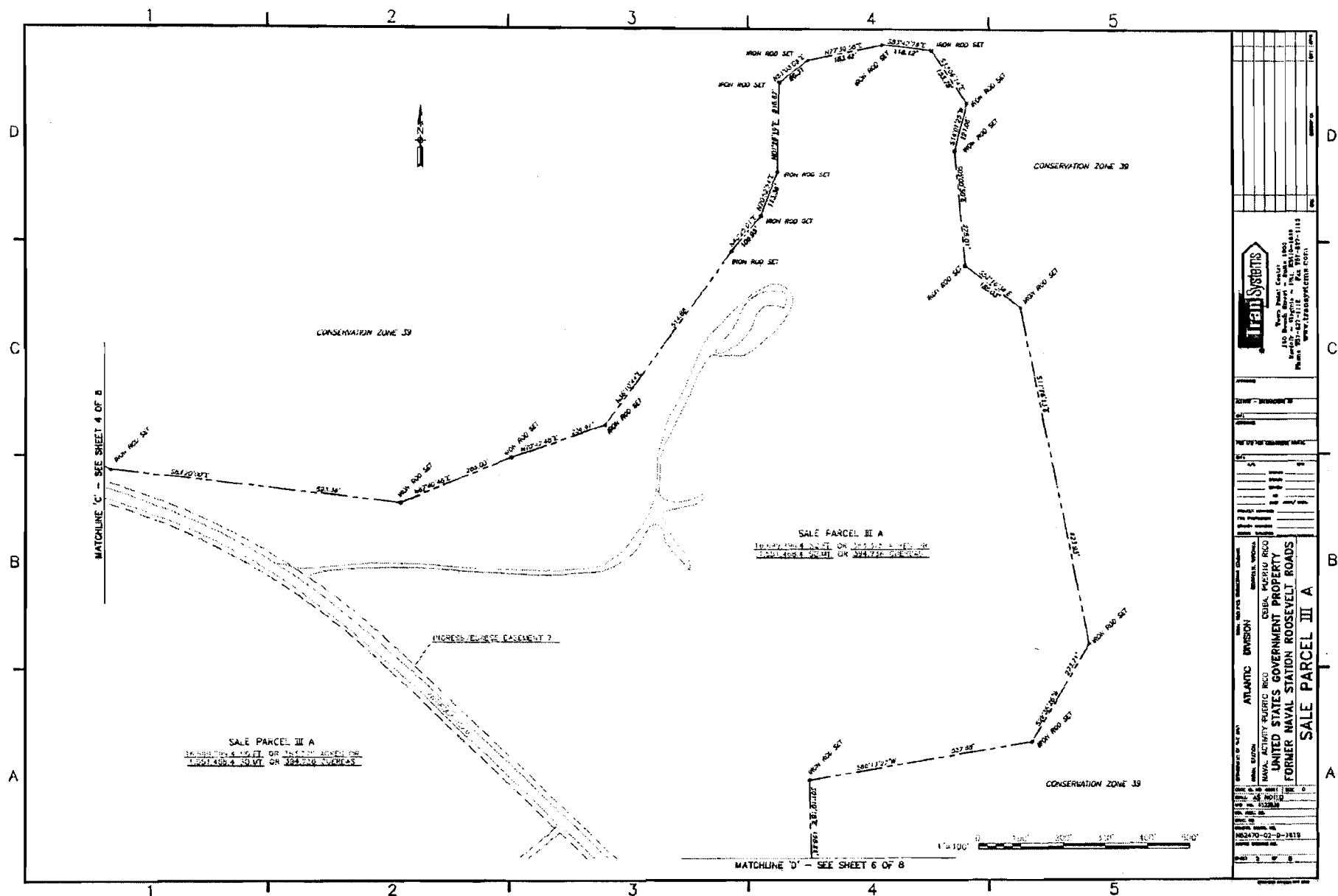
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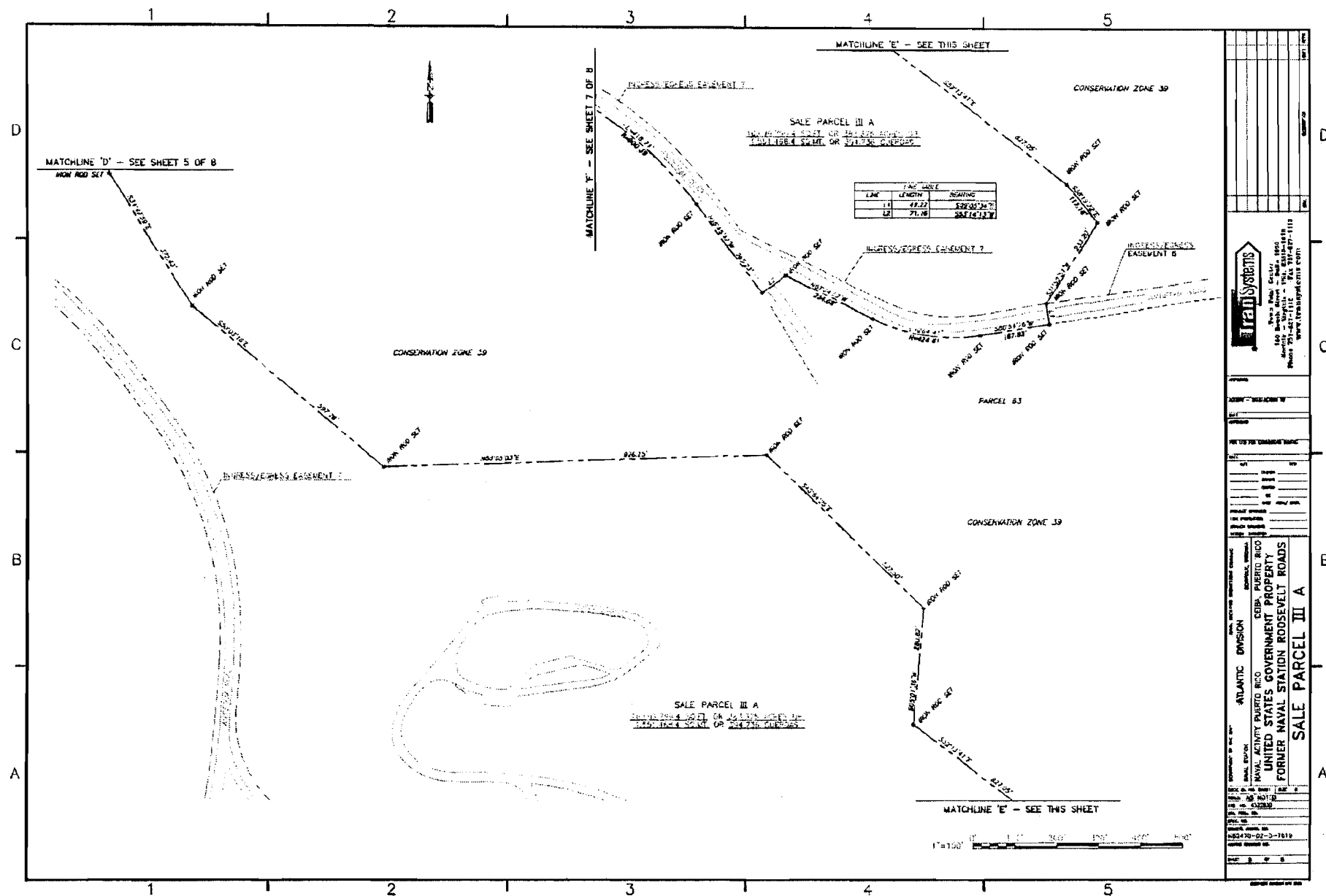
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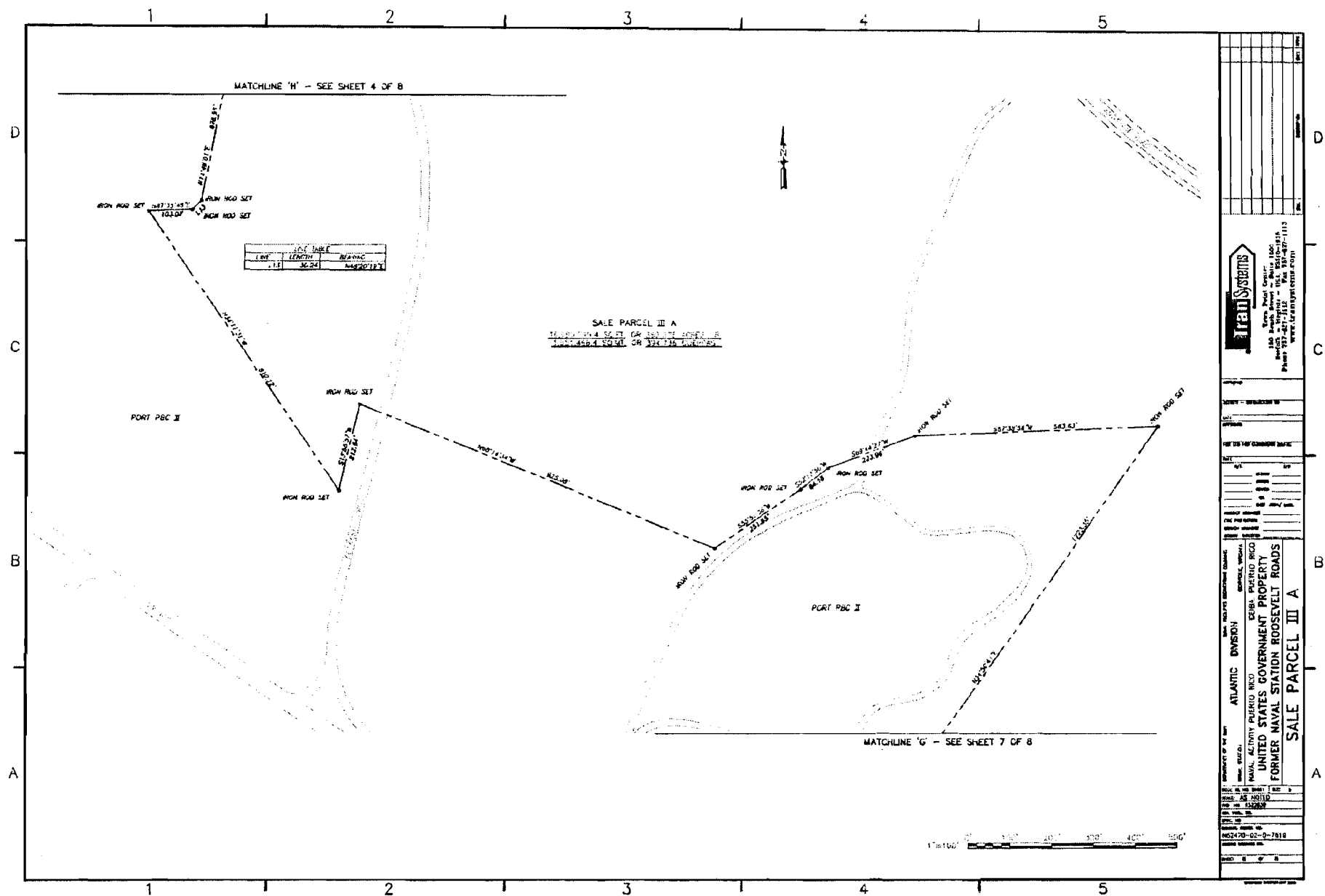
SHORELINE LINE











TRAN SYSTEMS
 Survey Point Center
 100 South Street, Suite 100
 San Juan, Puerto Rico 00901
 Phone 787-427-1112 Fax 787-427-1113
 www.transystems.com

ATLANTIC DIVISION
 NAVAL ACTIVITY PUERTO RICO
 UNITED STATES GOVERNMENT PROPERTY
 FORMER NAVAL STATION ROOSEVELT ROADS
SALE PARCEL III A

REVISIONS:

NO.	DATE	DESCRIPTION
1	01/01/00	AS NOTED
2	02/01/00	AS NOTED

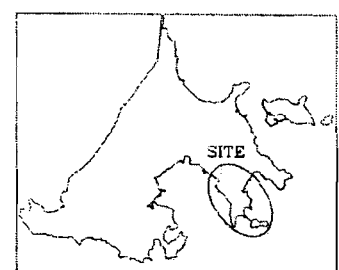
PROJECT NO.: 002470-02-0-7818

SURVEY NOTES:

1. BOUNDARY SURVEY PREPARED BY TRANSSYSTEMS CORPORATION FROM FIELD DATA COLLECTED IN APRIL 2003. FIELD PROCEDURES, OBSERVATIONS AND PLAT HAVE BEEN REVIEWED FOR COMPLET BY LUIS BARRIOS MONTES & ASSOCIATES OF ROOSEVELT ROAD.
2. HORIZONTAL COORDINATE SYSTEM HORIZON AND ELEVATION DATA TO THE PUERTO RICO DEPARTMENT OF LANDS AND NATURAL RESOURCES. HORIZONTAL COORDINATE SYSTEM HAD 83 (1987) ADJUSTMENT. HORIZONTAL COORDINATES WERE DERIVED USING DUAL FREQUENCY GPS RECEIVERS AND ARE REFERENCED TO NATIONAL GEODETIC SURVEY MONUMENTS ANCHOR (PND 409947), PANDRO (PND 409844), PANDRO 2 (PND 409844) AND M1 BAYTOR (PND 409832).
3. THE FOLLOWING PLATS AND DEEDS WERE USED TO ESTABLISH THE BOUNDARY LINES AS SHOWN ON THIS PLAT:
 - a) PLAT TITLED "UNITED STATES GOVERNMENT PROPERTY FORMER NAVAL STATION ROOSEVELT ROAD" BOUNDARY REESTABLISHING SURVEY PREPARED BY TRANSSYSTEMS CORPORATION AND LUIS BARRIOS MONTES, DRAWING NO. 0000000 DATED FEBRUARY 14, 2002.
 - b) PLAT TITLED "UNITED STATES GOVERNMENT PROPERTY FORMER NAVAL STATION ROOSEVELT ROAD" FORESTAL TREATMENT PLANT PREPARED BY TRANSSYSTEMS CORPORATION AND LUIS BARRIOS MONTES DATED NOVEMBER 21, 2002.
4. PLANNED DATA AND CHANGING PRESENTS ON HORIZONTAL PLAT ASSOCIATED WITH FEBRUARY 14, 2002 AERIAL SURVEY PERFORMED BY AGRO-DYNAMICS CORPORATION DRAWING NO. 0000000 SURVEY PLAT FEBRUARY 1998.
5. DUE TO THE SPECIALIZED NATURE OF THE SURVEYED PROPERTY, RESURVEYING REGULATIONS ARE INAPPLICABLE AS A SALE OF NON-CONVEYABLE FUTURE RESIDENTS OF THIS SUBJECT PROPERTY BY SUBSEQUENT SHALL REQUIRE THE BOUNDARY OF THESE LANDS WITH REGARD TO THE TRANSPORTATION ZONE REGULATIONS. THE PUBLIC ACCESS TO PROPERTY TRANSPORTED TO OTHER FEDERAL AGENCIES SHALL REMAIN STATUS QUA.



LOCATION MAP
NOT TO SCALE



NAVAL ACTIVITY PUERTO RICO
NOT TO SCALE

LINE	LENGTH	BEARING
1	62.83	S27°05'43"W
2	175.01	S52°21'17"E
3	134.29	S52°16'11"E
4	89.50	S24°11'32"E
5	24.35	S29°21'50"E
6	35.36	S25°11'17"E
7	22.73	S80°23'11"E
8	13.25	S22°22'31"E
9	28.00	S22°14'34"E
10	58.18	S27°14'40"E
11	127.11	N47°06'31"E
12	81.22	S27°04'33"E
13	87.68	S27°13'02"E
14	136.40	S29°16'07"E
15	38.81	N25°06'31"E
16	98.92	N27°17'24"E
17	183.17	S20°24'30"E
18	21.32	N87°42'34"E

CERTIFICATION

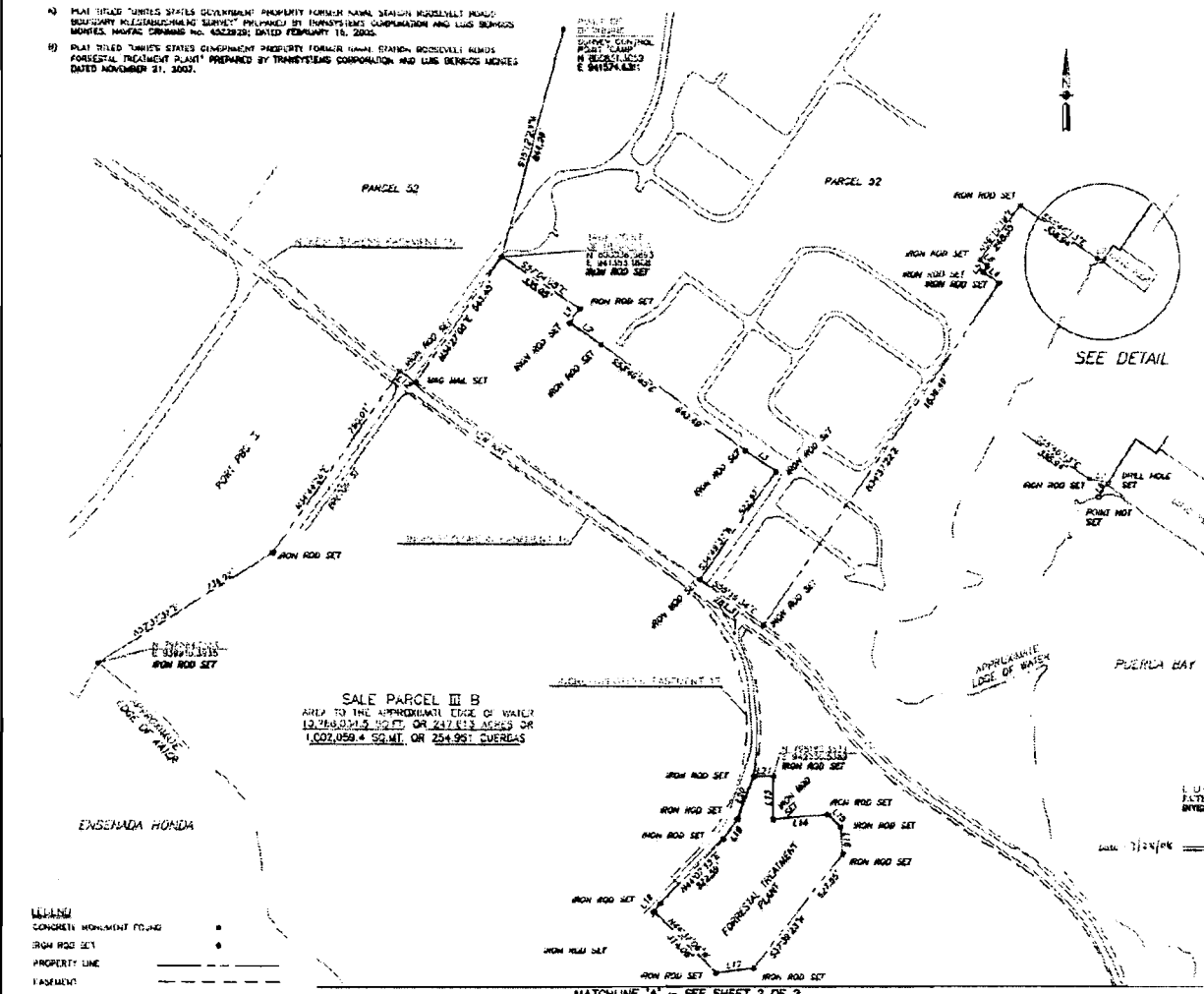
I, LUIS BARRIOS MONTES, CERTIFY THAT THE INFORMATION THAT FOLLOWS REPRESENTS FAITHFULLY WHAT I FOUND PHYSICALLY ON THE GROUND AND/OR BY THE INVESTIGATIONS THAT HAD BEEN MADE BY ME.

Luis Barrios Montes
LUIS BARRIOS MONTES
 Surveyor License No. 0460

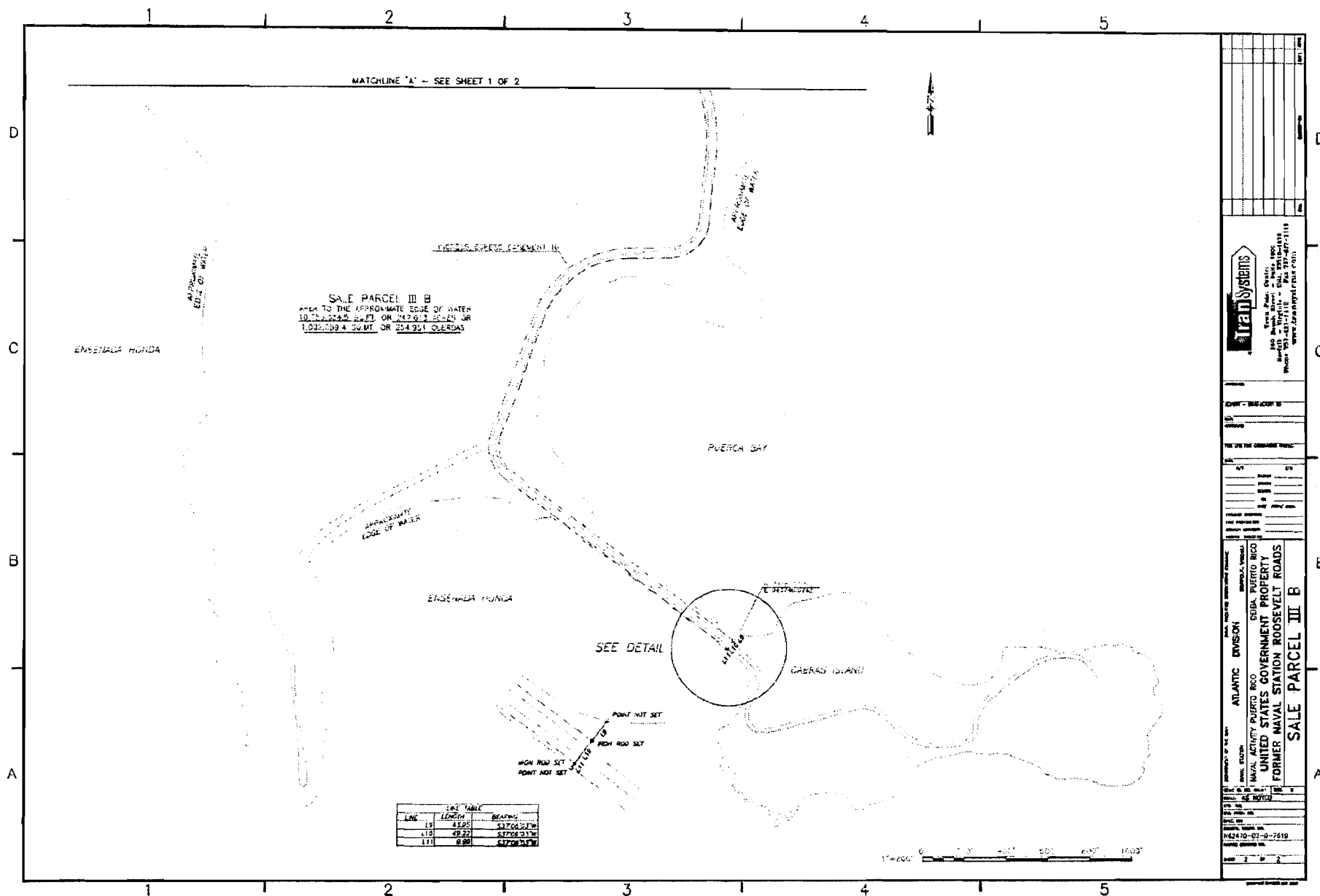
LUIS BARRIOS MONTES
 Surveyor License No. 0460

1"=200'

TRANSSYSTEMS Surveying & Mapping 1000 N. Highway 100, Suite 100 San Juan, Puerto Rico 00901 Phone: (787) 438-1111 Fax: (787) 438-1112 www.transsystems.com	
ATLANTIC DIVISION COAST GUARD UNITED STATES GOVERNMENT PROPERTY FORMER NAVAL STATION ROOSEVELT ROAD SALE PARCEL III B	
DATE: 11/14/04 DRAWN BY: [Signature] CHECKED BY: [Signature] SCALE: AS SHOWN SHEET NO. 1 OF 2 PROJECT NO. 0000000-0-7010 DRAWING NO. 0000000	DATE: 11/14/04 DRAWN BY: [Signature] CHECKED BY: [Signature] SCALE: AS SHOWN SHEET NO. 1 OF 2 PROJECT NO. 0000000-0-7010 DRAWING NO. 0000000

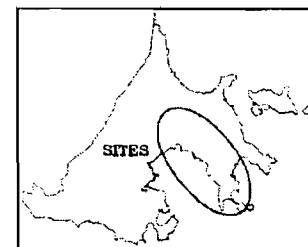


MATCHLINE 'A' - SEE SHEET 2 OF 2



SURVEY NOTES:

1. SURVEY DATA PREPARED BY TRANSMITTING COORDINATE FROM FIELD DATA COLLECTED IN 1976 AND 1981. FIELD PROCEDURES, CALCULATIONS AND FINAL PLAT HAVE BEEN REVIEWED FOR CORRECT BY LUIS BERRIODE MONTES IN ASSISTANCE OF MICA BACA, PUEERTO RICO.
2. HORIZONTAL COORDINATES FROM THE 1981 ARE IN FEET AND REFER TO THE PUEBLO RICO/ROOSEVELT ROAD STATE PLANE COORDINATE SYSTEM. HAD NO (EAST) ADJUSTMENT. HORIZONTAL COORDINATES WERE OBTAINED USING DUAL FREQUENCY GPS MEASUREMENTS AND ARE NOTICED TO NATIONAL GEODETIC SURVEY HORIZONTAL ANGLES (DMS) ADJUSTED, HORIZONTAL (DMS) ADJUSTED, HORIZONTAL (DMS) ADJUSTED AND NOTICED TO (DMS) ADJUSTED.
3. THE FOLLOWING PLATS AND DEEDS WERE USED TO ESTABLISH THE BOUNDARY LINES AS SHOWN ON THIS PLAT:
A) PLAT 1000, STATES GOVERNMENT PROPERTY FORMER UNITED STATES GOVERNMENT PROPERTY BOUNDARY RECONSTRUCTION SURVEY PREPARED BY TRANSMITTING COORDINATE AND LUIS BERRIODE MONTES. NAD83 (DRAWING NO. 422222), DATED FEBRUARY 12, 2005.
4. PLATMETRIC DATA AND COORDINATES PROVIDED BY THE STATE ENGINE ASSOCIATED WITH THE SURVEY PERFORMED BY LUIS BERRIODE MONTES. COORDINATE CORRECTION NAD 83 SURVEY FROM FEBRUARY 1978.
5. NOTE: THIS PLAT SHOWS EVIDENCE OF ACTUAL BOUNDARY LINES IN THE WATERSIDE, STATE OFFICE. THIS PLAT MAY NOT SHOW ALL CHANGES OR EASEMENTS THAT COULD AFFECT SUBJECT PROPERTY.



NAVAL ACTIVITY PUEERTO RICO
NOT TO SCALE



LOCATION MAP
NOT TO SCALE

- LEGEND**
- CONCRETE WALL/MENT FOUND
 - IRON ROD SET
 - POINT NOT SET
 - SWAY LIMIT LINE
 - FORCE LINE

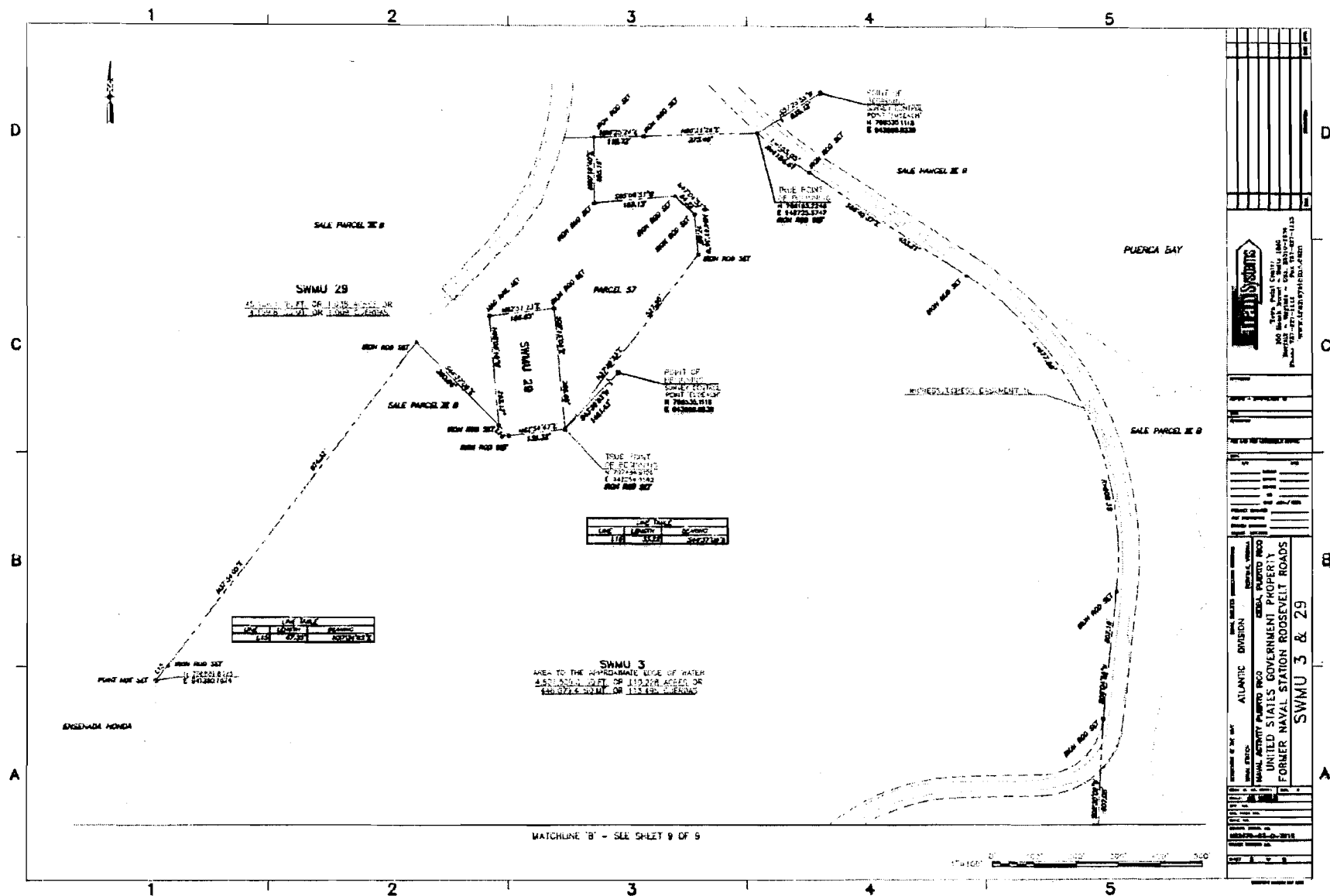
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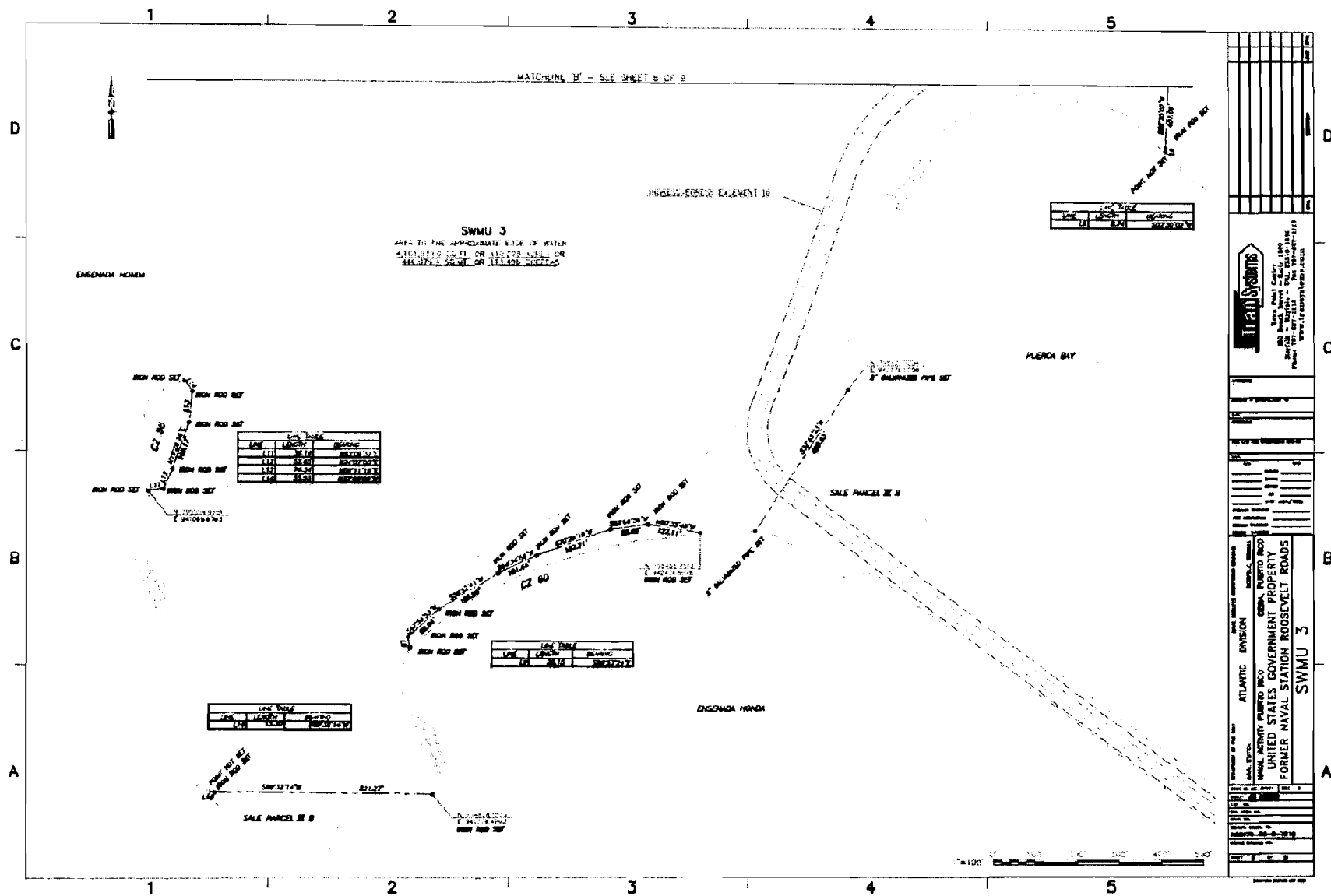
I, LUIS BERRIODE MONTES, CERTIFY THAT THE INFORMATION THAT APPEARS HEREON WAS OBTAINED FROM THE FOLLOWING SOURCES AND/OR BY THE INVESTIGATIONS THAT HAVE BEEN MADE BY ME:

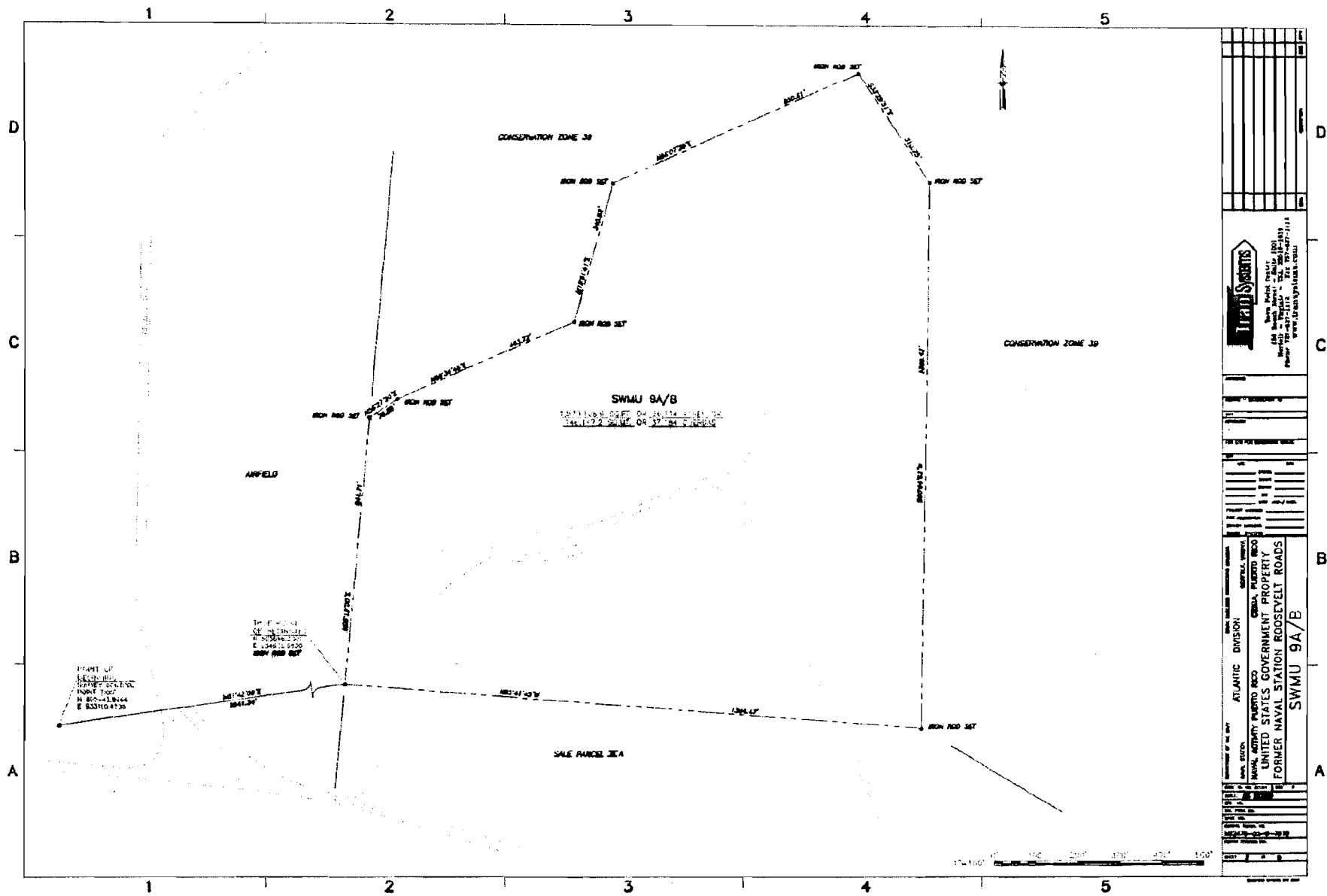
LUIS BERRIODE MONTES
Surveyor License No. 0000

LUIS BERRIODE MONTES
Surveyor License No. 0000

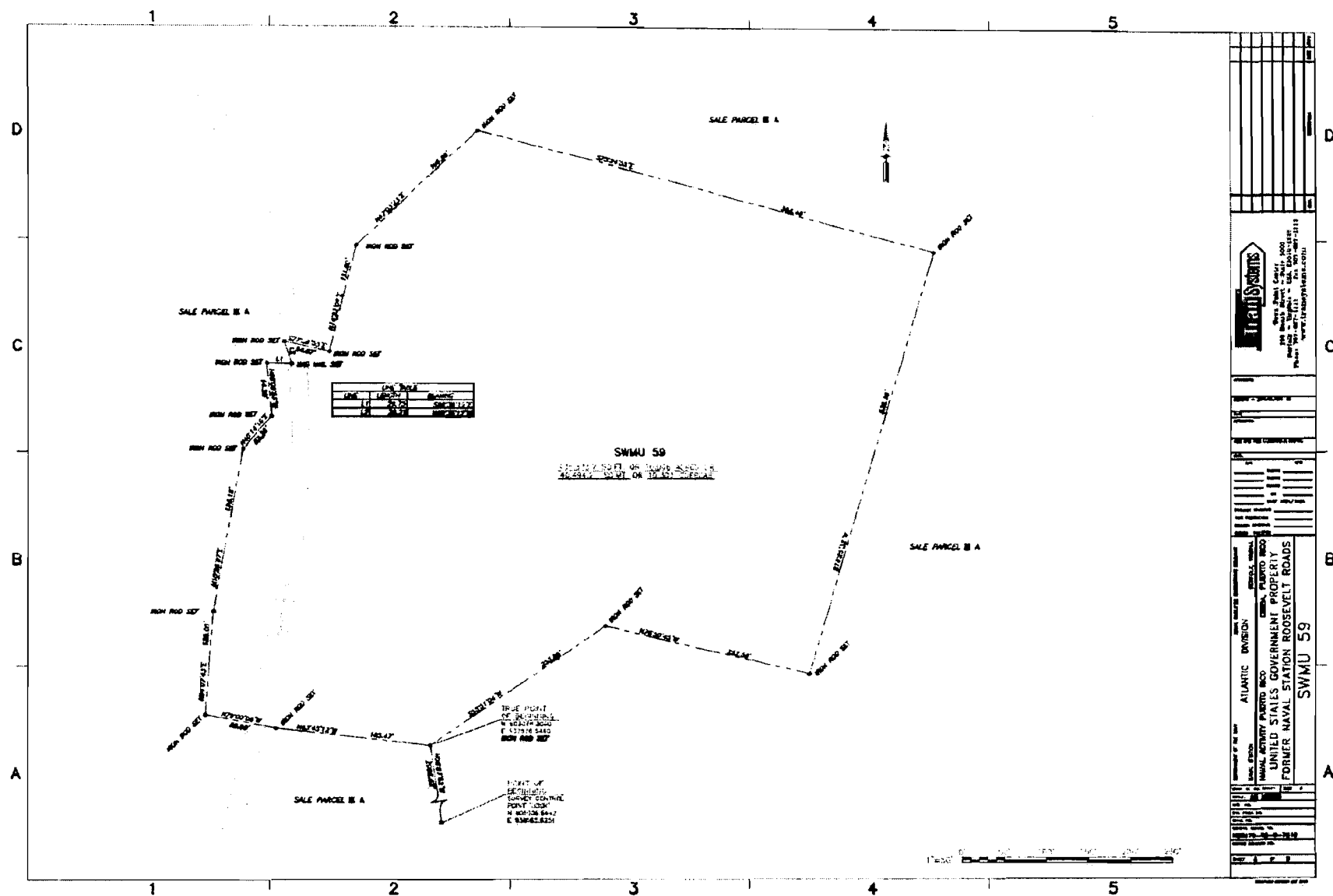
NAVIGATION DATE: 10/10/2010 TIME: 10:00 AM LOCATION: PUEBLO RICO/ROOSEVELT ROAD PROJECT: SURVEY OF BOUNDARY LINES	
CLIENT NAME: UNITED STATES GOVERNMENT ADDRESS: 1000 PUEBLO RICO/ROOSEVELT ROAD, PUEBLO RICO, P.R. 00980 PHONE: (787) 487-1111 FAX: (787) 487-1111 EMAIL: luis.berrio@navy.mil	
PROJECT NAME: SURVEY OF BOUNDARY LINES DESCRIPTION: SURVEY OF BOUNDARY LINES FOR THE FORMER UNITED STATES GOVERNMENT PROPERTY, FORMER NAVAL STATION ROOSEVELT ROAD, AND AREA SWMU/ACC SITES.	
SCOPE OF WORK 1. SURVEY OF BOUNDARY LINES. 2. ESTABLISHMENT OF BOUNDARY LINES. 3. PREPARATION OF PLAT.	
DELIVERABLES 1. PLAT. 2. SURVEY REPORT.	
CONTACT INFORMATION NAME: LUIS BERRIODE MONTES PHONE: (787) 487-1111 EMAIL: luis.berrio@navy.mil	

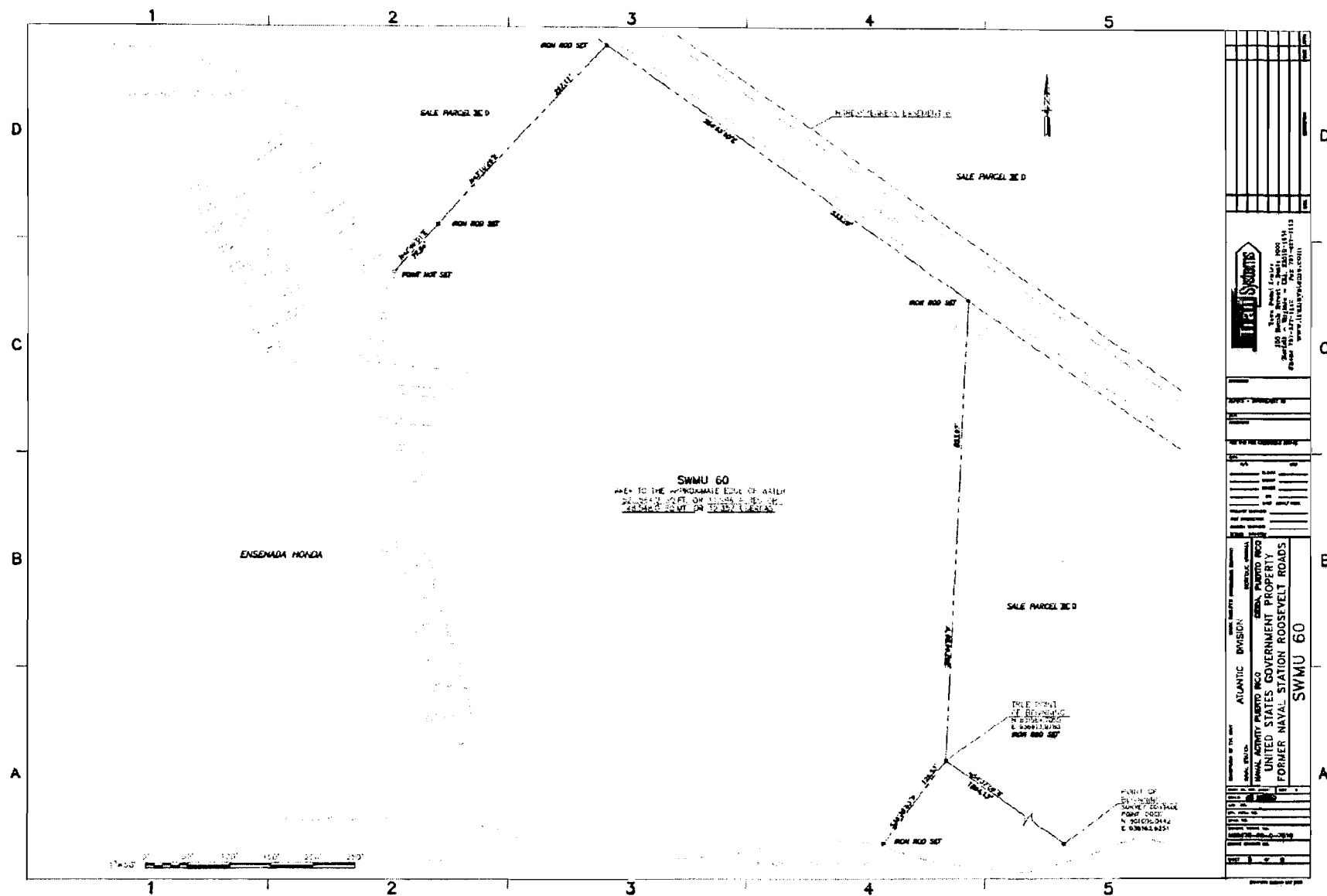


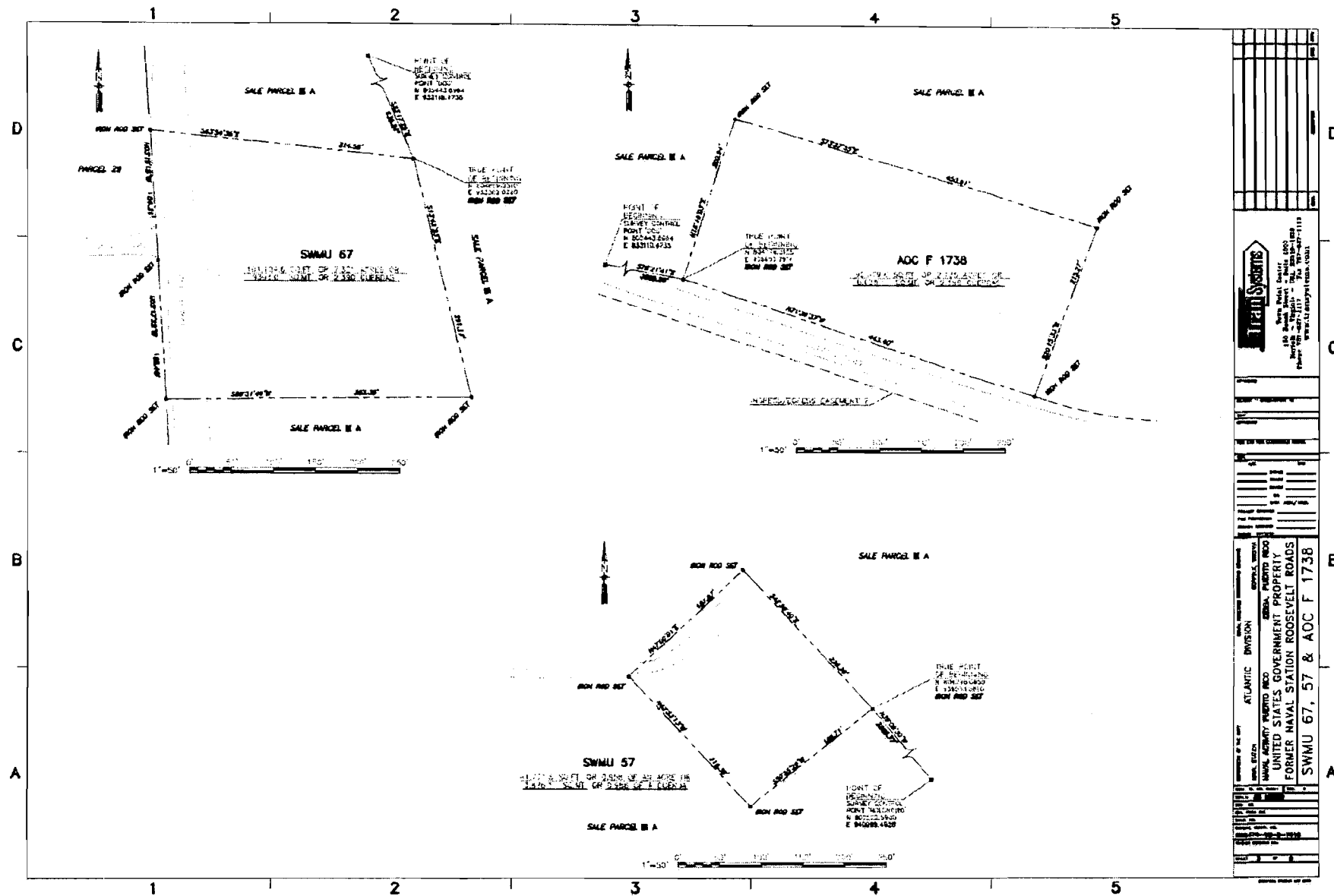




148 South Street, Suite 100 Boston, MA 02111 Phone: 617-552-7711 Fax: 617-552-7712 www.IrishSeas.com																																		
ATLANTIC DIVISION NAVY PAPER NO. 1 UNITED STATES GOVERNMENT PROPERTY FORMER NAVAL STATION ROOSEVELT ROADS SWMU 9A/B																																		
<table border="1"> <tr> <th>NO.</th> <th>DATE</th> <th>REVISION</th> </tr> <tr> <td>1</td> <td>10/1/00</td> <td>INITIAL</td> </tr> <tr> <td>2</td> <td>10/1/00</td> <td>INITIAL</td> </tr> <tr> <td>3</td> <td>10/1/00</td> <td>INITIAL</td> </tr> <tr> <td>4</td> <td>10/1/00</td> <td>INITIAL</td> </tr> <tr> <td>5</td> <td>10/1/00</td> <td>INITIAL</td> </tr> <tr> <td>6</td> <td>10/1/00</td> <td>INITIAL</td> </tr> <tr> <td>7</td> <td>10/1/00</td> <td>INITIAL</td> </tr> <tr> <td>8</td> <td>10/1/00</td> <td>INITIAL</td> </tr> <tr> <td>9</td> <td>10/1/00</td> <td>INITIAL</td> </tr> <tr> <td>10</td> <td>10/1/00</td> <td>INITIAL</td> </tr> </table>		NO.	DATE	REVISION	1	10/1/00	INITIAL	2	10/1/00	INITIAL	3	10/1/00	INITIAL	4	10/1/00	INITIAL	5	10/1/00	INITIAL	6	10/1/00	INITIAL	7	10/1/00	INITIAL	8	10/1/00	INITIAL	9	10/1/00	INITIAL	10	10/1/00	INITIAL
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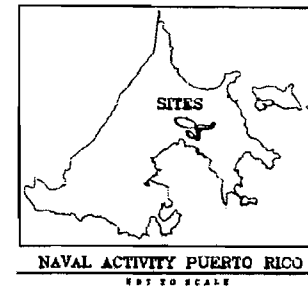
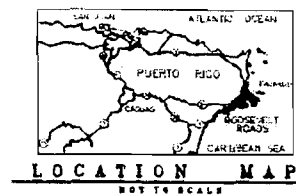






SURVEY NOTES

1. BOUNDARY SURVEY PERFORMED BY TRANSISTENS CORPORATION FROM FIELD DATA COLLECTED IN NOVEMBER 2005. FIELD PROCEDURES, CALCULATIONS AND FINAL PLAT HAVE BEEN REVIEWED FOR CONTENT BY LUIS REYES MONTES & ASSOCIATES OF VEGA FALLS, PUERTO RICO.
2. HORIZONTAL COORDINATES SHOWN HEREON ARE IN FEET AND REFER TO THE PUERTO RICO 1983 DATUM. TIME FRAME COORDINATES (UTM, MGRS, AND UTM) ARE SHOWN. HORIZONTAL COORDINATES WERE OBTAINED USING REAL FREQUENCY GPS MEASUREMENTS AND ARE REFERENCED TO NATIONAL GEODESIC SURVEY MONUMENTS MODEL (DPS 4000000), FALGADO (DPS 4000000), HUANCAO I (DPS 4000000) AND UT 500000 (DPS 4000000).
3. THE FOLLOWING PLATS AND DEEDS WERE USED TO ESTABLISH THE BOUNDARY LINES AS SHOWN ON THIS PLAT:
A) PLAT TITLED "UNITED STATES GOVERNMENT PROPERTY FORMER NAVAL STATION ROOSEVELT ROAD, SAN JUAN, PUERTO RICO" SURVEYED BY TRANSISTENS CORPORATION AND LUIS REYES MONTES, DATED FEBRUARY 13, 2005.
4. PLATONOMIC DATA AND SHAPING PROVIDED BY REGIMEN 6, RE ASSOCIATED PORTSMOUTH, VA. AERIAL SURVEY PERFORMED BY HEP-011444-05, COMBINED WITH DIGITAL DATA, H.C. SURVEY DURING FEBRUARY 1958.
5. NOTE: THIS PLAT WOULD EXAMINED AS BEING FOUND IN THE NAUTICAL CHART OFFICE. THIS PLAT HAS NOT SHOWN ALL GRANTS OR AGREEMENTS THAT COULD AFFECT SUBJECT PROPERTY.



LEGEND

- CONCRETE MONUMENT FOUND
- IRON ROD SET
- POINT NOT SET
- CHAIN LIMIT LINE

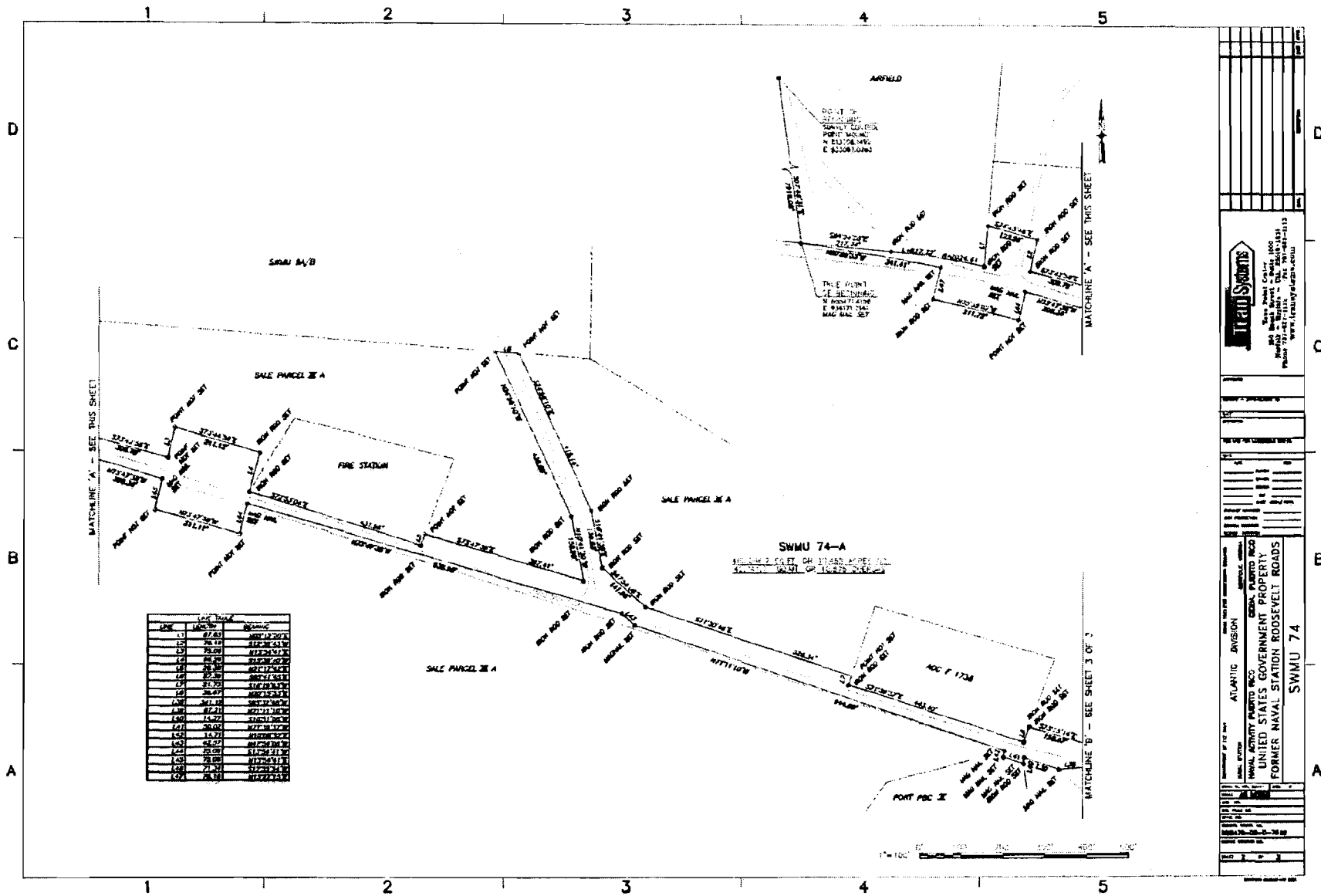
CERTIFICATION

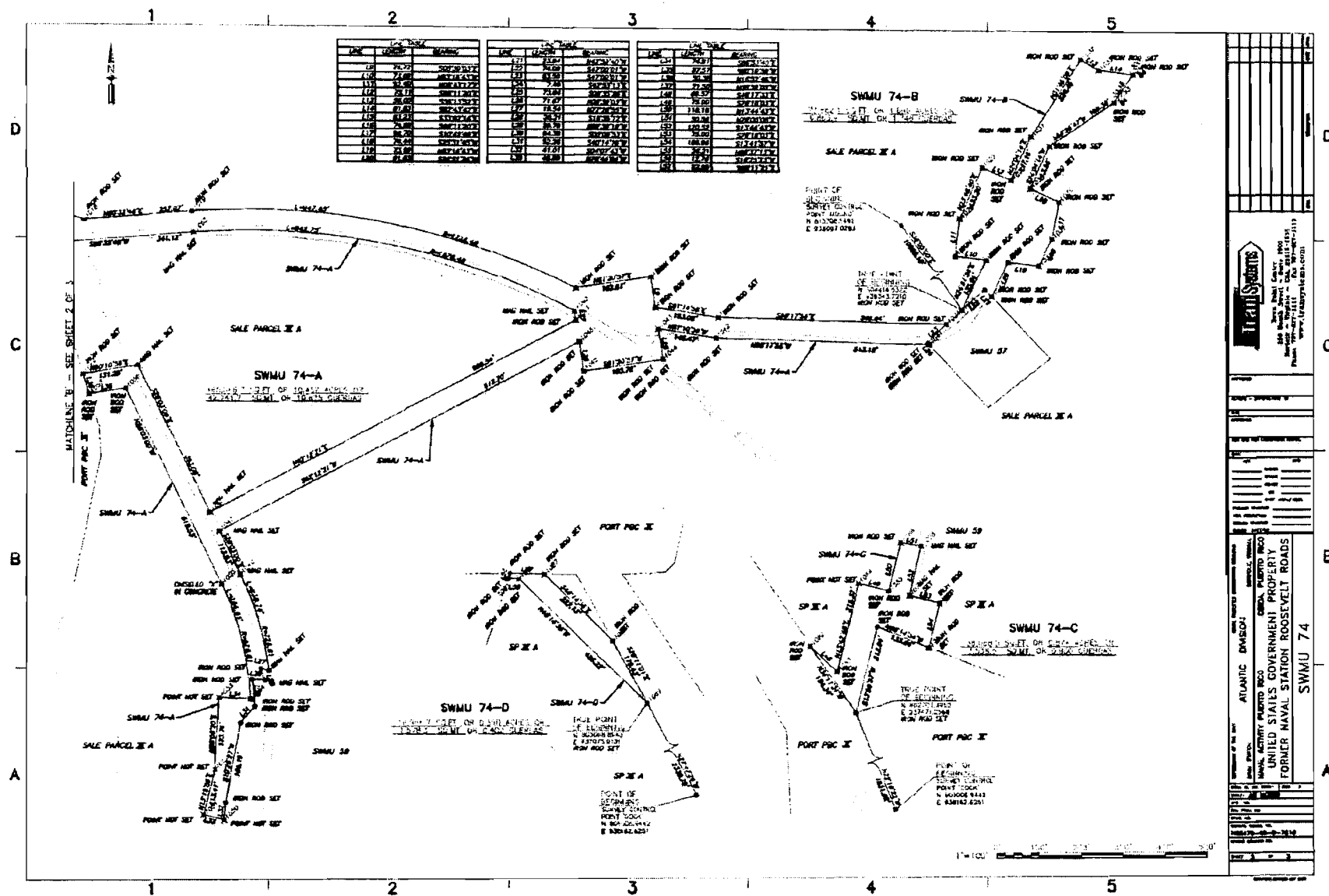
I, LUIS REYES MONTES, CERTIFY THAT THE INFORMATION THAT FOLLOWS REPRESENTS FAITHFULLY WHAT I FOUND PHYSICALLY ON THE GROUNDS AND/OR BY THE INVESTIGATION THAT HAS BEEN MADE BY ME.

Date: _____
LUIS REYES MONTES
Surveyor License No. 5555

LUIS REYES MONTES
Surveyor License No. 5555
P.O. Box 1000, San Juan, P.R. 00901

ATLANTIC DIVISION NAVAL ACTIVITY PUERTO RICO UNITED STATES GOVERNMENT PROPERTY FORMER NAVAL STATION ROOSEVELT ROADS SWU 74	
DATE: 02-03-2010 TIME: 10:00 AM BY: LUIS REYES MONTES CHECKED BY: _____	DATE: 02-03-2010 TIME: 10:00 AM BY: LUIS REYES MONTES CHECKED BY: _____





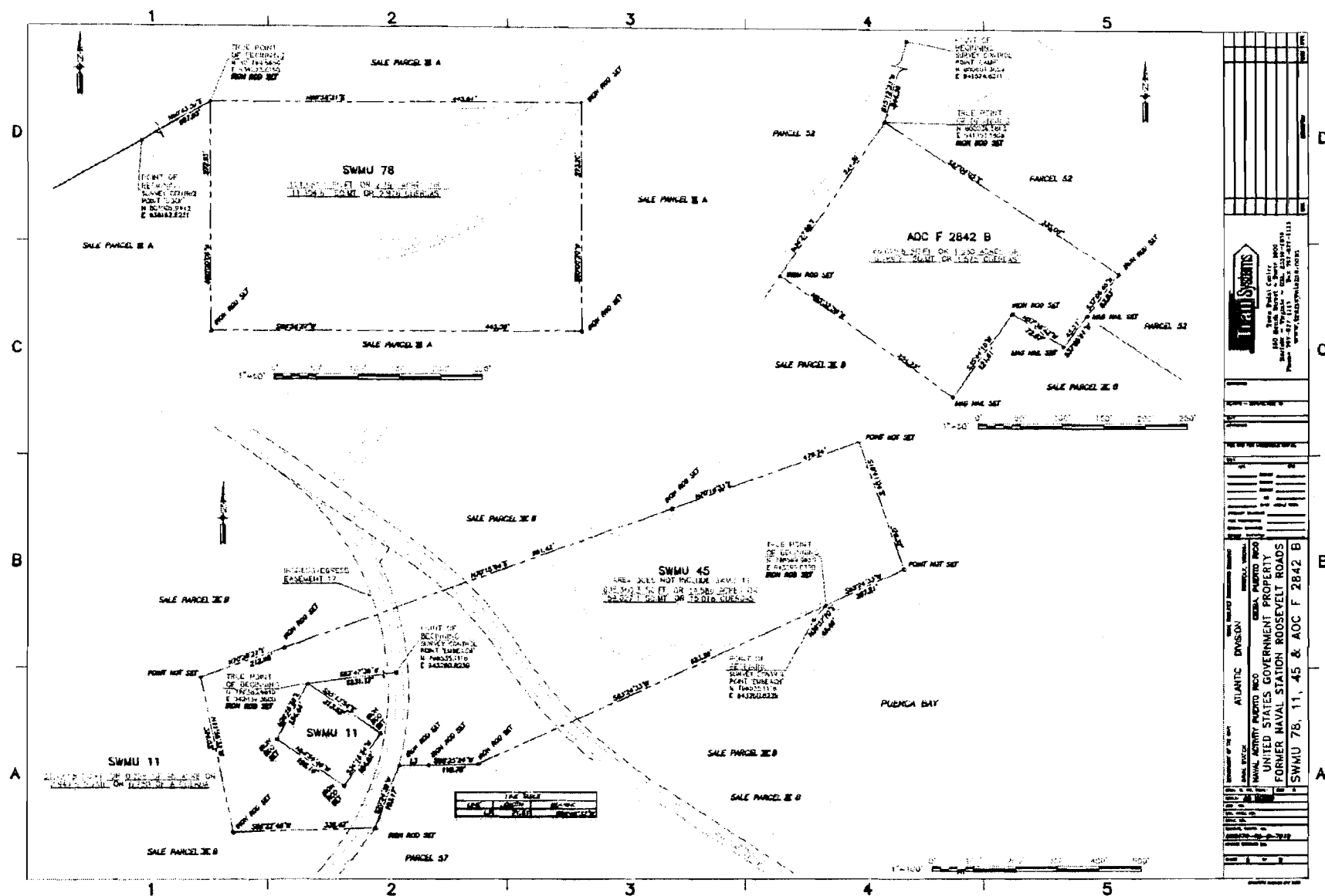


Exhibit E
Tables

Table 1
Naval Activity Puerto Rico
Salé Parcel III FOST
Facilities List
Page 1 of 2

Facility #	Former User	Name	Area	Unit	Yr Built
27	SUPPLY	GENERAL SUPPLIES WAREHOUSE	32256	SF	1957
39	PWD	SEWAGE PUMPING STATION	1054	SF	1944
90	PWD	SWITCHGEAR SUBSTA 2/BLDG 90	1364	-	1943
96	PWD	POTABLE WATER STORAGE TANK	1.8 MM	-	-
111	SUPPLY	COPE-THINNER WAREHOUSE	455	SF	1954
232	PWD	TELEPHONE CABLE HUT	35	SF	-
233	PWD	TELEPHONE CABLE HUT	35	SF	1948
375	MWR	TOILET BY BEACH	1785	SF	-
394	AFWTF	TORPEDO SHOP/UNDERGROUND DEP	16160	SF	1958
396	AFWTF	GUARD SHELTER	36	SF	1958
421	PWD	WATER STOR TANK-PT PUERCA	319	-	1943
445	MWR	BEACH PAVILION	2718	SF	1938
446-449	MWR	BEACH PAVILIONS	-	-	-
467	MWR	HOBBY SHOP(WOOD)	3321	SF	1960
480	SUPPLY	FLAMMABLE LOCKER	900	SF	-
483	PWD	BUS SHLTR EAST ON LANGLEY	140	SF	1959
484	MWR	TENNIS COURT	-	-	1960
496	PWD	BUS SHLTR FORESTAL (SUROPS)	190	SF	1961
774	NSWC	GENR AT TELEMETRY W/DF TNK	575	SF	1966
775	PWD	SEPTIC TANK AT TELEMETRY	36	-	1966
787	NSWU-4	NAVSPCWARUNIT4 MAINTSHOP	4000	SF	1966
792	NSWU-4	NSWU-4 VEH/BOATSHOP MAINT	4000	SF	1966
832	AFWTF	MISC STORAGE	750	SF	1962
870	AFWTF	ASROC FACILITY	2499	SF	1964
1684	MWR	SEA BREEZE CLUB	12240	SF	1969
1685	CUSTOMS	CUSTOMS	9094	SF	1969
1690	PWD	SEPTIC TANK	132	-	1969
1713	MWR	BASEBALL FIELD	2417	-	1972
1714	MWR	BASKETBALL COURT BY MARINA	1044	-	1972
1715	MWR	FLEET REC PARK	1280	SF	1972
1725	PWD	BUS STOP SHELTER BY MARINA	140	SF	1972
1730	AFWTF	MK-48 TORPEDO SHOP	4000	SF	1969
1742	PWD	SUBSTA 1/INDUS.AREA BY B#90	5000	SF	1970
1768	AFWTF	ANTENNA POLE SUPPTD/N DELI	-	-	1969
1787	HOSP	ZOONOSIS CONTROL	1302	SF	1974
1788	PWD	PW SEA BEES SHOP/STGE	4800	SF	1970
1803	MWR	CONCRETE BOAT RAMP	-	-	1974
1812	PWD	SEWAGE LIFT STATION/MARINA	64	SF	1970
1915	-	NAVGTN'L AID TWR PT. PUERCA	4983	-	1975
1973	DRMO	DRMO GEN WHSE	12500	SF	1976
1989	-	MARINA BOATHOUSE	-	-	-
1997	PWD	100 GPM DUPLEX PUMP LIFT STA	100	SF	1979
2007	AFWTF	ASSP MAINT SHOP	1000	SF	1981
2009	DRMO	DRMO FLAMMABLE STORAGE	400	SF	1981
2010	DRMO	DRMO GENERAL WAREHOUSE	4000	SF	1981
2015	AFWTF	TORPEDO PAINT SHOP	100	SF	1971
2026-2032	MWR	BEACH PAVILIONS	100	SF	1972
2034	PWD	PEST CONTROL BUILDING	2501	SF	1983
2042	ACSS	ACSS WAREHOUSE	~5000	SF	-
2140	-	TRANSFORMER STA BY B#53	-	-	1974
2205	MWR	BAND STAND BLDG @ E.M.BEACH	2418	SF	1985
2231	-	GENR BY LIFT STA B39	-	-	1944
2265	CUSTOMS	FINGER PIER BTW PIER 1&2	-	-	1987
2267	MWR	MARINA PIERS	-	-	1975
2279	AFWTF	MOE BLDG	4000	SF	1988

Table 1
Naval Activity Puerto Rico
Site Parcel III FOST
Facilities List
Page 2 of 2

Facility #	Former User	Name	Area	Unit	Yr Built
2283	NSWU-4	FUEL GAS STGE AT UDT	196	SF	1988
2288	AFWTF	OPER HAZ/FLAMMABLE STORAGE	222	SF	1989
2304	NWAC	TELEMETRY BLDG	9222	SF	1989
2308	PWD	BUS SHELTER BY B#1205	190	SF	1990
2312	PWD	HAZ WASTE STGE BY B#2042	100	SY	1989
2326	ACSS	ACSS HAZ FLAMM STGE BY B-2042	-	-	-
2329	CUSTOMS	FLAGPOLE BY B#1685	-	-	1990
2332	PRINTING	PRINTING PLANT	6240	SF	1993
2335	SUPPLY	HAZ/FLAMM STGE	5427	SF	1993
2342	AFWTF	MOE OPN'L STGE BY B-394	4000	SF	1993
2347	MWR	STGE BLDG BY B#1685	168	SF	1992
2349	AFWTF	MOE FLAMM STGE BLDG B#2015	484	SF	1993
3034	CB	EM CLUB	6275	SF	1969
3090	CB	OFFICERS LIVING ROOM	3462	SF	1969
3091	CB	EMBARK WAREHOUSE	4000	SF	1969
3092	CB	EMBARK WAREHOUSE	4000	SF	1969
3093	CB	CBLANT WAREHOUSE	6000	SF	1969
3094	CB	CBLANT WAREHOUSE	6000	SF	1969
3095	CB	CENTRAL SUPPLY ROOM	4000	SF	1969
3096	CB	CENTRAL SUPPLY ROOM	4000	SF	1969
3097	CB	CENTRAL TOOL ROOM	4000	SF	1969
3098	CB	CENTRAL TOOL ROOM	4000	SF	1969
3109	CB	PUBLIC WORKS STORAGE WAREHOUSE	4000	SF	1976
3118	CB	SPECIAL SERVICE BLDG/LIBRARY	2720	SF	1978
3137	CB	VEHICLE WASH RACK	2520	SF	1969
3151	CB	BERTHING HUT	1008	SF	1982
3164	CB	PHYSICAL FITNESS CENTER	6600	SF	1985
3175	CB	BOQ	14640	SF	1989
3176	CB	BEQ 3B (CPO)	27335	SF	1988
3178	CB	BEQ 3A	27280	SF	1988
3179	CB	BEQ 2	27280	SF	1988
3188	CB	ALFA CO MAINT BLDG	33900	SF	1989

List based on 2003 NAPR base map (Base map - PREnew 11-2003.pdf), July 2001 Building Utilization List, List of Buildings To Be Inspected For Asbestos from June 2005 Asbestos Inspection Report, and field verification by NAPR personnel.

- Information not available or unknown

AFWTF Atlantic Fleet Weapons Training Facility
ASROC Air Surface Range Operating Center
BEQ Bachelor Enlisted Quarters
BOQ Bachelor Officer Quarters
CB Construction Battalion
CBLANT Construction Battalion Atlantic
CPO Chief Petty Officers
DRMO Defense Reutilization Marketing Office
EM Enlisted Men's
HOSP Hospital
MOE Marine Ocean Engineering
MWR Morale, Welfare and Recreation
NSWC Naval Surface Warfare Center
NSWU-4 Naval Special Warfare Unit-4
PWD Public Works Department

Table 2
Naval Activity Puerto Rico
Sale Parcel III FOST
Solid Waste Management Units and Areas of Concern Summary and Status
Page 1 of 4

Parcel	SWMU No.	Description	CERFA *	RCRA Status	Investigation and Remedial Action Summary and Status	Media Affected / Key Contaminants	Site Specific Land Use Controls	Current RCRA Phase	Remaining Work Required
Basewide	5	Dumpsters SWMU 5 is a "catch-all" for 114 metal dumpsters scattered throughout the station. By practice, these dumpsters were to receive only non-hazardous wastes.	1	CAC w/out Controls	No Further Action determination from 1994 Part B Permit. No knowledge or evidence of systematic and routine releases of hazardous wastes or constituents from these units; RFI was not required.	NA	None	NA	None
3	10	Transformer Maintenance Area Substation 2 (Bldg. 90) Electrical transformers were repaired in the past and polychlorinated biphenyl (PCB)-containing transformer oils were poured on the ground.	2	CAC w Controls	A removal action was conducted to excavate and dispose of PCB-contaminated soil. Samples from temporary monitoring wells indicated PCBs were not present in groundwater. The Consent Order designated this SWMU Corrective Action Complete with Controls. Land Use Control plan submitted to EPA. A restriction to prohibit residential use will be included in transfer deed.	Soil - PCBs < industrial standard	1	NA	Maintain land use controls (LUCs)
3	13	Old Pest Control Shop (Bldg. 258) The Pest Control Shop operated at Building 258 (now demolished) from the late 1950s through 1983. Past practices and known spills indicate the release of pesticides into the soil and the adjacent drainage ditch, which discharges into the nearby bay (Ensenada Honda). In 1976, a 55-gallon drum of malathion, stored outside the building, ruptured. The spilled contents eventually washed into the drainage ditch located near the building. This ditch also regularly received rinse waters from the cleaning of pesticide application equipment over a storm drain that discharged to the ditch. Reportedly, excess pesticides also were poured into this ditch.	3	CMI	The RFI concluded the site had been impacted by past pesticide management, and that unacceptable environmental and human health risks exist due to levels of contaminants within the drainage ditches. A CMS was developed and completed with the primary goal to identify the appropriate technical approach needed to address releases to the drainage ditches at this site. A Corrective Measures Implementation (CMI) Work Plan Design Package was developed which proposed the excavation of the contaminated drainage ditch from the site. The CMI is underway. Remediation initiated Spring 2006.	Soil - Pesticides	1.4	Completion of CMI	Maintain LUCs
3	17	DRMO Non-Flammable Storage (Bldg. 1973) Fully enclosed, concrete and steel building that served as the main non-flammable hazardous waste container storage facility for the station. Good release controls were in place, and there was no evidence of releases of hazardous constituents.	3	CAC w/out Controls	No RFI was required because RCRA clean closure was certified.	NA (see SWMU 25)	None	NA	None
3	18	DRMO Ignitable Hazardous Waste Storage (Bldg. 2009) Fully enclosed metal building that served as the container storage building for ignitable hazardous wastes. There was no evidence of releases of hazardous constituents.	3	CAC w/out Controls	No RFI was required because RCRA clean closure was certified.	NA (see SWMU 25)	None	NA	None
3	26	DRMO Storage Yard Open area within the storage yard used to store ignitable hazardous wastes. During the 1988 VSI, oil staining was observed; during the 1993 follow-up inspection no staining was seen.	3	CAC with Controls	RFI sampling indicated several constituents exceeded their residential RBCs in soil, but not their industrial RBCs. A Land Use Control plan/deed restrictions are needed to maintain the integrity of the existing concrete in the LUC area to prevent exposure to underlying soils.	Soil - TPH	2	NA	LUC Plan
3	30	Former Incinerator Area (near SWMU 3) Inactive incinerator, formerly used to burn contaminated fuels, waste oils, and sludges. An incinerator on this site was reportedly dismantled and removed in 1983, and the present incinerator was built at that time. The 1993 follow-up inspection found that a 500-gallon UST associated with this unit was being removed. The Navy collected subsurface soil samples which indicated the presence of total recoverable petroleum hydrocarbon.	2	CAC with Controls	RFI sampling indicated soil poses no significant human health risks. Subsurface soils were removed to the Puerto Rico Environmental Quality Board clean up level of 100 ppm during UST removal. Residual, low level groundwater contamination is present. The Consent Order designated the site as Corrective Action Complete with Controls. A Land Use Control plan/deed restrictions are needed to specify a prohibition on use of groundwater for potable water supply.	GW - restriction based on antimony and zinc	4	NA	LUC Plan

Table 2
Naval Activity Puerto Rico
Sale Parcel III FOST
Solid Waste Management Units and Areas of Concern Summary and Status
Page 2 of 4

Parcel	SWMU No.	Description	CERFA *	RCRA Status	Investigation and Remedial Action Summary and Status	Media Affected / Key Contaminants	Site Specific Land Use Controls	Current RCRA Phase	Remaining Work Required
Basewide	36	Sanitary and Storm Water Sewer Systems: Below ground sanitary and storm sewer systems.	3	CAC w/out Controls	No Further Action determination from 1994 Part B Permit carried over to Consent Order. No knowledge or evidence of systematic and routine releases of hazardous wastes. An RFI was not required. The "CAC w/out Controls" shown for SWMU 38 is contingent, under the 2007 RCRA Consent Order between the Navy and EPA, on the Navy fully addressing any releases that may have impacted the sanitary and/or storm sewer water sewer systems (i.e., SWMU 38) as a release(s) from either SWMUs 4, 12, 13 and 14, and/or from any other SWMU at the NAPR facility, where releases have impacted the sanitary and/or storm water sewer systems.	NA	None	NA	None
3	39	Former Battery Drain Area (Bldg. 3158): Small building with an attached, open-sided, roofed pad where, according to the 1988 VSI, discarded batteries were opened and their fluids drained into a tank. The tank had a curbed, concrete pad under it, which was cracked and stained. The 1993 follow up inspection found that this building was no longer used for draining and storing discarded batteries, but now contained assorted small cans of miscellaneous hydraulic fluids. In addition, the roofed pad was gone. No evidence of releases was observed during the 1993 follow up inspection. However, the open-air, battery drain tank's curb was cracked and stained.	2	CAC with Controls	RFI sampling did not indicate any significant releases; however, arsenic in soil exceeded residential cleanup standard. The Consent Order designated this site Corrective Action Complete with Controls. A Land Use Control plan has been submitted to EPA to prohibit residential land use.	Soil - arsenic	1	NA	None
3	40	Seabee Alpha Company Mobile Oil Tank: A mobile 300-gallon tank in the Alpha Company Maintenance Yard which was used as a temporary collection and storage point for waste oils. Minor staining of the ground was observed during the 1988 VSI. The unit was no longer present and no soil staining was present in 1992.	2	CAC w/out Controls	No Further Action determination from 1994 Part B Permit. No knowledge or evidence of systematic and routine releases of hazardous wastes or constituents from this unit. RFI was not required. Visual re-inspection of unit was conducted during ECP field work; no visual evidence of release was observed.	NA	None	NA	None
3	46	Pole Storage Yard Covered Pad: Large, roofed, open-sided, uncurbed, concrete pad used by the Public Works Department as a storage area for transformers, miscellaneous electrical equipment, and drums of PCB-contaminated material. Reportedly, similar materials may have been stored directly on the ground in adjoining areas. Evidence of past spills has been reported. The unit served as the main storage area for hazardous wastes generated by the Base Operating Support contractor during normal maintenance and stored for less than 90 days. Two similar pads used for the same purpose are located at the site. On the southern portion of the site is an area which was labeled on some old drawings as "contaminated soil pile." No other information was available. There is no evidence of a soil pile at the site now.	3	CAC with Controls	The RFI identified PCB contamination in the soils. The CMS recommended the performance of a CMI to remove contaminated soils from the site. Remediation was initiated Spring 2006 and soil removal completed. Site restoration to be completed January 2009.	Soil - PCBs	1	CMI	CAC with controls
Basewide	47	Local Satellite Disposal Areas: Undefined "satellite disposal areas". Based on a March 1992 meeting between EPA and Navy representatives, these undefined satellite disposal areas are now classified as an Area of Concern (AOC).	1	CAC w/out Controls	No Further Action determination from 1994 Part B Permit. No knowledge of routine or systematic releases of hazardous wastes or constituents from these units. RFI was not required.	NA	None	NA	None

Table 2
Naval Activity Puerto Rico
Sale Parcel III FOST
Solid Waste Management Units and Areas of Concern Summary and Status
Page 3 of 4

Parcel	SWMU No.	Description	CERCLA	RCRA Status	Investigation and Remedial Action Summary and Status	Media Affected / Key Contaminants	Site Specific Land Use Controls	Current RCRA Phase	Remaining Work Required
3	49	500 Gallon Waste Oil Tank (Bldg. 3188) Identified during the 1993 follow-up inspection, this tank was located west of Building 3188 and surrounded by a concrete dike. No visual evidence of releases was observed. The tank is no longer present; however, the concrete bermed pad is still present.	1	CAC w/out Controls	No Further Action determination from 1994 Part B Permit. No knowledge or evidence of routine or systematic releases of hazardous wastes or constituents from this unit. RFI was not required. Visual re-inspection of the site during ECP field work showed tank has been removed, although surrounding concrete dike remains; no evidence of release was observed.	NA	None	NA	None
3	52	Storage Pad (near Bldg. 3158) Open air, uncurbed, concrete storage pad first identified during the 1993 follow-up inspection. The storage pad contained approximately 120 55 gallon drums of various oil products and other materials. The materials stored were product, and there was no indication of systematic and routine spills of hazardous constituents.	1	CAC w/out Controls	No Further Action determination from 1994 Part B Permit. RFI was not required. Visual re-inspection of site was conducted during ECP field work; no evidence of release was observed.	NA	None	NA	None
3	53	Malaria Control Building (Bldg. 64) Built in 1942, it was used to store pesticides such as malathion, aldrin, and dichlorodiphenylchloroethane (DDT). It is not know how long pesticides were stored in the building. It is assumed that pesticides were also mixed in the building and prepared for applications.	3	CAC with Controls	RFI sampling identified a release of pesticides to the soils. The CMS recommended demolition of Building 64 and removal of contaminated soil. Remediation was initiated Spring 2006 and soil removal completed. Now awaiting site restoration.	Soil - pesticides	1	CMI	CAC with Controls
3	58	Rifle Range at Punta Puerca: Historic records reviews and interviews confirmed use of the area as a rifle range in the 1940's. Exact usage dates and frequency of use are unknown. The site includes a concrete bermed structure with galvanized piping protruding from the top of the concrete berm. There appeared to be no signs of strains or stressed vegetation.	1	CAC w/out Controls	ECP Phase VII did not find any indication of a release. No contaminants of potential concern were identified in the ECP Phase II sampling program. Lead was detected in surface soil samples but all samples had lead concentrations less than base background and soil screening criteria.	NA	None	NA	None
3	AOC A	Torpedo Shop Inspected during the 1993 VSI. Based upon statements and historic reports, this SWMU managed Otto Fuel used in target drones. There is no indication that this site systematically or routinely released hazardous waste or constituents.	3	CAC with Controls (interior) CAC w/out controls (exterior)	Previously identified as No Further Action in 1994 Permit. The Consent Order required a Phase I RFI. Concrete and wipe samples detected contamination in epoxy-coated, concrete floor samples. Releases to the environment outside the building are not suspected. The Phase I RFI Report has been approved by the EPA.	No releases to the environment have been identified.		NA	Thorough cleaning of the Building interior prior to re-use.
3	AOC C	Transformer Storage Pads (Bldg. 2042) Located near Building 2042, it consists of three uncovered, concrete pads used primarily for outdoor storage of discarded transformers. Other discarded electrical materials, including batteries were observed. During the 1993 inspection, three transformers were observed well outside of the concrete pads and sitting directly on bare soil. During the 1998 VSI and the 1993 follow-up inspections, oil staining inside the concrete pads and evidence of releases to soil were observed.	3	CMI	Investigated as part of the SWMU 46 RFI which identified PCB contamination in the soils. The CMS recommended the performance of a CMI to remove contaminated soils from the site. Remediation was initiated Spring 2006 and soil removal completed. Site restoration to be completed January 2009.	Soil - PCBs	1	CMI	CAC with Controls

Table 2
Naval Activity Puerto Rico
Sale Parcel III FOST
Solid Waste Management Units and Areas of Concern Summary and Status
Page 4 of 4

Parcel	SWMU No.	Description	CERFA *	RCRA Status	Investigation and Remedial Action Summary and Status	Media Affected / Key Contaminants	Site Specific Land Use Controls	Current RCRA Phase	Remaining Work Required
Basewide	AOC D	Naval Station Outfalls - Sediments: Consists of the marine sediments in the ocean adjacent to the station which may have been affected by the Station's storm water outfalls, one operating and two closed littoral landfills, recurring major oil spills, the possible submarine discharge of contaminated groundwater from the Tow Way Fuel Farm area, and past waste disposal practices, which included routine disposal of hazardous wastes and/or constituents into storm water drains. Three NPDES-permitted wastewater outfalls, and an undetermined number of storm water outfalls are present at NAPR.	2	CAC without Controls	Sediment investigations are being conducted with associated SWMUs; therefore, the Consent Order designated this AOC Corrective Action Complete without Controls	NA	None	NA	None

* CERFA categories:

- 1 - **CERFA Clean** - areas where no release or disposal of hazardous substances or petroleum products or their derivatives has occurred,
- 2 - **All Actions Complete** - areas where the release, disposal, or migration, or some combination thereof, of hazardous substances, or
- 3 - **Additional Action Required** - Areas where a confirmed or suspected release, disposal, migration, or some combination thereof, of

Land Use Controls

- 1 - Non-Residential Use Only
- 2 - Soil and/or Sediment: Access and/or Invasive Activity Restriction
- 3 - Surface Water: Access and/or Use Restriction
- 4 - Groundwater: Use and Well Installation Restriction

Acronyms and Abbreviations

AOC	Area of Concern	ICM	Interim Corrective Measure	RCRA	Resource Conservation and Recovery Act
AST	Aboveground Storage Tank	IM	Interim Measure	RFI	RCRA Facility Investigation
BERA	Baseline Ecological Risk Assessment	JP-5	Jet Propulsion Fuel	SoB	Statement of Basis
CAC	Corrective Action Complete determination	GW	Groundwater	SVOC	Semi-Volatile Organic Compound
CERFA	Community Environmental Response Facilitation Act	LUC	Land Use Control	SWMU	Solid Waste Management Unit
CMI	Corrective Measures Implementation	MCL	Maximum Contaminant Level	TPH	Total Petroleum Hydrocarbons
CMS	Corrective Measures Study	MNA	Monitored Natural Attenuation	UST	Underground Storage Tank
COC	Chemical of Concern	NA	Not Applicable	VOC	Volatile Organic Compound
COPC	Chemical of Potential Concern	PAH	Polynuclear Aromatic Hydrocarbon	VSI	Visual Site Inspection
DRMO	Defense Reutilization Marketing Office	PCB	Polychlorinated Biphenyl		
ECP	Environmental Condition of Property	POL	Petroleum Oils and Lubricants		
EPA	Environmental Protection Agency	PWD	Public Works Department		
ERA	Ecological Risk Assessment	RBC	Risk-Based Concentration		

Table 3
Naval Activity Puerto Rico
Sale Parcel III FOST
OWS, AST, and UST List

Number	Type	Location or User	Capacity	Material Stored	Year Installed	Year Removed
792	OWS	Boat Maintenance Shop	-	-	-	-
3137	OWS	SeaBees Camp - Alpha Company	-	-	-	-
1090 A	AST	Fuels Division; near marina	3,000	Diesel	2001	-
1090 B	AST	MWR, near marina	2,000	Mogas	2001	-
1729	AST	AFWTF	2,000	Diesel	1997	-
2020	AST	PWD	200	Diesel	1982	-
2304	UST	Telemetry Site, Punta Puerca	4,000	Diesel	1989	NA
3176	UST	BEQ 3B (CPO)	1,000	Diesel	1996	NA
3178	UST	BEQ 3A	1,000	Diesel	1996	NA
3179	UST	BEQ 2	1,000	Diesel	1996	NA
-	Former UST	Former Incinerator (SWMU 30)	500	-	-	1993

- Information not available or unknown

AFWTF Atlantic Fleet Weapons Training Facility
AST Aboveground Storage Tank
BEQ Bachelor Enlisted Quarters
CPO Chief Petty Officer
NA Not Applicable
OWS Oil-Water Separator
PWD Public Works Department
SWMU Solid Waste Management Unit
UST Underground Storage Tank

Table 4
Naval Activity Puerto Rico
Sale Parcel III FOST
Asbestos-Containing Material Inspection Results
Page 1 of 2

Facility #	Name	ACM Identified	Comments
27	GSK WAREHOUSE	Unknown	Scheduled, but data not in report
39	SEWAGE PUMPING STATION	N	
90	SWITCHGEAR SUBSTA 2/BLDG 90	NI	
96	POTABLE WATER STORAGE TANK	NI	
111	DOPE-THINNER WAREHOUSE	N	
232	TELEPHONE CABLE HUT	NI	
233	TELEPHONE CABLE HUT	N	
375	TOILET BY BEACH	NI	
394	TORPEDO SHOP/UNDERGROUND DEP	N	
396	GUARD SHELTER	N	
421	WATER STOR TANK-PT PUERCA	NI	
445	BEACH PAVILION	NI	
446-449	BEACH PAVILIONS	NI	
467	HOBBY SHOP(WOOD)	N	
480	FLAMMABLE LOCKER	NI	
483	BUS SHLTR EAST ON LANGLEY	N	
484	TENNIS COURT	NI	
496	BUS SHLTR FORESTAL (SUOPS)	N	
774	GENR AT TELEMETRY W/DF TNK	Y	No access to west half of bldg where previous report indicated ACM present.
775	SEPTIC TANK AT TELEMETRY	NI	
787	NAVSPECWARUNIT4 MAANTSHOP	N	
792	NSWU-4 VEH/BOATSHOP MAINT	N	
832	MISC STORAGE	N	
870	ASROC FACILITY	Y	
1684	SEA BREEZE CLUB	Y	
1685	CUSTOMS	Y	
1690	SEPTIC TANK	NI	
1713	BASEBALL FIELD	NI	
1714	BASKETBALL COURT BY MARINA	NI	
1715	FLEET REC PARK	N	
1725	BUS STOP SHELTER BY MARINA	N	
1730	MK-48 TORPEDO SHOP	N	
1742	SUBSTA I/INDUS.AREA BY B#90	NI	
1768	ANTENNA POLE SUPPTD/N DELI	NI	
1787	ZOONOSIS CONTROL	Y	
1788	PW SEA BEES SHOP/STGE	N	
1803	CONCRETE BOAT RAMP	NI	
1812	SEWAGE LIFT STATION/MARINA	N	
1915	NAVGTN'L AID TWR PT. PUERCA	NI	
1973	DRMO GEN WHSE	N	
1989	MARINA BOATHOUSE	NI	
1997	100 GPM DUPLEX PUMP LIFT STA	NI	
2007	ASSP MAINT SHOP(ATWTF)	Y	
2009	DRMO FLAMMABLE STORAGE	N	
2010	DRMO GENERAL WAREHOUSE	N	
2015	TORPEDO PAINT SHOP	N	

Table 4
Naval Activity Puerto Rico
Sale Parcel III FOST
Asbestos-Containing Material Inspection Results
Page 2 of 2

Facility #	Name	ACM Identified	Comments
2026-2032	BEACH PAVILIONS	NI	
2034	PEST CONTROL BUILDING	N	
2042	ACSS WAREHOUSE	NI	
2140	TRANSFORMER STA BY B#53	NI	
2205	BAND STAND BLDG @ E.M.BEACH	NI	
2231	GENR BY LIFT STA B39	NI	
2265	FINGER PIER BTW PIER 1&2	NI	
2267	MARINA PIERS	NI	
2279	MOE BLDG	Y	
2283	FUEL GAS STGE AT UDT	N	
2288	OPER HAZ/FLAMMABLE STORAGE	N	
2304	TELEMETRY BLDG	N	
2308	BUS SHELTER BY B#1205	N	
2312	HAZ WASTE STGE BY B#2042	NI	
2326	ACSS HAZ FLAMM STGE BY B-2042	NI	
2329	FLAGPOLE BY B#1685	NI	
2332	PRINTING PLANT	Unknown	Scheduled, but data not in report
2335	HAZ/FLAMM STGE	N	
2342	MOE OPN'L STGE BY B-394	Y	
2347	STGE BLDG BY B#1685	N	
2349	MOE FLAMM STGE BLDG B#2015	N	
3034	EM CLUB	N	
3090	OFFICERS LIVING ROOM	N	
3091	EMBARK WAREHOUSE	N	
3092	EMBARK WAREHOUSE	N	
3093	CB LANT WAREHOUSE	N	
3094	CB LANT WAREHOUSE	N	
3095	CENTRAL SUPPLY ROOM	N	
3096	CENTRAL SUPPLY ROOM	N	
3097	CENTRAL TOOL ROOM	N	
3098	CENTRAL TOOL ROOM	N	
3109	MLO STORAGE WAREHOUSE	N	
3118	SPECIAL SERVICE BLDG/LIBRARY	N	
3137	VEHICLE WASH RACK	NI	
3151	BERTHING HUT	N	
3164	PHYSICAL FITNESS CENTER	N	
3175	BOQ	N	
3176	BEQ 3B (CPO)	N	
3178	BEQ 3A	N	
3179	BEQ 2	N	
3188	ALFA CO MAINT BLDG	Y	

Notes: Y = Yes
N = No
NI = Not Inspected
Hazard = friable, accessible and damaged (FAD) asbestos-containing material (ACM)

Source: Final Asbestos Inspection Report for Naval Activity Puerto Rico, Ceiba, Puerto Rico

Exhibit F
SWMU 38 Concurrence Letter

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. David Criswell
US Navy
BRAC PMO SE
4130 Faber Place Drive
Suite 202
North Charleston, SC 29405

Re: Naval Activity Puerto Rico (NAPR), formerly Naval Station
Roosevelt Roads,
EPA I.D. Number PRD2170027203,

Dear Mr. Criswell:

The United States Environmental Protection Agency (EPA) Region 2 has received your letter of January 21, 2009 requesting EPA's concurrence that the Navy has satisfied all requirements in Section V, Paragraph 7 .C.5 of the 2007 RCRA Consent Order applicable to the portions of SWMU 38 (sanitary and storm water sewer system) within Sale Parcel III property.

As you are aware, pursuant to Section V, Paragraph 7.C.5 of the 2007 RCRA Consent Order, a corrective action complete determination, without controls, was made for SWMU 38, contingent on the Navy fully addressing any releases from SWMUs 4, 12, 13 and 14 that have impacted the sanitary and storm water sewer systems. Your letter of January 21, 2009 states that SWMUs 4, 12 and 14 are located wholly outside of the Sale Parcel III property, and that at SWMU 13, which is within the Sale Parcel III property, the Navy has recently completed the corrective measures required under the 2007 RCRA Consent Order, and expects to request a corrective action complete status for that SWMU.

Therefore, EPA will concur with the determination that the Navy has satisfied all requirements in Section V, Paragraph 7.C.5 of the 2007 RCRA Consent Order applicable to the portions of SWMU 38 (sanitary and storm water sewer system) within Sale Parcel III

property, subject to the Navy's submission of an acceptable final report documenting the completion of all required corrective measures at SWMU 13.

In addition, that determination is subject to the conditions of Section XXI (Reservation of Rights) of the 2007 RCRA Consent Order between EPA and the Navy.

If you have any questions on this, please telephone Mr. Tim Gordon of my staff at (212) 637-4167.

Sincerely yours,

Dale Carpenter, Chief
Resource Conservation and Special Projects Section
RCRA Programs Branch

cc: Ms. Wilmarie Rivera, P.R. Environmental Quality Board
Mr. Julio I. Rodriguez Colon, P.R. Environmental Quality Board
Mr. Mark Kimes, Baker Environmental
Mr. Felix Rodriguez, US Fish & Wildlife Service

bcc: Carl Soderberg, EPA-Caribbean Environmental Protection Division
Dale Carpenter, 2DEPP-RPB
Timothy Gordon, 2DEPP-RPB
RCRA File Room, 2DEPP-RPB

Exhibit G
CERFA Concurrence

**CERFA Identification of Uncontaminated Property
Former Naval Station Roosevelt Roads, Puerto Rico**

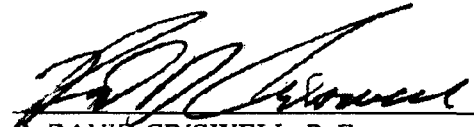
Accordingly, this CERFA Uncontaminated Property Report reflects final site categorizations that may differ from those presented in the Final ECP report.

In summary, all NAPR property not otherwise identified as sites belonging to Categories 2 or 3 are classified as "CERFA Clean" (i.e. uncontaminated) as defined in CERFA [§9620 (h)(4)(A)]. The bulk of the NAPR acreage is classified as such. Of the approximately 8,400 acres of NSRR property, about 7,000 acres have been identified as "CERFA Clean" (i.e., Category 1). Figure 1 depicts the results of this classification.

Included in the CERFA Clean classification are a total of 14 SWMUs. Ten of these SWMUs were identified by EPA in the 1994 RCRA Part B permit, and an additional four sites were identified by the ECP. All 14 of these sites were originally identified based on a suspected release or disposal activity, but subsequent investigations determined that no release or disposal activity occurred. EPA has indicated their concurrence with this determination in the draft §7003 Order on Consent by designating each of these sites as having achieved "corrective action complete without controls" designation. The SWMUs and ECP sites designated as CERFA Clean are SWMUs 5, 15, 20, 21, 22, 47, 48, 49, 50, 52, 63 (ECP 9), 64 (ECP 10), 65 (ECP 11), and 66 (ECP 12). These sites are presented in Table 1.

The remaining property has been classified as Category 2 or 3 and as such is not qualified for designation as CERFA Clean.

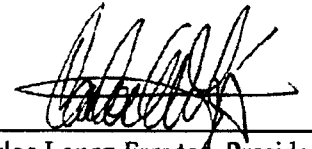
Submitted


R. DAVID CRISWELL, P. E.
BRAC Environmental Coordinator

8/27/06
Date

Concurrence

Concurrence with CERFA Identification of Uncontaminated Property is indicated by signature below. This concurrence applies only to the identification of "CERFA Clean" (i.e. uncontaminated) property, identified in this document as ECP Category 1.


Carlos Lopez Freytes, President
Environmental Quality Board
Commonwealth of Puerto Rico

8/11/06
Date

Exhibit H

Asbestos-Containing Materials Acknowledgement Form

**ASBESTOS-CONTAINING MATERIALS
HAZARD DISCLOSURE AND ACKNOWLEDGMENT FORM
(NON-RESIDENTIAL STRUCTURES)**

ASBESTOS WARNING STATEMENT

YOU ARE ADVISED THAT CERTAIN BUILDINGS WITHIN THE SALE PARCEL III (FORRESTAL) TRANSFER AT THE FORMER NAVAL STATION ROOSEVELT ROADS HAVE ASBESTOS-CONTAINING MATERIALS. INDIVIDUALS (WORKERS) MAY SUFFER ADVERSE HEALTH EFFECTS AS A RESULT OF INHALATION EXPOSURE TO ASBESTOS. THESE ADVERSE HEALTH EFFECTS INCLUDE ASBESTOSIS (PULMONARY FIBROSIS) AND MESOTHELIOMAS (BENIGN OR MALIGNANT TUMORS).

ACKNOWLEDGEMENT

I acknowledge that:

- (1) I have read and understand the above-stated Asbestos Warning Statement.
- (2) I have received from the Government the following document(s): *Phase I/II Environmental Condition of Property Report, Former Naval Station Roosevelt Roads, Ceiba, Puerto Rico, the Final Asbestos Inspection Report for Naval Activity Puerto Rico, Ceiba, Puerto Rico, and the Finding of Suitability to Transfer, Sale Parcel III - Forrestal, Former Naval Station Roosevelt Roads, Ceiba, Puerto Rico* representing the best information available to the Government as to the presence of and condition of asbestos-containing-materials hazards in the building covered by this transfer (deed).
- (3) I understand that my failure to inspect or to become fully informed of the condition of all or any portion of the property offered will not constitute grounds for any claim or demand for adjustment or withdrawal of any bid or offer made after its opening or tender.
- (4) I understand that, upon execution of this transfer (deed), I shall assume full responsibility for preventing future asbestos exposure by properly managing and maintaining or, as required by applicable federal, State, or local laws or regulations, for abating any asbestos hazard that may pose a risk to human health.

Transferee (or duly authorized agent)

Date

Exhibit I
Lead-Based Paint Hazard Advisory

**LEAD-BASED PAINT HAZARD
DISCLOSURE AND ACKNOWLEDGEMENT FORM**

LEAD WARNING STATEMENT

YOU ARE ADVISED THAT STRUCTURES CONSTRUCTED PRIOR TO 1978 MAY PRESENT EXPOSURE TO LEAD FROM LEAD-BASED PAINT THAT MAY PLACE YOUNG CHILDREN AT RISK OF DEVELOPING LEAD POISONING. LEAD POISONING IN YOUNG CHILDREN MAY PRODUCE PERMANENT NEUROLOGICAL DAMAGE. YOU ARE FURTHER ADVISED THAT LEAD POISONING ALSO POSES A PARTICULAR RISK TO PREGNANT WOMEN. WORKERS MAY ALSO SUFFER ADVERSE HEALTH EFFECTS FROM LEAD DUST AND FUME EXPOSURE

ACKNOWLEDGEMENT

I acknowledge that:

1. I have read and understand the above stated Lead Warning Statement;
2. I have received from the Federal Government the following document(s): *Phase I/II Environmental Condition of Property Report, Former Naval Station Roosevelt Roads, Ceiba, Puerto Rico and Finding of Suitability to Transfer – Sale Parcel III - Forrestal, Naval Activity Puerto Rico, Ceiba, Puerto Rico* representing the best information available to the Government as to the presence of Lead-Based Paint and Lead-Based Paint hazards for the buildings covered by this Transfer;
3. I understand that my failure to inspect, or to become fully informed as to the condition of all or any portion of the property offered will not constitute grounds for any claim or demand for adjustment or withdrawal of any bid or offer made after its opening or tender; and
4. I understand that upon execution of this Transfer, I shall assume full responsibility for preventing future lead exposure by properly managing and maintaining or, as required by applicable Federal, state, or local laws or regulations, for abating any lead-based paint hazard that may pose a risk to human health.

Transferee (or duly authorized agent)

Date

Exhibit J

CERCLA Hazardous Substance Notice and Response Action Summary

Naval Activity Puerto Rico
Sale Parcel III FOST
CERCLA Hazardous Substance Notice/Response Action Summary
Page 1 of 4

The table below identifies those hazardous substances that it is known, based upon a complete search of agency files, were stored for one year or more in quantities greater than or equal to 1,000 kg (or greater than or equal to 1 kg if designated an acutely hazardous waste under 40 CFR Part 261.30) and/or were released or disposed of on the property to be transferred in quantities greater than or equal to their respective reportable quantities under 40 CFR 302.4. The information in this notice is required under the authority of regulations promulgated under Section 120(h) of the Comprehensive Environmental Response, Compensation and Liability Act ("CERCLA" or "Superfund"), 42 U.S.C. Section 9620(h).

Bldg or Facility ID	Description	Substance Name	CAS Registry Number	40 CFR 302.4 Regulatory Synonyms	RCRA HW No.	Quantity Stored	Date of Storage	Quantity Released	Date of Release	Response Actions Taken
90	Substation 2	See SWMU 10	---	---	---	---	---	---	---	---
832	Torpedo Shop	See AOC A	---	---	---	---	---	---	---	---
		HWAA - see SWMUs 17 & 18	---	---	---	---	---	---	---	---
1973	DRMO Non-Flammable HW Storage	See SWMU 17	---	---	---	---	---	---	---	---
2009	DRMO Ignitable HW Storage	See SWMU 18	---	---	---	---	---	---	---	---
2009A-D	DRMO Portable HW Storage Buildings	See SWMUs 17 & 18	---	---	---	---	---	---	---	---
2279	Marine Ocean Engineering	HWAA - see SWMUs 17 & 18	---	---	---	---	---	---	---	---
2335	Supply/CHRIIP	HWAA - see SWMUs 17 & 18	---	---	---	---	---	---	---	---
AOC A	Torpedo Shop	Acetone	67641	2-Propanone	F003 U002	Unknown	1966-2004	Unknown	Unknown	---
		Denatured Ethyl Alcohol	64175	---	D001	Unknown	1966-2004	Unknown	Unknown	---
		Sodium Sulfide	1313844	---	D002	Unknown	1966-2004	Unknown	Unknown	---
		Agentine (petroleum-based solvent)	---	---	D001	Unknown	1966-2004	Unknown	Unknown	---
AOC B	Former Public Works Department Storage Area	Misc. Hazardous Materials and Hazardous Wastes (see SWMUs 17 & 18)	---	---	---	Unknown	1940s-1990s	Unknown	Unknown	---
AOC C	Transformer Storage Area	Polychlorinated Biphenyls	1336363	Aroclors; PCBs	---	Unknown	?-1990s	Unknown	Unknown	---
		Lead	7439921	---	D008	Unknown	?-1990s	Unknown	Unknown	---
		Sulfuric Acid	7664939	---	D002	Unknown	?-1990s	Unknown	Unknown	---
SWMU 10	Transformer Maintenance Area	Polychlorinated Biphenyls	1336363	Aroclors; PCBs	---	Unknown	1964-Present	< 3,000 gallons	1964-1979	Interim Measure - excavated 235 CY of soil in 1995.
SWMU 13	Old Pest Control Shop	Pesticides	---	---	---	Unknown	1950s-1983	Unknown	1950s-1983	---
		DDT	50293	Benzene, 1,1'-[2,2,2-trichloroethylidene]bis(4-chloro-	U061	Unknown	Unknown	Unknown	Unknown	---
		DDD	72548	Benzene, 1,1'-[2,2-dichloroethylidene]bis(4-chloro-TDE 4,4'-DDD	---	Unknown	Unknown	Unknown	Unknown	---
		DDE	72559	4,4'-DDE	---	Unknown	Unknown	Unknown	Unknown	---
		Dieldrin	60571	see 40 CFR 302.4	---	Unknown	Unknown	Unknown	Unknown	---
		Cupric Acetoarsenite	12002038	---	---	Unknown	Unknown	Unknown	Unknown	---
		para-dichlorobenzene	106467	Benzene, 1,4-dichloro 1,4-Dichlorobenzene	U072	Unknown	Unknown	Unknown	Unknown	---
		Chlordane	67749	Chlordane, alpha & gamma isomers Chlordane (Technical Mixture and Metabolites) 4,7-Methano-1H-indene, 1,2,4,5,6,7,8,8-octachloro-2,3,3a,4,7a-hexahydro-	U036	Unknown	Unknown	Unknown	Unknown	---
		Pentachlorophenol	87865	Phenol, pentachloro-	U242	Unknown	Unknown	Unknown	Unknown	---

Naval Activity Puerto Rico
Sale Parcel III FOST
CERCLA Hazardous Substance Notice/Response Action Summary
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Bldg or Facility ID	Description	Substance Name	CAS Registry Number	40 CFR 302.4 Regulatory Synonyms	RCRA HW No.	Quantity Stored	Date of Storage	Quantity Released	Date of Release	Response Actions Taken
SWMU 17	DRMO HW Storage Facility (non-flammable wastes) - not on Subject Property, but received wastes from various port and/or fuel farm operations.	Malathion	121755	---	---	Unknown	Unknown	55 gallons	1976	---
		Various non-flammable hazardous wastes	---	---	---	Capacity = 17,400 gals	1980-2004	Unknown	Unknown	---
		Lead	7439921	---	D008	Unknown	1980-2004	Unknown	Unknown	---
		Potassium Hydroxide	1310583	---	D002	Unknown	1980-2004	Unknown	Unknown	---
		Sodium Hydroxide	1310732	---	D002	Unknown	1980-2004	Unknown	Unknown	---
		Beryllium Dust	7440417	---	P015	Unknown	1980-2004	Unknown	Unknown	---
		Lithium/Sulfur Dioxide Batteries	---	---	D003	Unknown	1980-2004	Unknown	Unknown	---
		Nickel/Cadmium Batteries	---	---	D003, D006	Unknown	1980-2004	Unknown	Unknown	---
		Mercury Batteries	---	---	D009	Unknown	1980-2004	Unknown	Unknown	---
		Mercury Batteries in Acetic Acid	---	---	D002, D009	Unknown	1980-2004	Unknown	Unknown	---
		Aid to Navigation (AtoN) Batteries	---	---	D002	Unknown	1980-2004	Unknown	Unknown	---
		Alkaline Batteries	---	---	D002	Unknown	1980-2004	Unknown	Unknown	---
		Lead/Acid Batteries	---	---	D002, D008	Unknown	1980-2004	Unknown	Unknown	---
		Lead/Acid Batteries (Drained)	---	---	D002	Unknown	1980-2004	Unknown	Unknown	---
		Battery Electrolyte	---	---	D002, D008	Unknown	1980-2004	Unknown	Unknown	---
		Acetic Acid	64197	---	D002	Unknown	1980-2004	Unknown	Unknown	---
		Chromic Acid (Aldine)	7738945	---	D002, D007	Unknown	1980-2004	Unknown	Unknown	---
		Hydrochloric Acid	7647010	Hydrogen Chloride	D002	Unknown	1980-2004	Unknown	Unknown	---
		Sulfuric Acid	7664939	---	D002	Unknown	1980-2004	Unknown	Unknown	---
		Ammonium Hydroxide	1336216	---	D002	Unknown	1980-2004	Unknown	Unknown	---
		Cleaning Compound (TURCO)	---	---	D002	Unknown	1980-2004	Unknown	Unknown	---
		Mercury	7439976	---	U151, D009	Unknown	1980-2004	Unknown	Unknown	---
		Blasting Booth Dust	---	---	D007, D008	Unknown	1980-2004	Unknown	Unknown	---
		Decontaminating Agent, STB (Super Tropical Bleach)	---	---	D003	Unknown	1980-2004	Unknown	Unknown	---
		Chlordane	57749	Chlordane, alpha & gamma isomers Chlordane (Technical Mixture and Metabolites) 4,7-Methano-11b-indene, 1,2,4,5,6,7,8,8-octachloro- 2,3,3a,4,7,7a-hexahydro-	UC36	Unknown	1980-2004	Unknown	Unknown	---
		Photographic Developer	---	---	D002, D011	Unknown	1980-2004	Unknown	Unknown	---
		Photographic Fixer	---	---	D002, D011	Unknown	1980-2004	Unknown	Unknown	---
		Photographic Hardener	---	---	D011	Unknown	1980-2004	Unknown	Unknown	---
		Photographic Stabilizer	---	---	D011	Unknown	1980-2004	Unknown	Unknown	---
		Photographic Starter	---	---	D011	Unknown	1980-2004	Unknown	Unknown	---
		Photographic Replenisher	---	---	D002, D011	Unknown	1980-2004	Unknown	Unknown	---
		Photo Auto Reversal Chemical	---	---	D011	Unknown	1980-2004	Unknown	Unknown	---
		Hypo-Solution: Ammonium Thiosulfate	7783188	---	D011	Unknown	1980-2004	Unknown	Unknown	---
		Hypo-Solution: Sodium Thiosulfate	7772987	---	D011	Unknown	1980-2004	Unknown	Unknown	---
		Methylene Chloride	75092	Dichloromethane	F001, F002 UC80	Unknown	1980-2004	Unknown	Unknown	---

Naval Activity Puerto Rico
Sale Parcel III FOST
CERCLA Hazardous Substance Notice/Response Action Summary
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Bldg or Facility ID	Description	Substance Name	CAS Registry Number	40 CFR 302.4 Regulatory Synonyms	RCRA HW No.	Quantity Stored	Date of Storage	Quantity Released	Date of Release	Response Actions Taken
		Perchloroethylene	127184	Ethene, tetrachloro Tetrachloroethene Tetrachloroethylene	F001, F002, U210	Unknown	1980-2004	Unknown	Unknown	---
		1,1,1-Trichloroethane	71556	Ethane, 1,1,1-trichloro Methyl Chloroform	F001, F002, U226	Unknown	1980-2004	Unknown	Unknown	---
		Trichloroethylene	79016	Trichloroethene Ethene, trichloro	F001, F002, U228	Unknown	1980-2004	Unknown	Unknown	---
		Trichlorofluoromethane	75694	Trichloromonofluoromethane	F002, U121	Unknown	1980-2004	Unknown	Unknown	---
		Trichlorotrifluoroethane	76131	---	F002	Unknown	1980-2004	Unknown	Unknown	---
		Chlorinated Fluorocarbons	---	---	F001	Unknown	1980-2004	Unknown	Unknown	---
		1,1,2-Trichloroethane	79005	Ethane, 1,1,2-trichloro	F002, U227	Unknown	1980-2004	Unknown	Unknown	---
		Paint Removers	---	---	D002, F002	Unknown	1980-2004	Unknown	Unknown	---
		Carbon Remover	---	---	F002	Unknown	1980-2004	Unknown	Unknown	---
		Miscellaneous Waste Acids	---	---	D002	Unknown	1980-2004	Unknown	Unknown	---
		Miscellaneous Waste Caustics	---	---	D002	Unknown	1980-2004	Unknown	Unknown	---
		Miscellaneous Waste Reactives	---	---	D003	Unknown	1980-2004	Unknown	Unknown	---
		Misc. Halogenated Solvents (mixed waste w/ > 10% before use)	---	---	F001, F002	Unknown	1980-2004	Unknown	Unknown	---
		Misc. Halogenated Solvents (mixed waste w/ < 10% before use)	---	---	F001, F002	Unknown	1980-2004	Unknown	Unknown	---
		Magnesium Batteries	---	---	D003	Unknown	1980-2004	Unknown	Unknown	---
		Freon-Contaminated Hydraulic Fluid	---	---	F002	Unknown	1980-2004	Unknown	Unknown	---
SWMU 18	DRMO Ignitable Storage Facility - not on Subject Property, but received wastes from various port or fuel farm operations.	Various ignitable hazardous wastes	---	---	---	Capacity = 2,600 gals	1980-2004	Unknown	Unknown	---
		Gasoline (unleaded)	8006619	---	D001	Unknown	1980-2004	Unknown	Unknown	---
		Petroleum Fuels (leaded)	8006619	---	D001, D008	Unknown	1980-2004	Unknown	Unknown	---
		Jet Fuel (JP-4 or JP-5)	8008206	---	D001	Unknown	1980-2004	Unknown	Unknown	---
		Kerosene (contaminated)	8008206	---	D001	Unknown	1980-2004	Unknown	Unknown	---
		Adhesives	---	---	D001	Unknown	1980-2004	Unknown	Unknown	---
		Calibration Fluid	---	---	D001	Unknown	1980-2004	Unknown	Unknown	---
		Cleaning Compound (Mineral Spirits)	---	---	D001	Unknown	1980-2004	Unknown	Unknown	---
		Isopropyl Alcohol	67630	---	D001	Unknown	1980-2004	Unknown	Unknown	---
		Sealing Compound	---	---	D001, F003	Unknown	1980-2004	Unknown	Unknown	---
		Icing Inhibitor	---	---	D001	Unknown	1980-2004	Unknown	Unknown	---
		Inspection Penetrant	---	---	D001, F003	Unknown	1980-2004	Unknown	Unknown	---
		Denatured Alcohol	---	---	D001	Unknown	1980-2004	Unknown	Unknown	---
		Duplicating Fluid	---	---	D001	Unknown	1980-2004	Unknown	Unknown	---
		Waste Paints	---	---	D001	Unknown	1980-2004	Unknown	Unknown	---
		Painting Wastes	---	---	D001, D002, D007, D008, F002, F003, F005	Unknown	1980-2004	Unknown	Unknown	---
		Malathion (with carrier solvent)	121755	---	D001	Unknown	1980-2004	Unknown	Unknown	---

Naval Activity Puerto Rico
Sale Parcel III FOST
CERCLA Hazardous Substance Notice/Response Action Summary
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Bldg or Facility ID	Description	Substance Name	CAS Registry Number	40 CFR 302.4 Regulatory Synonyms	RCRA HW No.	Quantity Stored	Date of Storage	Quantity Released	Date of Release	Response Actions Taken
		Photographic Toners	---	---	D001	Unknown	1980-2004	Unknown	Unknown	---
		Corrosion Inhibitor	---	---	D001	Unknown	1980-2004	Unknown	Unknown	---
		Naphtha	8050306	---	D001	Unknown	1980-2004	Unknown	Unknown	---
		Acetone	67641	2-Propanone	F003, U002	Unknown	1980-2004	Unknown	Unknown	---
		Ethyl Ether	60297	Ethane, 1,1'-oxybis-	F003, U117	Unknown	1980-2004	Unknown	Unknown	---
		Isobutanol	78831	1-Propanol, 2-methyl-	F005, U140	Unknown	1980-2004	Unknown	Unknown	---
		Methanol	67561	Methyl Alcohol	F003, U154	Unknown	1980-2004	Unknown	Unknown	---
		Methyl Ethyl Ketone	78933	2-Butanone, MEK	U159	Unknown	1980-2004	Unknown	Unknown	---
		Toluene	108883	Benzene, methyl	F005, U220	Unknown	1980-2004	Unknown	Unknown	---
		Xylene	1330207	Benzene, dimethyl Xylene (mixed) Xylene (isomers and mixture)	F003, U239	Unknown	1980-2004	Unknown	Unknown	---
		MEK and Paint	---	---	F005, D007, D008	Unknown	1980-2004	Unknown	Unknown	---
		Dye Penetrant	---	---	D001, F001, F002	Unknown	1980-2004	Unknown	Unknown	---
		Dry Cleaning Solvent (PD-680-I)	64742867	---	D001	Unknown	1980-2004	Unknown	Unknown	---
		Stoddard Solvent	8052413	---	D001	Unknown	1980-2004	Unknown	Unknown	---
		Inspection Penetrant	---	---	D001, F002	Unknown	1980-2004	Unknown	Unknown	---
		Petroleum Lubricant	---	---	D001	Unknown	1980-2004	Unknown	Unknown	---
		Aerosol Cans (partially full)	---	---	D001, F001, F002, F003, F005	Unknown	1980-2004	Unknown	Unknown	---
		Miscellaneous Waste Ignitables	---	---	D001	Unknown	1980-2004	Unknown	Unknown	---
		Misc. Non-Halogenated Solvents	---	---	F003, F005	Unknown	1980-2004	Unknown	Unknown	---
		Misc. Petroleum, Oils & Lubricants (POLs) potentially contaminated with ignitable wastes or F-list solvents	---	---	D001, F001, F002, F003, F005	Unknown	1980-2004	Unknown	Unknown	---
		Grease contaminated with Oils	---	---	D001, D007, D008	Unknown	1980-2004	Unknown	Unknown	---
SWMU 25	Past DRMO HW Storage	See SWMUs 17 & 18	---	---	---	Unknown	Pre-1980	Unknown	Unknown	---
SWMU 30	Former Incinerator Area	Waste solvents	---	---	---	Unknown	1973-1983	Unknown	Unknown	---
SWMU 39	Spent Battery Storage Bldg	Lead	7439921	---	D008	Unknown	Unknown	Unknown	Unknown	---
		Sulfuric Acid	7664939	---	D002	Unknown	Unknown	Unknown	Unknown	---
SWMU 46	Pole Storage Yard	Polychlorinated Biphenyls	1336363	Aroclors; PCBs	---	Unknown	Unknown	Unknown	Unknown	---
		HWAA - see SWMUs 17 & 18	---	---	---	Unknown	1990s	Unknown	Unknown	---
SWMU 53	Malaria Control Building	Malathion	121755	---	---	Unknown	1942-1980	Unknown	Unknown	---
		Aldrin	309002	1,4,5,8-Dimethanonaphthalene 1,2,3,4,10,10-hexachloro- 1,4,4a,5,8,8a-hexahydro- (1alpha,4alpha,4abeta,8alpha, 8alphabeta)-	P004	Unknown	1942-1980	Unknown	Unknown	---
		DDT	50293	Benzene, 1,1'-(2,2,2-trichloroethylidene)bis(4-chloro-	U061	Unknown	Unknown	Unknown	Unknown	---

Exhibit K
Response to Comments



COMMONWEALTH OF PUERTO RICO
Office of the Governor
Environmental Quality Board

Environmental Emergencies Response Area

January 8, 2009

Mr. David Criswell
U.S. Navy
BRAC PMO SE
U.S. Environmental Protection Agency
4130 Faber Place Drive, Suite 202
North Charleston, SC 29405

**Re: Draft Finding of Suitability to Transfer (FOST) Sale Parcel III – Forrestal,
Naval Activity Puerto Rico, Ceiba, Puerto Rico**

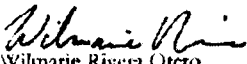
Dear Mr. Criswell:

The Puerto Rico Environmental Quality Board (PREQB) has completed its review of the Draft Finding of Suitability to Transfer (FOST) Sale Parcel III – Forrestal, Naval Activity Puerto Rico, dated December 2008. PREQB has the following comment on the Draft FOST:

- Please include PREQB in the last sentence of Section 5.0-E: Land and Groundwater Restriction (page 10)

If you have any questions or comments about our review, please contact me at (787) 767-8181, extension 6141

Cordially,


Wilmarie Rivera Otero
Federal Facilities Coordinator

cc: Timothy Gordon, EPA

Cruz A. Matos Environmental Agencies Bldg., San José Industrial Park Urbanization
1375 Ponce de León Ave., San Juan, PR 00926-2604
PO Box 11488, San Juan, PR 00910
Tel 787-767-8181 • Fax 787-768-0150

Navy Response: "...with concurrence by Puerto Rico EQB" has been added to the end of the sentence.

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. David Criswell,
BRAC Program Management Office
US Navy
BRAC PMO SE
4130 Faber Place Drive
Suite 202
North Charleston, SC 29405

Re: Naval Activity Puerto Rico (NAPR), formerly Naval Station Roosevelt Roads,
EPA I.D. Number PRD2170027203,

Draft Finding of Suitability to Transfer (FOST) Sale Parcel III – Forrestal

Dear Mr. Criswell:

The United States Environmental Protection Agency (EPA) has completed its review of the December 2008 Draft Finding of Suitability to Transfer (FOST) Sale Parcel III – Forrestal, transmitted by Mr. Rob Simcik's (of your contractor TetraTech) letter of December 22, 2008. EPA has the following comments on the Draft FOST:

1. The vicinity map in Exhibit B of the Draft FOST shows SWMU 77, the Small Arms Range, as part of Sale Parcel III Lease Areas. That is not consistent with EPA's understanding of the expected future usage of the SWMU 77 site. Under the January 2007 RCRA Consent Order, as described in Section VIII (Work to be Performed) Paragraph 25.1) of that Order, it was envisioned that the area comprising SWMU 77 was to be transferred to the Federal Department of Homeland Security (DHS) for continued usage as a small arms training range. Based on DHS' continued usage of the SWMU 77 area as a small arms training range, the Consent Order delayed submission of an RFI work plan until 90 days following DHS' cessation of usage of the area of SWMU 77 as a small arms training range. If it is now anticipated that DHS will not acquire the SWMU 77 site, the FOST must clearly state that. In addition, the provisions of the Consent Order allowing delayed submission of the RFI work plan until 90 days following DHS' cessation of usage of the area as a small arms training range should no longer be applicable, and the draft Phase I RFI work plan should be submitted within 90 calendar days of your receipt of this letter.

Navy Response: DHS has decided not to accept the Small Arms Range. The FOST has been edited to clearly state this as described in the response to Comment 2 below. The Navy acknowledges its obligation to submit a work plan for a Phase I RFI within 90 days of the receipt of the comments letter.

2. The last two sentences of paragraph 3 of Section 2.0 of the Draft FOST (on page 2 of the FOST) must be modified to either be consistent with Section VIII (Work to be Performed) Paragraph 25.1) of the 2007 Consent Order, or be modified to clearly reflect the change in planned usage of the SWMU 77 site, as discussed in comment 1 above.

Navy Response: The end of Paragraph 3 has been changed to read as follows -

The Navy and the winning bidder in the public auction of Sale Parcel I will execute a lease in furtherance of conveyance for the carve-out areas, including SWMU 77 (Small Arms Range) which the Navy originally intended to transfer to the Department of Homeland Security (DHS) for continued use as a small arms range. DHS has decided not to accept the range, so it will now become part of Sale Parcel III. Under the terms of Section VIII (Work to be Performed), Paragraph 25.1 (Contingent Investigation and Corrective Action Requirements for SWMU 77), the Navy must now submit to EPA for review and approval a work plan for a Phase I RFI to determine whether releases of hazardous waste or solid waste and/or hazardous constituents are present at SWMU 77. Upon successful completion of all necessary remedial actions by the Navy, the leased property will be transferred to the new owner of Sale Parcel III.

3. To be consistent with Section 2.0 Description of Property (on page 1 of the Draft FOST), please modify the second sentence of the last paragraph of Section 4.0 A Hazardous Substance Contamination (on page 4 of the draft FOST) to also list SWMUs 77 and 78, or otherwise modify these two Sections to be consistent with one another.

Navy Response: The intent of this paragraph was to note which SWMUs shown on the Exhibit C sub-parcel maps were carved out of the Subject Property. The text regarding SWMUs 77 and 78 (which are not on the maps) has been clarified as follows.

SWMU locations are shown on the maps in Exhibits B and C. The Subject Property does not include the areas shown on the parcel maps in Exhibit C for AOC F and SWMUs 3, 9, 11/45, 57 (ECP 3), 59 (ECP 5), 60 (ECP 6), 67 (ECP 13), 70 (ECP 16) and 74 (ECP 20). SWMUs 77 (ECP 23) and 78 were also carved out of the Subject Property, but are not shown on the maps in Exhibit C because the parcel map for SWMU 77 did not overlap with other SWMUs (and was therefore not included), and there is no parcel map for SWMU 78, a transformer storage pad discovered subsequent to the ECP Report and the signing of the Consent Order.

4. Please add a statement to the first paragraph of Section F, Environmental Compliance Agreements/Permits/Orders (on page 11 of the Draft FOST) indicating that "It should be noted that, as discussed in Section 2.0, the Subject Property does not include 12 SWMUs, that are either wholly or partially surrounded by Sale Parcel III, where corrective action investigation and/or remediation requirements are not yet completed."

Navy Response: The requested statement has been added to the end of the paragraph.

5. Please modify the next to the last sentence of the last paragraph of Section F, Environmental Compliance Agreements/Permits/Orders (on page 12 of the Draft FOST) to read "RCRA investigations conducted at NSRR, specifically at SWMU 38 and AOC D, evaluated **whether** suspected historical releases of hazardous substances to storm water ditches, outfalls **on the Subject Property**, and associated sediments **may have resulted in potentially significant impacts to human health and/or the environment.**" (note - changes shown in bold)

Navy Response: The requested edits have been made to the sentence.

Please modify the Draft FOST for Sale Parcel III to address the above comments. If you have any questions, please telephone me at (212) 637- 4167.

Sincerely yours,

Timothy R. Gordon
Remedial Project Manager,
Resource Conservation and Special Projects Section
RCRA Programs Branch

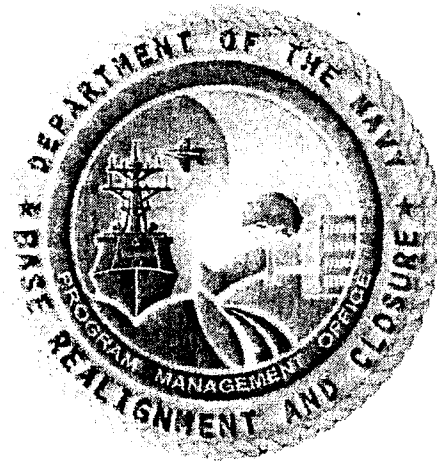
cc: Ms. Wilmarie Rivera, P.R. Environmental Quality Board.
Mr. Mark Kimes, Baker Environmental
Mr. Felix Lopez, USF&WS

bcc: Carl Soderberg, Caribbean Environmental Protection Division
Carl Howard, 2ORC
Dale Carpenter, 2DEPP-RPB
Timothy Gordon, 2DEPP-RPB
RCRA File Room, 2DEPP-RPB

**FINDING OF SUITABILITY TO TRANSFER
(ADDENDUM)**

SALE PARCEL III - FORRESTAL

**NAVAL ACTIVITY PUERTO RICO
CEIBA, PUERTO RICO**



Prepared by:

**Department of the Navy
Base Realignment and Closure
Program Management Office Southeast
4130 Faber Place Drive, Suite 202
North Charleston, South Carolina 29405**

December 2011

**FINDING OF SUITABILITY TO TRANSFER (Addendum)
SALE PARCEL III - FORRESTAL
NAVAL ACTIVITY PUERTO RICO**

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**FINDING OF SUITABILITY TO TRANSFER (Addendum)
SALE PARCEL III - FORRESTAL
NAVAL ACTIVITY PUERTO RICO**

1.0 REVISIONS

This document serves as an addendum to the *Finding of Suitability to Transfer, Sale Parcel III – Forrestal, Naval Activity Puerto Rico* dated 02 February 2009. This document is being revised based on the recent completion and review of environmental restoration documentation for solid waste management units (SWMU) and areas of concern (AOC) located on the subject property. The affected SWMUs and AOCs include SWMU 13, the Old Pest Control Shop (Bldg. 258); SWMU 17, the DRMO Non-Flammable Storage (Bldg. 1973); SWMU 18, the DRMO Ignitable Hazardous Waste Storage (Bldg. 2009); SWMU 25, DRMO Storage Yard; SWMU 30, Former Incinerator Area (near SWMU 3); SWMU 53, Malaria Control Building (Bldg. 64); and AOC A, the Torpedo Shop.

The following revisions should be made to the FOST in **Section 5.0(E) Land and Groundwater Restrictions** of this document:

- SWMU 13: Based on completion of Corrective Measure Implementation and Approval of the Statement of Basis, remove the Groundwater Use and Well Installation Restriction.
- SWMUs 17, 18 and 25: Based on a review of the *Closure Certification Report Building 1973 (2005)* and the *Site-Specific Human Health Risk Assessment, Buildings 2009, 2009A, 2009B, 2009C, and 2009D Area (2007)* add a Non-Residential Use Only restriction for all three SWMUs.
- SWMU 30: Add a Non-Residential Use Only restriction (Groundwater Use and Well Installation Restriction is already in place).
- SWMU 53: Based on completion of Corrective Measure Implementation and Approval of the Statement of Basis, remove the Non-Residential Use Only restriction.
- AOC A: Based on a review of the *Final Phase I RCRA Facility Investigation Report AOC A (2007)* add a Non-Residential Use Only restriction for the interior of the Torpedo Shop Building. This restriction shall remain in place until the interior of the Torpedo Shop is further remediated or the structure is demolished and disposed of properly.

2.0 SUITABILITY DETERMINATION

NOW THEREFORE, based on my review of the information contained in this FOST, the notices discussed herein, and the restrictions and covenants that will be contained in the deed, the Subject Property is suitable for transfer.

1 DEC 2011
Date

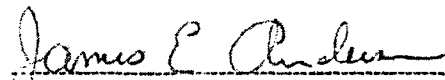

JAMES E. ANDERSON
Director
BRAC Program Management Office Southeast
North Charleston, South Carolina

Exhibit "E"

FINDING OF SUITABILITY TO TRANSFER FOR SCIENCE PARK



TETRA TECH

PITT-10-10-069

October 27, 2010

Project Number 112G00503

Mark Davidson, P.E.
BRAC Program Management Office SE
4130 Faber Place Drive
Suite 202
North Charleston, South Carolina 29405

Reference: CLEAN Contract No. N62467-04-D-0055
Contract Task Order No. 0043

Subject: Final Finding of Suitability to Transfer (FOST), Parcel 52 (Science Park)
Naval Activity Puerto Rico (NAPR)

Dear Mr. Davidson:

Please find enclosed two copies of the signed Final FOST for Parcel 52 (Science Park) at NAPR. As requested, 10 additional copies of the FOST have been distributed as shown on the attached Distribution List.

If you have any questions, please contact Lawson Anderson at (501) 319-7594.

Sincerely,

Robert F. Simcik, P.E.
Task Order Manager

LMA:ima

Enclosures (2)

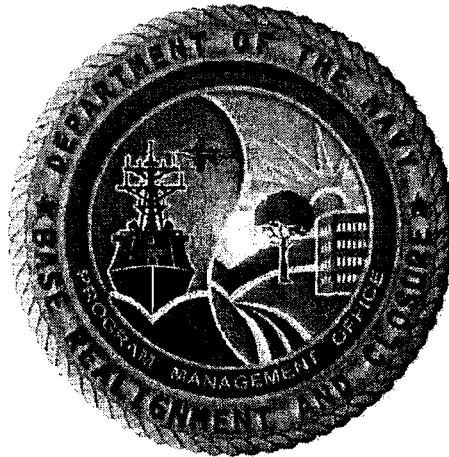
c: D. Carpenter, USEPA Region 2 (1)
T. Gordon, USEPA Region 2 (1)
C. Soderberg, USEPA Caribbean EPD (1)
G. Toro, PREQB (1)
W. Rivera, PREQB (1)
E. Kiess, LRA (1)
P. Ruiz, NAPR (3)
S. Martin, NAVFAC LANT (1 electronic copy)
M. Kimes, Baker (1)
D. Humbert, TINUS (w/o enclosure)
L. Anderson, TINUS (w/o enclosure)
C. Pike, TINUS / File G00503 (w/o enclosure)

Tetra Tech NUS, Inc.
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FINDING OF SUITABILITY TO TRANSFER

**PARCEL 52
(SCIENCE PARK)**

**NAVAL ACTIVITY PUERTO RICO
CEIBA, PUERTO RICO**



Prepared by:

**Department of the Navy
Base Realignment and Closure
Program Management Office Southeast
4130 Faber Place Drive, Suite 202
North Charleston, South Carolina 29405**

October 2010

**FINDING OF SUITABILITY TO TRANSFER
PARCEL 52
(SCIENCE PARK)
NAVAL ACTIVITY PUERTO RICO**

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**FINDING OF SUITABILITY TO TRANSFER
PARCEL 52
(SCIENCE PARK)
NAVAL ACTIVITY PUERTO RICO**

1.0 PURPOSE

This Finding of Suitability to Transfer (FOST) summarizes how the requirements and notifications for hazardous substances, petroleum products and other regulated material on the property have been satisfied, and documents my determination, as the responsible Department of Defense (DoD) component official, that certain real property and associated improvements known as the Science Park Parcel or Parcel 52 at Naval Activity Puerto Rico (NAPR), Ceiba, Puerto Rico, are environmentally suitable for deed transfer. This decision is based primarily on my review of information contained in two of the documents listed in Exhibit A (References) – the CERFA Identification of Uncontaminated Property, Former Naval Station Roosevelt Roads, Puerto Rico (the CERFA Report; Navy, 2006a) and the Phase I/II Environmental Condition of Property Report, Former Naval Station Roosevelt Roads, Ceiba, Puerto Rico (the ECP Report; Navy, 2005). Factors leading to this decision and other pertinent information related to property transfer requirements are stated below.

2.0 DESCRIPTION OF PROPERTY

NAPR was formerly known as Naval Station Roosevelt Roads (NSRR) until it ceased operation as an active Naval Station on March 31, 2004, at which point it was designated Naval Activity Puerto Rico. NAPR is located on the east coast of Puerto Rico adjacent to the municipality of Ceiba. As shown on the Vicinity Map in Exhibit B, the Science Park Parcel is comprised of 77.344 acres located in the developed waterfront area north of the Ensenada Honda shoreline and west of the Bahía de Puerca shoreline. There are three environmental sites within the footprint of the parcel that have been "carved out" of the Science Park conveyance due to ongoing Navy cleanup actions. The "carve-outs" will be added to the Sale Parcel III lease area, as documented in the revised Finding of Suitability to Lease, Carve-Outs Within Sale Parcel III – Forrestal (Navy, 2010). The carve-outs occupy approximately 1.758 acres, thus reducing the total acreage covered by this FOST to approximately 75.586 acres (Subject Property). The carve-outs are Resource Conservation and Recovery Act (RCRA) Solid Waste Management Units (SWMUs) 31 (Waste Oil Collection Area - Buildings 31 and 2022) and 32 (Public Works Department Storage Yard/Battery Collection Area), and petroleum site MNA 124, one of eight petroleum sites across NAPR that comprise Area of Concern (AOC) F. The carve-outs are further described in Sections 4.0.A. (Hazardous Substance Contamination) and 4.0.B. (Petroleum Contamination) of this FOST.

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The Subject Property includes two Bachelor Enlisted Quarters buildings, a dry dock, and over 25 buildings and facilities associated with the Public Works Department (PWD), SeaBees, and Underwater Demolition Team. An aerial photograph of Parcel 52 is provided in Exhibit C, and survey maps of the entire Science Park Parcel and of the environmental sites carved out of the transfer are included in Exhibit D. Table 1 in Exhibit E of this FOST provides the facility number, former user, name or description, area and year of construction of each of the numbered buildings, structures and facilities on the Subject Property.

3.0 PAST USE AND PROPOSED REUSE

The Subject Property has been used as a military installation since its acquisition and development by the Navy in the 1940s. The ECP Report states that most of the arable land on the installation was previously used for sugar cane cultivation and cattle grazing. No significant industrial facilities or environmental concerns were identified with respect to activities conducted on the former NSRR prior to Navy ownership.

The Navy established NAPR to serve as the caretaker of the real property associated with NSRR and to assist in the transfer of the property. Since the establishment of NAPR, all industrial and commercial operations on the Subject Property with a significant potential for environmental contamination have ceased.

The Subject Property is expected to be transferred via an Economic Development Conveyance to the Commonwealth of Puerto Rico. The Naval Station Roosevelt Roads Reuse Plan (CBRE et al, 2004) developed by the Puerto Rico Department of Economic Development and Commerce (acting as the Local Redevelopment Authority) anticipated future use of the Subject Property as a science park. An April 2010 addendum to the Reuse Plan (CCS, 2010) indicates the Subject Property will be in portions of areas with the following types of uses - mixed use (retail and upper floor residential), hotel and lodging, golf course, and retail/restaurant/entertainment district.

4.0 ENVIRONMENTAL FINDINGS

All available information concerning the past storage, release, or disposal of hazardous substances and/or petroleum products on NAPR, as collected through record searches, aerial photographs, personnel interviews, and on-site visual inspections, is contained in the ECP Report prepared by Naval Facilities Engineering Command (NAVFAC) Atlantic. The following

**FINDING OF SUITABILITY TO TRANSFER
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NAVAL ACTIVITY PUERTO RICO**

summarizes the findings as they relate to the Subject Property and the corresponding Condition of Property Classification assigned to the real property to be transferred.

A. Hazardous Substance Contamination

There are five RCRA SWMUs on the Subject Property – SWMUs 19 (Pesticide Waste Storage – Building 121), 38 (Sanitary and Storm Water Sewer Systems), 41 (Pesticide Storage Area Wash Pad - Building 3152), 50 (Drum Storage Area) and 72 (Public Works Department - Building 31). The U.S. Environmental Protection Agency (EPA) Administrative Order on Consent (Consent Order; EPA, 2007) that sets out the Navy's corrective action obligations under RCRA designated these five SWMUs (19, 38, 41, 50 and 72) as Corrective Action Complete without Controls and required no further action.

SWMU 19 was clean closed pursuant to the requirements of the 1994 RCRA Permit for NSRR, thus no RCRA Facility Investigation (RFI) was required. The RCRA Permit also included No Further Action (NFA) determinations for SWMUs 38, 41 and 50, and did not require RFIs at these SWMUs. Under the Consent Order, the NFA determination for SWMU 38 is contingent upon the Navy fully addressing any releases that may have impacted the sanitary and/or storm sewer systems as part of the corrective action(s) for releases from SWMUs 4, 12, 13 and 14 and/or any other SWMU at the NAPR facility where releases may have impacted the sewer systems. SWMUs 4, 12, 13 and 14 are located well outside of the Subject Property. The ECP Phase I/II investigation of SWMU 72 did include sampling, but there was no indication of a release.

SWMUs 31 and 32 are inside the boundary of the Science Park Parcel, but will not be conveyed with the Subject Property. Instead, they will be included in the Sale Parcel III lease area, as documented in the revised Finding of Suitability to Lease, Carve-Outs Within Sale Parcel III – Forrestal (Navy, 2010). SWMUs 31 and 32 will be leased in furtherance of conveyance to the future property owner of the Subject Property. The Lessee will be allowed use of the property subject to land use controls (non-residential use only and restricted access to soil under the parking lots), as shown on the figure (Baker, 2010) in Exhibit D.

Detailed descriptions of all NAPR SWMUs are provided in the ECP Report, while summary descriptions and the current status of the five SWMUs on the Subject Property are provided in Table 2 (Exhibit E). The aerial photograph and wastewater collection system map in Exhibit C show the approximate locations of the Subject Property SWMUs, as well as SWMUs 31 and 32.

**FINDING OF SUITABILITY TO TRANSFER
PARCEL 52
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NAVAL ACTIVITY PUERTO RICO**

B. Petroleum Contamination

There were two operational underground storage tanks (USTs) containing diesel fuel associated with BEQs 1A and 1B on the Subject Property at the time of the ECP inspection in March 2005. Both of these USTs were installed in 1996, and have been emptied, temporarily closed, and left in place for use by the new owner. If/when the USTs must be closed, closure in accordance with PREQB regulations will be the responsibility of the new owner. The ECP Report listed three known former UST systems on the Subject Property that were removed in 2002. Table 3 in Exhibit E lists the known past and present USTs on the Subject Property along with their location, capacity, material stored, and the year removed (or year installed if still present). The ECP Report documented six operational aboveground storage tanks (ASTs) and two oil/water separators (OWSs) on the Subject Property. These ASTs and OWSs are also listed in Table 3.

According to the ECP Report, any contaminated soils identified during past replacement of tanks were excavated and disposed of off NSRR property, and the replaced tanks were closed in accordance with 40 CFR 280 and PREQB UST regulations. There are no other known spills or releases associated with petroleum usage on the Subject Property.

The Navy is conducting a monitored natural attenuation (MNA) study of eight petroleum sites (seven UST sites and one AST site) across NAPR that comprise AOC F. One of these AOC F sites, MNA 124, was carved out of the Science Park Parcel conveyance due to ongoing environmental actions and is now immediately adjacent to the Subject Property as shown on the aerial photograph in Exhibit C. It occupies approximately 1.195 acres which includes a buffer zone around the MNA 124 petroleum-contaminated groundwater plume. This carve-out has been added to the Sale Parcel III lease area, as documented in the revised Finding of Suitability to Lease, Carve-Outs Within Sale Parcel III – Forrestal (Navy, 2010). The MNA 124 property will be leased in furtherance of conveyance to the future owner of the Subject Property. Long-term monitoring data indicate the MNA 124 plume is not expanding and is not expected to migrate onto the Subject Property. The Lessee will be allowed use of the MNA 124 property subject to land use controls (non-residential use only, no groundwater use, and no disturbance of subsurface soil), as shown on the figure (Baker, 2010) in Exhibit D. Another AOC F site, MNA 2842, is immediately adjacent to the Subject Property and the south side of MNA 124, as shown in Exhibits C and D. It is also part of the Sale Parcel III lease area, includes a buffer zone, and is not expected to impact the Subject Property based on long-term groundwater monitoring data. Following execution of the Sale Parcel III lease, the Navy will continue to implement any

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remaining corrective and/or remedial action required for MNA 124 and MNA 2842, pursuant to the Consent Order.

C. Condition of Property Classification

The ECP Report divided all property at NAPR into parcels, and classified them into one of the three following categories:

- **Category 1** – Areas where no known or documented releases, or disposal of hazardous substances or petroleum products or their derivatives has occurred, including no migration of these substances from adjacent areas.
- **Category 2** – Areas where the release, disposal, or migration, or some combination thereof, of hazardous substances, or petroleum products or their derivatives has occurred, but at concentrations that do not require a removal or remedial action, or all remedial actions necessary to protect human health and the environment have been taken.
- **Category 3** – Areas where a confirmed or suspected release, disposal, or migration, or some combination thereof, of hazardous substances, or petroleum products or their derivatives has occurred, but required investigation and/or response actions have not yet been initiated or are ongoing.

These categories are derived from the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), Community Environmental Response Facilitation Act (CERFA) and the American Society for Testing and Materials (ASTM) Standard Practice for Conducting Environmental Baseline Surveys (ASTM Standard D 6008-96), which further incorporates ASTM D 5746-98 (2002) Standard Classification of Environmental Condition of Property Area Types for Defense Base Closure and Realignment Facilities.

CERFA stipulates that the federal government must identify "uncontaminated property" scheduled for transfer, and defines this as "...real property on which no hazardous substances and no petroleum products or their derivatives were known to have been released, or disposed of" [(Section 9620(h)(4)(A)]. In accordance with the property condition classification guidelines discussed above, the Subject Property, with the exception of SWMUs 19 and 41 (Category 2) and SWMU 38 (Category 3), was classified as Category 1 uncontaminated property in the CERFA Report. Following its review, the Puerto Rico Environmental Quality Board (EQB) provided a concurrence statement in the Final CERFA Report on 11 August 2006 (Exhibit F).

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The Category 1 and 2 areas on the Subject Property are suitable for transfer because they are either uncontaminated or all remedial actions necessary to protect human health and the environment have been taken. SWMU 38 is suitable for transfer because it was designated Corrective Action Completed without Controls in the Consent Order and now meets the definition of Category 2 because the SWMUs with releases that impacted the sanitary and storm sewer systems are not on or associated with the Subject Property.

D. Other Environmental Aspects

1. Munitions and Explosives of Concern

According to the ECP Report, there are no small arms ranges, heavy (crew-served) weapon ranges, unexploded ordnance/impact areas, explosive ordnance disposal areas or open burning/open detonation activities on the Subject Property.

2. Asbestos-Containing Materials

According to the Final Asbestos Inspection Report for Naval Activity Puerto Rico, Ceiba, Puerto Rico (Baker, 2005), asbestos-containing material (ACM) was identified in 9 of the 28 facilities inspected on the Subject Property, as summarized in Table 4 of Exhibit E. Two feet of friable, accessible and damaged (FAD) ACM was identified in thermal pipe insulation in Building 31. This FAD ACM was removed in July 2009. Detailed information about the materials identified and sampled during the asbestos inspection, including summary tables, location drawings, photographs and laboratory reports, is included in the report.

It is likely that undiscovered ACM associated with underground utilities and miscellaneous building materials exists at NAPR. While this potential ACM does not currently pose a hazard to site users, future demolition and/or subsurface work performed by the transferee could result in FAD ACM hazards. Thus, the transferee will be required to use best management practices during any future renovation/demolition activities or underground utility work, and to comply with all applicable laws relating to ACM management in order to ensure future protection of human health and the environment. An ACM hazard disclosure and acknowledgement form (Exhibit G) will be provided to the transferee for execution at the time of transfer.

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3. Lead-Based Paint

The NAPR facilities list (Exhibit E, Table 1) indicates many of the buildings, structures and facilities on the Subject Property were constructed prior to 1978, the year in which lead-based paint (LBP) was banned for consumer use. These facilities and any others built before 1978 are presumed to contain LBP. A LBP survey and risk assessment was completed at NAPR in 2005 for military family housing only, thus none of the facilities on the Subject Property were included in the survey. A LBP hazard disclosure and acknowledgment form (Exhibit H) will be provided to the transferee for execution at the time of transfer.

4. Polychlorinated Biphenyls (PCBs)

All PCB-containing equipment and PCB-contaminated transformers on the Subject Property were removed prior to 1998. Due to the age of the majority of facilities and the size of the station, it is possible that PCB-contaminated fluorescent light ballasts and other minor PCB sources may be present on NAPR.

5. Radon

According to the U.S. Geological Survey Open-File Report 93-292-K, *Preliminary Geologic Radon Potential Assessment of Puerto Rico* (USGS, 1993), the Commonwealth of Puerto Rico exhibits generally low indoor radon levels, and a survey of radon concentrations of offices, housing units, schools and other buildings was conducted by the DoD between 1989 and 1992 on federal military reservations in Puerto Rico, including the former NSRR. Indoor radon levels ranged from 0.0 to 1.9 picoCuries/Liter (pCi/L), well below the current EPA residential indoor radon screening action level of 4 pCi/L. The majority of the reservations, including NAPR, are situated on coastal plains, so the low indoor radon levels were not unexpected.

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6. Threatened and Endangered Species

As shown on the aerial photograph in Exhibit I, breeding habitat for the endangered yellow-shouldered blackbird has been identified on the Subject Property. The Commonwealth of Puerto Rico has committed to zoning the property in a manner that will implement the planning, development, maintenance, mitigation and use requirements described on the parcel maps.

In accordance with the Endangered Species Act, the Navy developed a Biological Assessment for the former NSRR in 2006 to assess the potential impact on any federally protected species from the disposal of NSRR. Given the protection measures addressed in detail in the *Biological Assessment for the Disposal of Naval Station Roosevelt Roads/Naval Activity Puerto Rico Final Report* (Navy, 2006b), the Navy has determined that the disposal of the former NSRR and transfer of the property to future owners is not likely to adversely affect federally-listed species and would not result in adverse modification of designated critical habitat within the project area. The U.S. Fish and Wildlife Service concurred with this determination in a letter dated April 7, 2006.

5.0 REQUIREMENTS APPLICABLE TO PROPERTY TRANSFER

A. NEPA Compliance

In accordance with National Environmental Policy Act (NEPA) requirements, an Environmental Assessment and Finding of No Significant Impact (FONSI) have been prepared and executed in connection with the planned disposal and reuse of NAPR. The FONSI was signed on April 10, 2007.

B. Hazardous Substance Notice

In accordance with Section 120(h)(3)(A)(i) of CERCLA, all deeds transferring federal property must provide notice as to those hazardous substances which it is known, based on a complete search of agency files, were stored for one year or more, released or disposed on the Subject Property in excess of those reportable quantities specified under 40 CFR 373 (Hazardous Substances Reporting Requirements for Selling or Transferring Federal Real Property), and all response actions taken to date to address any such releases or disposals. Hazardous materials use/storage and hazardous waste generation/management at the former NSRR are discussed in

**FINDING OF SUITABILITY TO TRANSFER
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(SCIENCE PARK)
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Section 5.2 of the ECP Report. The hazardous substances notice and response action summary for the Subject Property is attached to this FOST as Exhibit J.

C. CERCLA Covenants

The deed that conveys the Subject Property will contain the covenants provided for under CERCLA Section 120(h)(3)(A)(ii)(I) that all necessary remedial actions have been taken prior to transfer, and, where required, by CERCLA Sections 120(h)(3)(A)(II)(II) and 120(h)(4)(D)(i) that any response action or corrective action found to be necessary after the date of transfer shall be conducted by the United States. These covenants will not apply to any remedial action(s) required on the property to the extent that an act or omission of the transferee results in a new release of hazardous substances.

D. CERCLA Access Clause

In accordance with CERCLA Sections 120(h)(3)(A)(iii) and 120(h)(4)(D)(ii), as required, the deed transferring the Subject Property shall contain a clause granting to the United States, its officers, agents, employees, contractors, and subcontractors the right to enter upon the transferred property in any case that remedial or corrective action is found to be necessary after the date of transfer. The right to enter to be set forth shall include the right to conduct annual physical inspections, tests, investigations, long term monitoring, 5-year reviews, and surveys, including, where necessary, drilling, test pitting, boring, and other similar activities. Such right shall also include the right to construct, operate, maintain, or undertake any other response or remedial action as required or necessary, including, but not limited to, monitoring wells, pumping wells, and treatment facilities. The United States retains the authority to enter to conduct investigations on adjacent parcels as well as the parcel subject to the transfer. These access rights are in addition to those granted to Federal, state, and local authorities under applicable environmental laws and regulations.

E. Land and Groundwater Restrictions

The Navy will transfer all of the Subject Property without restrictions.

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F. Environmental Compliance Agreements / Permits / Orders

On January 29, 2007, the Navy and EPA voluntarily entered into a Consent Order that set out the Navy's corrective action obligations under RCRA and replaced the 1984 RCRA permit as the document memorializing these obligations concerning NAPR. None of the five RCRA SWMUs on the Subject Property have cleanup work remaining to be completed under the terms of the Consent Order. Detailed descriptions of all five SWMUs are provided in the ECP Report, while summary descriptions and their current status are provided in Table 2 (Exhibit E).

G. Notification to Regulatory Agencies / Public

In accordance with DoD guidance, EPA Region 2 and Puerto Rico EQB have been advised of the proposed transfer of the Subject Property, and copies of the ECP Report, CERFA Report, and Draft FOST were provided to those agencies for review and comment. Navy responses to EPA and EQB review comments on the draft version of this FOST are provided in Exhibit K. The ECP Report was made available for public review upon finalization. Copies of all transfer documentation will be made available to EPA and EQB representatives upon request after execution of the same.

8.0 SUITABILITY DETERMINATION

NOW THEREFORE, based on my review of the information contained in this FOST, the notices discussed herein, and the covenants that will be contained in the deed, the Subject Property is suitable for transfer.

10/25/2010
Date

James E. Anderson
JAMES E. ANDERSON
Director
BRAC Program Management Office Southeast
North Charleston, South Carolina

Exhibit A
References

**FINDING OF SUITABILITY TO TRANSFER
SCIENCE PARK (PARCEL 52)
NAVAL ACTIVITY PUERTO RICO**

REFERENCES

Baker (Michael Baker Jr., Inc.), 2005. "Final Asbestos Inspection Report for Naval Activity Puerto Rico, Ceiba, Puerto Rico". Moon Township, Pennsylvania.

Baker (Michael Baker Jr., Inc.), 2010. "Final Annual Land Use Control Status Report for Naval Activity Puerto Rico, EPA ID No. PR2170027203, Ceiba, Puerto Rico". Moon Township, Pennsylvania.

CBRE et al. (CB Richard Ellis Consulting, Cooper Robertson & Partners, Moffatt & Nichol, Puerto Rico Management & Economic Consultants, Inc.), 2004. "Naval Station Roosevelt Roads Reuse Plan".

CCS (Chicago Consultants Studio, Inc.), 2010. "Roosevelt Roads Redevelopment, Addendum to the 2004 Reuse Plan."

EPA (U.S. Environmental Protection Agency), 2007. "RCRA § 7003 Administrative Order on Consent, In the Matter of United States, The Department of the Navy, Naval Activity Puerto Rico, formerly Naval Station Roosevelt Roads, Puerto Rico, EPA Docket No. RCRA-02-2007-7301".

GMI (Geo-Marine, Inc.), 2005. "Draft Report, Parcel Map for the Disposal of Naval Activity Puerto Rico". Hampton, Virginia.

Navy (Naval Facilities Engineering Command Atlantic), 2005. "Phase I/II Environmental Condition of Property Report, Former U.S. Naval Station Roosevelt Roads, Ceiba, Puerto Rico". Norfolk, Virginia.

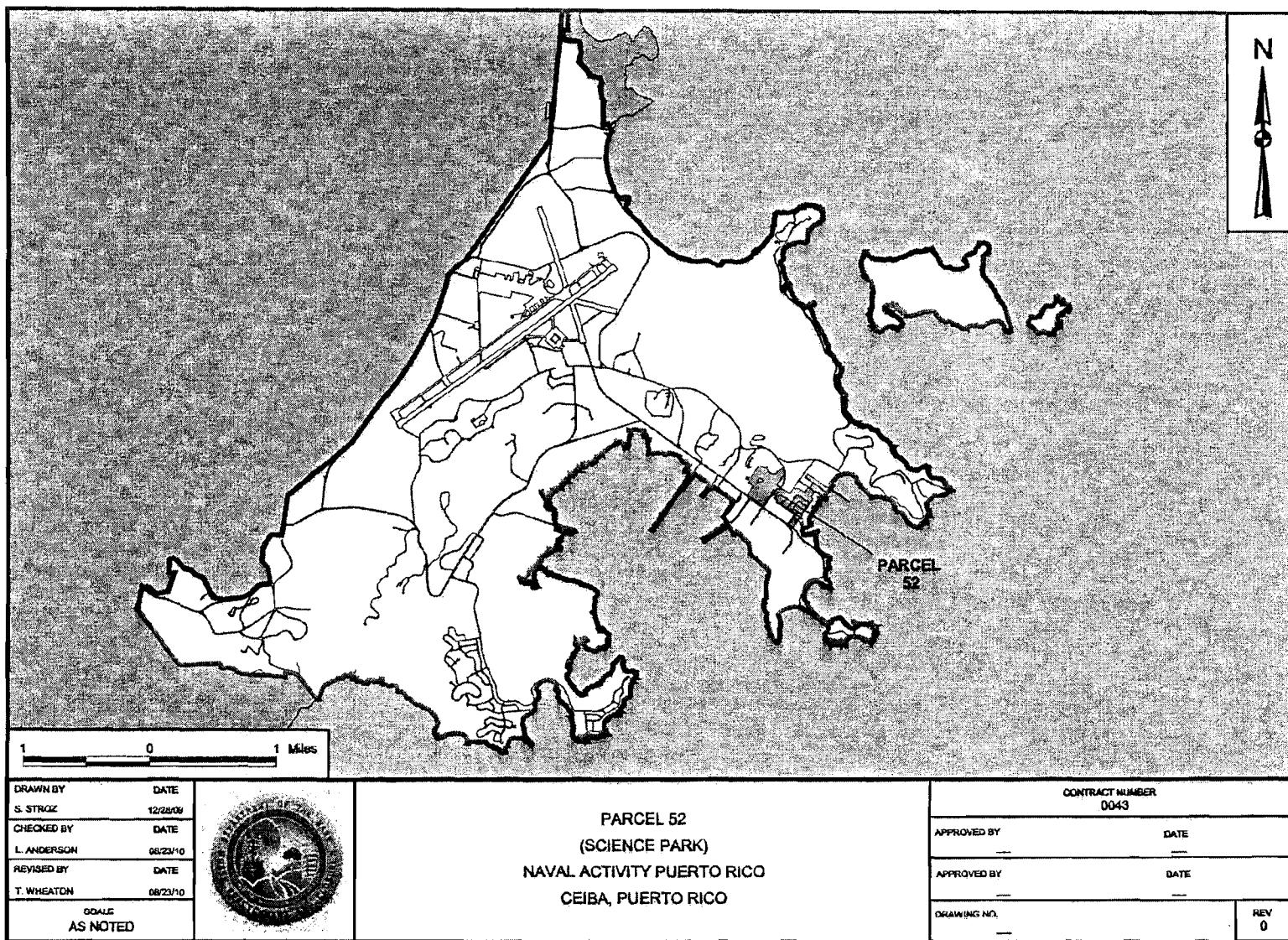
Navy (Department of the Navy [DON], Base Realignment and Closure [BRAC] Program Management Office [PMO] Southeast), 2006a. "CERFA Identification of Uncontaminated Property, Former Naval Station Roosevelt Roads, Puerto Rico". North Charleston, South Carolina.

Navy (Naval Facilities Engineering Command Atlantic), 2006b. "Biological Assessment for the Disposal of Naval Station Roosevelt Roads/Naval Activity Puerto Rico Final Report". Norfolk, Virginia.

Navy (DON BRAC PMO Southeast), 2010. "Finding of Suitability to Lease, Carve-Outs Within Sale Parcel III - Forrestal, Naval Activity Puerto Rico, Ceiba, Puerto Rico". North Charleston, South Carolina.

USGS (U.S. Geological Survey), 1993. Open File Report 93-292-K, "Preliminary Geologic Radon Potential Assessment of Puerto Rico".

Exhibit B
Vicinity Map



P:\GIS\NA_PUERTORICOM\APOCS\APPEARLY_TRANSFER_PROPERTY.APR\PARCEL 52 VINCENTY LAYOUT 08/23/10.TW

Exhibit C

Aerial Photograph and Wastewater Collection System Map

Aerial photograph taken July 2006



Notes:
 1) SWMU 33 (Sanitary and Storm Sewer Systems) not shown.
 2) SWMUs 31 and 32 and AOC F (MNA 124 and MNA 2942) are in the Sale Parcel III Lease Area, and not part of the Science Park conveyance.

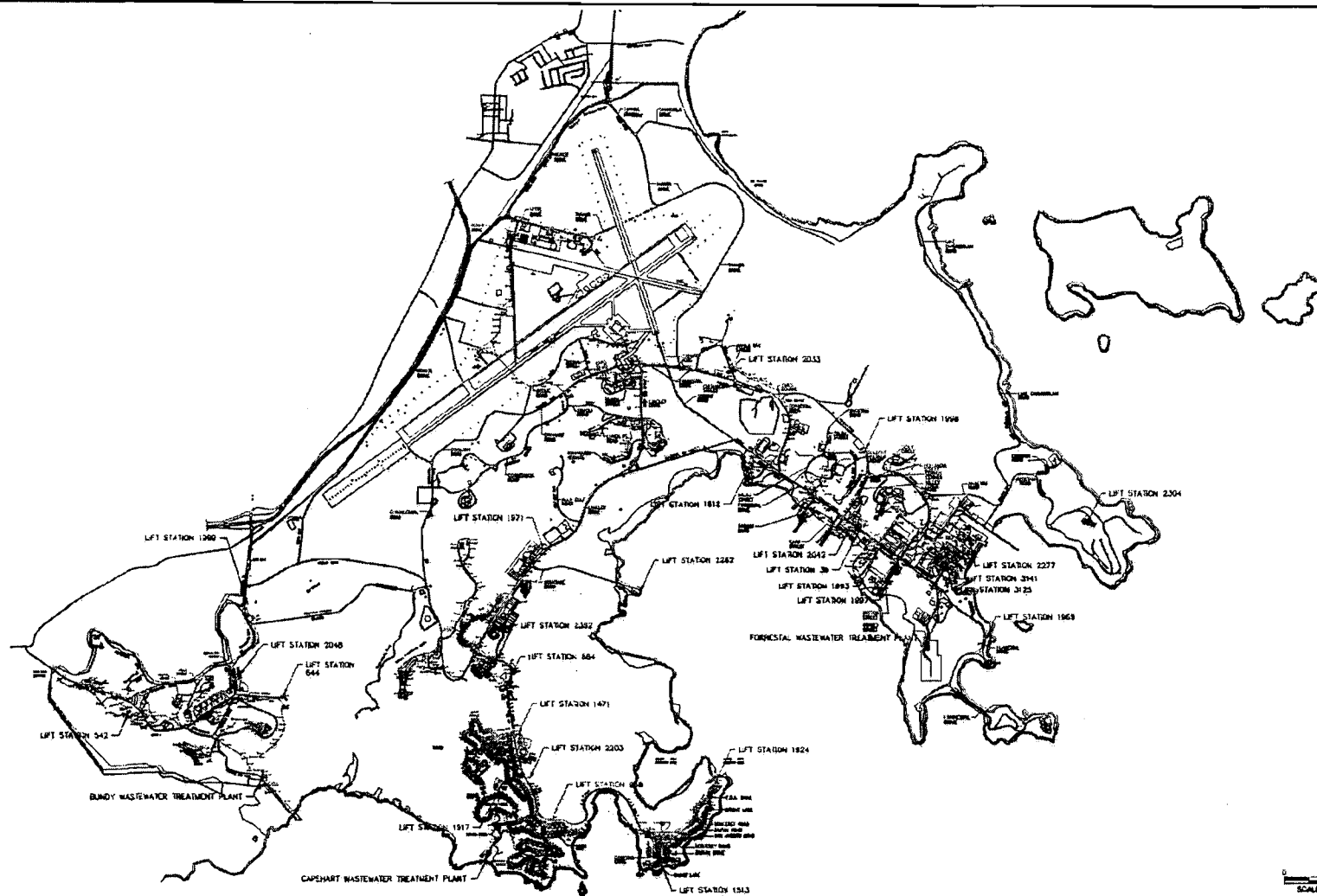
Legend	
	SWMU Boundary
	Parcel Boundary

DRAWN BY J. ENGLISH	DATE 05/21/10
CHECKED BY L. ANDERSON	DATE 08/23/10
REVIEWED BY J. ENGLISH	DATE 09/24/10
SCALE AS NOTED	



PARCEL 52 AERIAL PHOTOGRAPH
 (SCIENCE PARK)
 NAVAL ACTIVITY PUERTO RICO
 CEIBA, PUERTO RICO

CONTRACT NUMBER	
APPROVED BY	DATE
APPROVED BY	DATE
FIGURE NO.	REV 0



0 1500 3000
SCALE: 1" = 1500'

DRAWN BY BH CHECKED BY REVIEWED BY SCALE 1" = 1500'	DATE 3/23/10 DATE DATE DATE		WASTEWATER COLLECTION SYSTEM NAVAL ACTIVITY PUERTO RICO CEIBA, PUERTO RICO	CONTRACT NO. 0503 OWNER NO. APPROVED BY DATE DRAWING NO. WWS-1 REV. 0
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10003 - as Puerto Rico WWS Collection Map 10003 - as Puerto Rico WWS Collection Map 10003 - as Puerto Rico WWS Collection Map

Exhibit D
Survey Maps

SURVEY NOTES:

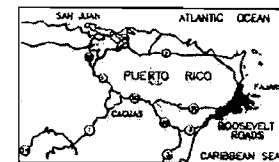
- BOUNDARY SURVEY PREPARED BY TRANSYSTEMS CORPORATION FROM FIELD DATA COLLECTED IN JANUARY 2008. FIELD PROCEDURES, CALCULATIONS AND FINAL PLAT HAVE BEEN REVIEWED FOR CONTENT BY LUIS BERNARD MONTES & ASSOCIATES OF PUERTO RICO, PUERTO RICO.
- HORIZONTAL COORDINATES SHOWN HEREON ARE IN FEET AND REFER TO THE PUERTO RICO/AMERICAN ISLAND STATE PLANE COORDINATE SYSTEM, NAD 83 (1987 ADJUSTMENT). HORIZONTAL COORDINATES WERE DERIVED USING DUAL FREQUENCY GPS RECEIVERS AND ARE REFERENCED TO NATIONAL GEODETIC SURVEY MONUMENTS ANGEL (PD AGENT), FARMED (PD AGENT), KURUMAD 1 (PD AGENT) AND UT BENTON (PD AGENT).
- THE FOLLOWING PLATS AND DEEDS WERE USED TO ESTABLISH THE BOUNDARY LINES AS SHOWN ON THIS PLAT:
 - PLAT TITLED "UNITED STATES GOVERNMENT PROPERTY FORMER NAVAL STATION ROOSEVELT ROADS BOUNDARY REESTABLISHMENT SURVEY" PERFORMED BY TRANSYSTEMS CORPORATION AND LUIS BERNARD MONTES, MAPAC DRAWING NO. 4322828, DATED FEB 16, 2006.
 - PLANIMETRIC DATA AND SHORLINE PROVIDED BY HOGGARD EURE ASSOCIATES PORTSMOUTH, VA. AERIAL SURVEY PERFORMED BY AERO-DYNAMICS CORPORATION CHARLOTTE, N.C. SURVEY FLOWN FEBRUARY 1996.
 - DUE TO THE SPECIALIZED USAGE OF THE SUBJECT PROPERTY, TERRITORIAL-MARINE REGULATIONS ARE UNAPPLICABLE. AS A SHORELINE CONDITION, ALL FUTURE ACQUISITIONS OF THIS SUBJECT PROPERTY BY SUBSIDIARY, SHALL RECOGNIZE THE BOUNDARY OF THESE LANDS WITH REGARD TO THE TERRITORIAL-MARINE ZONE REGULATIONS. THE PUBLIC ACCESS TO PROPERTY TRANSFERRED TO OTHER FEDERAL AGENCIES SHALL REMAIN STATUS QUA.

CERTIFICATION

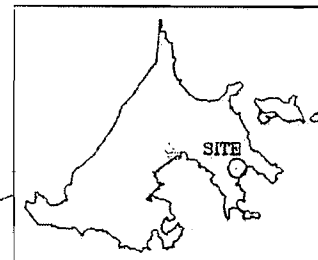
I, LUIS BERNARD MONTES, CERTIFY THAT THE INFORMATION THAT FOLLOWS REPRESENTS FAITHFULLY THAT I POSSESS PERSONALLY OR THE CARED AND/OR BY THE INTERESTED PARTIES HAS BEEN MADE BY ME.

Date: 9/28/08

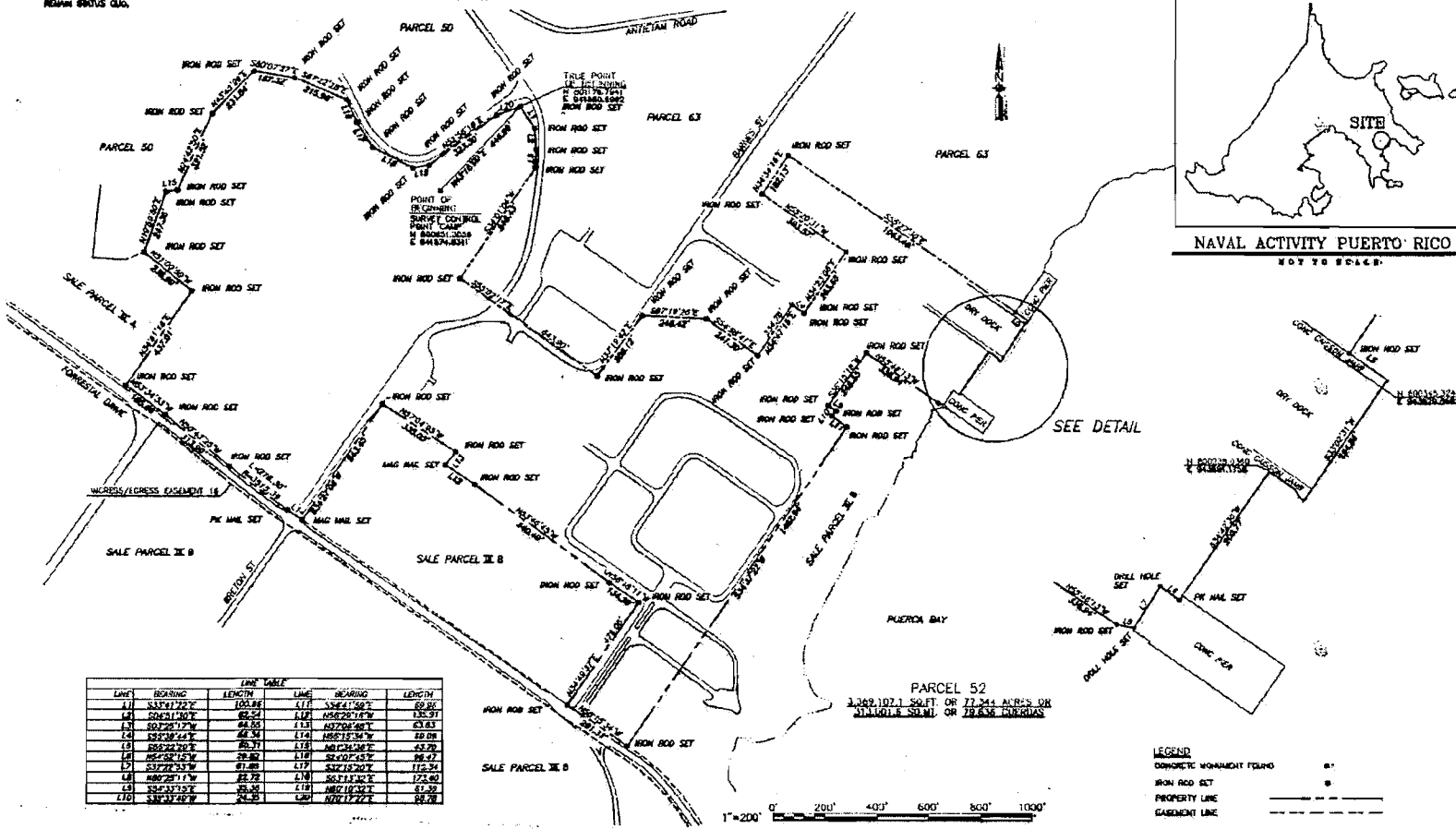
LUIS BERNARD MONTES
Surveyor - License No. 5488



LOCATION MAP



NAVAL ACTIVITY PUERTO RICO
NOT TO SCALE



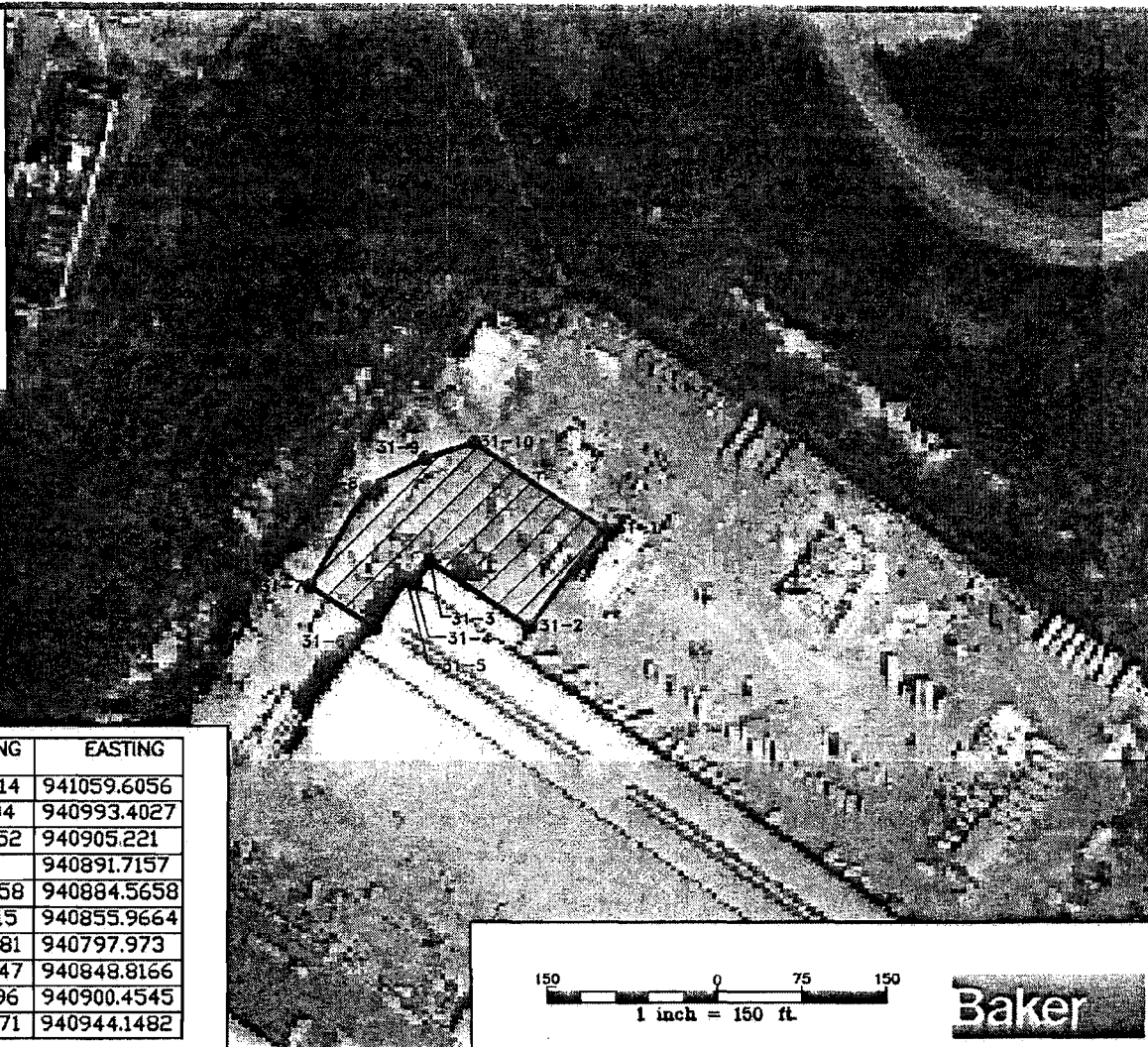
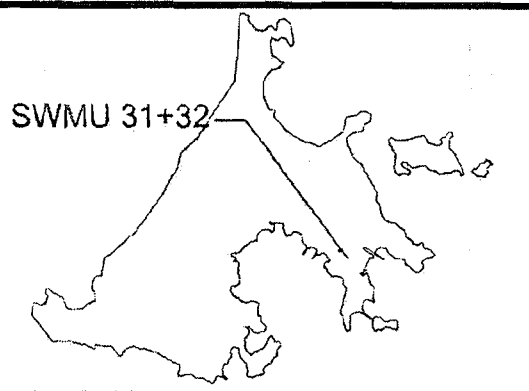
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A1	S33°17'22"E	105.88	L17	N56°41'48"E	89.86
A2	S28°11'00"E	62.52	L18	N56°29'17"W	135.37
A3	S03°25'17"W	94.55	L19	N57°06'50"E	63.63
A4	S22°38'44"E	84.34	L14	N55°15'34"W	89.08
A5	N55°28'26"E	83.71	L15	N61°06'26"E	55.29
A6	S25°22'10"E	79.82	L16	S24°07'45"E	86.42
A7	S33°22'33"W	87.89	L17	S32°15'20"E	115.34
A8	N40°25'17"W	83.78	L18	S63°13'40"E	174.40
A9	S54°15'10"E	55.49	L19	N62°10'00"E	63.39
A10	S34°14'42"E	24.35	L20	N71°15'22"E	68.78

LEGEND

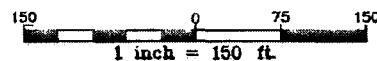
GEODETIC MONUMENT FOUND
IRON ROD SET
PROPERTY LINE
CASEMENT LINE

TRANSYSTEMS CORPORATION
Survey, Planning, Engineering
100 South Avenue, Suite 1000
San Juan, P.R. 00907-1118
Phone: 787-487-1118
Fax: 787-487-1118
www.transystems.com

ATLANTIC DIVISION
NAVAL ACTIVITY PUERTO RICO
UNITED STATES GOVERNMENT PROPERTY
FORMER NAVAL STATION ROOSEVELT ROADS
PARCEL 52



ID	NORTHING	EASTING
31-1	800708.3914	941059.6056
31-2	800621.0194	940993.4027
31-3	800678.1852	940905.221
31-4	800659.13	940891.7157
31-5	800662.3058	940884.5658
31-6	800619.4315	940855.9664
31-7	800656.7481	940797.973
31-8	800744.0847	940848.8166
31-9	800771.0796	940900.4545
31-10	800784.5771	940944.1482



Baker

- LEGEND**
- SWMU BOUNDARY
 - LAND USE CONTROL AREA
- LAND USE CONTROLS**
- RESIDENTIAL USE PROHIBITED
 - SOIL DISTURBANCE RESTRICTED

FIGURE 17
SWMU 31 AND 32
CONTROLLED LAND USE

NAVAL ACTIVITY PUERTO RICO
 PUERTO RICO

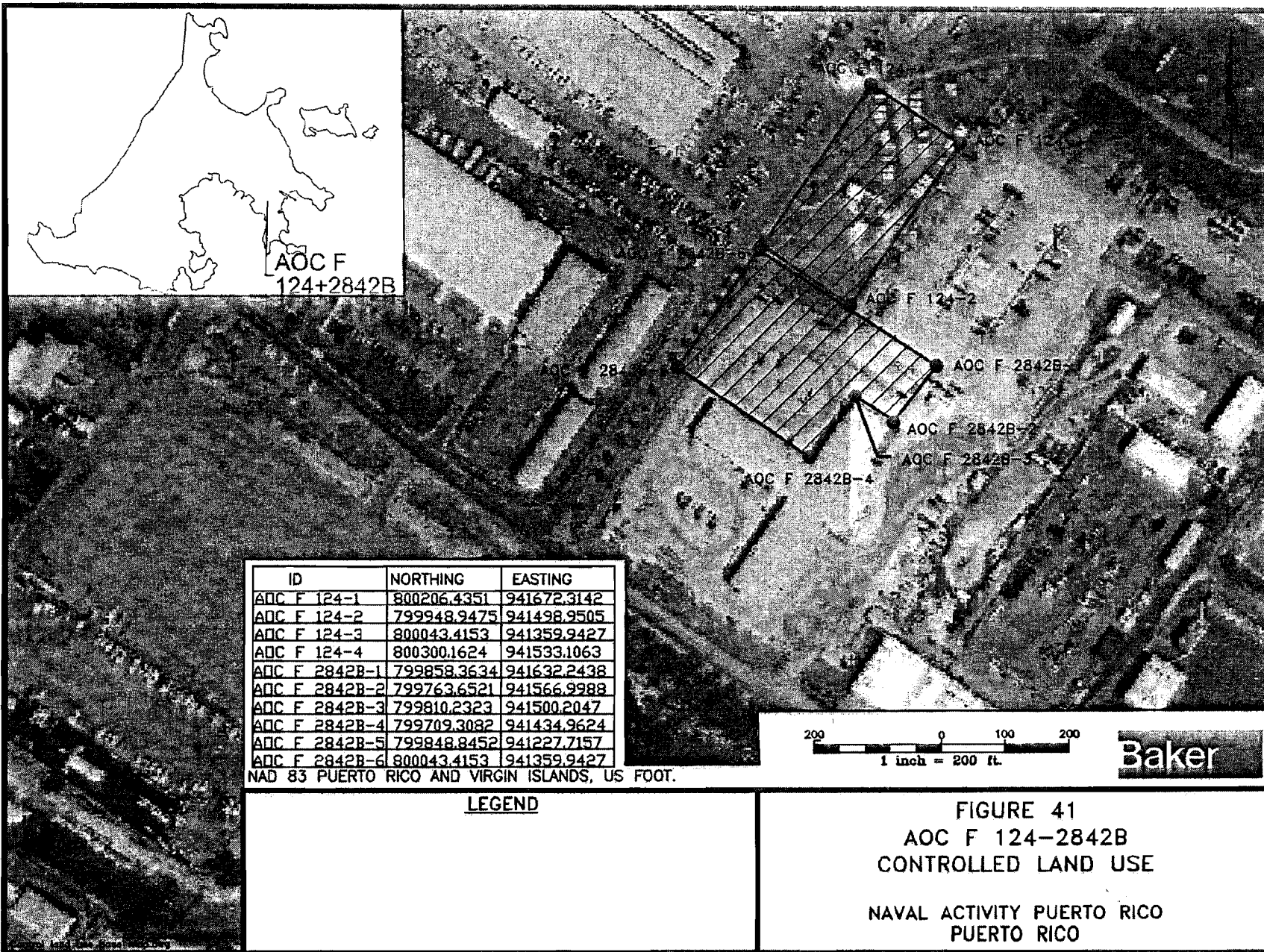


Exhibit E
Tables

Table 1
Naval Activity Puerto Rico
Parcel 52 (Science Park) FOST
Facilities List

Facility #	Former User	Name	Area	Unit	Yr Built
29	NSWU-4	SEAL TEAM BUILDING	3116	SF	1943
30	EOD	EOD OPNS BLDG	13086	SF	1943
31	PWD	PUBLIC WORKS DEPARTMENT	120640	SF	1943
111	SUPPLY	DOPE-THINNER WAREHOUSE	455	SF	1954
281	NSWU-4	NSWU-4 PIER/HELO PAD	-	-	1943
367	PWD	LAWNMOWER HEAVY EQUIP SHOP	648	SF	1956
844	NSWU-4	BOLLES WETSLIP/SM CRFT BERTH	12366	-	1943
1026	PWD	AUTOMOTIVE MAINTENANCE SHOP	158	SF	1960
1205	MULTI	NAVSTARR QTRDECK/SUPP/ADP	24864	SF	1968
1207	SUPPLY	SUPPLY DEPT WHRSE & ADDITION	80170	SF	1968
1683	PWD	PW MAINT STORAGE	4000	SF	1970
1784	PWD	LAWN MOWER SHOP BY B#31	960	SF	1971
1963	PWD	PW VEH WASH RACK	1104	SF	1970
1977	PWD	POTABLE WATER PUMP HOUSE	208	SF	1978
2022	PWD	VEHICLE PAINT BOOTH	1380	SF	1958
2169	PWD	PAINT STORAGE ADJ: B#1683	240	SF	1981
2234	DIVERS	HYPERBARIC/WTRFRNT SVCE BLDG	3358	SF	1986
2275	NSWU-4	UDT BOATSHOP	4000	SF	1988
2276	NSWU-4	UDT ADMIN/ARMORY BLDG	4960	SF	1988
2277	NSWU-4	WEIGHT ROOM/LOUNGE UDT	3000	SF	1988
2281	NSWU-4	UDT ISOLATION/MEDICAL BLDG	4000	SF	1988
2282	NSWU-4	CLASSRM/SUPP/OPRTN'L	3000	SF	1988
2308	PWD	BUS SHELTER BY B#1205	190	SF	1990
3006	CB	POLICE STATION	1248	SF	1969
3014	CB	ARMORY PAVILION	900	SF	-
3015	CB	DISPENSARY/DENTAL	2400	SF	1969
3016	CB	OPERATIONS/ENGINEERING OFFICE	1920	SF	1969
3017	CB	CONF ROOM/MAS CHIEF/QC & P&E	1920	SF	1969
3018	CB	ADMIN OFFICE	1920	SF	1969
3019	CB	ADMIN/PHOTO OFFICE	1920	SF	1969
3020	CB	POST OFFICE/BARBER SHOP	920	SF	1969
3021	CB	COMM STA/ELEC MAINT	920	SF	1969
3022	CB	CHARLIE COMPANY OFFICE	920	SF	1969
3023	CB	CHAPEL	920	SF	1969
3046	CB	E.M. DINING FACILITY	9600	SF	1969
3047	CB	LAUNDRY/BOILER ROOM	2768	SF	1969
3070	CB	1ST CLASS LOUNGE	960	SF	1969
3071	CB	NEX STORE	2220	SF	1969
3079	CB	CLASSROOM	960	SF	1969
3080	CB	RECREATION CENTER	960	SF	1969
3081	CB	E.M. BERTHING	960	SF	1969
3082	CB	E.M. BERTHING	960	SF	1969
3083	CB	CPO GALLEY	960	SF	1969
3084	CB	CPO LOUNGE	960	SF	1969
3119	CB	WEATHER SHELTER	112	SF	1982

Table 1
Naval Activity Puerto Rico
Parcel 52 (Science Park) FOST
Facilities List

Facility #	Former User	Name	Area	Unit	Yr Built
3128	CB	BUS STOP SHELTER	280	SF	1969
3144	CB	SOILS LABORATORY	1000	SF	1978
3148	CB	MLO LUMBER STORAGE	4375	SF	1982
3152	CB	PEST CONTROL BUILDING	324	SF	1983
3160	CB	PHONE PAVILION	243	SF	1984
3166	CB	BRAVO CARPENTER SHOP	5706	SF	1985
3168	CB	CBLANT DET OFFICE	1056	SF	1986
3180	CB	BEQ 1B	38002	SF	1989
3181	CB	BEQ 1A	38002	SF	1989
3190	CB	UT SHOP BRAVO CO	5706	SF	1985
3192	CB	SEA BEES SUPPLIES WAREHOUSE	11200	SF	-
3195	CB	WEAPONS CLEANING SHELTER	960	SF	-

List based on 2003 NAPR base map (Base map - PREnew 11-2003.pdf), July 2001 Building Utilization List, List

- Information not available or unknown

BEQ	Bachelor Enlisted Quarters
CB	Construction Battalion
EOD	Explosive Ordnance Disposal
MLO	CB Storage Warehouse
MULTI	Multiple Users
NSWU	Naval Special Warfare Unit
PWD	Public Works Department
SUPPLY	Supply Department
UDT	Underwater Demolition Team

Solid Waste Management Units Summary and Status

Parcel	SWMU No.	Description	CERFA *	RCRA Status	Investigation and Remedial Action Summary and Status	Media Affected / Key Contaminants	Site Specific Land Use Controls	Current RCRA Phase	Remaining Work Required
Science Park	18	Pesticide Waste Storage (Bldg. 121) A concrete, bunker-like building used to hold surplus and discarded pesticides for indefinite, long-term storage. The building was demolished in 1998.	2	CAC w/out Controls ^a	Clean closed pursuant to requirements of 1994 RCRA Permit. Closure report was submitted in 1994 and approved by EPA.	NA	None	NA	None
Basewide	39	Sanitary and Storm Water Sewer Systems Below ground sanitary and storm sewer systems.	3	CAC w/out Controls ^a	No Further Action determination from 1994 Part B Permit carried over to Consent Order. No knowledge or evidence of systematic and routine releases of hazardous wastes. An RFI was not required. The "CAC w/out Controls" shown for SWMU 38 is contingent, under the 2007 RCRA Consent Order between the Navy and EPA, on the Navy fully addressing any releases that may have impacted the sanitary and/or storm water sewer systems (i.e., SWMU 38) as a release(s) from either SWMUs 4, 12, 13 and 14, and/or from any other SWMU at the NAPR facility, where releases have impacted the sanitary and/or storm water sewer systems.	NA	None	NA	None
Science Park	41	Pesticide Storage Area Wash Pad (Bldg. 315Z) Former open-air, curbed concrete pad used as wash pad to rinse off pesticide control equipment. Discharge point for the wash waters was not determined in RCRA Facility Assessment. Discharge was later demonstrated to pass through a permitted outfall.	2	CAC w/out Controls ^a	No Further Action determination from 1994 Part B Permit. No RFI was required. Visual site re-inspection of unit was conducted during ECP field work; no evidence of release was observed.	NA	None	NA	None
Science Park	60	Drum Storage Area (Bldg. 316E) Open air, fenced area at the southwest corner of Building 3166, where several 55-gallon drums and other assorted materials were stored, either directly on the ground, or on pallets. This unit was first identified during the 1993 follow-up inspection. Materials stored here were product, and there is no indication of systematic and routine spills of hazardous constituents. Currently, the fenced area is no longer present.	1	CAC w/out Controls ^a	No Further Action determination from 1994 Part B Permit. No knowledge or evidence of routine or systematic releases of hazardous wastes or constituents from this unit. RFI was not required. Visual re-inspection of site was conducted during ECP field work; no evidence of release was observed.	NA	None	NA	None
Science Park	72	Public Works Department (Bldg. 31) SWMU T2 immediately surrounds Building 31, the Public Works Department. The majority of the area is covered by pavement and the outer reaches covered by gravel/dirt. The area surrounding the building is best described as a level parking/storage lot. Records review identified historic small spills, stains, and stressed vegetation associated with activities including facility, vehicle, and equipment maintenance and refueling.	1	CAC w/out Controls ^a	The ECP Phase I/II did not find any indication of a release. Note that SWMU 31/32 is co-located with this area, and a CMI is planned for SWMU 31/32. The Consent Order designated this SWMU as Corrective Action Complete without Controls.	NA	None	NA	None
		* CERFA categories:							
		1 - CERFA Clean - areas where no release or disposal of hazardous substances or petroleum products or their derivatives has occurred,							
		2 - All Actions Complete - areas where the release, disposal, or migration, or some combination thereof, of hazardous substances, or							
		3 - Additional Action Required - Areas where a confirmed or suspected release, disposal, migration, or some combination thereof, of							
		* Corrective Action Complete (CAC) w/out Controls indicates no land use controls are required and unrestricted use is allowed.							

Solid Waste Management Units Summary and Status

Parcel	SWMU No.	Description	CERFA *	RCRA Status	Investigation and Remedial Action Summary and Status	Media Affected / Key Contaminants	Site Specific Land Use Controls	Current RCRA Phase	Remaining Work Required
		Acronyms and Abbreviations							
	AST	Aboveground Storage Tank		LUC	Land Use Control				
	CAC	Corrective Action Complete determination		NA	Not Applicable				
	CERFA	Community Environmental Response Facilitation Act		NAPR	Naval Activity Puerto Rico				
	CMi	Corrective Measures Implementation		RCRA	Resource Conservation and Recovery Act				
	ECP	Environmental Condition of Property		RFA	RCRA Facility Assessment				
	EPA	Environmental Protection Agency		RFI	RCRA Facility Investigation				
	GW	Groundwater		SWMU	Solid Waste Management Unit				
	IAS	Initial Assessment Study							

Table 3
Naval Activity Puerto Rico
Parcel 52 (Science Park) FOST
OWS, AST, and UST List

Number	Type	Location or User	Capacity	Material Stored	Year Installed	Year Removed
31	OWS	Public Works Department Transportation	-	-	-	-
3152	OWS	SeaBees Camp - Bravo Company	-	-	-	-
31-1	AST	Public Works Department	2,000	Used Oil	-	-
31-2	AST	Public Works Department	2,000	Used Oil	-	-
1205	AST (Vaulted)	Public Works Department	1,000	Diesel	-	-
1207	AST (Dike)	Public Works Department	1,000	Diesel	-	-
3047	AST (Vaulted)	Camp Moscrip	1,000	Diesel	-	-
3138	AST (Vaulted)	Camp Moscrip	1,000	Diesel	-	-
31A (Esso)	Former UST	Bldg 31	8,000	Mogas	-	2002
31B (Esso)	Former UST	Bldg 31	10,000	Mogas	-	2002
31C (Esso)	Former UST	Bldg 31	6,000	Diesel	-	2002
3180	UST	BEQ 1B	1,000	Diesel	1996	NA
3181	UST	BEQ 1A	1,000	Diesel	1996	NA

- Information not available or unknown

AST Aboveground Storage Tank
 BEQ Bachelor Enlisted Quarters
 NA Not Applicable
 OWS Oil-Water Separator
 UST Underground Storage Tank

Table 4
Naval Activity Puerto Rico
Parcel 52 (Science Park) FOST
Asbestos-Containing Material Inspection Results

Facility #	Name	ACM Identified	Comments
29	SEAL TEAM BUILDING	N	
30	EOD OPNS BLDG	Y	
31	PUBLIC WORKS DEPARTMENT	Y - Hazard	2 linear ft of FAD thermal pipe insulation - removed July 2009
111	DOPE-THINNER WAREHOUSE	N	
281	NSWU-4 PIER/HELO PAD	NI	
367	LAWNMOWER HEAVY EQUIP SHOP	N	
844	BOLLES WETSLIP/SM CRFT BERTH	NI	
1026	AUTOMOTIVE MAINTENANCE SHOP	N	
1205	NAVSTARR QTRDECK/SUPP/ADP	Y	
1207	SUPPLY DEPT WHRSE & ADDITION	Y	
1683	PW MAINT STORAGE	Y	
1784	LAWN MOWER SHOP BY B#31	N	
1963	PW VEH WASH RACK	NI	
1977	POTABLE WATER PUMP HOUSE	N	
2022	VEHICLE PAINT BOOTH	N	
2169	PAINT STORAGE ADJ: B#1683	NI	
2234	HYPERBARIC/WTRFRNT SVCE BLDG	N	
2275	UDT BOATSHOP	N	
2276	UDT ADMIN/ARMORY BLDG	N	
2277	WEIGHT ROOM/LOUNGE UDT	Y	
2281	UDT ISOLATION/MEDICAL BLDG	N	
2282	CLASSRM/SUPP/OPRTN'L	Y	
2308	BUS SHELTER BY B#1205	N	
3008	POLICE STATION	NI	Could not be accessed.
3014	ARMORY PAVILION	NI	
3015	DISPENSARY/DENTAL	Y	
3018	OPERATIONS/ENGINEERING OFFICE	Y	
3017	CONF ROOM/MAS CHIEF/QC & P&E	Y	
3018	ADMIN OFFICE	N	
3019	ADMIN/PHOTO OFFICE	Y	
3020	POST OFFICE/BARBER SHOP	Y	
3021	COMM STA/ELEC MAINT	N	
3022	CHARLIE COMPANY OFFICE	N	
3023	CHAPEL	N	
3046	E.M. DINING FACILITY	N	
3047	LAUNDRY/BOILER ROOM	Y	
3070	1ST CLASS LOUNGE	Y	
3071	NEX STORE	Y	
3079	CLASSROOM	Y	
3080	RECREATION CENTER	Y	
3081	E.M. BERTHING	Y	
3082	E.M. BERTHING	Y	
3083	CPO GALLEY	Y	
3084	CPO LOUNGE	Y	
3119	WEATHER SHELTER	Y	
3128	BUS STOP SHELTER	N	
3144	SOILS LABORATORY	N	
3148	MLO LUMBER STORAGE	N	
3152	PEST CONTROL BUILDING	Y	
3160	PHONE PAVILION	N	
3166	BRAVO CARPENTER SHOP	Y	
3168	CBLANT DET OFFICE	N	
3180	BEQ 1B	N	
3181	BEQ 1A	N	
3190	UT SHOP BRAVO CO	N	
3192	SEA BEES SUPPLIES WAREHOUSE	N	
3196	WEAPONS CLEANING SHELTER	N	

Notes: Y = Yes
N = No
NI = Not Inspected
Hazard = friable, accessible and damaged (FAD) asbestos-containing material (ACM)

Final Asbestos Inspection Report for Naval Activity Puerto Rico, Ceiba, Puerto Rico (Baker, June 2005)

Exhibit F
CERFA Concurrence

**CERFA Identification of Uncontaminated Property
Former Naval Station Roosevelt Roads, Puerto Rico**

Accordingly, this CERFA Uncontaminated Property Report reflects final site categorizations that may differ from those presented in the Final ECP report.

In summary, all NAPR property not otherwise identified as sites belonging to Categories 2 or 3 are classified as "CERFA Clean" (i.e. uncontaminated) as defined in CERFA [§9620 (h)(4)(A)]. The bulk of the NAPR acreage is classified as such. Of the approximately 8,400 acres of NSRR property, about 7,000 acres have been identified as "CERFA Clean" (i.e., Category 1). Figure 1 depicts the results of this classification.

Included in the CERFA Clean classification are a total of 14 SWMUs. Ten of these SWMUs were identified by EPA in the 1994 RCRA Part B permit, and an additional four sites were identified by the ECP. All 14 of these sites were originally identified based on a suspected release or disposal activity, but subsequent investigations determined that no release or disposal activity occurred. EPA has indicated their concurrence with this determination in the draft §7003 Order on Consent by designating each of these sites as having achieved "corrective action complete without controls" designation. The SWMUs and ECP sites designated as CERFA Clean are SWMUs 5, 15, 20, 21, 22, 47, 48, 49, 50, 52, 63 (ECP 9), 64 (ECP 10), 65 (ECP 11), and 66 (ECP 12). These sites are presented in Table 1.

The remaining property has been classified as Category 2 or 3 and as such is not qualified for designation as CERFA Clean.

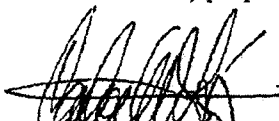
Submitted


R. DAVID CRISWELL, P. E.
BRAC Environmental Coordinator

8/27/06
Date

Concurrence

Concurrence with CERFA Identification of Uncontaminated Property is indicated by signature below. This concurrence applies only to the identification of "CERFA Clean" (i.e. uncontaminated) property, identified in this document as ECP Category 1.


Carlos Lopez Freytes, President
Environmental Quality Board
Commonwealth of Puerto Rico

8/11/06
Date

Exhibit G

**Asbestos-Containing Materials Hazard Disclosure
and Acknowledgment Form**

**ASBESTOS-CONTAINING MATERIALS
HAZARD DISCLOSURE AND ACKNOWLEDGMENT FORM
(NON-RESIDENTIAL STRUCTURES)**

ASBESTOS WARNING STATEMENT

YOU ARE ADVISED THAT CERTAIN BUILDINGS WITHIN THE SCIENCE PARK PARCEL TRANSFER AT THE FORMER NAVAL STATION ROOSEVELT ROADS HAVE ASBESTOS-CONTAINING MATERIALS. INDIVIDUALS (WORKERS) MAY SUFFER ADVERSE HEALTH EFFECTS AS A RESULT OF INHALATION EXPOSURE TO ASBESTOS. THESE ADVERSE HEALTH EFFECTS INCLUDE ASBESTOSIS (PULMONARY FIBROSIS) AND MESOTHELIOMAS (BENIGN OR MALIGNANT TUMORS).

ACKNOWLEDGMENT

I acknowledge that:

- (1) I have read and understand the above-stated Asbestos Warning Statement.
- (2) I have received from the Government the following document(s): *Phase I/II Environmental Condition of Property Report, Former Naval Station Roosevelt Roads, Ceiba, Puerto Rico, the Final Asbestos Inspection Report for Naval Activity Puerto Rico, Ceiba, Puerto Rico, and the Finding of Suitability to Transfer Parcel 52 (Science Park), Former Naval Station Roosevelt Roads, Ceiba, Puerto Rico* representing the best information available to the Government as to the presence of and condition of asbestos-containing-materials hazards in the building covered by this transfer (deed).
- (3) I understand that my failure to inspect or to become fully informed of the condition of all or any portion of the property offered will not constitute grounds for any claim or demand for adjustment or withdrawal of any bid or offer made after its opening or tender.
- (4) I understand that, upon execution of this transfer (deed), I shall assume full responsibility for preventing future asbestos exposure by properly managing and maintaining or, as required by applicable federal, State, or local laws or regulations, for abating any asbestos hazard that may pose a risk to human health.

Transferee (or duly authorized agent)

Date

Exhibit H

**Lead-Based Paint Hazard Disclosure
and Acknowledgment Form**

**LEAD-BASED PAINT HAZARD
DISCLOSURE AND ACKNOWLEDGMENT FORM
(NON-RESIDENTIAL STRUCTURES)**

LEAD WARNING STATEMENT

YOU ARE ADVISED THAT STRUCTURES CONSTRUCTED PRIOR TO 1978 MAY PRESENT EXPOSURE TO LEAD FROM LEAD-BASED PAINT THAT MAY PLACE YOUNG CHILDREN AT RISK OF DEVELOPING LEAD POISONING. LEAD POISONING IN YOUNG CHILDREN MAY PRODUCE PERMANENT NEUROLOGICAL DAMAGE. YOU ARE FURTHER ADVISED THAT LEAD POISONING ALSO POSES A PARTICULAR RISK TO PREGNANT WOMEN. WORKERS MAY ALSO SUFFER ADVERSE HEALTH EFFECTS FROM LEAD DUST AND FUME EXPOSURE

ACKNOWLEDGMENT

I acknowledge that:

- (1) I have read and understand the above stated Lead Warning Statement;
- (2) I have received from the Federal Government the following document(s): *Phase I/II Environmental Condition of Property Report, Former Naval Station Roosevelt Roads, Ceiba, Puerto Rico and the Finding of Suitability to Transfer, Parcel 52 (Science Park), Naval Activity Puerto Rico, Ceiba, Puerto Rico* representing the best information available to the Government as to the presence of Lead-Based Paint and Lead-Based Paint hazards for the buildings covered by this Transfer;
- (3) I understand that my failure to inspect, or to become fully informed as to the condition of all or any portion of the property offered will not constitute grounds for any claim or demand for adjustment or withdrawal of any bid or offer made after its opening or tender; and
- (4) I understand that upon execution of this Transfer, I shall assume full responsibility for preventing future lead exposure by properly managing and maintaining or, as required by applicable Federal, state, or local laws or regulations, for abating any lead-based paint hazard that may pose a risk to human health.

Transferee (or duly authorized agent)

Date

Exhibit I

Threatened and Endangered Species Conservation Measures

THREATENED AND ENDANGERED SPECIES CONSERVATION MEASURES—PARCEL 52

Common Name—Science Park

Conveyance—EPC

Neighboring Parcel(s)—40, 48, 50, 51, 53, 55, 59, 63

Yellow-shouldered Blackbird

GENERAL REQUIREMENTS

- Notify USFWS if a yellow-shouldered blackbird nest is found anywhere on the property (787-851-7297).
- Pesticide and herbicide applications must follow Commonwealth of Puerto Rico regulations.

Activity	Conservation Measures
Development Planning	Save as many existing on site palms and trees as possible in new development plans.
Demolition/Remodeling	Schedule activity from September 1 through March 14 or conduct outdoor survey of building(s) (ledges, etc.) and nearby trees (within 50 m of the building) for yellow-shouldered blackbird nests prior to start date if the development activity is scheduled to occur between March 15 and August 30. Consult with USFWS if a yellow-shouldered blackbird nest is found.
Grounds Maintenance	No trimming or cutting of palms and trees between March 15 and August 30 except in an emergency (i.e., downed trees and palms from storms).
Building Maintenance	Check for yellow-shouldered blackbird nests prior to any outdoor building maintenance activities between March 15 and August 30. Determine identity of any bird nest found. Notify and consult with USFWS if a yellow-shouldered blackbird nest is found.
General Operations	Before moving parked outdoor equipment (e.g., carts, vehicles) check for yellow-shouldered blackbird nests (March 15-August 30). Notify USFWS if a yellow-shouldered blackbird nest is located.
Property Sale/Lease	Notify buyer/lessee of all mitigation requirements (see above) and include mitigation with all legal documents.

NOTICE:

Consult with the U.S. Fish and Wildlife Service if you have any questions on the conservation measures. Property owners that cannot adhere to the conservation measures must consult with the U.S. Fish and Wildlife Service to seek a Section 10.0 permit for authorization to modify the identified critical habitat. Failure to comply with the identified conservation measures violates Section 9.0 and/or Section 10.0 of the Endangered Species Act. The U.S. Fish and Wildlife Service has the authority to prosecute violations under the Endangered Species Act.

*Parcel Map for the Disposal
of Naval Activity Puerto Rico*

Parcel Index 52

Common Name: Science Park

Conveyance: EDO

Neighboring Parcel(s): 40, 48, 50,
51, 53, 55, 58, 63

Legend:

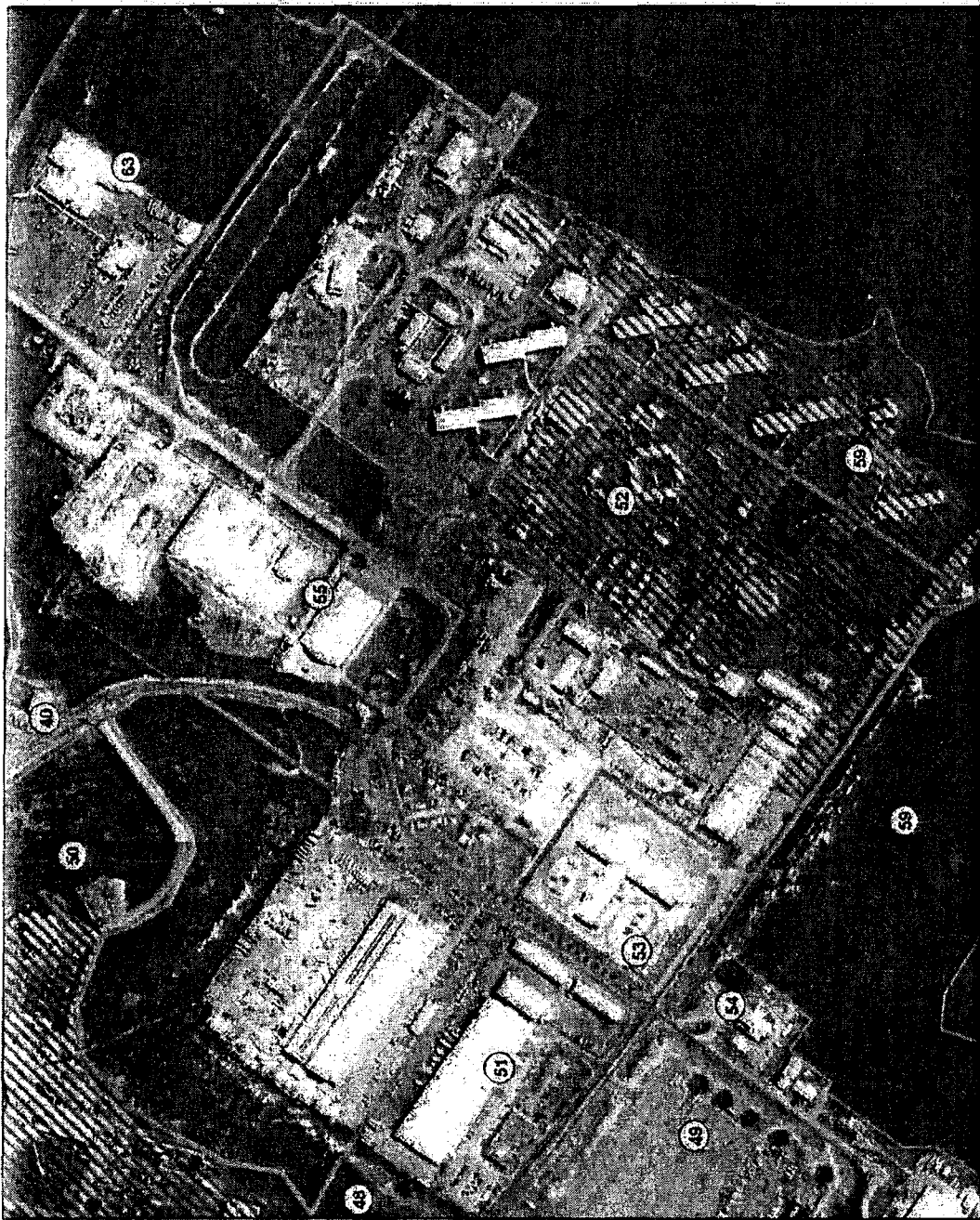
-  Parcel
-  Neighboring Parcel Boundary
-  Yellow-shouldered Blackbird
-  Hawking/Foraging Plover
-  Breeding Habitat

August 18, 2008



1 inch equals 410 Feet

0 275 550 Feet



Parcel Index 52

Common Name: Science Park

Conveyance: EDG

Neighboring Parcel(s): 40, 48, 50
51, 53, 55, 59, 63

Legend

-  Parcel
-  Neighboring Parcel Boundary
-  Cleanup Status
-  Complete with Land Use Controls
-  Complete
-  Cleanup Remaining

August 18, 2006



1 Inch equals 410 Feet

0 275 550 Feet



Exhibit J

CERCLA Hazardous Substance Notice and Response Action Summary

Naval Activity Puerto Rico
Science Park Parcel FOST
CERCLA Hazardous Substance Notice/Response Action Summary
Page 1 of 4

The table below identifies those hazardous substances that it is known, based upon a complete search of agency files, were stored for one year or more in quantities greater than or equal to 1,000 kg (or greater than or equal to 1 kg if designated an acutely hazardous waste under 40 CFR Part 261.30) and/or were released or disposed of on the property to be transferred in quantities greater than or equal to their respective reportable quantities under 40 CFR 302.4. The information in this notice is required under the authority of regulations promulgated under Section 120(h) of the Comprehensive Environmental Response, Compensation and Liability Act ("CERCLA" or "Superfund"), 42 U.S.C. Section 9620(h).

Bldg or Facility ID	Description	Substance Name	CAS Registry Number	40 CFR 302.4 Regulatory Synonyms	RCRA Hazardous Waste No.	Quantity Stored	Date of Storage	Quantity Released	Date of Release	Response Actions Taken
31	Public Works Department	Solvents, cleaning solutions, degreasers, POLs	---	---	Various - not fully known	Unknown	1940s-2004	Unknown	Unknown	---
		Methyl Ethyl Ketone	78933	2-Butanone; MEK	U158	Unknown	1940s-2004	Unknown	Unknown	---
		Hazardous Waste Accumulation Area (HWWAA) - see SVVMUs 17 & 18	---	---	Various - not fully known	---	---	---	---	---
SVVMU 17	DRMO HW Storage Facility (non-flammable wastes) - not on Subject Property, but received wastes from Public Works Department.	Lead	7439921	---	D008	Unknown	1980-2004	Unknown	Unknown	---
		Potassium Hydroxide	1310583	---	D002	Unknown	1980-2004	Unknown	Unknown	---
		Sodium Hydroxide	1310732	---	D002	Unknown	1980-2004	Unknown	Unknown	---
		Beryllium Dust	7440417	---	P015	Unknown	1980-2004	Unknown	Unknown	---
		Lithium/Sulfur Dioxide Batteries	---	---	D003	Unknown	1980-2004	Unknown	Unknown	---
		Nickel/Cadmium Batteries	---	---	D003, D006	Unknown	1980-2004	Unknown	Unknown	---
		Mercury Batteries	---	---	D009	Unknown	1980-2004	Unknown	Unknown	---
		Mercury Batteries in Acetic Acid	---	---	D002, D009	Unknown	1980-2004	Unknown	Unknown	---
		Aid to Navigation (AtoN)	---	---	D002	Unknown	1980-2004	Unknown	Unknown	---
		Alkaline Batteries	---	---	D002	Unknown	1980-2004	Unknown	Unknown	---
		Lead/Acid Batteries	---	---	D002, D008	Unknown	1980-2004	Unknown	Unknown	---
		Lead/Acid Batteries (Drained)	---	---	D002	Unknown	1980-2004	Unknown	Unknown	---
		Battery Electrolyte	---	---	D002, D008	Unknown	1980-2004	Unknown	Unknown	---
		Acetic Acid	64197	---	D002	Unknown	1980-2004	Unknown	Unknown	---
		Chromic Acid (Alodine)	7738945	---	D002, D007	Unknown	1980-2004	Unknown	Unknown	---
		Hydrochloric Acid	7647010	Hydrogen Chloride	D002	Unknown	1980-2004	Unknown	Unknown	---
		Sulfuric Acid	7664939	---	D002	Unknown	1980-2004	Unknown	Unknown	---
		Ammonium Hydroxide	1336216	---	D002	Unknown	1980-2004	Unknown	Unknown	---
		Cleaning Compound (TURCO)	---	---	D002	Unknown	1980-2004	Unknown	Unknown	---
		Mercury	7439976	---	U151, D009	Unknown	1980-2004	Unknown	Unknown	---
		Blasting Booth Dust	---	---	D007, D008	Unknown	1980-2004	Unknown	Unknown	---
		Decontaminating Agent, STB	---	---	D003	Unknown	1980-2004	Unknown	Unknown	---
		Chlordane	57749	Chlordane, alpha & gamma isomers Chlordane (Technical Mixture and Metabolites) 4,7-Methano-1H-indene, 1,2,4,5,6,7,8-octachloro-2,3,3a,4,7,7a-hexahydro-	U036	Unknown	1980-2004	Unknown	Unknown	---

Naval Activity Puerto Rico
Science Park Parcel FOST
CERCLA Hazardous Substance Notice/Response Action Summary
Page 2 of 4

Bldg or Facility ID	Description	Substance Name	CAS Registry Number	40 CFR 302.4 Regulatory Synonyms	RCRA Hazardous Waste No.	Quantity Stored	Date of Storage	Quantity Released	Date of Release	Response Actions Taken
		Photographic Developer	—	—	D002, D011	Unknown	1980-2004	Unknown	Unknown	—
		Photographic Fixer	—	—	D002, D011	Unknown	1980-2004	Unknown	Unknown	—
		Photographic Hardener	—	—	D011	Unknown	1980-2004	Unknown	Unknown	—
		Photographic Stabilizer	—	—	D011	Unknown	1980-2004	Unknown	Unknown	—
		Photographic Starter	—	—	D011	Unknown	1980-2004	Unknown	Unknown	—
		Photographic Replenisher	—	—	D002, D011	Unknown	1980-2004	Unknown	Unknown	—
		Photo Auto Reversal Chemical	—	—	D011	Unknown	1980-2004	Unknown	Unknown	—
		Hypo-Solution: Ammonium	7783188	—	D011	Unknown	1980-2004	Unknown	Unknown	—
		Hypo-Solution: Sodium Thiosulfate	7772987	—	D011	Unknown	1980-2004	Unknown	Unknown	—
		Methylene Chloride	75092	Dichloromethane	F001, F002, U080	Unknown	1980-2004	Unknown	Unknown	—
		Perchloroethylene	127184	Ethene, tetrachloro Tetrachloroethene Tetrachloroethylene	F001, F002, U210	Unknown	1980-2004	Unknown	Unknown	—
		1,1,1-Trichloroethane	71556	Ethane, 1,1,1-trichloro Methyl Chloroform	F001, F002, U226	Unknown	1980-2004	Unknown	Unknown	—
		Trichloroethylene	79016	Trichloroethene Ethene, trichloro	F001, F002, U228	Unknown	1980-2004	Unknown	Unknown	—
		Trichlorofluoromethane	75694	Trichloromonofluoro-methane	F002, U121	Unknown	1980-2004	Unknown	Unknown	—
		Trichlorotrifluoroethane	76131	—	F002	Unknown	1980-2004	Unknown	Unknown	—
		Chlorinated Fluorocarbons	—	—	F001	Unknown	1980-2004	Unknown	Unknown	—
		1,1,2-Trichloroethane	79005	Ethane, 1,1,2-trichloro	F002, U227	Unknown	1980-2004	Unknown	Unknown	—
		Paint Removers	—	—	D002, F002	Unknown	1980-2004	Unknown	Unknown	—
		Carbon Remover	—	—	F002	Unknown	1980-2004	Unknown	Unknown	—
		Miscellaneous Waste Acids	—	—	D002	Unknown	1980-2004	Unknown	Unknown	—
		Miscellaneous Waste Caustics	—	—	D002	Unknown	1980-2004	Unknown	Unknown	—
		Miscellaneous Waste Reactives	—	—	D003	Unknown	1980-2004	Unknown	Unknown	—
		Misc. Halogenated Solvents	—	—	F001, F002	Unknown	1980-2004	Unknown	Unknown	—
		Misc. Halogenated Solvents (mixed waste w/ < 10% before use)	—	—	F001, F002	Unknown	1980-2004	Unknown	Unknown	—
		Magnesium Batteries	—	—	D003	Unknown	1980-2004	Unknown	Unknown	—
		Freon-Contaminated Hydraulic Fluid	—	—	F002	Unknown	1980-2004	Unknown	Unknown	—
		Various ignitable hazardous wastes	—	—	Various	Capacity = 2,600 gals	1980-2004	Unknown	Unknown	—

Naval Activity Puerto Rico
Science Park Parcel FOST
CERCLA Hazardous Substance Notice/Response Action Summary
Page 3 of 4

Bldg or Facility ID	Description	Substance Name	CAS Registry Number	40 CFR 302.4 Regulatory Synonyms	RCRA Hazardous Waste No.	Quantity Stored	Date of Storage	Quantity Released	Date of Release	Response Actions Taken
SWMU 18	DRMO Ignitable Storage Facility - not on Subject Property, but received wastes from Public Works Department.	Gasoline (unleaded)	8006619	—	D001	Unknown	1980-2004	Unknown	Unknown	—
		Petroleum Fuels (leaded)	8006619	—	D001, D008	Unknown	1980-2004	Unknown	Unknown	—
		Jet Fuel (JP-4 or JP-5)	8008206	—	D001	Unknown	1980-2004	Unknown	Unknown	—
		Kerosene (contaminated)	8008206	—	D001	Unknown	1980-2004	Unknown	Unknown	—
		Adhesives	—	—	D001	Unknown	1980-2004	Unknown	Unknown	—
		Calibration Fluid	—	—	D001	Unknown	1980-2004	Unknown	Unknown	—
		Cleaning Compound (Mineral Spirits)	—	—	D001	Unknown	1980-2004	Unknown	Unknown	—
		Isopropyl Alcohol	67630	—	D001	Unknown	1980-2004	Unknown	Unknown	—
		Sealing Compound	—	—	D001, F003	Unknown	1980-2004	Unknown	Unknown	—
		Iceing Inhibitor	—	—	D001	Unknown	1980-2004	Unknown	Unknown	—
		Inspection Penetrant	—	—	D001, F003	Unknown	1980-2004	Unknown	Unknown	—
		Denatured Alcohol	—	—	D001	Unknown	1980-2004	Unknown	Unknown	—
		Duplicating Fluid	—	—	D001	Unknown	1980-2004	Unknown	Unknown	—
		Waste Paints	—	—	D001	Unknown	1980-2004	Unknown	Unknown	—
		Painting Wastes	—	—	D001, D002, D007, D008, F002, F003, F005	Unknown	1980-2004	Unknown	Unknown	—
		Malathion (with carrier solvent)	121755	—	D001	Unknown	1980-2004	Unknown	Unknown	—
		Photographic Toners	—	—	D001	Unknown	1980-2004	Unknown	Unknown	—
		Corrosion Inhibitor	—	—	D001	Unknown	1980-2004	Unknown	Unknown	—
		Naphtha	6030306	—	D001	Unknown	1980-2004	Unknown	Unknown	—
		Acetone	67641	2-Propanone	F003, U002	Unknown	1980-2004	Unknown	Unknown	—
		Ethyl Ether	60297	Ethane, 1,1'-oxybis-	F003, U117	Unknown	1980-2004	Unknown	Unknown	—
		Isobutanol	78831	1-Propanol, 2-methyl-	F005, U140	Unknown	1980-2004	Unknown	Unknown	—
		Methanol	67561	Methyl Alcohol	F003, U154	Unknown	1980-2004	Unknown	Unknown	—
		Methyl Ethyl Ketone	78933	2-Butanone, MEK	U159	Unknown	1980-2004	Unknown	Unknown	—
		Toluene	108883	Benzene, methyl	F005, U220	Unknown	1980-2004	Unknown	Unknown	—
		Xylene	1330207	Benzene, dimethyl Xylene (mixed) Xylene (isomers and mixture)	F003, U239	Unknown	1980-2004	Unknown	Unknown	—
		MEK and Paint	—	—	F005, D007, D008	Unknown	1980-2004	Unknown	Unknown	—
		Dye Penetrant	—	—	D001, F001, F002	Unknown	1980-2004	Unknown	Unknown	—
		Dry Cleaning Solvent (PD-680-I)	64742887	—	D001	Unknown	1980-2004	Unknown	Unknown	—
		Stoddard Solvent	8052413	—	D001	Unknown	1980-2004	Unknown	Unknown	—
		Inspection Penetrant	—	—	D001, F002	Unknown	1980-2004	Unknown	Unknown	—
		Petroleum Lubricant	—	—	D001	Unknown	1980-2004	Unknown	Unknown	—
		Aerosol Cans (partially full)	—	—	D001, F001, F002, F003, F005	Unknown	1980-2004	Unknown	Unknown	—

Naval Activity Puerto Rico
Science Park Parcel FOST
CERCLA Hazardous Substance Notice/Response Action Summary
Page 4 of 4

Bldg or Facility ID	Description	Substance Name	CAS Registry Number	40 CFR 302.4 Regulatory Synonyms	RCRA Hazardous Waste No.	Quantity Stored	Date of Storage	Quantity Released	Date of Release	Response Actions Taken
		Miscellaneous Waste Ignitables	—	—	D001	Unknown	1980-2004	Unknown	Unknown	—
		Misc. Non-Halogenated Solvents	—	—	F003, F005	Unknown	1980-2004	Unknown	Unknown	—
		Misc. Petroleum, Oils &	—	—	D001, F001,	Unknown	1980-2004	Unknown	Unknown	—
		Grease contaminated with Oils	—	—	D001, D007, D008	Unknown	1980-2004	Unknown	Unknown	—
		Outdated pesticides	—	—	Unknown	Unknown	1980-1996	Unknown	Unknown	—
Bldg 121 SWMU 19	Pesticide Waste Storage	Waste solvents	—	—	Various - not fully known	Unknown	1982 - ?	Unknown	Unknown	—
Bldg 3152 SWMU 41	SeaBee Pesticide Storage Area Wash Pad	Solvents	—	—	Various - not fully known	Unknown	1970s - ?	Unknown	Unknown	—

Exhibit K
Responses to Comments

**Navy Responses to U.S. Environmental Protection Agency (EPA)
Review Comments on the
Draft Finding of Suitability to Transfer
Parcel 52 (Science Park)
Naval Activity Puerto Rico**

EPA has completed its review of the Draft Finding of Suitability to Transfer (FOST) Parcel 52 (Science Park), transmitted to EPA and the Puerto Rico Environmental Quality Board (EQB) on behalf of the Navy, by Robert F. Simcik's (of Tetra Tech NUS Inc.) letter of August 30, 2010.

EPA has the following comments on the Draft FOST:

- 1) Section 4.0 A (Hazardous Substance Contamination) beginning on page 5 states that the 2007 Consent Order designated all five SWMUs (19, 38, 41, 50, and 72) on the Subject Property as Corrective Action Complete without Controls and required no further action. It is EPA's understanding that these Corrective Action Complete without Controls determinations were based on an industrial usage scenario. Since it is indicated in Section 3.0 (Past Use and Proposed Reuse) that "An April 2010 addendum to the Reuse Plan indicates the Subject Property will be in portions of areas with the following types of uses – mixed use (retail and upper floor residential), hotel, and lodging, golf course, and retail/restaurant/entertainment district", the Corrective Action Complete without Controls determinations made for the above five SWMUs must now be reevaluated based on the April 2010 proposed future usage scenarios. Therefore, please revise Section 4.0 A to clearly indicate whether the cited Corrective Action Complete without Controls determinations are based on industrial or unrestricted site usages.

Also, within 35 days of your receipt of this letter, please submit either documentation that those determinations are based on unrestricted site usage, or a schedule for completing revised risk assessment evaluations to determine if Corrective Action Complete without Controls determinations are appropriate for the above five SWMUs based on the April 2010 proposed future usage scenarios. Please note that under current EPA policy human health risk evaluations must include an evaluation of the potential risk posed by the vapor intrusion pathway.

Navy Response:

As discussed during the September 16, 2010 conference call between personnel from the Navy BRAC Program Management Office (PMO) Southeast, USEPA Region 2, and Michael Baker, Jr. Inc., and as documented in a letter dated September 21, 2010 from BRAC PMO Southeast to USEPA Region 2, the Navy believes these SWMUs are suitable for unrestricted use because they are designated as Corrective Action Complete "without Controls" in the Consent Order. Thus, no changes to the FOST related to this comment will be necessary.

- 2) Section 4.0 B (Petroleum Contamination) must be revised to clearly indicate that those portions of AOC F that are located on the Subject Property are subject to clean-up

**Navy Responses to U.S. Environmental Protection Agency (EPA)
Review Comments on the
Draft Finding of Suitability to Transfer
Parcel 52 (Science Park)
Naval Activity Puerto Rico**

requirements under the 2007 Consent Order.

Navy Response:

The FOST text has been clarified to make it clearer that the AOC F site (MNA 124) formerly in the Science Park parcel has been carved out of and is no longer part of the Subject Property, that this carve-out will become part of the Sale Parcel III lease area, that the AOC F carve-out remains subject to cleanup requirements under the Consent Order, and that long-term monitoring data indicate that groundwater contamination associated with both the AOC F carve-out and the other AOC F site (MNA 2842) that adjoins the Subject Property is not expected to migrate onto the Subject Property.

- 3) Section 5.0 F (Environmental Compliance Agreements/Permits/Orders) must be revised to clearly indicate that AOC F sites on the Subject Property are subject to clean-up requirements under the 2007 Consent Order, and also indicate that revised risk assessment evaluations will need to be implemented for the five SWMUs on the Subject Property based on the April 2010 proposed future usage scenarios.

Navy Response:

See Navy responses to Comments 1 and 2.

- 4) Table 2 (Solid Waste Management Units and Areas of Concern Summary and Status) must be revised as follows:
- a) to list those portions of AOC F (MNA Sites) located on the Subject Property; and

Navy Response:

See Navy response to Comment 2.

- b) to include a footnote or annotation define the term CAC w/out controls.

**Navy Responses to U.S. Environmental Protection Agency (EPA)
Review Comments on the
Draft Finding of Suitability to Transfer
Parcel 52 (Science Park)
Naval Activity Puerto Rico**

Navy Response:

A footnote has been added to Table 2 stating "Corrective Action Complete (CAC) w/out Controls indicates no land use controls are required and unrestricted use is allowed."

5) Exhibit J (CERCLA Hazardous Substance Notice....) needs to be revised as follows:

- a) the term AOC B (under Substance Name) needs to be defined, and Exhibit J must contain a note or annotation indicating where AOC B is described/discussed.

Navy Response:

AOC B is not located within the Subject Property and has been removed from the CERCLA Hazardous Substance Notice (Exhibit J) for the Subject Property.

- b) The term RCRA HW No. needs to be defined, and the information given under the column "RCRA HW No." must be revised to state either "Unknown" or "not fully known", where currently only a dashed line is shown.

Navy Response:

The requested edits have been made and the table has been revised to include SWMUs 17 (DRMO HW Storage Facility - non-flammable wastes) and 18 (DRMO Ignitable Storage Facility), as they are referenced in the Building 31 (Public Works Department) listing. The table notes that these SWMUs are not on the Subject Property but received wastes from the Public Works Department.

**Navy Responses to Puerto Rico Environmental Quality Board
Review Comments on the
Draft Finding of Suitability to Transfer
Parcel 52 (Science Park)
Naval Activity Puerto Rico**

The Puerto Rico Environmental Quality Board (PREQB) has completed its review of the Draft Finding of Suitability to Transfer (FOST) Parcel 52 (Science Park), Naval Activity Puerto Rico, dated August 2010. PREQB has the following comments on the Draft FOST:

- Section 2.0, Description of Property, Page 1, First Paragraph: The text should be amended to clearly identify and describe the three environmental sites that will be "carved out" of the FOST and added to the Sale Parcel III lease area.

Navy Response:

The Section 2.0 text has been revised to identify the three carve-out sites as SWMU 31, SWMU 32 and AOC F (MNA 124).

- Section 4.0, Environmental Findings, Page 2: Please clarify the purpose of including detailed information on sites excluded from this FOST (i.e., SWMUs 31 and 32 and MNA 124) in this document. Please clarify if it is the intent to use this FOST as the method for documenting the path forward for these sites. If not, then please identify the document that will be prepared to memorialize the decisions being made about these ongoing environmental sites and consider removing the detailed information concerning sites not included in the FOST from this document to make this FOST more clear.

Navy Response:

It is not the intent of this FOST to document the path forward for the carve-out sites. This will be done in a revision to the *Finding of Suitability to Lease, Carve-Outs Within Sale Parcel III - Forrestal*. The FOST text has been revised to make this clear and some of the detailed information about the Science Park parcel carve-out sites has been removed from the FOST as suggested.

- Section 4.0, Environmental Findings, Part B, Petroleum Contamination, Page 4, First Paragraph: The underground storage tanks need to be closed in accordance with PREQB's Underground Storage Tank Regulations. Therefore, please clarify who will be responsible for closing the USTs identified as BEQs 1A and 1B. In addition, please clarify if UST removals complied with PREQB's UST regulations.

Navy Response:

The text has been revised to state the USTs for BEQs 1A and 1B have been emptied, temporarily closed, and left in place for use by the new owner, and if/when the USTs must be closed, closure in accordance with PREQB regulations will be the responsibility of the new owner.

**Navy Responses to Puerto Rico Environmental Quality Board
Review Comments on the
Draft Finding of Suitability to Transfer
Parcel 52 (Science Park)
Naval Activity Puerto Rico**

- Section 4.0, Environmental Findings, Part B, Petroleum Contamination, Page 4, Second Paragraph: Please clarify in the text whether the MNA 124 groundwater plume is expanding, shrinking or steady-state. If the plume is not stable, please clarify in the text that the FOST does not apply to groundwater impacted by the MNA 124 plume, and clarify what LUCs will be employed should contaminated groundwater migrate to adjacent parcels included in this FOST.

Navy Response:

The text has been revised to state the AOC F carve-out includes a buffer zone and long-term monitoring data indicate the plume is not expanding and is not expected to migrate onto the Subject Property.

- Section 4.0, Environmental Findings, Part B, Petroleum Contamination, Page 5: Please clarify if the USTs were closed in accordance with PREQB UST Regulations.

Navy Response:

The text has been revised to state the USTs were closed in accordance with 40 CFR 280 and PREQB UST regulations.

- The column, "Investigation and Remedial Action Summary and Status" in Table 2 for SWMU 38 should be revised to eliminate the extra "sewer after water system" in the sixth line.

Navy Response:

The requested edit has been made.

- Please provide PREQB with copies of all executed transfer documents.

Navy Response:

Copies of all executed transfer documents will be provided to PREQB.

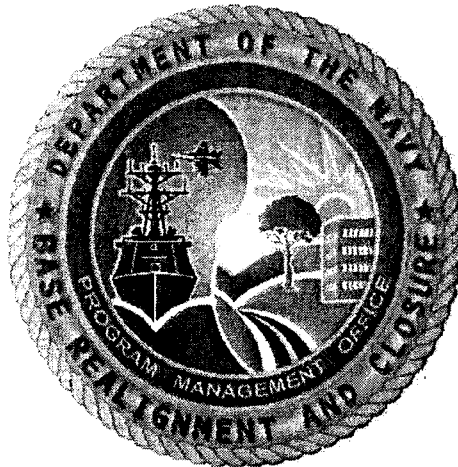
EXHIBIT "F"

FINDING OF SUITABILITY TO TRANSFER FOR PORT PARCEL

FINDING OF SUITABILITY TO TRANSFER

PORT PARCEL

**NAVAL ACTIVITY PUERTO RICO
CEIBA, PUERTO RICO**



Prepared by:

**Department of the Navy
Base Realignment and Closure
Program Management Office Southeast
4130 Faber Place Drive, Suite 202
North Charleston, South Carolina 29405**

December 2008

**FINDING OF SUITABILITY TO TRANSFER
PORT PARCEL
NAVAL ACTIVITY PUERTO RICO**

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FINDING OF SUITABILITY TO TRANSFER PORT PARCEL NAVAL ACTIVITY PUERTO RICO

1.0 PURPOSE

This Finding of Suitability to Transfer (FOST) summarizes how the requirements and notifications for hazardous substances, petroleum products and other regulated material on the property have been satisfied, and documents my determination, as the responsible Department of Defense (DoD) component official, that certain real property and associated improvements known as the Port and Fuel Farm Parcels (Subject Property) at Naval Activity Puerto Rico (NAPR), Ceiba, Puerto Rico are environmentally suitable for deed transfer. This decision is based primarily on my review of information contained in three of the documents listed in Exhibit A (References) – the CERFA Identification of Uncontaminated Property, Former Naval Station Roosevelt Roads, Puerto Rico (the CERFA Report; Navy, 2006b), Phase I/II Environmental Condition of Property Report, Former Naval Station Roosevelt Roads, Ceiba, Puerto Rico (the ECP Report; Navy, 2005) and the Covenant Deferral Request, Former Naval Station Roosevelt Roads, Ceiba, Puerto Rico (the CDR; Navy, 2007). Factors leading to this decision and other pertinent information related to property transfer requirements are stated below.

2.0 DESCRIPTION OF PROPERTY

NAPR was formerly known as Naval Station Roosevelt Roads (NSRR) until it ceased operation as an active Naval Station on March 31, 2004, at which point it was designated Naval Activity Puerto Rico. NAPR is located on the east coast of Puerto Rico adjacent to the municipality of Ceiba. As shown on the Vicinity Map in Exhibit B, the Subject Property is comprised of approximately 131 acres located in the developed waterfront area along the eastern shoreline of Ensenada Honda. It includes a fueling pier, cargo pier and berthing pier, port operations buildings, various hauling and storage facilities, extensive bulkheading, and an associated fuel tank farm located north and northwest of the port facilities. The Port Parcel is comprised of Sub-Parcels 44 (Fuel Farm) and 49 (Port), as shown on the maps (Exhibit C) from the Draft Report, Parcel Map for the Disposal of Naval Activity Puerto Rico (GMI, 2005), and the boundary survey maps included as Exhibit D.

Table 1 (Exhibit E) provides the facility number, former user, name or description, area and year of construction of each of the numbered buildings, structures and facilities on the Subject Property.

FINDING OF SUITABILITY TO TRANSFER PORT PARCEL NAVAL ACTIVITY PUERTO RICO

3.0 PAST USE AND PROPOSED REUSE

The Subject Property has been used for port and fuel farm activities since its acquisition and development by the Navy in the 1940s. The ECP Report states that most of the arable land on what is now NAPR was previously used for sugar cane cultivation and cattle grazing. No significant industrial facilities or environmental concerns were identified with respect to activities conducted on the former NSRR prior to Navy ownership.

The Navy established NAPR to serve as the caretaker of the real property associated with NSRR and to assist in the transfer of the property. Since the establishment of NAPR, all industrial and commercial operations on the Subject Property with a significant potential for environmental contamination have ceased.

The proposed reuse is waterfront commercial, ferry and light cargo terminal, and continued operation of the fuel tank farm. The Subject Property is expected to be transferred via a Public Benefit Conveyance to the Ports Authority of Puerto Rico (CBRE et al, 2004).

4.0 ENVIRONMENTAL FINDINGS

All available information concerning the past storage, release, or disposal of hazardous substances and/or petroleum products on NAPR, as collected through record searches, aerial photographs, personnel interviews, and on-site visual inspections, is contained in the ECP Report. The following summarizes the findings as they relate to the Subject Property and the corresponding Condition of Property Classification assigned to the real property to be transferred.

A. Hazardous Substance Contamination

There are 11 Resource Conservation and Recovery Act (RCRA) Solid Waste Management Units (SWMUs) on the Subject Property. Five of these SWMUs have been designated Corrective Action Complete without Controls and require no further action, one is designated Corrective Action Complete with Controls, and five have work remaining to be completed under the Administrative Order on Consent (Consent Order; EPA, January 2007) that sets out the Navy's corrective action obligations under RCRA. Following transfer of the two parcels comprising the Subject Property to the Ports Authority, the Navy will continue to implement any remaining

FINDING OF SUITABILITY TO TRANSFER PORT PARCEL NAVAL ACTIVITY PUERTO RICO

corrective and/or remedial action required for SWMUs located within the parcels, pursuant to the Consent Order.

A RCRA Facility Investigation (RFI) was not required at three of the 11 (SWMUs 21, 22, and 36) that received No Further Action (NFA) determinations under the 1994 RCRA Part B permit, and the RFI for SWMU 24 found no evidence of a release. Under the Consent Order, the NFA determination is contingent for SWMU 38 (Sanitary and Storm Sewer Systems) based upon the Navy fully addressing any releases that may have impacted the sanitary and/or storm sewer systems as part of the corrective action(s) for releases from SWMUs 4, 12, 13 and 14 and/or any other SWMU at the NAPR facility where releases may have impacted the sewer systems. A map showing the location of the existing sewer system at NAPR is provided in Exhibit C. A land use control plan for SWMU 23 was submitted to EPA in January 2008 changing its status to Corrective Action Complete with Controls. The five SWMUs with work remaining to be completed are SWMUs 7/8, 55, 74 (aka ECP 20) and 75 (aka ECP 21).

Detailed descriptions of all 11 SWMUs are provided in the ECP Report, while summary descriptions and their current status are provided in Table 2 (Exhibit E). The approximate locations of the 11 SWMUs are shown on the maps in Exhibits B and C. In Exhibit C, SWMU 74 (aka ECP 20) is mislabeled as SWMU 20 on Parcel Map 44, SWMU 75 (aka ECP 21) is mislabeled as SWMU 21 on the eastern end of the Parcel 49 map, and SWMUs 38 and 74 are shown on separate maps.

B. Petroleum Contamination

According to the ECP Report, there were 11 operational underground storage tanks (USTs) on the Subject Property at the time of the ECP inspection in March 2005, including seven that are part of SWMUs 7/8 (Tow Way Fuel Farm). All 11 USTs were empty at the time of the ECP inspection. The ECP Report also listed seven known former UST systems on the Subject Property that were removed between 1993 and 2003, including two that are also part of SWMUs 7/8. Table 3 in Exhibit E lists the known past and present USTs on the Subject Property along with their location, capacity, material stored and the year removed (or year installed if still present). The ECP Report also documented 17 operational aboveground storage tanks (ASTs) and 10 oil/water separators (OWSs) on the Subject Property. These ASTs and OWSs are also listed in Table 3.

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The Navy is conducting a monitored natural attenuation (MNA) study of eight petroleum sites (7 USTs and one AST) that comprise Area of Concern (AOC) F. AST 1995, a 4,200,000-gallon diesel fuel marine tank located in Parcel 44, is the one MNA site at NAPR that is part of the Subject Property. When NSRR was an active installation, the study was conducted in accordance with monitoring protocols developed by the Underground Storage Tank Management Division of the Puerto Rico Environmental Quality Board (EQB). In accordance with requirements of the Consent Order, a Draft Final MNA Work Plan was submitted to EPA in October 2008 to address Total Petroleum Hydrocarbons contamination in groundwater associated with AST 1995. As approved by EPA, Navy is collecting additional field data to finalize the work plan.

According to the ECP Report, any contaminated soils identified during past replacement of tanks were excavated and disposed of off NSRR property, and the replaced tanks were closed in accordance with 40 CFR 280. There are no other known spills or releases associated with USTs, ASTs and OWSs on the Subject Property, other than those designated as SWMUs or AOCs.

In October 2006, an oil sheen was noticed near Pier #3. The sheen area was about 15 feet by 50 feet. The source of the leak was found to be a fuel pump-out line under the pier that had not been used for several years. The point of the leak (drip) was coming from an area covered with rust. A sausage boom was placed around the leak area and the pipe was wrapped with oil absorbent blankets. All fuel tanks and lines at NAPR had been emptied and filled with nitrogen as part of the caretaker process to have the facilities ready for reuse after property transfer. This particular line had three valves and apparently at least one was closed preventing the remaining fuel from being removed and nitrogen from filling the line. The line was found to be completely full. About 660 gallons were pumped out and the line was then permanently capped.

C. Condition of Property Classification

The ECP Report divided all property at NAPR into parcels, and classified them into one of the three following categories:

- **Category 1** – Areas where no known or documented releases, or disposal of hazardous substances or petroleum products or their derivatives has occurred, including no migration of these substances from adjacent areas.

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- **Category 2** – Areas where the release, disposal, or migration, or some combination thereof, of hazardous substances, or petroleum products or their derivatives has occurred, but at concentrations that do not require a removal or remedial action, or all remedial actions necessary to protect human health and the environment have been taken.
- **Category 3** – Areas where a confirmed or suspected release, disposal, or migration, or some combination thereof, of hazardous substances, or petroleum products or their derivatives has occurred, but required investigation and/or response actions have not yet been initiated or are ongoing.

These categories are derived from the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), Community Environmental Response Facilitation Act (CERFA) and the American Society for Testing and Materials (ASTM) Standard Practice for Conducting Environmental Baseline Surveys (ASTM Standard D 6008-96), which further incorporates ASTM D 5746-98 (2002) Standard Classification of Environmental Condition of Property Area Types for Defense Base Closure and Realignment Facilities.

CERFA stipulates that the federal government must identify "uncontaminated property" scheduled for transfer, and defines this as "...real property on which no hazardous substances and no petroleum products or their derivatives were known to have been released, or disposed of" [(Section 9620(h)(4)(A)]. In accordance with the property condition classification guidelines discussed above, the Subject Property, with the exception of SWMUs 23 and 24 (Category 2) and SWMUs 7/8, 38, 55, 74 and 75 (Category 3), was classified as Category 1 uncontaminated property (including SWMUs 21, 22, and 36) in the CERFA Report. Following its review, the Puerto Rico Environmental Quality Board (EQB) provided a concurrence statement in the Final CERFA Report on 11 August 2006 (Exhibit F).

The Category 1 and 2 areas on the Subject Property are suitable for transfer because they are either uncontaminated or all remedial actions necessary to protect human health and the environment have been taken. The Category 3 areas may also be transferred even though all required remedial actions have not yet been taken to address residual contamination because on July 30, 2008, Governor Acevedo Vilá approved the Navy's request, as contained in the aforementioned CDR, for the "early" transfer of these sites in accordance with the requirements of Section 120(h)(3)(C) of CERCLA.

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D. Other Environmental Aspects

1. Munitions and Explosives of Concern

According to the ECP Report, there are no heavy (crew-served) weapon ranges, unexploded ordnance/impact areas, explosive ordnance disposal areas or open burning/open detonation activities on the Subject Property.

2. Asbestos-Containing Materials

According to the June 2005 *Final Asbestos Inspection Report for Naval Activity Puerto Rico, Ceiba, Puerto Rico* (Baker, 2005), asbestos-containing material (ACM) was identified in 5 of the 22 facilities inspected on the Subject Property, as summarized in Table 4 of Exhibit E. No friable, accessible and damaged (FAD) ACM was identified on the Subject Property. Detailed information about the materials identified and sampled during the asbestos inspection, including summary tables, location drawings, photographs and laboratory reports, is included in the report.

It is likely that undiscovered ACM associated with underground utilities and miscellaneous building materials exists at NAPR. While this potential ACM does not currently pose a hazard to site users, future demolition and/or subsurface work performed by the transferee could result in FAD ACM hazards. Thus, the transferee will be required to use best management practices during any future renovation/demolition activities or underground utility work, and to comply with all applicable laws relating to ACM management in order to ensure future protection of human health and the environment.

3. Lead-Based Paint

The NAPR facilities list (Exhibit E, Table 1) indicates 22 of the buildings, structures and facilities on the Subject Property were constructed prior to 1978, the year in which lead-based paint (LBP) was banned for consumer use. These facilities and any others built before 1978 are presumed to contain LBP. A LBP survey and risk assessment was completed at NAPR in 2005 for military family housing only, thus none of the facilities on the Subject Property were included in the survey. A Lead-Based Paint Hazards Advisory Statement (Exhibit G) will be provided to the transferee for execution at the time of transfer.

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4. Polychlorinated Biphenyls

Only one polychlorinated biphenyl (PCB) containing transformer remains at NAPR. The transformer, located in Building 386, is not on the Subject Property. All other PCB-contaminated transformers and equipment were removed from the former NSRR prior to 1998. Due to the age of the majority of facilities and the size of the station, it is possible that PCB-contaminated fluorescent light ballasts and other minor PCB sources may be present on NAPR. There are no other records of PCBs having been stored, released or disposed of on the Subject Property.

5. Radon

According to the U.S. Geological Survey Open-File Report 93-292-K, *Preliminary Geologic Radon Potential Assessment of Puerto Rico* (USGS, 1993), the Commonwealth of Puerto Rico exhibits generally low indoor radon levels, and a survey of radon concentrations of offices, housing units, schools and other buildings was conducted by the DoD between 1989 and 1992 on federal military reservations in Puerto Rico, including the former NSRR. Indoor radon levels ranged from 0.0 to 1.9 picoCuries/Liter (pCi/L), well below the current U.S. Environmental Protection Agency (EPA) residential indoor radon screening action level of 4 pCi/L. The majority of the reservations, including NAPR, are situated on coastal plains, so the low indoor radon levels were not unexpected.

6. Threatened and Endangered Species

As shown on the individual sub-parcel maps in Exhibit C, breeding habitat for the endangered yellow-shouldered blackbird has been identified on the Subject Property. The Commonwealth of Puerto Rico has committed to zoning the property in a manner that will implement the planning, development, maintenance, mitigation and use requirements described on the parcel maps.

In accordance with the Endangered Species Act, the Navy developed a Biological Assessment for the former NSRR in 2006 to assess the potential impact on any federally protected species from the disposal of NSRR. Given the protection measures addressed in detail in the *Biological Assessment for the Disposal of Naval Station Roosevelt*

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Roads/Naval Activity Puerto Rico Final Report (Navy, 2006a), the Navy has determined that the disposal of the former NSRR and transfer of the property to future owners is not likely to adversely affect federally-listed species and would not result in adverse modification of designated critical habitat within the project area. The U.S. Fish and Wildlife Service concurred with this determination in a letter dated April 7, 2006.

5.0 REQUIREMENTS APPLICABLE TO PROPERTY TRANSFER

A. NEPA Compliance

In accordance with National Environmental Policy Act (NEPA) requirements, an Environmental Assessment and Finding of No Significant Impact (FONSI) have been prepared and executed in connection with the planned disposal and reuse of NAPR. The FONSI was signed on April 10, 2007.

B. Hazardous Substance Notice

In accordance with Section 120(h)(3)(A)(i) of CERCLA, all deeds transferring federal property must provide notice as to those hazardous substances which it is known, based on a complete search of agency files, were stored for 1 year or more, released or disposed on the Subject Property in excess of those reportable quantities specified under 40 CFR 373 (Hazardous Substances Reporting Requirements for Selling or Transferring Federal Real Property), and all response actions taken to date to address any such releases or disposals. Hazardous materials use/storage and hazardous waste generation/management at the former NSRR are discussed in Section 5.2 of the ECP Report. The hazardous substances notice and response action summary for the Subject Property is attached to this FOST as Exhibit H.

C. CERCLA Covenants

In accordance with CERCLA Section 120(h)(4)(D)(i), the deed transferring the Subject Property shall contain a covenant warranting that any response action or corrective action found to be necessary after the date of transfer shall be conducted by the United States. This covenant will not apply to any remedial action required on the property to the extent that an act or omission of the transferee results in a new release of hazardous substances or where the transferee has assumed responsibility for the remedial action pursuant to a written agreement with the Navy.

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The deed that conveys the Subject Property will not contain the covenant provided for under CERCLA Section 120(h)(3)(A)(ii)(I) (that all necessary remedial actions have been taken prior to transfer) because that particular covenant was deferred by way of Governor Vila's approval of the covenant deferral request for the early transfer of this site on July 30, 2008. In accordance with CERCLA Section 120(h)(3)(C)(iii), after the Navy completes all necessary remedial activities on the subject property, a separate warranty will be provided in recordable form to the LRA (or its successor(s) in interest) that all response actions necessary to protect human health and the environment have been taken on the Subject Property with respect to those hazardous substances which remained on the Subject Property at the date of early transfer. Alternatively, in accordance with CERCLA Section 120(h)(3)(B), the Navy may provide this warranty upon a determination by USEPA that the remedial actions at the Subject Property are "operating properly and successfully."

D. CERCLA Access Clause

In accordance with CERCLA Section 120(h)(4)(D)(ii), the deed transferring the Subject Property shall contain a clause granting to the United States, its officers, agents, employees, contractors, and subcontractors the right to enter upon the transferred property in any case that remedial or corrective action is found to be necessary after the date of transfer. The right to enter to be set forth shall include the right to conduct annual physical inspections, tests, investigations, long term monitoring, 5-year reviews, and surveys, including, where necessary, drilling, test pitting, boring, and other similar activities. Such right shall also include the right to construct, operate, maintain, or undertake any other response or remedial action as required or necessary, including, but not limited to, monitoring wells, pumping wells, and treatment facilities. The United States retains the authority to enter to conduct investigations on adjacent parcels as well as the parcel subject to the transfer. These access rights are in addition to those granted to Federal, state, and local authorities under applicable environmental laws and regulations.

E. Land and Groundwater Restrictions

With the exception of AOC F and SWMUs 7/8, 23, 55, 74 and 75, the Navy will transfer the Subject Property without restrictions. To prevent unacceptable risks to human health and the environment, the Navy will ensure the following land use controls (LUCs) are developed on the aforementioned SWMUs:

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- A restriction on land use to non-residential uses only. (SWMUs 7/8, 23, 55, and 74, 75)
- A restriction on access and/or certain invasive activities in areas where surface soil, subsurface soil and or sediments are contaminated. (SWMUs 7/8, 74, 75)
- A restriction on use of groundwater and installation of new wells in or near areas of known groundwater contamination. (AOC F and SWMUs 7/8 and 55, 74, 75)
- A restriction on access to the interior of Building 803. (SWMU 75; the duration of this LUC will depend on the outcome of the RFI/CMS)

These LUCs will be implemented through the Navy-EPA Consent Order and the subsequent transfer deed. The Navy transfer deed for the Subject Property will refer to LUC requirements contained in the Consent Order which will be attached to the deeds. The Consent Order requires the establishment of LUCs with detailed requirements (implementation, compliance, monitoring, enforcement, modification/termination, etc.) developed in other documents agreed to between the Navy and EPA or the new owner and EPA.

F. Environmental Compliance Agreements / Permits / Orders

On January 29, 2007, the U.S. Department of the Navy and EPA voluntarily entered into a Consent Order that set out the Navy's corrective action obligations under RCRA and replaced the 1994 RCRA permit as the document memorializing these obligations concerning NAPR. Of the 11 RCRA SWMUs on the Subject Property, five (SWMUs 7/8, 55, 74 and 75) have investigation and/or cleanup work remaining to be completed under the terms of the Consent Order, as does AOC F. Detailed descriptions of all 11 SWMUs and AOC F are provided in the ECP Report, while summary descriptions and their current status are provided in Table 2 (Exhibit E).

The Puerto Rico EQB issued a draft Title V Operating Permit, number TV9711-19-0397-0012, for air emissions at the former NSRR in Spring 2003. This draft permit went into public review on July 8, 2003, where NSRR presented extensive comments/changes due to the relocation of many tenant commands. A final Title V Operating Permit was issued by EQB on September 30, 2006. NSRR had a wide variety of small emission sources, which operate intermittently, with no set operation schedule. Most emissions were generated by combustion sources, which are powered by diesel, JP-5, gasoline or propane gas. VOCs and hazardous air pollutants were also

**FINDING OF SUITABILITY TO TRANSFER
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generated in painting activities, cleaning operations associated with aircraft and ship maintenance and repair and other day-to-day activities. Significant emission units on the Subject Property included fuel truck loading/unloading and a UST at Building 192A, and touch-up painting (ships/boats) at Building 2351. Because of station closure, air emission sources associated with the Subject Property have been discontinued with the exception of the operation of emergency generators. There is no documentation of any current, or previous Notices of Violation issued to the former NSRR as a result of a deviation from the Title V Permit.

G. Notification to Regulatory Agencies / Public

In accordance with DoD guidance, EPA Region 2 and Puerto Rico EQB have been advised of the proposed transfer of the Subject Property, and copies of the ECP Report, CERFA Report, CDR and Draft FOST were provided to those agencies for review and comment. Navy responses to EPA review comments on the draft version of this FOST are provided in Exhibit I. Puerto Rico EQB did not have comments following their review of the FOST. The ECP Report was made available for public review upon finalization, and the CDR was made available for public review and comment prior to finalization. Copies of all transfer documentation will be made available to EPA and EQB representatives upon request after execution of the same.

6.0 SUITABILITY DETERMINATION

NOW THEREFORE, based on my review of the information contained in this FOST, the notices discussed herein, and the restrictions and covenants that will be contained in the deed, the Subject Property is suitable for transfer.

Date.

1/05/09


JAMES E. ANDERSON
Director
BRAC Program Management Office Southeast
North Charleston, South Carolina

Exhibit A
References

**FINDING OF SUITABILITY TO TRANSFER
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NAVAL ACTIVITY PUERTO RICO**

REFERENCES

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USGS, 1993. (U.S. Geological Survey) *Open File Report 93-292-K, Preliminary Geologic Radon Potential Assessment of Puerto Rico*. 1993.

Exhibit B

Vicinity Map

SWMUs 38 and 74 (aka ECP 20) are not shown on the vicinity map. Separate utility (SWMU 38) and fuel line (SWMU 74) maps are included in Exhibit C.

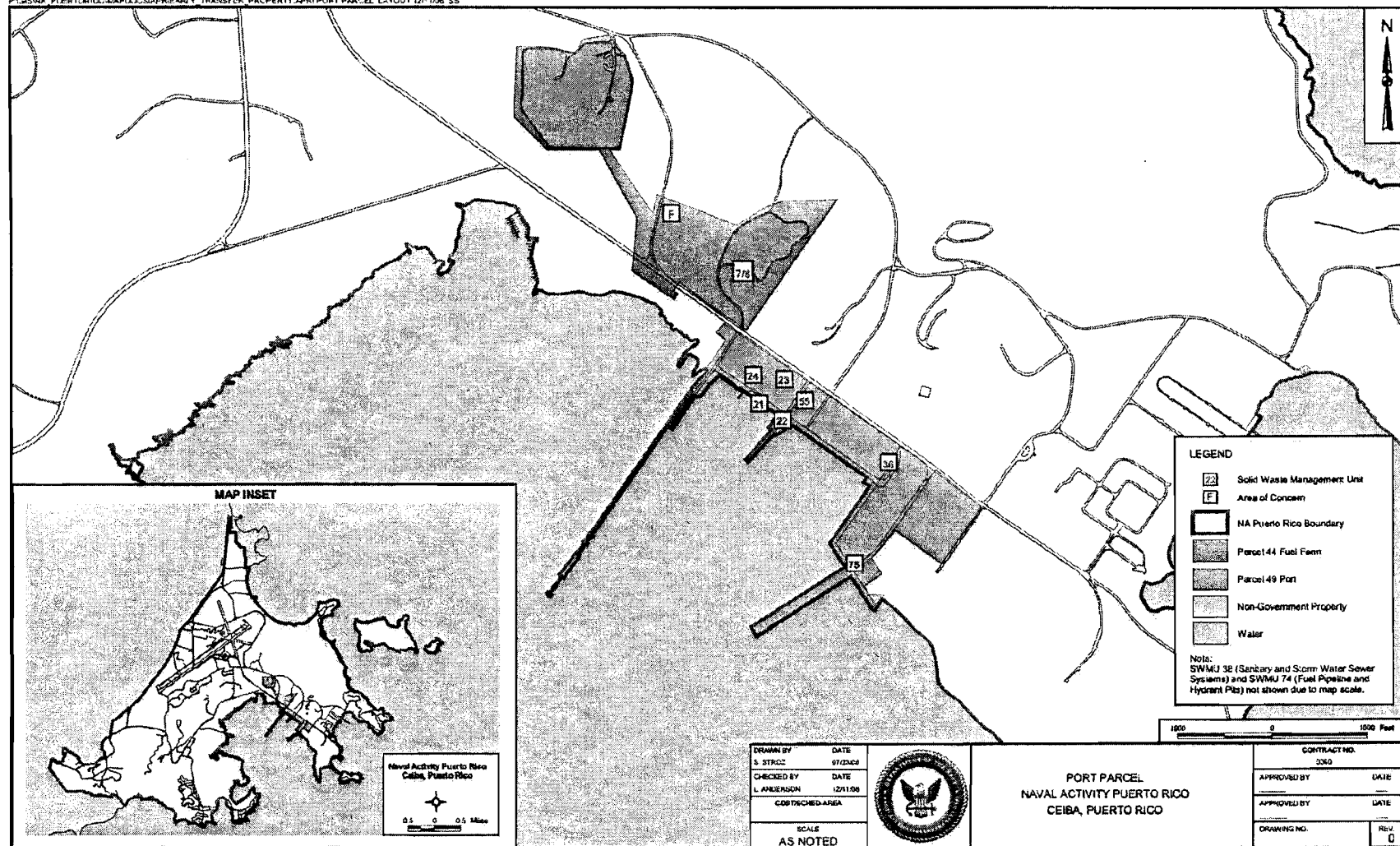


Exhibit C

Parcel, Utility, and Fuel Line Maps

NOTE: The parcel maps in this exhibit are from the *Draft Report, Parcel Map for the Disposal of Naval Activity Puerto Rico* (GMI, 2005).

The areas shown on these maps as having "Cleanup Remaining" correlate to Area of Concern (AOC) F and Solid Waste Management Units (SWMUs) 7/8, 21, 22, 23, 24, 36, 55, and 75 (shown as ECP 21). SWMUs 38 and 74 (aka ECP 20) are not shown on the parcel maps. Separate utility (SWMU 38) and fuel line (SWMU 74) maps have been included.

THREATENED AND ENDANGERED SPECIES CONSERVATION MEASURES—PARCEL 44

Common Name—Port

Conveyance—PBC

Neighboring Parcel(s)—28, 40-43, 45, 46, 48

Yellow-shouldered Blackbird

GENERAL REQUIREMENTS

- Notify USFWS if a yellow-shouldered blackbird nest is found anywhere on the property (787-851-7297).
- Pesticide and herbicide applications must follow Commonwealth of Puerto Rico regulations.

Activity	Conservation Measures
Development Planning	Save as many existing on site palms and trees as possible in new development plans.
New Construction/Clearing	If undeveloped yellow-shouldered blackbird habitat is proposed for clearing consult with USFWS a minimum of one year prior to planned project initiation
Grounds Maintenance	No trimming or cutting of palms and trees between March 15 and August 30 except in an emergency (i.e., downed trees and palms from storms).
Property Sale/Lease	Notify buyer/lessee of all mitigation requirements (see above) and include mitigation with all legal documents.

Sea Turtle

GENERAL REQUIREMENTS

- Consult with U.S. Fish and Wildlife Service (USFWS) and Puerto Rico Department of Environmental Resources (DNER) on all beach use plans and permit requirements.
- Notify USFWS if you observe an injured or dead turtle anywhere on the property (787-851-7297).
- Pesticide and herbicide applications must follow Commonwealth of Puerto Rico regulations.

Activity	Conservation Measures
Beach Development/Use	Implement all USFWS and Puerto Rico DNER lighting standards/requirements (includes parcels bordering the nesting area). Implement USFWS/ Puerto Rico DNER precautionary measures for sea turtles before, during, and after development activities. Establish a 50 m buffer zone between any developed or undeveloped site and the land edge of the sea turtle nesting beach.

NOTICE:

Consult with the U.S. Fish and Wildlife Service if you have any questions on the conservation measures. Property owners that cannot adhere to the conservation measures must consult with the U.S. Fish and Wildlife Service to seek a Section 10.0 permit for authorization to modify the identified critical habitat. Failure to comply with the identified conservation measures violates Section 9.0 and/or Section 10.0 of the Endangered Species Act. The U.S. Fish and Wildlife Service has the authority to prosecute violations under the Endangered Species Act.

NAVSTA ROOSEVELT ROADS
UTILITIES INFRASTRUCTURE

LEGEND

WATER _____

GRAVITY _____

FORCE _____

MAIN _____

ELECTRICAL _____

NAVSTA ROOSEVELT ROADS
UTILITIES INFRASTRUCTURE

LEGEND

WATER _____

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MAIN _____

ELECTRICAL _____

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UTILITIES INFRASTRUCTURE

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UTILITIES INFRASTRUCTURE

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UTILITIES INFRASTRUCTURE

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NAVSTA ROOSEVELT ROADS
UTILITIES INFRASTRUCTURE

LEGEND

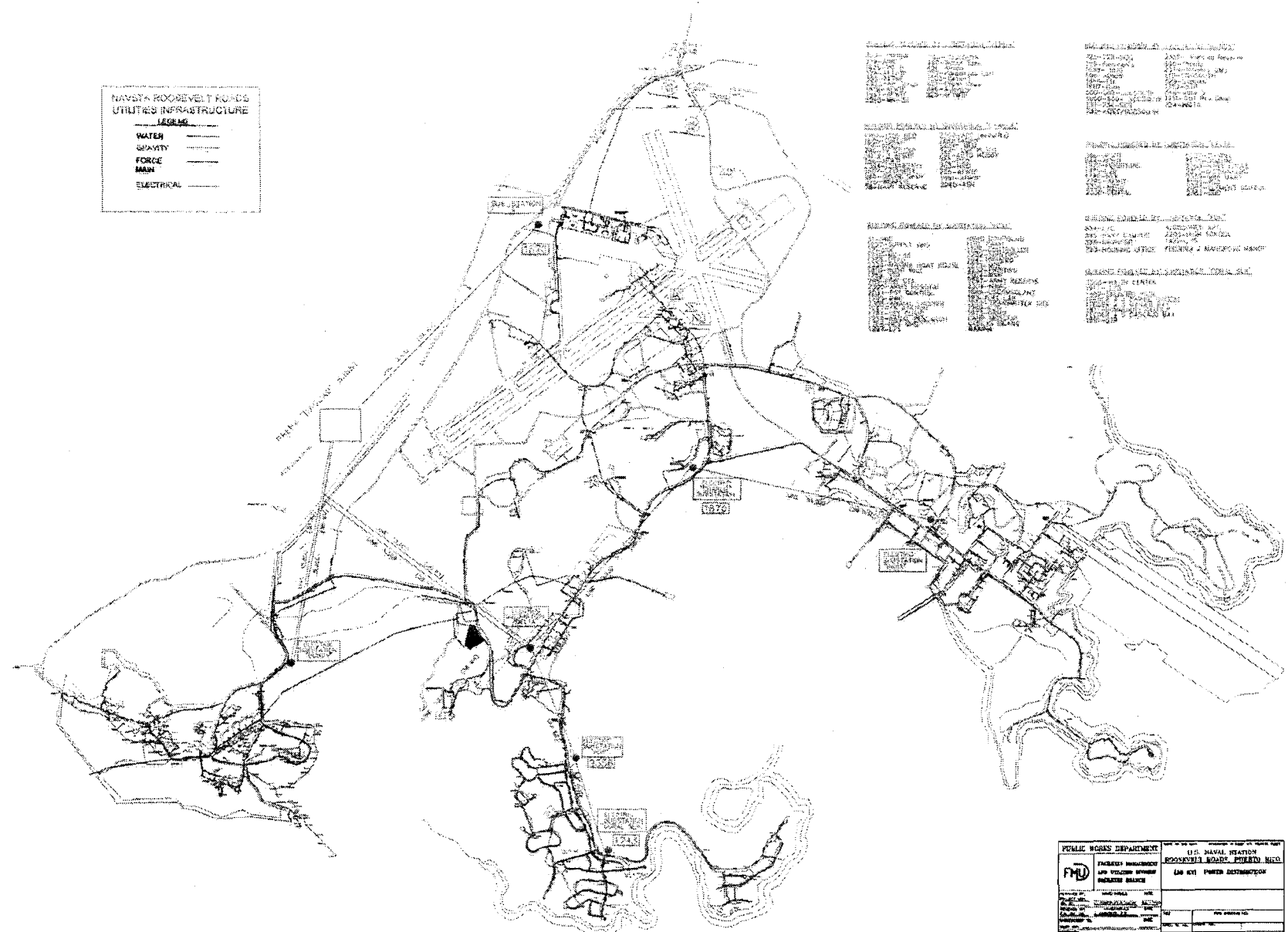
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GRAVITY _____

FORCE _____

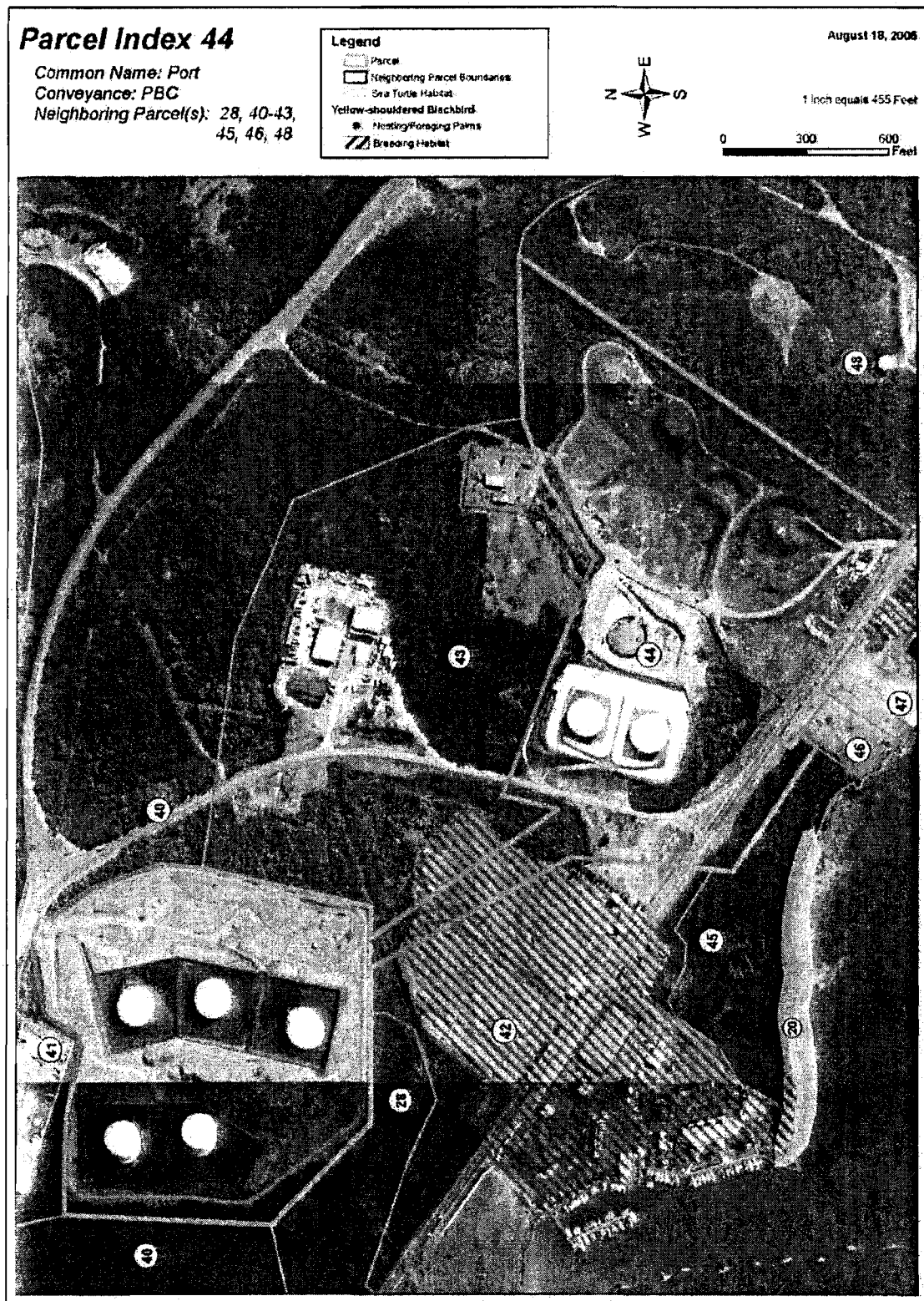
MAIN _____

ELECTRICAL _____



PUBLIC WORKS DEPARTMENT		U.S. NAVAL STATION	
ROADS & UTILITIES		ROOSEVELT ROADS, PUERTO RICO	
FWD		LAW KIT POWER DISTRIBUTION	
PROJECT NO. 100-1000		DATE 10/1/50	
DRAWN BY J. H. HARRIS		CHECKED BY J. H. HARRIS	
APPROVED BY J. H. HARRIS		DATE 10/1/50	
SCALE 1" = 100'		SHEET 1 OF 1	

*Parcel Map for the Disposal
of Naval Activity Puerto Rico*



Parcel Index 44

Common Name: Port
Conveyance: PBC
Neighboring Parcel(s): 28, 40-43,
45, 46, 48

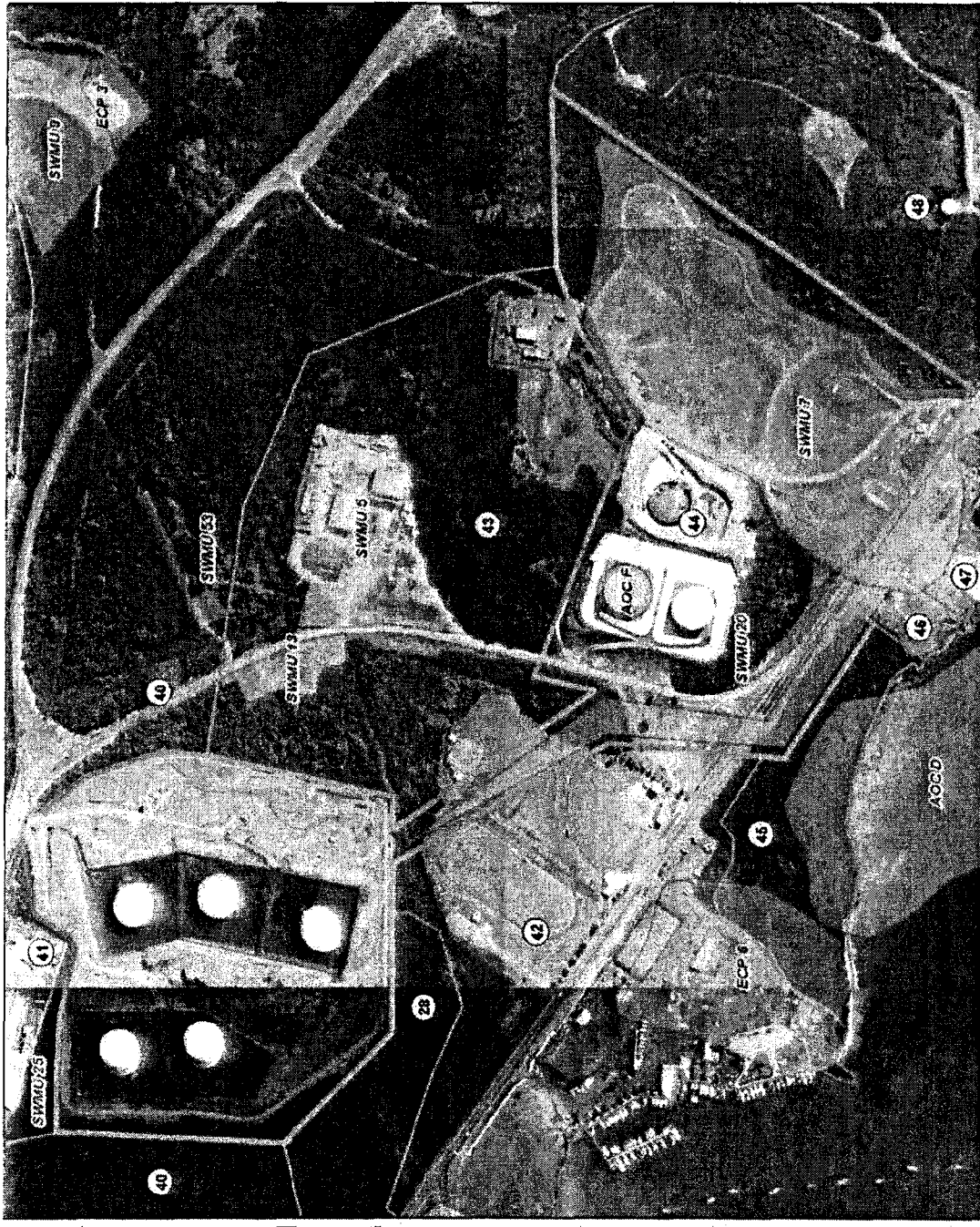
Legend	
	Parcel
	Neighboring Parcel Boundaries
Cleanup Status	
	Complete with Land Use Controls
	Complete
	Cleanup Remaining

August 18, 2005



1 inch equals 455 Feet

0 300 500 Feet



THREATENED AND ENDANGERED SPECIES CONSERVATION MEASURES—PARCEL 49

Common Name—Port

Conveyance—PBC

Neighboring Parcel(s)—47, 48, 51, 53, 54, 56

Yellow-shouldered Blackbird

GENERAL REQUIREMENTS

- Notify USFWS if a yellow-shouldered blackbird nest is found anywhere on the property (787-851-7297).
- Pesticide and herbicide applications must follow Commonwealth of Puerto Rico regulations.

Activity	Conservation Measures
Development Planning	Save as many existing on site palms and trees as possible in new development plans.
Demolition/Remodeling	Schedule activity from September 1 through March 14 or conduct outdoor survey of building(s) (ledges, etc.) and nearby trees (within 50 m of the building) for yellow-shouldered blackbird nests prior to start date if the activity is scheduled to occur between March 15 and August 30. Consult with USFWS if a yellow-shouldered blackbird nest is found.
Grounds Maintenance	No trimming or cutting of palms and trees between March 15 and August 30 except in an emergency (i.e., downed trees and palms from storms).
Building Maintenance	Check for yellow-shouldered blackbird nests prior to any outdoor building maintenance activities between March 15 and August 30. Determine identity of any bird nest found. Notify and consult with USFWS if a yellow-shouldered blackbird nest is found.
General Operations	Before moving parked outdoor equipment (e.g., carts, vehicles) check for yellow-shouldered blackbird nests (March 15-August 30). Notify USFWS if a yellow-shouldered blackbird nest is located.
Property Sale/Lease	Notify buyer/lessee of all mitigation requirements (see above) and include mitigation with all legal documents.

Sea Turtle

GENERAL REQUIREMENTS

- Consult with U.S. Fish and Wildlife Service (USFWS) and Puerto Rico Department of Environmental Resources (DNER) on all beach use plans and permit requirements.
- Notify USFWS if you observe an injured or dead turtle anywhere on the property (787-851-7297).
- Pesticide and herbicide applications must follow Commonwealth of Puerto Rico regulations.

***Parcel Map for the Disposal
of Naval Activity Puerto Rico***

Activity	Conservation Measures
Beach Development/Use	Implement all USFWS and Puerto Rico DNER lighting standards/requirements (includes parcels bordering the nesting area). Implement USFWS/ Puerto Rico DNER precautionary measures for sea turtles before, during, and after development activities. Establish a 50 m buffer zone between any developed or undeveloped site and the land edge of the sea turtle nesting beach.

NOTICE:

Consult with the U.S. Fish and Wildlife Service if you have any questions on the conservation measures. Property owners that cannot adhere to the conservation measures must consult with the U.S. Fish and Wildlife Service to seek a Section 10.0 permit for authorization to modify the identified critical habitat. Failure to comply with the identified conservation measures violates Section 9.0 and/or Section 10.0 of the Endangered Species Act. The U.S. Fish and Wildlife Service has the authority to prosecute violations under the Endangered Species Act.

***Parcel Map for the Disposal
of Naval Activity Puerto Rico***

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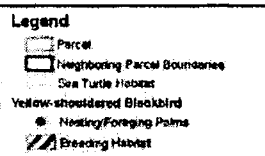
*Parcel Map for the Disposal
of Naval Activity Puerto Rico*

Parcel Index 49

Common Name: Port

Conveyance: PBC

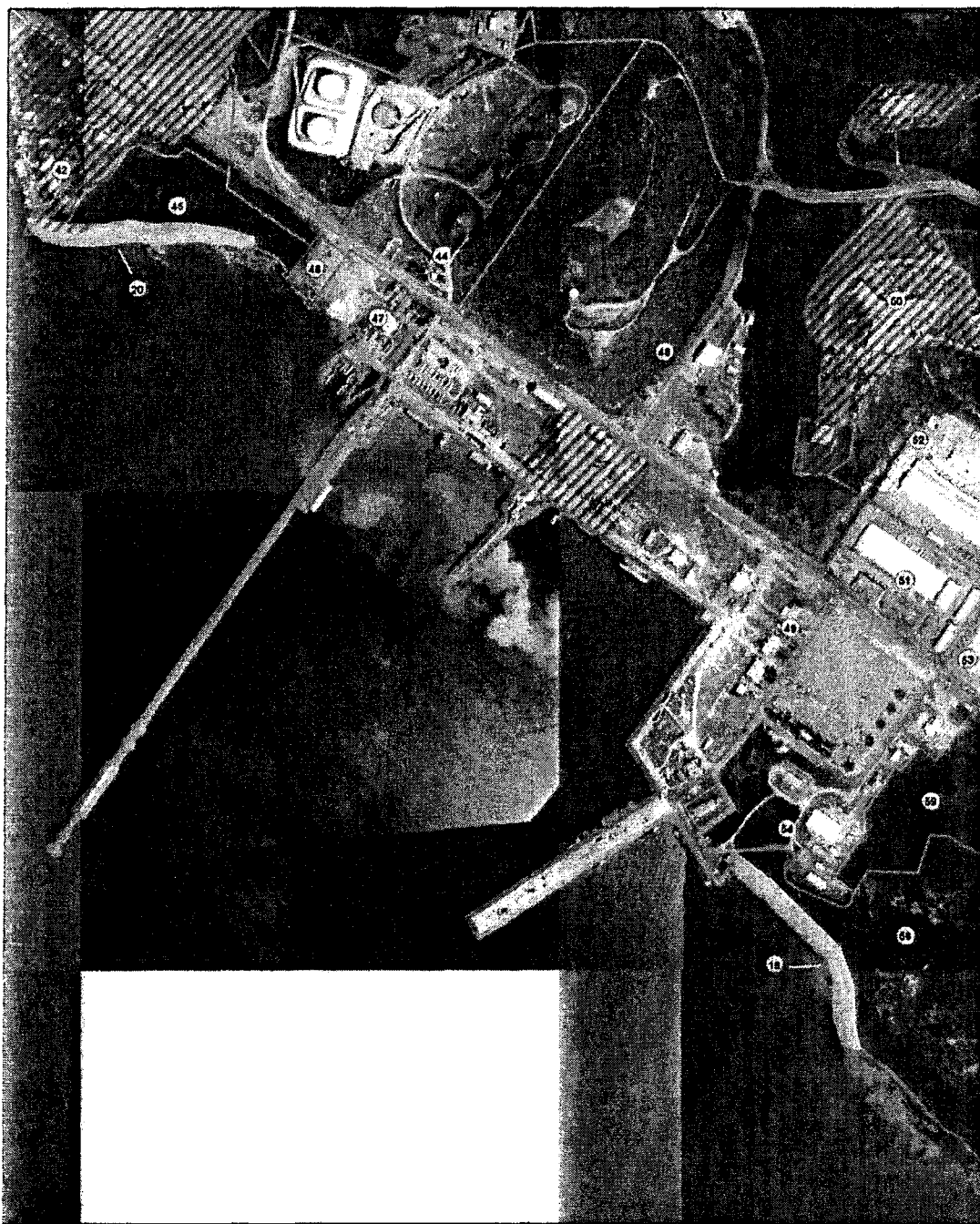
Neighboring Parcel(s): 47, 48, 51
53, 54, 58

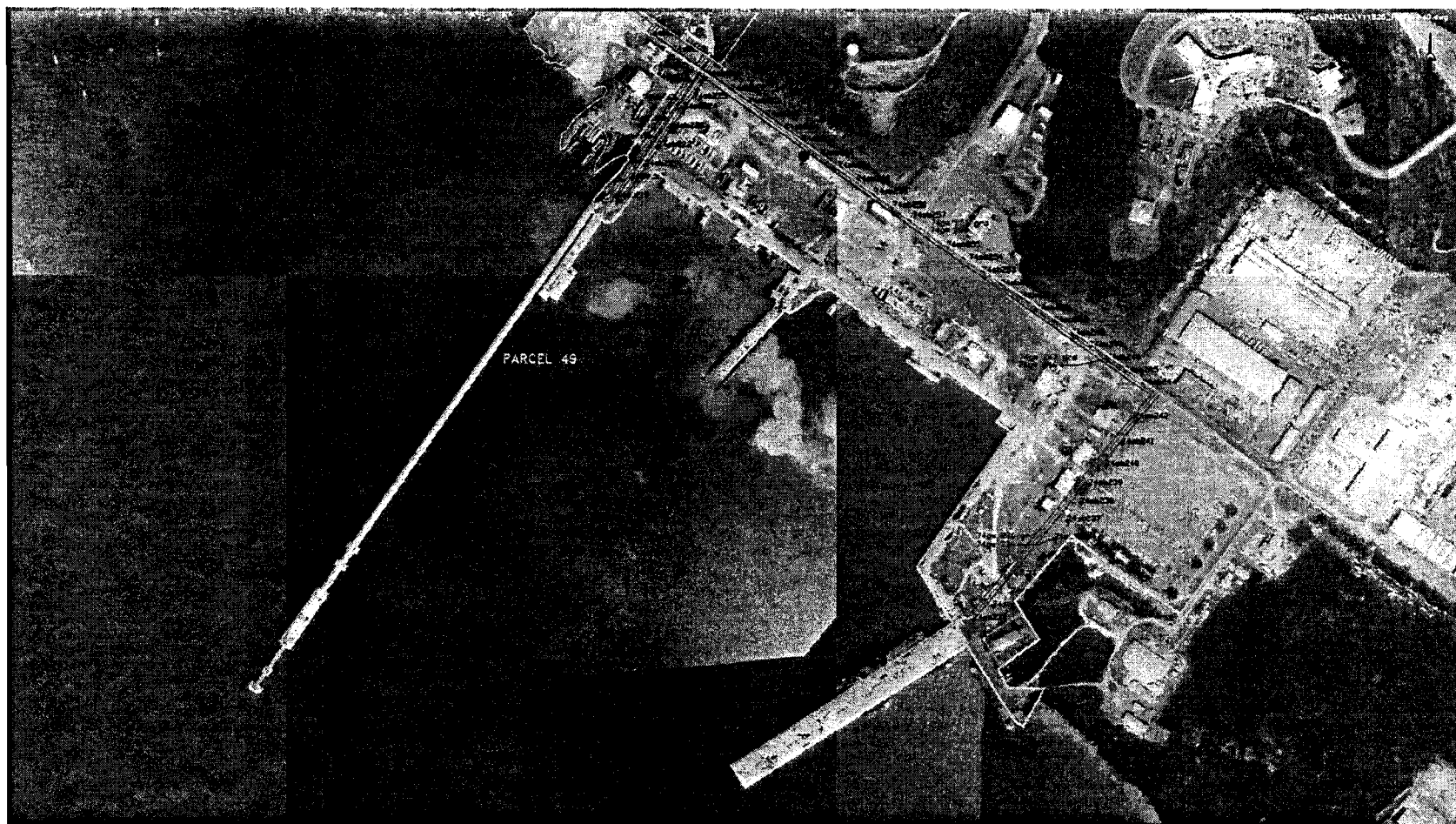


August 18, 2006

1 inch equals 723 Feet

0 500 1,000 Feet





450 0 225 450
1 inch = 450 ft.

Baker

LEGEND
 — PARCEL BOUNDARY
 — SWMU BOUNDARY
 — FUEL LINE
 + SAMPLES COLLECTED

**FIGURE —
 PARCEL 49**
 SWMU 74—FUEL PIPELINES AND
 HYDRANT PITS
 NAVAL ACTIVITY PUERTO RICO

SOURCE: GEO-MARINE, INC., SEPTEMBER 6, 2000

*Parcel Map for the Disposal
of Naval Activity Puerto Rico*

Parcel Index 49

Common Name: Port

Conveyance: PBC

Neighboring Parcel(s): 47, 48, 51
53, 54, 56

Legend

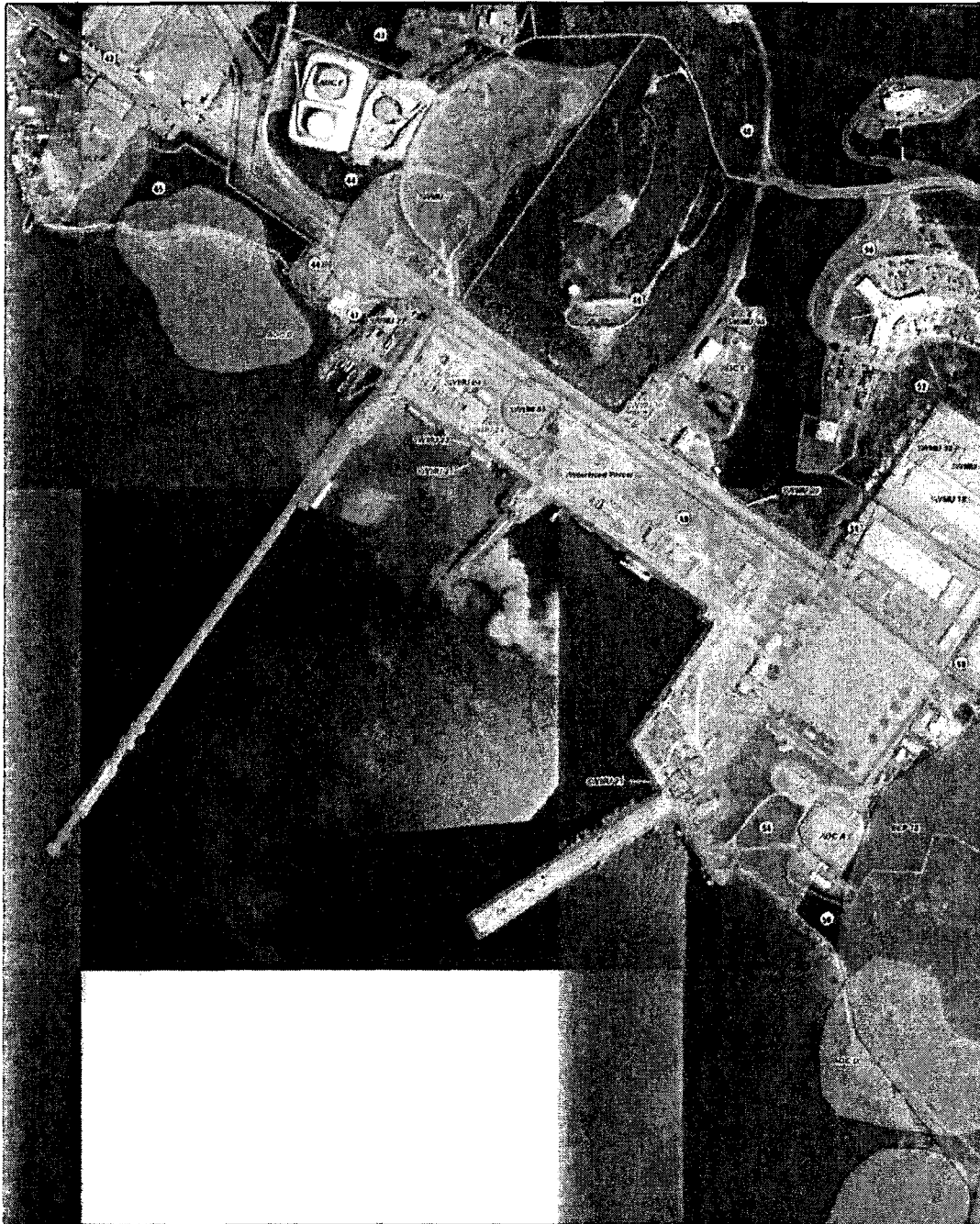
-  Parcel
-  Neighboring Parcel Boundary
-  Cleanup Status
 -  Complete with Land Use Controls
 -  Complete
 -  Cleanup Remaining

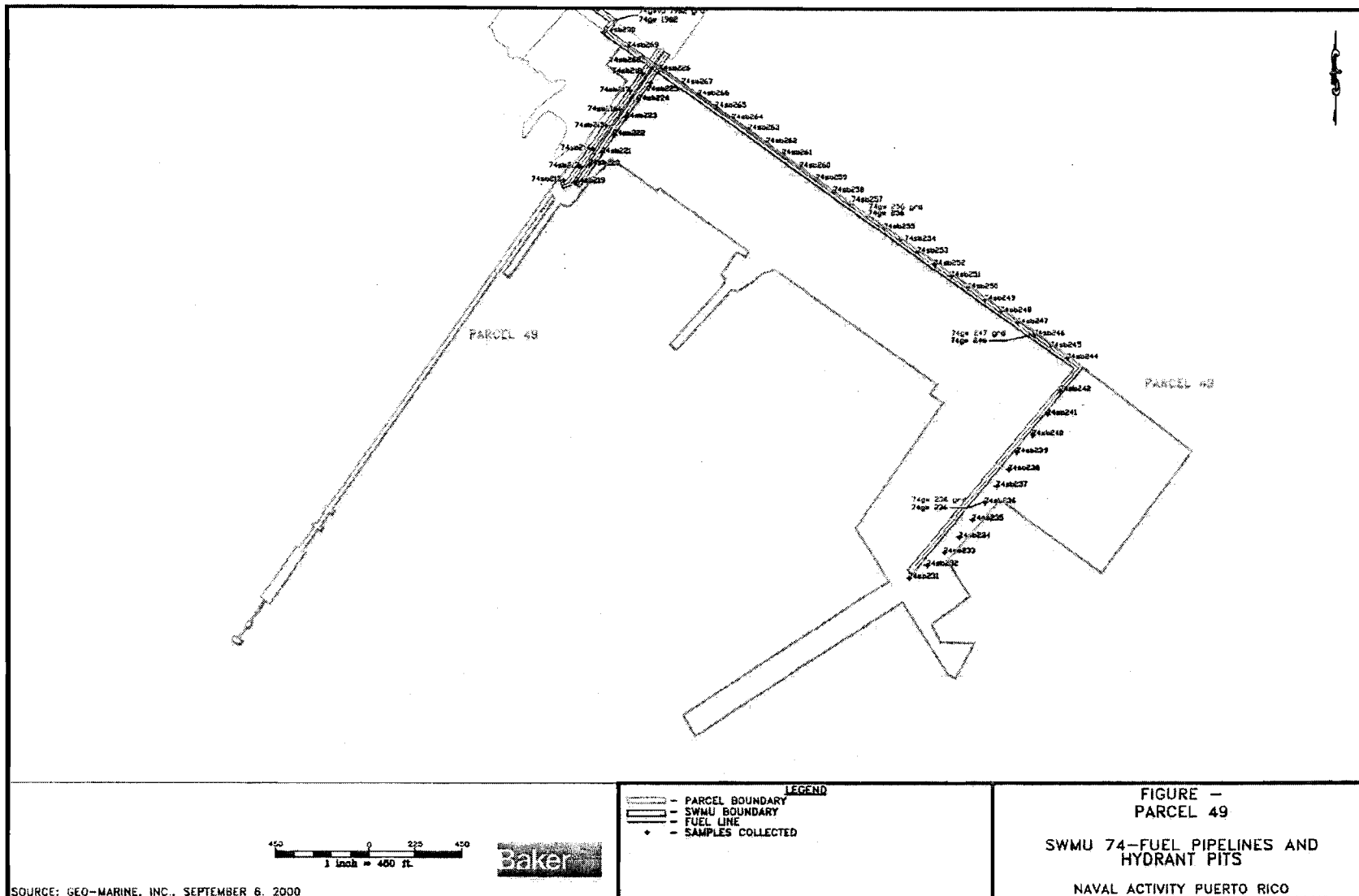
August 18, 2008



1 inch equals 723 Feet

0 500 1,000 Feet







SOURCE: GEO-MARINE, INC., SEPTEMBER 6, 2000

LEGEND

- PARCEL BOUNDARY
- - - SWMU BOUNDARY
- x-x- FUEL LINE
- SAMPLES COLLECTED

FIGURE -
PARCEL 44

SWMU 74-FUEL PIPELINES AND
HYDRANT PITS

NAVAL ACTIVITY PUERTO RICO

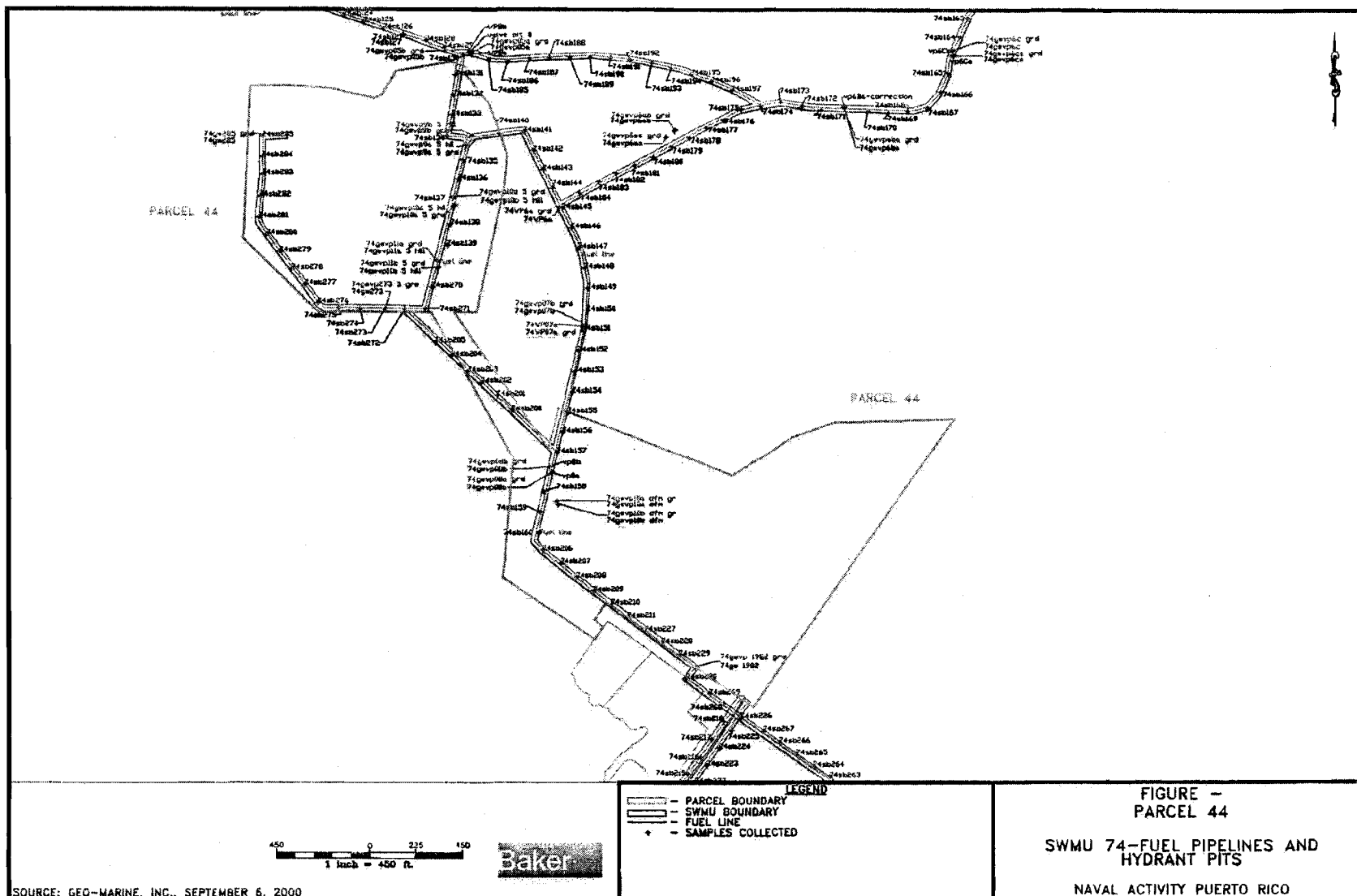


Exhibit D
Survey Maps

PANAMA PUERTO RICO MAPS PREPARED BY TRANSECO PROPERTY APP. PORT PARCEL LAYOUT 12/11/08 55

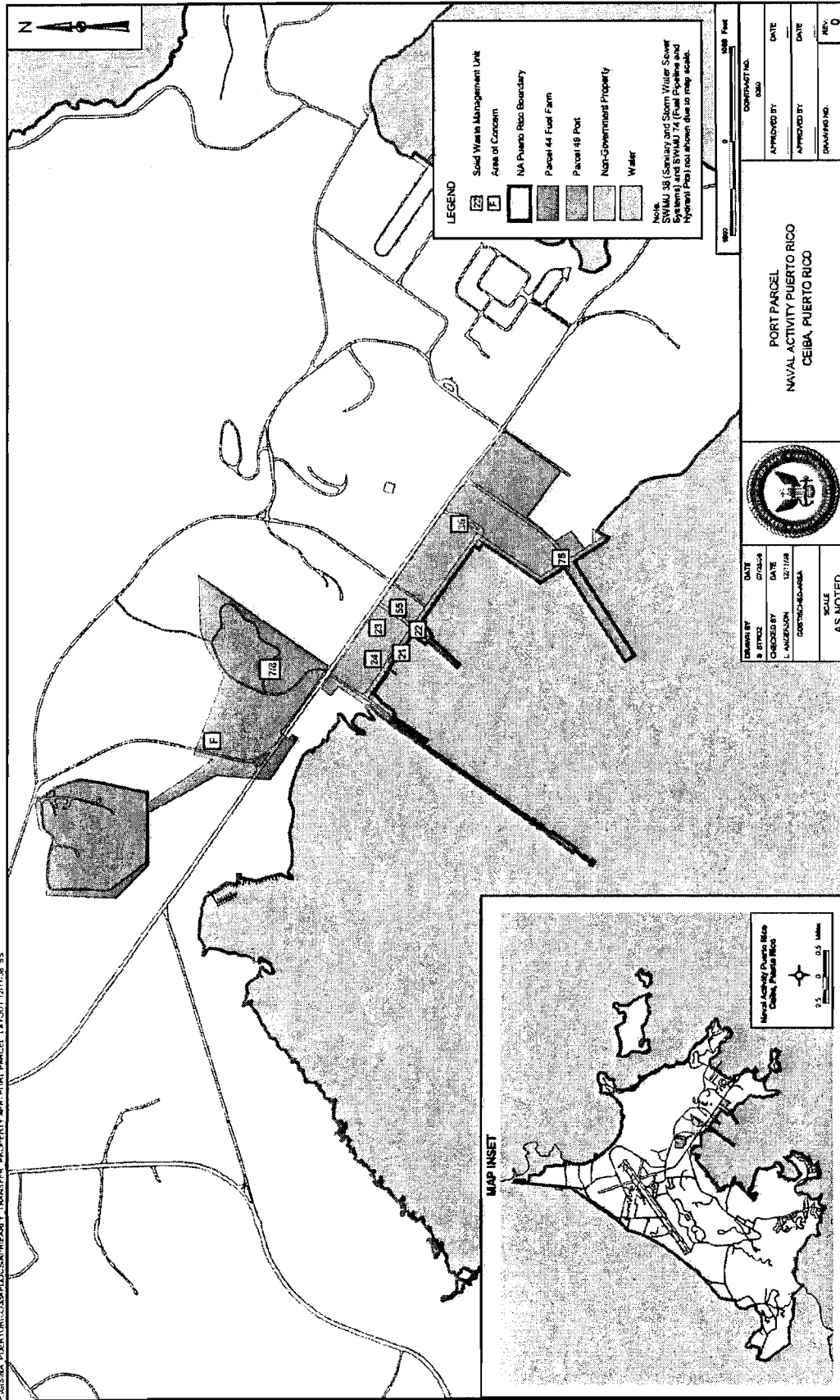


Exhibit E

Tables

Table 1
Naval Activity Puerto Rico
Port Parcel FOST
Facilities List
Page 1 of 2

Facility #	Former User	Name	Area	Unit	Yr Built
VP27	-	Valve Pit	-	-	0
192	FUELS	Petroleum Test Fuel Lab	4923	SF	1956
193	MWR	Toilet (Pier 1 Area)	139	SF	1955
266	SURFOPS	Fuel Pier 1	1322	SY	1943
267	SURFOPS	Pier 2 (Cargo)	1680	SY	1954
280	SURFOPS	Small Craft Berthing	-	-	1944
371	SURFOPS	Operational Storage	4000	SF	1958
799	SURFOPS	Berthing Pier #3	16040	SY	1966
843	SURFOPS	LST Ramp Bulkhead C	-	-	1963
890	-	Bulkheads A, B, C, D	2400	-	1965
896	SURFOPS	Valve Pit Pier #3	512	-	1966
976	SURFOPS	Hose Rack Shed	400	SF	1966
978	PWD	Shore POW Submarines Pier #3	650	-	1966
1706	BOYSCOUTS	Boy Scouts Charter	960	SF	1969
1739	NRL	Naval Research Lab	4,479	SF	1969
1756	HSG	Housing Storage/Warehouse	8000	SF	1974
1759	POST OFF	Fleet Post Office Pier Area	7505	SF	1973
1795	MULTI	U.S. Customs Office/NEX Laundry	5800	SF	1974
1796	NEX	Navy Exchange Complex	82606	SF	1973
1816	PWD	Hose House	2250	SF	1977
1940	-	POL (9) Pump Hse	5494	SF	-
1985	-	Vehicle Wash Rack Waterfront	156	SF	1978
1993	-	Sewage Pump Station Post Office	-	-	1978
2024	MWR	Pier #4/ITT Travel	4000	SF	1972
2036	PWD	Shore Support Building	2606	SF	1983
2040	FUELS	Hose Rack Fuel Division	1200	SF	1983
2086	SURFOPS	Flam Liqd Stge Bldg by SUROP	550	SF	1985
2127	-	Trans Sta by Sub-Sta #1742	-	-	1986
2160	-	Transformer by USO B1795	-	-	1978
2191	SURFOPS	Metal Shed (Bulkhead A) Pier 1	144	SF	1983
2197	-	Substa Pad Pier 2 Shore Power	330	-	1967
2238	-	UHF Antenna Harbor Comm WASP	-	-	1985
2242	MWR	Game Room/Telephone Center by USO	1600	SF	1987
2252	SURFOPS	Waterfront Operations Building	15356	SF	1987
2264	SURFOPS	Finger Pier BTW Pier 2 & 3	-	-	1987
2310	MWR	Shelter by Pier 3 Building 799	190	SF	1990
2314	SECURITY	MWR Stage (Old B46)	3600	SF	1991
2328	AFWTF	Storage Building/Waterfront by B2036	2500	SF	1991
2330	SURFOPS	Oil Spill Storage by B2552	2500	SF	1989
2346	SURFOPS	Fuel Mooring Facility	-	-	1993
2350	AFWTF	Supply Storage Building	4000	SF	7348
2351	SECURITY	Security Boathouseby by B2252	5200	SF	1995
2384	PWD	New Generator Building by B1971	143	SF	1994

List based on 2003 NAPR base map (Base map - PREnew 11-2003.pdf), July 2001 Building Utilization List, List of Buildings To Be Inspected For Asbestos from June 2005 Asbestos Inspection Report, and field verification by NAPR personnel.

Table 1
Naval Activity Puerto Rico
Port Parcel FOST
Facilities List
Page 2 of 2

- Information not available or unknown

AFWTF	Atlantic Fleet Weapons Training Facility
HSG	Housing
POST OFF	Post Office
PWD	Public Works Department
MULTI	Multiple Users
MWR	Morale, Welfare and Recreation
NRL	Naval Research Laboratory
SURFOPS	Surface Operations

Table 2
Naval Activity Puerto Rico
Port Parcel FOST
Solid Waste Management Units Summary and Status
Page 1 of 3

Parcel	SWMU No.	Description	CERFA ²	RCRA Status	Investigation and Remedial Action Summary and Status	Media Affected / Key Contaminants	Site Specific Land Use Controls	Current RCRA Phase	Remaining Work Required
Port	7/8	Tow Way Fuel Farm (incl. free product plumes and sludge disposal pits) SWMU 7 is an area affected by releases from numerous large, partially in-ground, concrete fuel storage tanks dating from the 1940s. Constructed prior to 1957, the fuel farm originally consisted of nine underground storage tanks (USTs) containing diesel fuel marine (DFM), Bunker C fuel, and jet fuel (JP-5). That number has since been reduced to seven by the removal of two tanks. Over the years, spills have occurred and tanks have leaked. SWMU 8 is comprised of unlined earthen pits adjacent to the TWFF fuel tanks. Sludges from the tanks were buried and covered with soil when the fuel tanks were periodically cleaned. SWMU 8 has been combined with SWMU 7 because the SWMUs are next to each other and the contaminants are the same and comingled.	3	ICM/CMI	IRP Round 1 (1986) groundwater monitoring found benzene above the Maximum Contaminant Level (MCL) for drinking water and a free product layer underground. A full RFI of soil and groundwater was required by the permit. A free product recovery system is operating at the site as an Interim Corrective Measure (ICM) to stop the free product from spreading. CMS Approved 2/06; Statement of Basis (SoB) approved 1/07. Continue the ICM consisting of monthly gauging, free product removal, and development of Quarterly Progress Reports. The Consent Order requires implementation of the Revised Final CMS Work Plan.	GW, Subsurface and Surface Soil, Sediment - metals, SVOCs, VOCs	1, 2, 4	Continue operation of ICM until implementation of CMI in accordance with the CMS.	CMI Work Plan and implementation of CMI in accordance with the CMS.
Port	21	Mobile Floating Tanks Four mobile, floating tanks ("donuts") utilized in the clean-up of marine oil/fuel spills. The spilled oil/fuel was gathered by skimmers and then pumped into the "donuts", which transport the collected oil/fuel/water mixture to a dock or other transfer point.	1	CAC w/out Controls	These donuts were basically transport vehicles, not units in which hazardous wastes were stored. Therefore, these tanks are not SWMUs, and an RFI was not required. No Further Action determination from 1994 Part B Permit.	NA		NA	None
Port	22	Mobile Barges/SWOBs Ship waste offload barges (SWOBs) used to collect and transport bilge and ballast water from ships and oil/fuel from marine spills. These barges are transport vehicles, not units in which hazardous wastes are stored. Therefore, they are not SWMUs, and a RFI was not required.	1	CAC w/out Controls	These barges were transport vehicles, not units in which hazardous wastes were stored. Therefore, they are not SWMUs, and an RFI was not required. No Further Action determination from 1994 Part B Permit.	NA		NA	None
Port	23	Oil Spill Separator Tanks Three rectangular, steel oil/water separator tanks underlain by a curbed, concrete pad. Located approximately 100 feet inland from the Fuel Pier, and partially surrounded by asphalt pavement. These tanks acted as first stage gravitational oil/water separators for bilge and ballast water and oil/fuel/water mixtures from spills transferred from SWOBs and "donuts" (SWMUs #21 and 22). During both the 1988 VSI and the 1993 follow-up inspection, the concrete pad and adjacent areas of asphalt pavement and soil were heavily stained.	2	CAC with Controls	Benzo(a)pyrene in one soil sample exceeded its residential Risk-Based Concentration (RBC); however, the concentration did not trigger an unacceptable human health risk. Because of the location of this SWMU within an industrial zone, the RFI stated this site will never be utilized for residential development. There were no releases of hazardous waste or hazardous constituents evident at this site. The RFI did not recommend any further characterization efforts or corrective measures at this site. The Consent Order designated the SWMU Corrective Action Complete with Controls (i.e., a land use restriction to prohibit residential land use). A Land Use Control Plan was submitted to EPA in January 2008.	Soil - benzo(a)pyrene < industrial, TPH	1	NA	None
Port	24	Oil Spill Oil/Water Separator and Adjoining Pad (VC-8 Bldg 1625) In-ground, concrete, oil/water separator that served as the second stage separator of bilge and ballast water and marine oil/fuel spills. This SWMU is surrounded by asphalt paving on three sides, and bare ground on one side. Staining of the asphalt was observed during the 1993 follow-up inspection. Also, during the 1993 follow-up inspection, a bermed pad, with heavy oil staining, was identified as part of this SWMU.	2	CAC w/out Controls	RFI did not find any evidence of a release. The Consent Order designated this site Corrective Action Complete without Controls.	NA		NA	None

Table 2
Naval Activity Puerto Rico
Port Parcel FOST
Solid Waste Management Units Summary and Status
Page 2 of 3

Parcel	SWMU No.	Description	CERCLA	RCRA Status	Investigation and Remedial Action Summary and Status	Media Affected / Key Contaminants	Site Specific Land Use Controls	Current RCRA Phase	Remaining Work Required
Port	36	Vehicle Wash Rack Oil/Water Separator (Berthing Pier) Inground, concrete oil/water separator located near the Berthing Pier within the Ensenada Honda. This separator was used to collect and separate oil and washwaters generated during vehicle washdown. No evidence of releases was reported during the 1988 VSI, or 1993 follow-up inspection.	1	CAC w/out Controls	No Further Action determination from 1994 Part B Permit. No knowledge or evidence of systematic and routine releases of hazardous wastes or constituents from this unit. No evidence of release was reported during the 1988 VSI or the 1993 follow-up inspection. RFI was not required. Visual re-inspection of unit was conducted during the ECP field work; no visual evidence of release was observed.	NA	None	NA	None
Basewide	38	Sanitary and Storm Water Sewer Systems Below ground sanitary and storm sewer systems.	3	CAC w/out Controls	No Further Action determination from 1994 Part B Permit carried over to Consent Order. No knowledge or evidence of systematic and routine releases of hazardous wastes. An RFI was not required. The "CAC w/out Controls" shown for SWMU 38 is contingent, under the 2007 RCRA Consent Order between the Navy and EPA, on the Navy fully addressing any releases that may have impacted the sanitary and/or storm sewer water sewer systems (i.e., SWMU 38) as a release(s) from either SWMUs 4, 12, 13 and 14, and/or from any other SWMU at the NAPR facility, where releases have impacted the sanitary and/or storm water sewer systems.	NA	None	NA	None
Port	55	TCE Plume near Tow Way Fuel Farm (formerly part of SWMU 7) Groundwater investigations at the Tow Way Fuel Farm (SWMU 7) detected the presence of TCE and associated compounds. These constituents were not historically detected in groundwater at SWMU 7 and were not related to historic activities at SWMU 7. For these reasons, the TCE plume was considered a separate source of contamination from SWMU 7 and thus identified as SWMU 55.	3	CMS	Final TCE Plume Delineation and Source Investigation Report recommended a CMS for SWMU 55 in August 2004. CMS Final Report was developed and recommended the performance of a pilot test injecting sodium permanganate to evaluate the oxidation technology at SWMU 55. The CMS needs to be initiated at SWMU 55.	GW - TCE	1, 4	Implementation of the CMI in accordance with the CMS.	CMI Work Plan and implementation of CMI in accordance with the CMS.
Airfield, Ports, 3	74	Fuel Pipelines and Hydrant Pits On the Subject Property, this site consists of specific portions of the JP-5 fuel pipeline, and the aircraft hydrant refueling pits. In 1995, an evaluation of the integrity of specific portions of the base POL system identified a leak at a JP-5 fuel line valve pit between Hangar 200 and the main runway. Interviews indicated that numerous small spills and leaks of jet fuel have occurred at the aircraft hydrant refueling pits since they went into operation in the early 1960s.	3	CMS	ECP Phase I/II sample locations indicating contaminant releases associated with this SWMU on the Subject Property were Valve Pit 8 and USTs 381, 1084 and 1086. The Navy submitted a CMS Work Plan to complete site characterization and the CMS. The work plan includes additional characterization along the underground fuel lines in the Subject Property. Phase I of the CMS investigation was conducted in May 2008. Report on the findings of Phase I of the CMS investigation is underway, and will identify areas needing further study.	Soil, GW - fuel related compounds	1	CMS Investigation	CMS/SoE/CMI
Port	75	Building 803 Pump house for the former emergency fire deluge system located in the Waterfront area next to Pier 3. The floor of the building is constructed with an access area/manway that leads directly into Ensenada Honda. During inspections, releases of suspected waste oil and diesel fuel throughout the floor of the building were noted. Additionally, numerous discarded oil filters and three batteries were identified during the site inspection.	3	RFI	PCBs were the primary concern at this site and were not detected; however wipe samples collected to characterize the interior of the building indicate potential contamination resulting from past activities. Therefore, the Consent Order required an RFI for this site. The Final RFI work plan was submitted to EPA December 20, 2007.	Interior surfaces - bis(2-ethylhexyl)phthalate, di-n-butylphthalate, metals	Access to building interior restricted.	RFI	Implement RFI and follow on work

Table 2
Naval Activity Puerto Rico
Port Parcel FOST
Solid Waste Management Units Summary and Status
Page 3 of 3

Parcel	SWMU No.	Description	CERFA ^a	RCRA Status	Investigation and Remedial Action Summary and Status	Media Affected / Key Contaminants	Site Specific Land Use Controls	Current RCRA Phase	Remaining Work Required
Port	AOC F (MNA 1095)	Site of 1 current AST (inactive and empty; Bldg 1995) One of seven former UST sites and one current AST site that comprise the AOC F MNA sites at NAPR (the other six are on other parcels). After the removal of the USTs and the subsequent investigations and reports, the sites were recommended for remedial action by MNA with separate protocols for each site, including soil sampling and/or groundwater sampling on a quarterly or annual basis depending upon the site.	3	MNA	Submitted MNA Work Plan to EPA October 9, 2007. EPA contingently approved the MNA Work Plan April 10, 2008. The first round of sampling under the new work plan was conducted in May 2008. The report is presently under development and will be submitted in August 2008.	GW - TPH	4	MNA monitoring	Continuation of MNA monitoring program in accordance with MNA Work Plan
^a CERFA categories:									
1 - CERFA Clean - areas where no release or disposal of hazardous substances or petroleum products or their derivatives has occurred.									
2 - All Actions Complete - areas where the release, disposal, or migration, or some combination thereof, of hazardous substances, or									
3 - Additional Action Required - Areas where a confirmed or suspected release, disposal, migration, or some combination thereof, of									
Land Use Controls									
1 - Non-Residential Use Only									
2 - Soil and/or Sediment: Access and/or Invasive Activity Restriction									
3 - Surface Water: Access and/or Use Restriction									
4 - Groundwater: Use and Well Installation Restriction									
Acronyms and Abbreviations									
AOC	Area of Concern			MCL	Maximum Contaminant Level				
AST	Aboveground Storage Tank			MNA	Monitored Natural Attenuation				
CAC	Corrective Action Complete determination			NEX	Navy Exchange				
CERFA	Community Environmental Response Facilitation Act			NPDES	National Pollutant Discharge Elimination System				
CM	Corrective Measures Implementation			OB/OD	Open Burning/Open Detonation				
CMS	Corrective Measures Study			PAH	Polynuclear Aromatic Hydrocarbon				
COC	Chemical of Concern			PCB	Polychlorinated Biphenyl				
COPC	Chemical of Potential Concern			POL	Petroleum, Oils and Lubricants				
DFM	Diesel Fuel Marine			RBC	Risk-Based Concentration				
ECP	Environmental Condition of Property			RFI	RCRA Facility Investigation				
EPA	Environmental Protection Agency			SoB	Statement of Basis				
ICM	Interim Corrective Measure			TCE	Trichloroethene				
IRP	Installation Restoration Program			TWFF	Tow Way Fuel Farm				
JP-5	Jet Propulsion Fuel			UST	Underground Storage Tank				
GW	Groundwater			VOC	Volatile Organic Compound				

Table 3
Naval Activity Puerto Rico
Port Parcel FOST
OWS, AST, UST List
Page 1 of 2

Number	Type	Location or User	Capacity	Material Stored	Year Installed	Year Removed
193	OWS	Aircraft Fuel Truck Area - Hose Stg	-	NA	-	NA
266	OWS	Pier 1	-	NA	-	NA
382	OWS	Aircraft Fuel Truck Area	-	NA	-	NA
443	OWS	Aircraft Fuel Truck Area - Parking	-	NA	-	NA
799	OWS	Oil Pollution Control System - Pier 3	-	NA	-	NA
1982	OWS	Fuel Pump House Facility	-	NA	-	NA
1985	OWS	Vehicle Wash Rack - Surface Ops	-	NA	-	NA
2036	OWS	Shore Support Bldg (fiberglass repair shop)	-	NA	-	NA
2311	OWS	Temporary Wash Rack	-	NA	-	NA
2364	OWS	Heavy Equipment Wash Area	-	NA	-	NA
BOWTS 1	AST	PWD	50,000	Oily Wastewater	-	NA
BOWTS 2	AST	PWD	50,000	Oily Wastewater	-	NA
BOWTS 3	AST	PWD	1,000	Used Oil	-	NA
BOWTS 4	AST	PWD	1,000	Used Oil	-	NA
BOWTS 5	AST	PWD	1,000	Used Oil	-	NA
56C	AST	PWD	5,000	Used Oil	-	NA
803	AST	PWD	275	Used Oil	-	NA
1995	AST	Fuels Division (MNA Site)	4,200,000	DFM	-	NA
1996	AST	Fuels Division	4,200,000	DFM	-	NA
2036	AST	FRT	2,000	Used Oil	-	NA
2250	AST	FRT	12,000	Used Oil	-	NA
2270	AST	Fuels Division	4,200,000	JP-5	-	NA
2271	AST	Fuels Division	4,200,000	JP-5	-	NA
2272	AST	Fuels Division	4,200,000	JP-5	-	NA
2273	AST	Fuels Division	4,267,000	JP-5	-	NA
2274	AST	Fuels Division	4,200,000	JP-5	-	NA
2437	AST	Fuels Division	4,200,000	DFM	-	NA
82	UST	DFM Hill, Tow Way Fuel Farm (SWMU 7/8)	2,115,000	DFM/Empty	1940	NA
83	UST	DFM Hill, Tow Way Fuel Farm (SWMU 7/8)	1,157,000	DFM/Empty	1940	NA
84	UST	DFM Hill, Tow Way Fuel Farm (SWMU 7/8)	585,000	None/Empty	1944	NA
85	UST	DFM Hill, Tow Way Fuel Farm (SWMU 7/8)	1,152,000	None/Empty	1944	NA
381	UST	West of bulk fuel ASTs 2270-2274 (SWMU 74)	1,180,000	JP-5/Empty	1955	NA
1080	UST	Tow Way Fuel Farm (SWMU 7/8)	1,165,000	DFM/Empty	1968	NA
1082	UST	Tow Way Fuel Farm (SWMU 7/8)	1,165,000	DFM/Empty	1968	NA
1084	UST	By ASTs 2270-2274 (SWMU 74)	1,181,000	JP-5/Empty	1968	NA
1086	UST	By ASTs 2270-2274 (SWMU 74)	1,181,000	JP-5/Empty	1968	NA
1088	UST	Tow Way Fuel Farm (SWMU 7/8)	425,000	JP-5/Empty	1968	NA
1982	UST	Fuels Pump Station	550	Waste Oil/Empty	1996	NA

Table 3
Naval Activity Puerto Rico
Port Parcel FOST
OWS, AST, UST List
Page 2 of 2

Number	Type	Location or User	Capacity	Material Stored	Year Installed	Year Removed
55	Former UST	DFM Hill (SWMU/7/8)	5,000	Unknown	-	1997
56A	Former UST	Bldg 564	15,000	DFM	1996	2003
56A	Former UST	Bldg 56	10,500	DFM	-	1996
56B	Former UST	Bldg 56	15,000	DFM	1996	2003
56B	Former UST	Bldg 56	10,500	DFM	-	1996
99	Former UST	DFM Hill (SWMU/7/8)	10,000	Unknown	-	1993
382	Former UST	North of bulk fuel AST 2272	550	Waste JP-5	-	1996

AST Aboveground Storage Tank
BOWTS Bilge and Oily Wastewater Treatment System
DFM Diesel Fuel Marine
FRT Facility Response Team
JP Jet Propulsion (Fuel)
MNA Monitored Natural Attenuation
NA Not Applicable
OWS Oil Water Separator
PWD Public Works Division
SWMU Solid Waste Management Unit
UST Underground Storage Tank
- Information not available or unknown

Table 4
Naval Activity Puerto Rico
Port Parcel FOST

Asbestos-Containing Material Inspection Results

Facility #	Name	ACM Identified	Comments
VP27	Valve Pit	NI	
192	Petroleum Test Fuel Lab	Y	
193	Toilet (Pier 1 Area)	N	
266	Fuel Pier 1	NI	
267	Pier 2 (Cargo)	NI	
280	Small Craft Berthing	NI	
371	Operational Storage	N	
799	Berthing Pier #3	NI	
843	LST Ramp Bulkhead C	NI	
890	Bulkheads A, B, C, D	NI	
896	Valve Pit Pier #3	NI	
976	Hose Rack Shed	N	
978	Shore POW Submarines Pier #3	NI	
1706	Boy Scouts Charter	Y	
1739	Naval Research Lab	Y	
1756	Housing Storage/Warehouse	N	
1759	Fleet Post Office Pier Area	N	
1795	U.S. Customs Office/NEX Laundry	Y	
1796	Navy Exchange Complex	N	
1816	Hose House	NI	
1940	POL (9) Pump Hse	NI	
1985	Vehicle Wash Rack Waterfront	NI	
1993	Sewage Pump Station Post Office	NI	
2024	Pier #4/ITT Travel	N	
2036	Shore Support Building	N	
2040	Hose Rack Fuel Division	N	
2086	Flam Liqd Stge Bldg by SUROP	N	
2127	Trans Sta by Sub-Sta #1742	NI	
2160	Transformer by USO B1795	NI	
2191	Metal Shed (Bulkhead A) Pier 1	NI	
2197	Substa Pad Pier 2 Shore Power	NI	
2238	UHF Antenna Harbor Comm WASP	NI	
2242	Game Room/Telephone Center by USO	Y	
2252	Waterfront Operations Building	N	
2264	Finger Pier BTW Pier 2 & 3	NI	
2310	Shelter by Pier 3 Building 799	N	
2314	MWR Stage (Old B46)	NI	
2328	Storage Building/Waterfront by B2036	N	
2330	Oil Spill Storage by B2552	N	
2346	Fuel Mooring Facility	NI	
2350	Supply Storage Building	N	
2351	Security Boathouse by B2252	N	
2384	New Generator Building by B1971	N	

Notes: Y = Yes
N = No
NI = Not Inspected
Hazard = friable, accessible and damaged asbestos (none identified)

Source: Final Asbestos Inspection Report for Naval Activity Puerto Rico, Ceiba, Puerto Rico
(Baker, June 2005)

Exhibit F
CERFA Concurrence

**CERFA Identification of Uncontaminated Property
Former Naval Station Roosevelt Roads, Puerto Rico**

Accordingly, this CERFA Uncontaminated Property Report reflects final site categorizations that may differ from those presented in the Final ECP report.

In summary, all NAPR property not otherwise identified as sites belonging to Categories 2 or 3 are classified as "CERFA Clean" (i.e. uncontaminated) as defined in CERFA [§9620 (h)(4)(A)]. The bulk of the NAPR acreage is classified as such. Of the approximately 8,400 acres of NSRR property, about 7,000 acres have been identified as "CERFA Clean" (i.e., Category 1). Figure 1 depicts the results of this classification.

Included in the CERFA Clean classification are a total of 14 SWMUs. Ten of these SWMUs were identified by EPA in the 1994 RCRA Part B permit, and an additional four sites were identified by the ECP. All 14 of these sites were originally identified based on a suspected release or disposal activity, but subsequent investigations determined that no release or disposal activity occurred. EPA has indicated their concurrence with this determination in the draft §7003 Order on Consent by designating each of these sites as having achieved "corrective action complete without controls" designation. The SWMUs and ECP sites designated as CERFA Clean are SWMUs 5, 15, 20, 21, 22, 47, 48, 49, 50, 52, 63 (ECP 9), 64 (ECP 10), 65 (ECP 11), and 66 (ECP 12). These sites are presented in Table 1.

The remaining property has been classified as Category 2 or 3 and as such is not qualified for designation as CERFA Clean.

Submitted



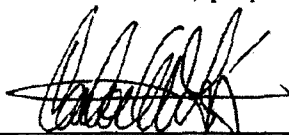
R. DAVID CRISWELL, P. E.
BRAC Environmental Coordinator

8/27/06

Date

Concurrence

Concurrence with CERFA Identification of Uncontaminated Property is indicated by signature below. This concurrence applies only to the identification of "CERFA Clean" (i.e. uncontaminated) property, identified in this document as ECP Category 1.



Carlos Lopez Freytes, President
Environmental Quality Board
Commonwealth of Puerto Rico

8/11/06

Date

Exhibit G

Lead-Based Paint Hazard Advisory

**LEAD-BASED PAINT HAZARD
DISCLOSURE AND ACKNOWLEDGEMENT FORM**

LEAD WARNING STATEMENT

YOU ARE ADVISED THAT STRUCTURES CONSTRUCTED PRIOR TO 1978 MAY PRESENT EXPOSURE TO LEAD FROM LEAD-BASED PAINT THAT MAY PLACE YOUNG CHILDREN AT RISK OF DEVELOPING LEAD POISONING. LEAD POISONING IN YOUNG CHILDREN MAY PRODUCE PERMANENT NEUROLOGICAL DAMAGE. YOU ARE FURTHER ADVISED THAT LEAD POISONING ALSO POSES A PARTICULAR RISK TO PREGNANT WOMEN. WORKERS MAY ALSO SUFFER ADVERSE HEALTH EFFECTS FROM LEAD DUST AND FUME EXPOSURE

ACKNOWLEDGEMENT

I acknowledge that:

1. I have read and understand the above stated Lead Warning Statement;
2. I have received from the Federal Government the following document(s): *Phase I/II Environmental Condition of Property Report, Former Naval Station Roosevelt Roads, Ceiba, Puerto Rico* and *Finding of Suitability to Transfer – Port Parcel, Naval Activity Puerto Rico, Ceiba, Puerto Rico* representing the best information available to the Government as to the presence of Lead-Based Paint and Lead-Based Paint hazards for the buildings covered by this Transfer;
3. I understand that my failure to inspect, or to become fully informed as to the condition of all or any portion of the property offered will not constitute grounds for any claim or demand for adjustment or withdrawal of any bid or offer made after its opening or tender; and
4. I understand that upon execution of this Transfer, I shall assume full responsibility for preventing future lead exposure by properly managing and maintaining or, as required by applicable Federal, state, or local laws or regulations, for abating any lead-based paint hazard that may pose a risk to human health.

Transferee (or duly authorized agent)

Date

Exhibit H

CERCLA Hazardous Substance Notice and Response Action Summary

Naval Activity Puerto Rico
Port and Fuel Farm Parcels
CERCLA Hazardous Substance Notice/Response Action Summary
Page 1 of 3

The table below identifies those hazardous substances that it is known, based upon a complete search of agency files, were stored for one year or more in quantities greater than or equal to 1,000 kg (or greater than or equal to 1 kg if designated an acutely hazardous waste under 40 CFR Part 261.30) and/or were released or disposed of on the property to be transferred in quantities greater than or equal to their respective reportable quantities under 40 CFR 302.4. The information in this notice is required under the authority of regulations promulgated under Section 120(h) of the Comprehensive Environmental Response, Compensation and Liability Act ("CERCLA" or "Superfund"), 42 U.S.C. Section 9620(h).

Bldg or Facility ID	Description	Substance Name	CAS Registry Number	40 CFR 302.4 Regulatory Synonyms	RCRA HW No.	Quantity Stored	Date of Storage	Quantity Released	Date of Release	Response Actions Taken
2086	Surface Operations	HWAA - see SWMUs 17 & 18	---	---	---	---	---	---	---	---
SWMU 8	Tow Way Road Sludge Burial Pits	Lead	7439921	---	D008	Unknown	1972 or 1973 to Present	Unknown	1972 or 1973 to Present	---
		Bunker C Fuel Sludge	---	---	---	3,900-7,500 cubic yards	1972 or 1973 to Present	3,900-7,500 cubic yards	1972 or 1973 to Present	---
						Capacity = 17,400 gals	1980-2004	Unknown	Unknown	---
SWMU 17	DRMO HW Storage Facility (non-flammable wastes) - not on Subject Property, but received wastes from various port and/or fuel farm operations.	Various non-flammable hazardous wastes	---	---	---	---	---	---	---	---
		Lead	7439921	---	D008	Unknown	1980-2004	Unknown	Unknown	---
		Potassium Hydroxide	1310583	---	D002	Unknown	1980-2004	Unknown	Unknown	---
		Sodium Hydroxide	1310732	---	D002	Unknown	1980-2004	Unknown	Unknown	---
		Beryllium Dust	7440417	---	P015	Unknown	1980-2004	Unknown	Unknown	---
		Lithium/Sulfur Dioxide Batteries	---	---	D003	Unknown	1980-2004	Unknown	Unknown	---
		Nickel/Cadmium Batteries	---	---	D003, D006	Unknown	1980-2004	Unknown	Unknown	---
		Mercury Batteries	---	---	D009	Unknown	1980-2004	Unknown	Unknown	---
		Mercury Batteries in Acetic Acid	---	---	D002, D009	Unknown	1980-2004	Unknown	Unknown	---
		Aid to Navigation (AtoN) Batteries	---	---	D002	Unknown	1980-2004	Unknown	Unknown	---
		Alkaline Batteries	---	---	D002	Unknown	1980-2004	Unknown	Unknown	---
		Lead/Acid Batteries	---	---	D002, D008	Unknown	1980-2004	Unknown	Unknown	---
		Lead/Acid Batteries (Drained)	---	---	D002	Unknown	1980-2004	Unknown	Unknown	---
		Battery Electrolyte	---	---	D002, D008	Unknown	1980-2004	Unknown	Unknown	---
		Acetic Acid	64197	---	D002	Unknown	1980-2004	Unknown	Unknown	---
		Chromic Acid (Alodine)	7738945	---	D002, D007	Unknown	1980-2004	Unknown	Unknown	---
		Hydrochloric Acid	7647010	Hydrogen Chloride	D002	Unknown	1980-2004	Unknown	Unknown	---
		Sulfuric Acid	7664939	---	D002	Unknown	1980-2004	Unknown	Unknown	---
		Ammonium Hydroxide	1336216	---	D002	Unknown	1980-2004	Unknown	Unknown	---
		Cleaning Compound (TURCO)	---	---	D002	Unknown	1980-2004	Unknown	Unknown	---
		Mercury	7439978	---	U151, D009	Unknown	1980-2004	Unknown	Unknown	---
		Blasting Booth Dust	---	---	D007, D008	Unknown	1980-2004	Unknown	Unknown	---
		Decontaminating Agent, STB (Super Tropical Bleach)	---	---	D003	Unknown	1980-2004	Unknown	Unknown	---
		Chlordane	57749	Chlordane, alpha & gamma isomers Chlordane (Technical Mixture and Metacities) 4,7-Methano-1H-indene, 1,2,4,5,6,7,8-octachloro-2,3,3a,4,7,7a-hexahydro-	U036	Unknown	1980-2004	Unknown	Unknown	---
		Photographic Developer	---	---	D002, D011	Unknown	1980-2004	Unknown	Unknown	---
		Photographic Fixer	---	---	D002, D011	Unknown	1980-2004	Unknown	Unknown	---
		Photographic Hardener	---	---	D011	Unknown	1980-2004	Unknown	Unknown	---
		Photographic Stabilizer	---	---	D011	Unknown	1980-2004	Unknown	Unknown	---

Naval Activity Puerto Rico
Port and Fuel Farm Parcels
CERCLA Hazardous Substance Notice/Response Action Summary
Page 2 of 3

Bldg or Facility ID	Description	Substance Name	CAS Registry Number	40 CFR 302.4 Regulatory Synonyms	RCRA HW No.	Quantity Stored	Date of Storage	Quantity Released	Date of Release	Response Actions Taken
		Photographic Starter	---	---	D011	Unknown	1980-2004	Unknown	Unknown	---
		Photographic Replenisher	---	---	D002, D011	Unknown	1980-2004	Unknown	Unknown	---
		Photo Auto Reversal Chemical	---	---	D011	Unknown	1980-2004	Unknown	Unknown	---
		Hypo-Solution: Ammonium Thiosulfate	7783188	---	D011	Unknown	1980-2004	Unknown	Unknown	---
		Hypo-Solution: Sodium Thiosulfate	7772987	---	D011	Unknown	1980-2004	Unknown	Unknown	---
		Methylene Chloride	75092	Dichloromethane	F001, F002, U080	Unknown	1980-2004	Unknown	Unknown	---
		Perchloroethylene	127184	Ethene, tetrachloro Tetrachloroethene Tetrachloroethylene	F001, F002, U210	Unknown	1980-2004	Unknown	Unknown	---
		1,1,1-Trichloroethane	71556	Ethane, 1,1,1-trichloro Methyl Chloroform	F001, F002, U225	Unknown	1980-2004	Unknown	Unknown	---
		Trichloroethylene	79016	Trichloroethene Ethene, trichloro	F001, F002, U228	Unknown	1980-2004	Unknown	Unknown	---
		Trichlorofluoromethane	75694	Trichloromonofluoro- methane	F002, U121	Unknown	1980-2004	Unknown	Unknown	---
		Trichlorotrifluoroethane	76131	---	F002	Unknown	1980-2004	Unknown	Unknown	---
		Chlorinated Fluorocarbons	---	---	F001	Unknown	1980-2004	Unknown	Unknown	---
		1,1,2-Trichloroethane	79005	Ethane, 1,1,2-trichloro	F002, U227	Unknown	1980-2004	Unknown	Unknown	---
		Paint Removers	---	---	D002, F002	Unknown	1980-2004	Unknown	Unknown	---
		Carbon Remover	---	---	F002	Unknown	1980-2004	Unknown	Unknown	---
		Miscellaneous Waste Acids	---	---	D002	Unknown	1980-2004	Unknown	Unknown	---
		Miscellaneous Waste Caustics	---	---	D002	Unknown	1980-2004	Unknown	Unknown	---
		Miscellaneous Waste Reactives	---	---	D003	Unknown	1980-2004	Unknown	Unknown	---
		Misc. Halogenated Solvents (mixed waste w/ > 10% before use)	---	---	F001, F002	Unknown	1980-2004	Unknown	Unknown	---
		Misc. Halogenated Solvents (mixed waste w/ < 10% before use)	---	---	F001, F002	Unknown	1980-2004	Unknown	Unknown	---
		Magnesium Batteries	---	---	D003	Unknown	1980-2004	Unknown	Unknown	---
		Freon-Contaminated Hydraulic Fluid	---	---	F002	Unknown	1980-2004	Unknown	Unknown	---
SWMU 18	DRMO Ignitable Storage Facility - not on Subject Property, but received wastes from various port or fuel farm operations.	Various ignitable hazardous wastes	---	---	---	Capacity = 2,600 gals	1980-2004	Unknown	Unknown	---
		Gasoline (unleaded)	8006619	---	D001	Unknown	1980-2004	Unknown	Unknown	---
		Petroleum Fuels (leaded)	8006619	---	D001, D008	Unknown	1980-2004	Unknown	Unknown	---
		Jet Fuel (JP-4 or JP-5)	8008206	---	D001	Unknown	1980-2004	Unknown	Unknown	---
		Kerosene (contaminated)	8008206	---	D001	Unknown	1980-2004	Unknown	Unknown	---
		Adhesives	---	---	D001	Unknown	1980-2004	Unknown	Unknown	---
		Calibration Fluid	---	---	D001	Unknown	1980-2004	Unknown	Unknown	---
		Cleaning Compound (Mineral Spirits)	---	---	D001	Unknown	1980-2004	Unknown	Unknown	---
		Isopropyl Alcohol	67630	---	D001	Unknown	1980-2004	Unknown	Unknown	---
		Sealing Compound	---	---	D001, F003	Unknown	1980-2004	Unknown	Unknown	---
		Iceing Inhibitor	---	---	D001	Unknown	1980-2004	Unknown	Unknown	---

Naval Activity Puerto Rico
Port and Fuel Farm Parcels
CERCLA Hazardous Substance Notice/Response Action Summary
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Bldg or Facility ID	Description	Substance Name	CAS Registry Number	40 CFR 302.4 Regulatory Synonyms	RCRA HW No.	Quantity Stored	Date of Storage	Quantity Released	Date of Release	Response Actions Taken
		Inspection Penetrant	---	---	D001, F003	Unknown	1980-2004	Unknown	Unknown	---
		Denatured Alcohol	---	---	D001	Unknown	1980-2004	Unknown	Unknown	---
		Duplicating Fluid	---	---	D001	Unknown	1980-2004	Unknown	Unknown	---
		Waste Paints	---	---	D001	Unknown	1980-2004	Unknown	Unknown	---
		Painting Wastes	---	---	D001, D002, D007, D008, F002, F003, F005	Unknown	1980-2004	Unknown	Unknown	---
		Malathion (with carrier solvent)	121755	---	D001	Unknown	1980-2004	Unknown	Unknown	---
		Photographic Toners	---	---	D001	Unknown	1980-2004	Unknown	Unknown	---
		Corrosion Inhibitor	---	---	D001	Unknown	1980-2004	Unknown	Unknown	---
		Naphtha	8030306	---	D001	Unknown	1980-2004	Unknown	Unknown	---
		Acetone	67841	2-Propanone	F003, U002	Unknown	1980-2004	Unknown	Unknown	---
		Ethyl Ether	60297	Ethane, 1,1'-oxybis-	F003, U117	Unknown	1980-2004	Unknown	Unknown	---
		Isobutanol	78831	1-Propanol, 2-methyl-	F005, U140	Unknown	1980-2004	Unknown	Unknown	---
		Methanol	67561	Methyl Alcohol	F003, U154	Unknown	1980-2004	Unknown	Unknown	---
		Methyl Ethyl Ketone	78933	2-Butanone, MEK	U159	Unknown	1980-2004	Unknown	Unknown	---
		Toluene	108883	Benzene, methyl	F005, U220	Unknown	1980-2004	Unknown	Unknown	---
		Xylene	1330207	Benzene, dimethyl Xylene (mixed) Xylene (isomers and mixture)	F003, U239	Unknown	1980-2004	Unknown	Unknown	---
		MEK and Paint	---	---	F005, D007, D008	Unknown	1980-2004	Unknown	Unknown	---
		Dye Penetrant	---	---	D001, F001, F002	Unknown	1980-2004	Unknown	Unknown	---
		Dry Cleaning Solvent (PD-680-I)	64742887	---	D001	Unknown	1980-2004	Unknown	Unknown	---
		Stoddard Solvent	8052413	---	D001	Unknown	1980-2004	Unknown	Unknown	---
		Inspection Penetrant	---	---	D001, F002	Unknown	1980-2004	Unknown	Unknown	---
		Petroleum Lubricant	---	---	D001	Unknown	1980-2004	Unknown	Unknown	---
		Aerosol Cans (partially full)	---	---	D001, F001, F002, F003, F005	Unknown	1980-2004	Unknown	Unknown	---
		Miscellaneous Waste Ignitables	---	---	D001	Unknown	1980-2004	Unknown	Unknown	---
		Misc. Non-Halogenated Solvents	---	---	F003, F005	Unknown	1980-2004	Unknown	Unknown	---
		Misc. Petroleum, Oils & Lubricants (POLs) potentially contaminated with ignitable wastes or F-list solvents	---	---	D001, F001, F002, F003, F005	Unknown	1980-2004	Unknown	Unknown	---
		Graese contaminated with Oils	---	---	D001, D007, D008	Unknown	1980-2004	Unknown	Unknown	---
SWMU 55	TCE Plume near Tow Way Fuel Farm	Tetrachloroethylene	127184	Ethene, tetrachloro Perchloroethylene	F001, F002, U210	Unknown	Unknown	Unknown	Unknown	---
		Trichloroethylene	79016	Trichloroethene Ethene, trichloro	F001, F002, U228	Unknown	Unknown	Unknown	Unknown	---

Exhibit I
Response to EPA Comments

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. David Criswell
US Navy
BRAC PMO SE
4130 Faber Place Drive
Suite 202
North Charleston, SC 29405

Re: Naval Activity Puerto Rico (NAPR), formerly Naval Station Roosevelt Roads,
EPA I.D. Number PRD2170027203,

Draft Finding of Suitability to Transfer (FOST) Port Parcels

Dear Mr. Criswell:

The United States Environmental Protection Agency (EPA) Region 2 has received the Draft Finding of Suitability to Transfer (FOST) Port Parcels, transmitted to Mr. Timothy Gordon of EPA and to Ms. Wilmarie Rivera of the Puerto Rico Environmental Quality Board (PREQB), with your letter of August 6, 2008.

The FOST covers approximately 131 acres in two parcels (Parcel 44 and 49), located in the developed waterfront area along the eastern shoreline of Ensenada Honda. These two parcels contain 11 solid waste management units (SWMUs) and portions of one Areas of Concern (AOC). Five of the SWMUs and the portion of AOC F located in the subject parcels have corrective action work remaining to be completed under the January 2007 RCRA Administrative Order on Consent (the Order). According to the FOST, on July 30, 2008, the Governor of Puerto Rico approved a Covenant Deferral Request (CDR) allowing the early transfer of the SWMUs and AOCs located in parcels 44 and 49, prior to completing the necessary remedial actions. The Navy plans to transfer these two parcels to the Ports Authority of Puerto Rico via a Public Benefit Conveyance, but will retain responsibility for completing all required corrective and remedial actions, under the Order.

EPA Region 2 has the following comments on that Draft FOST:

- 1) A statement should be added to Section 3.0 (Past Use and Proposed Reuse) indicating that, following transfer of the two parcels to the Ports Authority of Puerto Rico, the Navy will continue to implement any remaining corrective and/or remedial action required for SWMUs and AOCs located within the parcels, pursuant to the 2007 RCRA Order.

Response: The requested statement has been added to the end of the first paragraph in

Section 4.A. (Hazardous Substances Contamination) following the first discussion of the 2007 RCRA Consent Order.

- 2) The last paragraph of Section 4.0.A (Hazardous Substance Contamination) should be revised to indicate that SWMU 20 is incorrectly shown on parcel index figure 44-3, in Exhibit C, and that what is labeled as SWMU 20 on parcel index 44-3 instead corresponds to SWMU 74 (fuel pipelines and hydrant pits), which is also known as (a/k/a) ECP¹ site 20.

Response: The last sentence of Section 4.0.A has been revised to read as follows - "In Exhibit C, SWMU 74 (aka ECP 20) is mislabeled as SWMU 20 on Parcel Map 44, SWMU 75 (aka ECP 21) is mislabeled as SWMU 21 on the eastern end of the Parcel 49 map, and SWMUs 38 and 74 are shown on separate maps."

- 3) The second sentence of the first paragraph of Section 5.0.F (Environmental Compliance Agreements/Permits/Orders) needs to be revised to read "... five (SWMUs 7/8, 55, 74 and 75) have investigations and/or cleanup work remaining to be completed.... ", as SWMU 23 does not have remaining work to be completed.

Response: The requested correction has been made.

- 4) The statement on the title page of Exhibit C (Parcel, Utility, and Fuel Line Maps), indicating that "SWMUs 38 and 74 (aka SWMU 20) are not shown...." needs to be corrected, to read "...SWMU 74 (a/k/a as ECP site 20)...."

Response: The requested correction has been made.

- 5) Exhibit B, should be revised to either also identify SWMUs 38 and 74 on the Vicinity Map (labeled "Port Parcel"), or include a note regarding those SWMUs on the Vicinity map.

Response: The following note has been added to the title page of Exhibit B - "SWMUs 38 and 74 (aka ECP 20) are not shown on the vicinity map. Separate utility (SWMU 38) and fuel line (SWMU 74) maps are included in Exhibit C." Also, the following note has been added to the Vicinity Map - "SWMU 38 (Sanitary and Storm Water Sewer Systems) and SWMU 74 (Fuel Pipeline and Hydrant Pits) not shown due to map scale."

Once the FOST has been revised and finalized, please submit two copies to my office. If you have any questions, please telephone Mr. Tim Gordon of my staff at (212) 637- 4167.

¹ ECP = Environmental Conditions of Property, i.e., based on the the July 15, 2005 Final Phase I/II Environmental Conditions of Property Report.

Sincerely yours,

Dale Carpenter, Chief
Resource Conservation and Special Projects Section
RCRA Programs Branch

cc: Mr. Antonio J. Colorado, Puerto Rico Land Reuse Authority
Ms. Wilmarie Rivera, P.R. Environmental Quality Board.
Mr. Mark Kimes, Baker Environmental

bcc: Carl Soderberg, Caribbean Environmental Protection Division
Carl Howard, 2ORC
Timothy Gordon, 2DEPP-RPB
RCRA File Room, 2DEPP-RPB

EXHIBIT "G"

FINDING OF SUITABILITY TO TRANSFER UNIVERSITY PARCEL

FINDING OF SUITABILITY TO TRANSFER

**PARCEL 29
(UNIVERSITY)**

**NAVAL ACTIVITY PUERTO RICO
CEIBA, PUERTO RICO**



Prepared by:

**Department of the Navy
Base Realignment and Closure
Program Management Office Southeast
4130 Faber Place Drive, Suite 202
North Charleston, South Carolina 29405**

October 2008

**FINDING OF SUITABILITY TO TRANSFER
PARCEL 29 (UNIVERSITY)
NAVAL ACTIVITY PUERTO RICO**

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EXHIBITS

A	References
B	Vicinity Map
C	Parcel Map
D	Survey Map
E	Tables
F	CERFA Concurrence
G	Asbestos-Containing Materials Acknowledgement Form
H	Lead-Based Paint Hazards Advisory Statement

FINDING OF SUITABILITY TO TRANSFER PARCEL 29 (UNIVERSITY) NAVAL ACTIVITY PUERTO RICO

1.0 PURPOSE

This Finding of Suitability to Transfer (FOST) summarizes how the requirements and notifications for hazardous substances, petroleum products, and other regulated material on the property have been satisfied, and documents my determination, as the responsible Department of Defense (DoD) component official, that certain real property and associated improvements known as the University Parcel or Parcel 29 (hereafter Subject Property) at Naval Activity Puerto Rico (NAPR), Ceiba, Puerto Rico, are environmentally suitable for deed transfer. This decision is based primarily on my review of information contained in two of the documents listed in Exhibit A (References) – CERFA Identification of Uncontaminated Property, Former Naval Station Roosevelt Roads, Puerto Rico (the CERFA Report; Navy, 2006b), and Phase I/II Environmental Condition of Property Report, Former Naval Station Roosevelt Roads, Ceiba, Puerto Rico (the ECP Report; Navy, 2005). Factors leading to this decision and other pertinent information related to property transfer requirements are stated below.

2.0 DESCRIPTION OF PROPERTY

NAPR was formerly known as Naval Station Roosevelt Roads (NSRR) until it ceased operation as an active Naval Station on March 31, 2004, at which point it was designated NAPR to serve as the caretaker of the real property associated with NSRR and to assist in the transfer of the property. NAPR is located on the east coast of Puerto Rico adjacent to the municipality of Ceiba. The Subject Property consists of 170.153 acres located on the northeast end of the Downtown section of the installation and immediately south of the airfield. It is comprised primarily of Bachelor Enlisted Quarters (BEQs) and ancillary facilities (e.g., Dining Hall and Base Library) to the south, the Brig to the west and several administrative (e.g., Personnel Support/Pass Office and Navy Reserve Training Building) and light industrial support facilities (e.g., Auto Hobby Shop and Radar and Electric Maintenance Shops) to the north. Exhibits B, C, and D provide a vicinity map, a parcel map from the Draft Report, Parcel Map for the Disposal of Naval Activity Puerto Rico (GMI, 2005), and a boundary survey map, respectively. As the aerial photograph in Exhibit C shows, the majority of the Subject Property is undeveloped land.

There are approximately 43 numbered buildings, structures, and facilities on the Subject Property. Table 1 (Exhibit E) provides their facility number, former user, name or description, area, and year of construction.

**FINDING OF SUITABILITY TO TRANSFER
PARCEL 29 (UNIVERSITY)
NAVAL ACTIVITY PUERTO RICO**

3. PAST USE AND PROPOSED REUSE

The Subject Property has been used as a military installation since its acquisition and development by the Navy in the 1940s. The Environmental Condition of Property (ECP) Report states that most of the arable land on what is now NAPR was previously used for sugar cane cultivation and cattle grazing. No significant industrial facilities or environmental concerns were identified with respect to activities conducted on the former NSRR prior to Navy ownership. The Navy has used the Subject Property only for uses similar to those described in Section 2.

The Naval Station Roosevelt Roads Reuse Plan (CBRE et al, 2004) developed by the Puerto Rico Department of Economic Development and Commerce (acting as the Local Redevelopment Authority [LRA]) anticipates future use of the Subject Property as a university campus.

4. ENVIRONMENTAL FINDINGS

All available information concerning the past storage, release, or disposal of hazardous substances and/or petroleum products on NAPR, as collected through record searches, aerial photographs, personnel interviews, and on-site visual inspections, is contained in the ECP Report. The following summarizes the findings as they relate to the Subject Property and the corresponding Condition of Property Classification assigned to the real property to be transferred.

A. Hazardous Substance Contamination

There is nothing in the records that indicates any hazardous substance has been released or disposed of on the Subject Property. There was once a satellite accumulation area for non-regulated waste associated with Building 201 (Auto Hobby Shop). The accumulation area was no longer in use at the time of the ECP inspection.

B. Petroleum Contamination

According to the ECP Report, there are two aboveground storage tanks (ASTs) on the Subject Property that replaced three former underground storage tanks (USTs). AST 201 at the Auto Hobby Shop (Building 201) is a 600-gallon used oil tank that replaced former USTs 201A and 201B which were removed in 1993. AST 1808 is a 5,000-gallon diesel tank that stored fuel for the boilers at the Enlisted Men's Dining Hall (Building 1808). It replaced former UST 1808 which was removed in 1997. These ASTs and former USTs are listed in Table 2 (Exhibit E).

**FINDING OF SUITABILITY TO TRANSFER
PARCEL 29 (UNIVERSITY)
NAVAL ACTIVITY PUERTO RICO**

According to the ECP Report, any contaminated soils identified during past replacement of tanks were excavated and disposed of off NSRR property, and the replaced tanks were closed in accordance with Title 40 Code of Federal Regulations (CFR) Part 280. The records do not indicate there have been any spills or releases associated with the ASTs or former USTs on the Subject Property, nor any other releases or instances of disposal of petroleum products or their derivatives.

C. Condition of Property Classification

The ECP Report divided all property at NAPR into parcels, and classified them into one of the three following categories:

- **Category 1** – Areas where no known or documented releases, or disposal of hazardous substances or petroleum products or their derivatives has occurred, including no migration of these substances from adjacent areas.
- **Category 2** – Areas where the release, disposal, or migration, or some combination thereof, of hazardous substances, or petroleum products or their derivatives has occurred, but at concentrations that do not require a removal or remedial action, or all remedial actions necessary to protect human health and the environment have been taken.
- **Category 3** – Areas where a confirmed or suspected release, disposal, or migration, or some combination thereof, of hazardous substances, or petroleum products or their derivatives has occurred, but required investigation and/or response actions have not yet been initiated or are ongoing.

These categories are derived from the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), the Community Environmental Response Facilitation Act (CERFA) and the American Society for Testing and Materials (ASTM) Standard Practice for Conducting Environmental Baseline Surveys (ASTM Standard D 6008-96), which further incorporates ASTM D 5746-98 (2002) Standard Classification of Environmental Condition of Property Area Types for Defense Base Closure and Realignment Facilities.

CERFA stipulates that the federal government must identify "uncontaminated property" scheduled for transfer, and defines this as "...real property on which no hazardous substances and no petroleum products or their derivatives were known to have been released, or disposed of" [(Section 9620(h)(4)(A)]. In accordance with the property condition classification guidelines discussed above, the Navy classified the Subject Property as Category 1 uncontaminated property. Following its review of the CERFA Report, the Puerto Rico Environmental Quality

**FINDING OF SUITABILITY TO TRANSFER
PARCEL 29 (UNIVERSITY)
NAVAL ACTIVITY PUERTO RICO**

Board (EQB) concurred with this classification and provided a concurrence statement (Exhibit F) in the Final CERFA Report on 11 August 2006.

D. Other Environmental Aspects

1. Munitions and Explosives of Concern

The records do not indicate ordnance handling, storage, or disposal activities have ever been conducted on the Subject Property.

2. Asbestos-Containing Materials

According to the June 2005 Final Asbestos Inspection Report for Naval Activity Puerto Rico, Ceiba, Puerto Rico (Baker, 2005), asbestos-containing material (ACM) was identified in 10 of the 28 facilities inspected on the Subject Property, as summarized in Table 3 of Exhibit E. No friable, accessible and damaged (FAD) ACM was identified on the Subject Property. Detailed information about the materials identified and sampled during the asbestos inspection, including summary tables, location drawings, photographs and laboratory reports, is included in the report.

It is likely that undiscovered ACM associated with underground utilities and miscellaneous building materials exists at NAPR. While this potential ACM does not currently pose a hazard to site users, future demolition and/or subsurface work performed by the transferee could result in FAD ACM hazards. Thus, the transferee will be required to use best management practices during any future renovation/demolition activities or underground utility work, and to comply with all applicable laws relating to ACM management in order to ensure future protection of human health and the environment. An ACM acknowledgement form (Exhibit G) will be provided to the transferee for execution at the time of transfer.

3. Lead-Based Paint

The NAPR facilities list (Exhibit E, Table 1) indicates 28 of the buildings, structures and facilities on the Subject Property were constructed prior to 1978, the year in which lead-based paint (LBP) was banned for consumer use. These facilities and any others built before 1978 are presumed to contain LBP. A LBP survey and risk assessment was

**FINDING OF SUITABILITY TO TRANSFER
PARCEL 29 (UNIVERSITY)
NAVAL ACTIVITY PUERTO RICO**

completed at NAPR in 2005 for military family housing only, thus none of the facilities on the Subject Property were included in the survey. A Lead-Based Paint Hazards Advisory Statement (Exhibit H) will be provided to the transferee for execution at the time of transfer.

4. Polychlorinated Biphenyls

Only one polychlorinated biphenyl (PCB) containing-transformer remains at NAPR. The transformer, located in Building 386, is not on the Subject Property. All other PCB-contaminated transformers and equipment were removed from the former NSRR prior to 1998. Due to the age of the majority of facilities and the size of the station, it is possible that PCB-contaminated fluorescent light ballasts and other minor PCB sources may be present on NAPR. There is nothing in the records to indicate PCBs were ever stored or disposed of on the Subject Property.

5. Radon

According to the U.S. Geological Survey Open-File Report 93-292-K, *Preliminary Geologic Radon Potential Assessment of Puerto Rico* (USGS, 1993), the Commonwealth of Puerto Rico exhibits generally low indoor radon levels, and a survey of radon concentrations of offices, housing units, schools and other buildings was conducted by the DoD between 1989 and 1992 on federal military reservations in Puerto Rico, including the former NSRR. Indoor radon levels ranged from 0.0 to 1.9 pCi/L, well below the current U.S. Environmental Protection Agency (EPA) residential indoor radon screening action level of 4 pCi/L. The majority of the reservations, including NAPR, are situated on coastal plains, so the low indoor radon levels were not unexpected.

6. Threatened and Endangered Species

As shown on the individual parcel map in Exhibit C, both breeding habitat and nesting/foraging palms for the endangered yellow-shouldered blackbird have been identified on the Subject Property. The Commonwealth of Puerto Rico has committed to zone the property in a manner that will implement the planning, development, maintenance, mitigation and use requirements described on the parcel map.

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In accordance with the Endangered Species Act, the Navy developed a Biological Assessment (BA) for the former NSRR in 2006 to assess the potential impact on any federally protected species from the disposal of NSRR. Given the protection measures addressed in detail in the Biological Assessment for the Disposal of Naval Station Roosevelt Roads/Naval Activity Puerto Rico Final Report (Navy, 2006a), the Navy has determined that the disposal of the former NSRR and transfer of the property to future owners is not likely to adversely affect federally-listed species and would not result in adverse modification of designated critical habitat within the project area. The U.S. Fish and Wildlife Service concurred with this determination in a letter dated April 7, 2006.

5.0 REQUIREMENTS APPLICABLE TO PROPERTY TRANSFER

A. NEPA Compliance

In accordance with National Environmental Policy Act (NEPA) requirements, an Environmental Assessment and Finding of No Significant Impact (FONSI) have been prepared and executed in connection with the planned disposal and reuse of NAPR. The FONSI was signed on April 10, 2007.

B. Hazardous Substance Notice

In accordance with Section 120(h)(3)(A)(i) of CERCLA, all deeds transferring federal property must provide notice as to those hazardous substances which it is known, based on a complete search of agency files, were stored for one year or more, released or disposed on the Subject Property in excess of those reportable quantities specified under Title 40 CFR Part 373, and all response actions taken to date to address any such releases or disposals. No hazardous substances are known to have been stored or released on the Subject Property in excess of their respective reportable quantities, thus, no deed notice is required in this instance.

C. CERCLA Covenant

In accordance with CERCLA Section 120(h)(4)(D)(i), the deed transferring the Subject Property shall contain a covenant warranting that any response action or corrective action found to be necessary after the date of transfer shall be conducted by the United States.

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D. CERCLA Access Clause

In accordance with CERCLA Section 120(h)(4)(D)(ii), the deed transferring the Subject Property shall contain a clause granting to the United States, its officers, agents, employees, contractors, and subcontractors the right to enter upon the transferred property in any case that remedial or corrective action is found to be necessary after the date of transfer. The right to enter to be set forth shall include the right to conduct annual physical inspections, tests, investigations, long term monitoring, 5-year reviews, and surveys, including, where necessary, drilling, test pitting, boring, and other similar activities. Such right shall also include the right to construct, operate, maintain, or undertake any other response or remedial action as required or necessary, including, but not limited to, monitoring wells, pumping wells, and treatment facilities. The United States retains the authority to enter to conduct investigations on adjacent parcels as well as the parcel subject to the transfer. These access rights are in addition to those granted to Federal, state, and local authorities under applicable environmental laws and regulations.

E. Land and Groundwater Restrictions

The Navy will transfer all of the Subject Property without restrictions.

F. Environmental Compliance Agreements / Permits / Orders

On January 29, 2007, the U.S. Department of the Navy and EPA voluntarily entered into a Resource Conservation and Recovery Act (RCRA) Section 7003 Administrative Order on Consent (Consent Order; EPA, 2007). The Consent Order set out the Navy's RCRA corrective action obligations and replaced the 1994 RCRA permit as the document memorializing these obligations concerning NAPR. Although there are no RCRA solid waste management units or areas of concern on the Subject Property, certain RCRA obligations defined in the Consent Order apply to the Subject Property including notification and additional work requirements for newly discovered releases, other notification requirements, and record retention requirements.

The Puerto Rico EQB issued a draft Title V Operating Permit, number TV9711-19-0397-0012, for air emissions at the former NSRR in Spring 2003. This draft permit went into public review on July 8, 2003, where NSRR presented extensive comments/changes due to the relocation of many tenant commands. A final Title V Operating Permit was issued by EQB on September 30, 2006. NSRR had a wide variety of small emission sources, which operated Intermittently, with no set operation schedule. Most emissions were generated by combustion sources, which are powered

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by diesel, JP-5, gasoline or propane gas. VOCs and hazardous air pollutants were also generated in painting activities, cleaning operations associated with aircraft and ship maintenance and repair and other day-to-day activities. Significant emission units on the Subject Property consisted of two boilers fired on diesel fuel at Building 1808, the Enlisted Men's Dining Hall. Because of station closure, air emission sources associated with the Subject Property have been discontinued with the exception of the operation of emergency generators. There is no documentation of any current, or previous Notices of Violation issued to the former NSRR as a result of a deviation from the Title V Permit.

There are no other environmental compliance agreements, permits, or orders associated with the Subject Property.

G. Notification to Regulatory Agencies / Public

In accordance with DoD guidance, EPA Region 2 and Puerto Rico EQB have been advised of the proposed transfer of the Subject Property, and copies of the ECP Report, CERFA Report, and Draft FOST were provided to those agencies for review and comment. No review comments on this FOST were received from either agency. The ECP Report was made available for public review upon finalization. Copies of all transfer documentation will be made available to EPA and EQB representatives upon request after execution of the same.

6.0 SUITABILITY DETERMINATION

NOW THEREFORE, based on my review of the information contained in this FOST and in the ECP and CERFA Reports, I have determined that the Subject Property is presently suitable for deed transfer for unrestricted reuse.

01 Dec 2008
Date



JAMES E. ANDERSON
Director
BRAC Program Management Office Southeast
North Charleston, South Carolina

Exhibit A

References

**FINDING OF SUITABILITY TO TRANSFER
PARCEL 29 (UNIVERSITY)
NAVAL ACTIVITY PUERTO RICO**

REFERENCES

Baker, 2005. (Michael Baker Jr., Inc.) *Final Asbestos Inspection Report for Naval Activity Puerto Rico, Ceiba, Puerto Rico*. Moon Township, Pennsylvania. June 2005.

CBRE et al, 2004. (CB Richard Ellis Consulting, Cooper Robertson & Partners, Moffatt & Nichol, Puerto Rico Management & Economic Consultants, Inc.) *Naval Station Roosevelt Roads Reuse Plan*. December 2004.

EPA, 2007. (U.S. Environmental Protection Agency) *RCRA § 7003 Administrative Order on Consent, In the Matter of United States, The Department of the Navy, Naval Activity Puerto Rico, formerly Naval Station Roosevelt Roads, Puerto Rico, EPA Docket No. RCRA-02-2007-7301*. January 2007.

GMI, 2005. (Geo-Marine, Inc.) *Draft Report, Parcel Map for the Disposal of Naval Activity Puerto Rico*. Hampton, Virginia. September 2005.

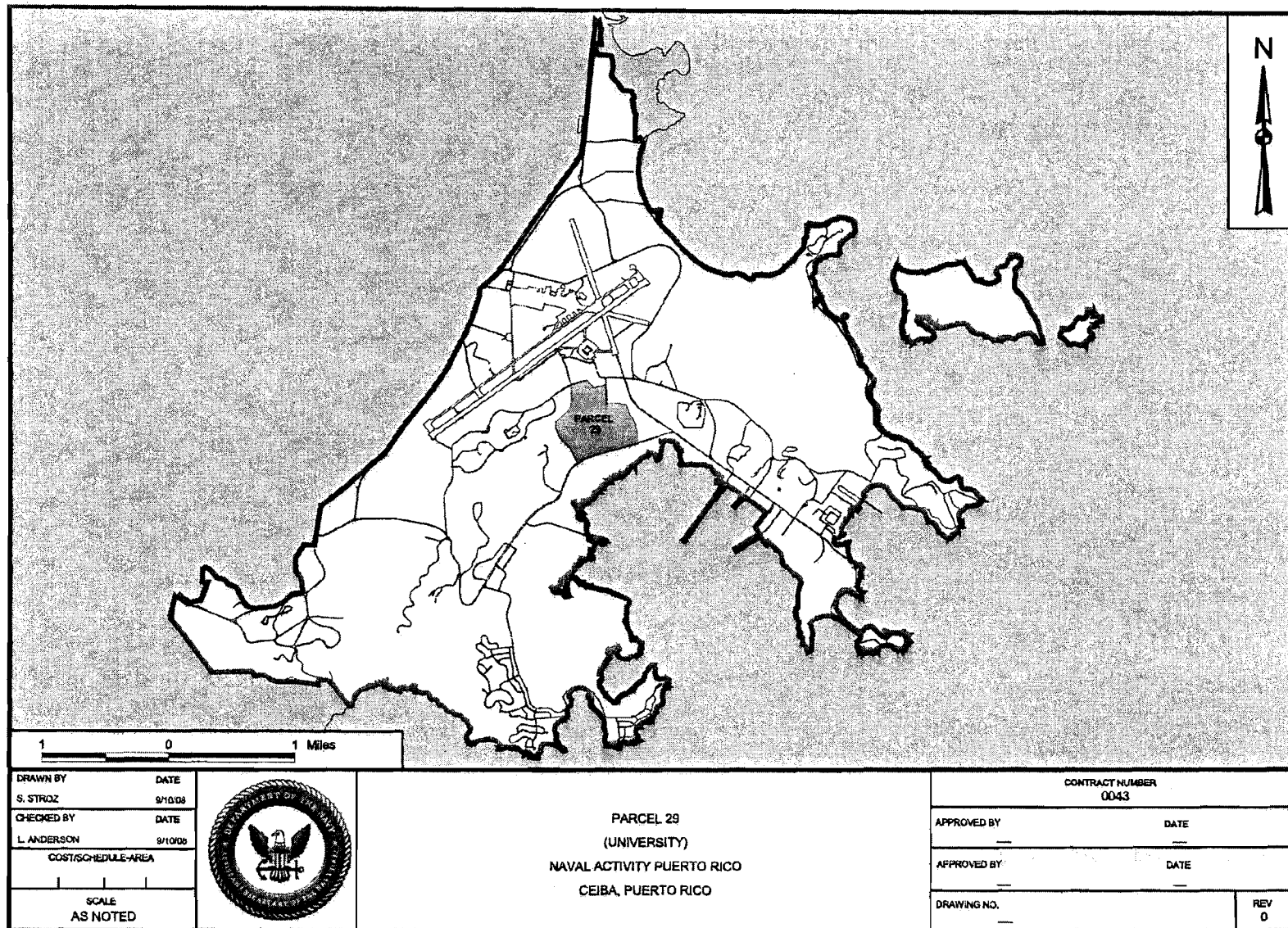
Navy, 2005. (Naval Facilities Engineering Command Atlantic) *Phase I/II Environmental Condition of Property Report, Former U.S. Naval Station Roosevelt Roads, Ceiba, Puerto Rico*. Norfolk, Virginia. July 15, 2005.

Navy, 2006a. (Naval Facilities Engineering Command Atlantic). *Biological Assessment for the Disposal of Naval Station Roosevelt Roads/Naval Activity Puerto Rico Final Report*. Norfolk, Virginia. January 2006.

Navy, 2006b. (Department of the Navy, Base Realignment and Closure Program Management Office Southeast) *CERFA Identification of Uncontaminated Property, Former Naval Station Roosevelt Roads, Puerto Rico*. North Charleston, South Carolina, April 27, 2006.

USGS, 1993. (U.S. Geological Survey) *Open File Report 93-292-K, Preliminary Geologic Radon Potential Assessment of Puerto Rico*. 1993.

Exhibit B
Vicinity Map



PAGISWA_PUERTORICOMAPDOCSAPPROPRIALLY_TRANSFER_PROPERTY/APRI/ PARCEL 29 UNIVERSITY VICINITY LAYOUT 9/10/08 SS

Exhibit C

Parcel Map

NOTE: The parcel map in this exhibit is from the *Draft Report, Parcel Map for the Disposal of Naval Activity Puerto Rico* (GMI, 2005).

THREATENED AND ENDANGERED SPECIES CONSERVATION MEASURES—PARCEL 29

Common Name—University

Conveyance—EDC

Neighboring Parcel(s)—25, 27, 28, 30, 31

Yellow-shouldered Blackbird

GENERAL REQUIREMENTS

- No development is allowed in Parcel 28 (Conservation).
- All development related activities (new construction, ground clearing, demolition/remodeling) adjacent to conservation parcel 28 should occur between September 1 and March 15 (non-breeding season) or be restricted to an area 50 m from the parcel boundary from March 15-August 30 (breeding season).
- Notify USFWS if a yellow-shouldered blackbird nest is found anywhere on the property (787-851-7297).
- Pesticide and herbicide applications must follow Commonwealth of Puerto Rico regulations.

Activity	Conservation Measures
Development Planning	Save as many existing on site palms and trees as possible in new development plans.
New Construction/Clearing	If undeveloped yellow-shouldered blackbird habitat is proposed for clearing consult with USFWS a minimum of one year prior to planned project initiation.
Demolition/Remodeling	Schedule activity from September 1 through March 14 or conduct outdoor survey of building(s) (ledges, etc.) and nearby trees (within 50 m of the building) for yellow-shouldered blackbird nests prior to start date if the development activity is scheduled to occur between March 15 and August 30. Consult with USFWS if a yellow-shouldered blackbird nest is found.
Grounds Maintenance	No trimming or cutting of palms and trees between March 15 and August 30 except in an emergency (i.e., downed trees and palms from storms).
Building Maintenance	Check for yellow-shouldered blackbird nests prior to any outdoor building maintenance activities between March 15 and August 30. Determine identity of any bird nest found. Notify and consult with USFWS if a yellow-shouldered blackbird nest is found.
General Operations	Before moving parked outdoor equipment (e.g., carts, vehicles) check for yellow-shouldered blackbird nests (March 15-August 30). Notify USFWS if a yellow-shouldered blackbird nest is located.
Property Sale/Lease	Notify buyer/lessee of all mitigation requirements (see above) and include mitigation with all legal documents.

NOTICE:

Consult with the U.S. Fish and Wildlife Service if you have any questions on the conservation measures. Property owners that cannot adhere to the conservation measures must consult with the U.S. Fish and Wildlife Service to seek a Section 10.0 permit for authorization to modify the identified critical habitat. Failure to comply with the identified conservation measures violates Section 9.0 and/or Section 10.0 of the Endangered Species Act. The U.S. Fish and Wildlife Service has the authority to prosecute violations under the Endangered Species Act.

*Parcel Map for the Disposal
of Naval Activity Puerto Rico*

Parcel Index 29

Common Name: University

Conveyance: EDC

Neighboring Parcel(s): 25, 27, 28,
30, 31

Legend

-  Parcel
-  Neighboring Parcel Boundary
-  Yellow-shouldered Blackbird
-  Nesting/Foraging Pairs
-  Breeding Habitat

August 18, 2006



1 inch equals 650 Feet

0 475 950 Feet



Parcel Index 29

Common Name: University
Conveyance: EDC
Neighboring Parcel(s): 25, 27, 28,
30, 31

Legend	
	Parcel
	Neighboring Parcel Boundaries
Cleanup Status	
	Complete with Land Use Controls
	Complete
	Cleanup Remaining

August 18, 2008

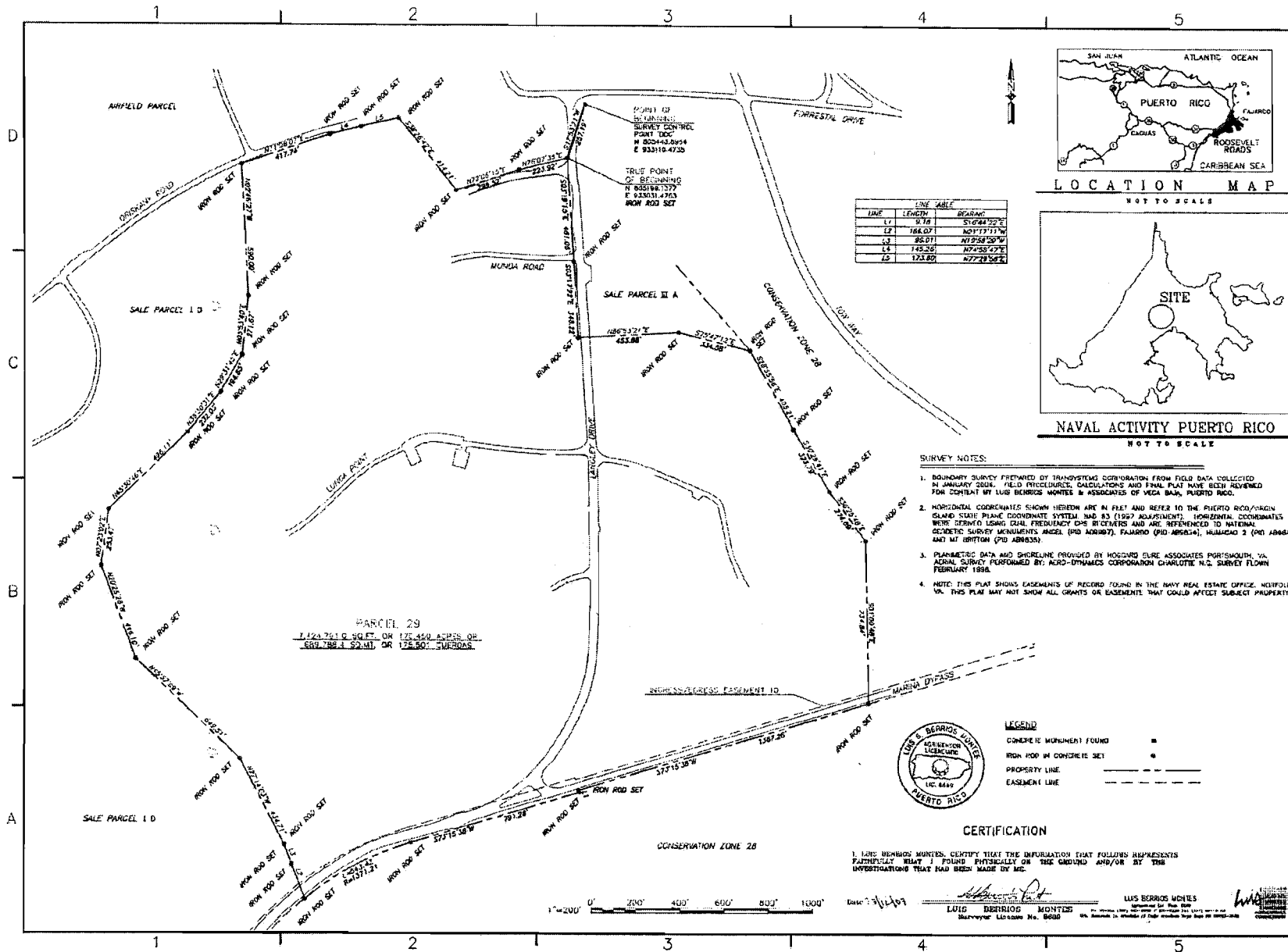


1 inch equals 650 Feet

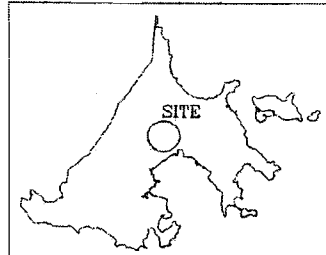
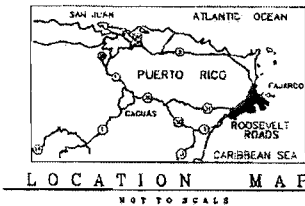
0 480 960 Feet



Exhibit D
Survey Map



LINE	LENGTH	BEARING
L1	9.78	S 10° 44' 52\"
L2	186.07	N 07° 17' 17\"
L3	86.01	N 7° 58' 50\"
L4	145.26	N 7° 58' 47\"
L5	123.80	N 77° 20' 56\"



SURVEY NOTES:

- BOUNDARY SURVEY PREPARED BY TRANSSYSTEMS CORPORATION FROM FIELD DATA COLLECTED IN JANUARY 2006. FIELD PROCEDURES, CALCULATIONS AND FINAL PLAN HAVE BEEN REVIEWED FOR COMPLIANCE BY LUIS BERRIOG MONTES & ASSOCIATES OF VEGA DASH, PUERTO RICO.
- HORIZONTAL COORDINATES SHOWN HEREIN ARE IN PPS AND REFER TO THE PUERTO RICO/VEGA DASH STATE PLANE COORDINATE SYSTEM AND IS 1983 ADJUSTMENT. HORIZONTAL COORDINATES WERE OBTAINED USING DUAL FREQUENCY GPS RECEIVERS AND ARE REFERENCED TO NATIONAL GEODETIC SURVEY MONUMENTS ANGEL (P.D. 48807), FAJARO (P.D. 48804), MULLAGU 2 (P.D. 48846) AND MT. WHITTON (P.D. 48834).
- PLANIMETRIC DATA AND SHORELINE PROVIDED BY HOGWOOD CLURE ASSOCIATES PORTSMOUTH, VA. AERIAL SURVEY PERFORMED BY AERO-DYNAMICS CORPORATION CHARLOTTE, N.C. SURVEY FROM FEBRUARY 1998.
- NOTE: THIS PLAN SHOWS EASEMENTS OF RECORD FOUND IN THE NAVY REAL ESTATE OFFICE, NORFOLK, VA. THIS PLAN MAY NOT SHOW ALL GRANTS OR EASEMENTS THAT COULD AFFECT SUBJECT PROPERTY.



LEGEND

- CONCRETE MONUMENT FOUND
- IRON ROD IN CONCRETE SET
- PROPERTY LINE
- EASEMENT LINE

CERTIFICATION

I, LUIS BERRIOG MONTES, CERTIFY THAT THE INFORMATION THAT FOLLOWS REPRESENTS FAITHFULLY WHAT I FOUND PHYSICALLY ON THE GROUND AND/OR BY THE INVESTIGATIONS THAT HAD BEEN MADE BY ME.

Date: 7/1/09
 LUIS BERRIOG MONTES
 Surveyor License No. 5005

LUIS BERRIOG MONTES

1000 Bulevar San Juan, Puerto Rico 00906 Phone: 787-521-1111 Fax: 787-521-1112 www.transystems.com	
PROJECT: NAVAL ACTIVITY PUERTO RICO SHEET: 45 OF 100 DATE: 7/1/09 DRAWN BY: LUIS BERRIOG MONTES CHECKED BY: LUIS BERRIOG MONTES APPROVED BY: LUIS BERRIOG MONTES	
TITLE: SURVEY OF THE SITE SCALE: AS SHOWN PROJECT NO.: 002470-02-0-7219 SHEET NO.: 45 OF 100	
CLIENT: UNITED STATES GOVERNMENT PROPERTY FORMER NAVAL STATION ROOSEVELT ROADS PARCEL 29	

Exhibit E

Tables

Table 1
Naval Activity Puerto Rico
Parcel 29 (University) FOST
Facilities List
Page 1 of 2

Facility #	Former User	Name	Area	Unit	Yr Built
78	NSWU-4	NAVY RESERVE TRNG BLDG	16492	SF	1957
153	AIOPS	ROTATING BEACON-AIRCRAFT	-	-	1949
201	MWR	AUTO/CRAFT HOBBY SHOP	18864	SF	1957
202	PSD	PERS SUPPT OFF/PASS OFFICE	16492	SF	1957
203	MULTI	HRO/NAVOSH/NAVRES ADMIN OFF/CCC	16492	SF	1957
206	MWR	EM CLUB/DISCO	7059	SF	1957
407	PWD	TRANSFORMER BY STRUCT #499	-	-	1970
422	AIMD	LOX/LIN FAC	6755	SF	1958
482	-	BUS SHLTER W. ON LANGLEY BK A	140	SF	1959
1209	CBQ	BEQ (TRANSIENTS)	14224	SF	1967
1670	PWD	SUBSTA "C" - BORIN BEQ	-	-	1966
1707	CBQ	BEQ	32583	SF	1972
1708	CBQ	BEQ	32583	SF	1972
1709	CBQ	BEQ	32583	SF	1972
1710	PWD	ELEC SUBSTA BRKS A (B #1707)	-	-	1973
1711	PWD	SUBSTA BRKS B (B# 1708)	-	-	1973
1712	PWD	SUBSTA BRKS C (B# 1709)	-	-	1973
1764	PWD	BUS SHEL LANGLEY/BOR HTS NOR	140	SF	1972
1765	PWD	BUS STOP SHELTS/SOUTH BEQ/	140	SF	1972
1781	PWD	BUS SHLTR NEAR NEW GALLEY	190	SF	1968
1801	-	TRAINING BLDG	1920	SF	1974
1807	SECURITY	BRIG	4950	SF	1975
1808	SUPPLY	ENLISTED MEN'S DINING HALL	14430	SF	1976
1813	CBQ	BEQ	15807	SF	1977
1814	CBQ	BEQ	29258	SF	1977
1815	CBQ	BEQ	26405	SF	1977
1818	-	FLAG POLE/CORRECTIONAL CENTER	-	-	1975
1929	MWR	PLAYING COURTS (MARINE BRKS)	-	-	1969
1978	PWD	STANDBY GENR-B #1808 GALLEY	286	SF	1978
1981	AFWTF	ELECTRIC MAINT SHOP (AFWTF)	4000	SF	1978
1994	CBQ	UEPH LAUNDROMAT	833	SF	1978
2114	-	SUB-STA BY BEQ B #1815	-	-	1982
2115	-	TRANSFMR BY DISCO B206	-	-	1985
2116	-	SUB-STA BY GALLEY BLDG 1808	-	-	1979
2118	-	TRANSFORMER STA BY B #2023	-	-	1979
2178	MWR	CABANA/BBQ GRILL 1708-09	117	SF	1982
2222	CBQ	PAINT LOCKER AT BKS 1209	100	SF	1985
2254	PWD	BUS SHLTR ACROSS GALLEY	190	SF	1987

Table 1
Naval Activity Puerto Rico
Parcel 29 (University) FOST
Facilities List
Page 2 of 2

Facility #	Former User	Name	Area	Unit	Yr Built
2263	CBQ	LAUNDROMAT AT UEPH BY B #1710	1369	SF	1987
2359	AFWTF	RADAR MAINT SHOP BY B78	4000	SF	1994
2367	MWR	BASKETBALL CT BTWN 1708 & 1709	-	-	1995
2368	CBQ	FLAMM STGE BTWN 1708 & 1709	200	SF	1995
2450	HOSP	WELLNESS CENTER	2832	SF	2000

List based on 2003 NAPR base map (Base map - PREnew 11-2003.pdf), July 2001 Building Utilization List, List of Buildings To Be Inspected For Asbestos from June 2005 Asbestos Inspection Report, and field verification by NAPR personnel.

-	Information not available or unknown
AFWTF	Atlantic Fleet Weapons Training Facility
AIMD	Aircraft Intermediate Maintenance Department
AIROPS	Air Operations
CBQ	Combined Bachelors Quarters
HOSP	Hospital
PWD	Public Works Department
MULTI	Multiple Users
MWR	Morale, Welfare and Recreation
NSWU	Naval Surface Warfare Unit
PSD	Personnel Support Detachment

Table 2
Naval Activity Puerto Rico
Parcel 29 (University) FOST
AST and UST List

Number	Type	Location or User	Capacity	Material Stored	Year Installed	Year Removed
201	AST	MWR	600	Used Oil	-	Active
1808	AST (Vaulted)	PWD	5000	Diesel	-	Active
201A	Former UST	Bldg 201	2000	Unknown	-	1993
201B	Former UST	Bldg 201	2000	Unknown	-	1993
1808	Former UST	Bldg 1808	5000	Diesel	-	1997

- Information not available or unknown

Table 3
Naval Activity Puerto Rico
Parcel 29 (University) FOST
Asbestos-Containing Material Inspection Results

Facility #	Name	ACM Identified	Comments
78	NAVY RESERVE TRNG BLDG	N	
153	ROTATING BEACON-AIRCRAFT	NI	
201	AUTO/CRAFT HOBBY SHOP	Y	No FAD ACM
202	PERS SUPPT OFF/PASS OFFICE	N	
203	HRO/NAVOSH/NAVRES ADMIN OFF/CCC	N	
206	BASE LIBRARY	Y	No FAD ACM
407	TRANSFORMER BY STRUCT #499	NI	
422	LOX/LIN FAC	N	
482	BUS SHLTER W. ON LANGLEY BK A	N	
1209	BEQ (TRANSIENTS)	N	
1670	SUBSTA "C" - BORIN BEQ	NI	
1707	BEQ	N	
1708	BEQ	Y	No FAD ACM
1709	BEQ	N	
1710	ELEC SUBSTA BRKS A (B #1707)	NI	
1711	SUBSTA BRKS B (B# 1708)	NI	
1712	SUBSTA BRKS C (B# 1709)	NI	
1764	BUS SHEL LANGLEY/BOR HTS NOR	N	
1765	BUS STOP SHELTS/SOUTH BEQ/	N	
1781	BUS SHLTR NEAR NEW GALLEY	N	
1801	TRAINING BLDG	Y	No FAD ACM
1807	BRIG	Y	No FAD ACM
1808	ENLISTED MEN'S DINING HALL	Y	No FAD ACM
1813	BEQ	Y	No FAD ACM
1814	BEQ	Y	No FAD ACM
1815	BEQ	N	
1818	FLAG POLE/CORRECTIONAL CENTER	NI	
1929	PLAYING COURTS (MARINE BRKS)	NI	
1978	STANDBY GENR-B #1808 GALLEY	NI	
1981	ELECTRIC MAINT SHOP (AFWTF)	Y	No FAD ACM
1994	UEPH LAUNDROMAT	N	
2114	SUB-STA BY BEQ B #1815	NI	
2115	TRANSFMR BY LIBRARY B206	NI	
2116	SUB-STA BY GALLEY BLDG 1808	NI	
2118	TRANSFORMER STA BY B #2023	NI	
2178	CABANA/BBQ GRILL 1708-09	N	
2222	PAINT LOCKER AT BKS 1209	NI	On list, but could not be located, so not inspected.
2254	BUS SHLTR ACROSS GALLEY	N	
2263	LAUNDROMAT AT UEPH BY B #1710	N	
2359	RADAR MAINT SHOP BY B78	N	
2367	BASKETBALL CT BTWN 1708 & 1709	NI	
2368	FLAMM STGE BTWN 1708 & 1709	Y	No FAD ACM
2450	WELLNESS CENTER	N	

Notes: Y = Yes
N = No
NI = Not Inspected
Hazard = friable, accessible and damaged (FAD) asbestos-containing material (ACM)

Source: Final Asbestos Inspection Report for Naval Activity Puerto Rico, Ceiba, Puerto Rico (Baker, June 2005)

Exhibit F
CERFA Concurrence

**CERFA Identification of Uncontaminated Property
Former Naval Station Roosevelt Roads, Puerto Rico**

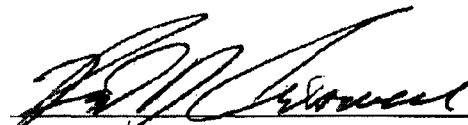
Accordingly, this CERFA Uncontaminated Property Report reflects final site categorizations that may differ from those presented in the Final ECP report.

In summary, all NAPR property not otherwise identified as sites belonging to Categories 2 or 3 are classified as "CERFA Clean" (i.e. uncontaminated) as defined in CERFA [§9620 (h)(4)(A)]. The bulk of the NAPR acreage is classified as such. Of the approximately 8,400 acres of NSRR property, about 7,000 acres have been identified as "CERFA Clean" (i.e., Category 1). Figure 1 depicts the results of this classification.

Included in the CERFA Clean classification are a total of 14 SWMUs. Ten of these SWMUs were identified by EPA in the 1994 RCRA Part B permit, and an additional four sites were identified by the ECP. All 14 of these sites were originally identified based on a suspected release or disposal activity, but subsequent investigations determined that no release or disposal activity occurred. EPA has indicated their concurrence with this determination in the draft §7003 Order on Consent by designating each of these sites as having achieved "corrective action complete without controls" designation. The SWMUs and ECP sites designated as CERFA Clean are SWMUs 5, 15, 20, 21, 22, 47, 48, 49, 50, 52, 63 (ECP 9), 64 (ECP 10), 65 (ECP 11), and 66 (ECP 12). These sites are presented in Table 1.

The remaining property has been classified as Category 2 or 3 and as such is not qualified for designation as CERFA Clean.

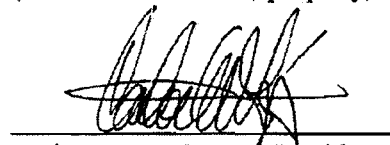
Submitted


R. DAVID CRISWELL, P. E.
BRAC Environmental Coordinator

8/27/06
Date

Concurrence

Concurrence with CERFA Identification of Uncontaminated Property is indicated by signature below. This concurrence applies only to the identification of "CERFA Clean" (i.e. uncontaminated) property, identified in this document as ECP Category 1.


Carlos Lopez Freytes, President
Environmental Quality Board
Commonwealth of Puerto Rico

8/11/06
Date

Exhibit G

Asbestos-Containing Materials Acknowledgement Form

**ASBESTOS-CONTAINING MATERIALS
HAZARD DISCLOSURE AND ACKNOWLEDGMENT FORM
(NON-RESIDENTIAL STRUCTURES)**

ASBESTOS WARNING STATEMENT

YOU ARE ADVISED THAT CERTAIN BUILDINGS WITHIN THE UNIVERSITY PARCEL TRANSFER AT THE FORMER NAVAL STATION ROOSEVELT ROADS HAVE ASBESTOS-CONTAINING MATERIALS. INDIVIDUALS (WORKERS) MAY SUFFER ADVERSE HEALTH EFFECTS AS A RESULT OF INHALATION EXPOSURE TO ASBESTOS. THESE ADVERSE HEALTH EFFECTS INCLUDE ASBESTOSIS (PULMONARY FIBROSIS) AND MESOTHELIOMAS (BENIGN OR MALIGNANT TUMORS).

ACKNOWLEDGEMENT

I acknowledge that:

- (1) I have read and understand the above-stated Asbestos Warning Statement.
- (2) I have received from the Government the following document(s): *Phase I/II Environmental Condition of Property Report, Former Naval Station Roosevelt Roads, Ceiba, Puerto Rico*, the *Final Asbestos Inspection Report for Naval Activity Puerto Rico, Ceiba, Puerto Rico*, and the *Finding of Suitability to Transfer Parcel 29 (University), Former Naval Station Roosevelt Roads, Ceiba, Puerto Rico* representing the best information available to the Government as to the presence of and condition of asbestos-containing-materials hazards in the building covered by this transfer (deed).
- (3) I understand that my failure to inspect or to become fully informed of the condition of all or any portion of the property offered will not constitute grounds for any claim or demand for adjustment or withdrawal of any bid or offer made after its opening or tender.
- (4) I understand that, upon execution of this transfer (deed), I shall assume full responsibility for preventing future asbestos exposure by properly managing and maintaining or, as required by applicable federal, State, or local laws or regulations, for abating any asbestos hazard that may pose a risk to human health.

Transferee (or duly authorized agent)

Date

Exhibit H

Lead-Based Paint Hazard Advisory

**LEAD-BASED PAINT HAZARD
DISCLOSURE AND ACKNOWLEDGEMENT FORM
(NON-RESIDENTIAL STRUCTURES)**

LEAD WARNING STATEMENT

YOU ARE ADVISED THAT STRUCTURES CONSTRUCTED PRIOR TO 1978 MAY PRESENT EXPOSURE TO LEAD FROM LEAD-BASED PAINT THAT MAY PLACE YOUNG CHILDREN AT RISK OF DEVELOPING LEAD POISONING. LEAD POISONING IN YOUNG CHILDREN MAY PRODUCE PERMANENT NEUROLOGICAL DAMAGE. YOU ARE FURTHER ADVISED THAT LEAD POISONING ALSO POSES A PARTICULAR RISK TO PREGNANT WOMEN. WORKERS MAY ALSO SUFFER ADVERSE HEALTH EFFECTS FROM LEAD DUST AND FUME EXPOSURE

ACKNOWLEDGEMENT

I acknowledge that:

- (1) I have read and understand the above stated Lead Warning Statement;
- (2) I have received from the Federal Government the following document(s): *Phase I/II Environmental Condition of Property Report, Former Naval Station Roosevelt Roads, Ceiba, Puerto Rico* and the *Finding of Suitability to Transfer, Parcel 29 (University), Naval Activity Puerto Rico, Ceiba, Puerto Rico* representing the best information available to the Government as to the presence of Lead-Based Paint and Lead-Based Paint hazards for the buildings covered by this Transfer;
- (3) I understand that my failure to inspect, or to become fully informed as to the condition of all or any portion of the property offered will not constitute grounds for any claim or demand for adjustment or withdrawal of any bid or offer made after its opening or tender; and
- (4) I understand that upon execution of this Transfer, I shall assume full responsibility for preventing future lead exposure by properly managing and maintaining or, as required by applicable Federal, state, or local laws or regulations, for abating any lead-based paint hazard that may pose a risk to human health.

Transferee (or duly authorized agent)

Date

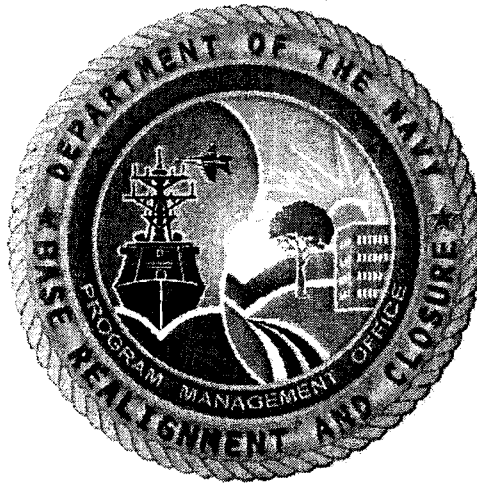
Exhibit "H"

FINDING OF SUITABILITY TO TRANSFER FIRE STATION

FINDING OF SUITABILITY TO TRANSFER

**PARCEL 34
(FIRE STATION)**

**NAVAL ACTIVITY PUERTO RICO
CEIBA, PUERTO RICO**



Prepared by:

**Department of the Navy
Base Realignment and Closure
Program Management Office Southeast
4130 Faber Place Drive, Suite 202
North Charleston, South Carolina 29405**

October 2008

**FINDING OF SUITABILITY TO TRANSFER
PARCEL 34 (FIRE STATION)
NAVAL ACTIVITY PUERTO RICO**

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FINDING OF SUITABILITY TO TRANSFER PARCEL 34 (FIRE STATION) NAVAL ACTIVITY PUERTO RICO

1.0 PURPOSE

This Finding of Suitability to Transfer (FOST) documents my determination, as the responsible Department of Defense (DoD) component official, that certain real property and associated improvements known as the Fire Station Parcel or Parcel 34 (hereafter Subject Property) located at Naval Activity Puerto Rico (NAPR), Ceiba, Puerto Rico, are environmentally suitable for deed transfer. This decision is based primarily on my review of information contained in two of the documents listed in Exhibit A (References) – the CERFA Identification of Uncontaminated Property, Former Naval Station Roosevelt Roads, Puerto Rico (the CERFA Report; Navy, 2006b), and the Phase I/II Environmental Condition of Property Report, Former Naval Station Roosevelt Roads, Ceiba, Puerto Rico (the ECP Report; Navy, 2005). Factors leading to this decision and other pertinent information related to property transfer requirements are stated below.

2.0 DESCRIPTION OF PROPERTY

NAPR was formerly known as Naval Station Roosevelt Roads (NSRR) until it ceased operation as an active Naval Station on March 31, 2004, at which point it was designated Naval Activity Puerto Rico. NAPR is located on the east coast of Puerto Rico adjacent to the municipality of Ceiba. The Subject Property is a 1.98-acre parcel of land located in an undeveloped area at the northwest end of the ridgeline above the Waterfront area of the installation. It includes two buildings – the Structural Fire Station (Building 798; 1-story; 4,348 square feet; constructed in 1966) and the Storage and Maintenance Facility/Fire (Building 2008; 1-story; 2,294 square feet; constructed in 1981). Exhibit B is a vicinity map showing the location of the Subject Property on the former naval station, and Exhibit C is parcel maps from the Draft Report, Parcel Map for the Disposal of Naval Activity Puerto Rico (GMI, 2005). Parcel 34 is not delineated on the Exhibit C maps because it had not been carved out of Parcel 40 at the time the map was prepared. The fire station buildings are due north of the Parcel 40 label on the first of the two maps. A survey map of Parcel 34 is provided as Exhibit D.

3.0 PAST USE AND PROPOSED REUSE

The Subject Property has been used as a fire station since it was built in 1966, and is in an area proposed for a Research and Development Science Park in the Naval Station Roosevelt Roads Reuse Plan (CBRE et al, 2004) developed by the Puerto Rico Department of Economic Development and Commerce (acting as the Local Redevelopment Authority [LRA]). It is anticipated that reuse will be continued use as a fire station.

**FINDING OF SUITABILITY TO TRANSFER
PARCEL 34 (FIRE STATION)
NAVAL ACTIVITY PUERTO RICO**

4.0 ENVIRONMENTAL FINDINGS

All available information concerning the past storage, release, or disposal of hazardous substances and/or petroleum products on the former NSRR, as collected through record searches, aerial photographs, personnel interviews, and on-site visual inspections, is contained in the ECP Report. The following summarizes the findings as they relate to the Subject Property and the corresponding Condition of Property Classification assigned to the real property to be transferred.

A. Hazardous Substance Contamination

There is nothing in the records that indicates any hazardous substance has been released or disposed of on the Subject Property. The ECP Report lists a former satellite accumulation area for hazardous and non-regulated wastes associated with Buildings 827 (Aircraft Fire Rescue Station; not on the Subject Property), and 2008 (Storage and Maintenance Facility/Fire; on the Subject Property). The accumulation area was no longer in use at the time of the ECP inspection.

B. Petroleum Contamination

According to the ECP Report, there is a 500-gallon aboveground storage tank for diesel fuel storage at Building 798. There is nothing in the records to indicate there have been releases or instances of disposal of petroleum products or their derivatives on the Subject Property.

C. Condition of Property Classification

The ECP Report divided all property at NAPR into parcels, and classified them into one of the three following categories:

- **Category 1** – Areas where no known or documented releases, or disposal of hazardous substances or petroleum products or their derivatives has occurred, including no migration of these substances from adjacent areas.
- **Category 2** – Areas where the release, disposal, or migration, or some combination thereof, of hazardous substances, or petroleum products or their derivatives has occurred, but at concentrations that do not require a removal or remedial action, or all remedial actions necessary to protect human health and the environment have been taken.
- **Category 3** – Areas where a confirmed or suspected release, disposal, or migration, or some combination thereof, of hazardous substances, or petroleum products or their

**FINDING OF SUITABILITY TO TRANSFER
PARCEL 34 (FIRE STATION)
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derivatives has occurred, but required investigation and/or response actions have not yet been initiated or are ongoing.

These categories are derived from CERCLA, CERFA and the American Society for Testing and Materials (ASTM) Standard Practice for Conducting Environmental Baseline Surveys (ASTM Standard D 6008-96), which further incorporates ASTM D 5746-98 (2002) Standard Classification of Environmental Condition of Property Area Types for Defense Base Closure and Realignment Facilities.

CERFA stipulates that the federal government must identify "uncontaminated property" scheduled for transfer, and defines this as "...real property on which no hazardous substances and no petroleum products or their derivatives were known to have been released, or disposed of" [(Section 9620(h)(4)(A)]. In accordance with the property condition classification guidelines discussed above, the Subject Property is suitable for deed transfer and is classified as Category 1 (uncontaminated). The Final CERFA Report was submitted to the Puerto Rico Environmental Quality Board (EQB) for concurrence. On 11 August 2006, EQB provided the concurrence statement included as Exhibit E to this FOST.

D. Other Environmental Aspects

1. Ordnance

There is nothing in the records to indicate ordnance handling, storage, or disposal activities have ever been conducted on the Subject Property.

2. Asbestos-Containing Materials

According to the Final Asbestos Inspection Report for Naval Activity Puerto Rico, Ceiba, Puerto Rico (Baker, 2005), 12 suspect homogeneous materials were identified and sampled in Building 798. Four materials were found to be asbestos-containing materials (ACM), but none were identified as friable, accessible and damaged (FAD) ACM. Nine suspect homogenous materials were identified and sampled at Building 2008. None of the materials were found to be ACM. Detailed information about the materials identified and sampled during the asbestos inspection, including summary tables, location drawings, photographs and laboratory reports, is included in the report.

**FINDING OF SUITABILITY TO TRANSFER
PARCEL 34 (FIRE STATION)
NAVAL ACTIVITY PUERTO RICO**

It is likely that undiscovered ACM associated with underground utilities and miscellaneous building materials exists at NAPR. While this potential ACM does not currently pose a hazard to site users, future demolition and/or subsurface work performed by the transferee could result in friable, accessible and damaged ACM hazards. Thus, the transferee will be required to use best management practices during any future renovation/demolition activities or underground utility work, and to comply with all applicable laws relating to ACM management in order to ensure future protection of human health and the environment. An ACM acknowledgement form (Exhibit F) will be provided to the transferee for execution at the time of transfer.

3. **Lead-Based Paint**

Building 798 was constructed prior to 1978, the year in which lead-based paint (LBP) was banned for consumer use. This facility and any others built before 1978 are presumed to contain LBP. A LBP survey and risk assessment was completed at NAPR in 2005 for military family housing only, thus neither of the facilities on the Subject Property were included in the survey. A Lead-Based Paint Hazards Advisory Statement (Exhibit G) will be provided to the transferee for execution at the time of transfer.

4. **Polychlorinated Biphenyls**

Only one polychlorinated biphenyl (PCB) containing-transformer remains at NAPR. The transformer, located in Building 386, is not on the Subject Property. All other PCB-contaminated transformers and equipment were removed from the former NSRR prior to 1998. Due to the age of the majority of facilities and the size of the station, it is possible that PCB-contaminated fluorescent light ballasts and other minor PCB sources may be present on NAPR. There is nothing in the records to indicate PCBs were ever stored or disposed of on the Subject Property.

5. **Radon**

According to the Preliminary Geologic Radon Potential Assessment of Puerto Rico (USGS, 1993), the Commonwealth of Puerto Rico exhibits generally low indoor radon levels, and a survey of radon concentrations of offices, housing units, schools and other buildings was conducted by the DoD between 1989 and 1992 on federal military reservations in Puerto Rico, including the former NSRR. Indoor radon levels ranged from

**FINDING OF SUITABILITY TO TRANSFER
PARCEL 34 (FIRE STATION)
NAVAL ACTIVITY PUERTO RICO**

0.0 to 1.9 picoCuries/Liter (pCi/L), well below the current EPA residential indoor radon screening action level of 4 pCi/L. The majority of the reservations, including NAPR, are situated on coastal plains, so the low indoor radon levels were not unexpected.

6. Threatened and Endangered Species

As shown on the parcel map in Exhibit C, breeding habitat for the endangered yellow-shouldered blackbird has been identified throughout the Subject Property. The Commonwealth of Puerto Rico has indicated that it intends to zone the property in a manner that will implement the planning, development, maintenance, mitigation and use requirements described on the parcel map.

In accordance with the Endangered Species Act, the Navy developed a Biological Assessment (BA) for the former NSRR in 2006 to assess the potential impact on any federally protected species from the disposal of NSRR. Given the protection measures addressed in detail in the Biological Assessment for the Disposal of Naval Station Roosevelt Roads/Naval Activity Puerto Rico Final Report (Navy, 2006a), the Navy has determined that the disposal of the former NSRR and transfer of the property to future owners is not likely to adversely affect federally-listed species and would not result in adverse modification of designated critical habitat within the project area. The U.S. Fish and Wildlife Service concurred with this determination in a letter dated April 7, 2006.

5.0 REQUIREMENTS APPLICABLE TO PROPERTY TRANSFER

A. NEPA Compliance

In accordance with National Environmental Policy Act (NEPA) requirements, an Environmental Assessment and Finding of No Significant Impact (FONSI) have been prepared and executed in connection with the planned disposal and reuse of NAPR. The FONSI was signed on April 10, 2007.

B. Hazardous Substance Notice

In accordance with Section 120(h)(3)(A)(i) of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), all deeds transferring federal property must provide notice as to those hazardous substances which it is known, based on a complete search of agency files, were stored for 1 year or more, released or disposed on the Subject Property in

**FINDING OF SUITABILITY TO TRANSFER
PARCEL 34 (FIRE STATION)
NAVAL ACTIVITY PUERTO RICO**

excess of those reportable quantities specified under 40 CFR 373, and all response actions taken to date to address any such releases or disposals. No hazardous substances are known to have been stored or released on the Subject Property in excess of their respective reportable quantities, thus, no deed notice is required in this instance.

C. CERCLA Covenant

In accordance with CERCLA Section 120(h)(4)(D)(i), the deed transferring the Subject Property shall contain a covenant warranting that any response action or corrective action found to be necessary after the date of transfer shall be conducted by the United States.

D. CERCLA Access Clause

In accordance with CERCLA Section 120(h)(4)(D)(ii), the deed transferring the Subject Property shall contain a clause granting to the United States, its officers, agents, employees, contractors, and subcontractors the right to enter upon the transferred property in any case that remedial or corrective action is found to be necessary after the date of transfer. The right to enter to be set forth shall include the right to conduct annual physical inspections, tests, investigations, long term monitoring, 5-year reviews, and surveys, including, where necessary, drilling, test pitting, boring, and other similar activities. Such right shall also include the right to construct, operate, maintain, or undertake any other response or remedial action as required or necessary, including, but not limited to, monitoring wells, pumping wells, and treatment facilities. The United States retains the authority to enter to conduct investigations on adjacent parcels as well as the parcel subject to the transfer. These access rights are in addition to those granted to Federal, state, and local authorities under applicable environmental laws and regulations.

E. Land and Groundwater Restrictions

The Navy will transfer all of the Subject Property without restrictions.

F. Environmental Compliance Agreements / Permits / Orders

On January 29, 2007, the U.S. Department of the Navy and EPA voluntarily entered into a Resource Conservation and Recovery Act (RCRA) Section 7003 Administrative Order on Consent (Consent Order; EPA, 2007). The Consent Order set out the Navy's RCRA corrective action obligations and replaced the 1994 RCRA permit as the document memorializing these obligations concerning NAPR. Although there are no RCRA solid waste management units or

**FINDING OF SUITABILITY TO TRANSFER
PARCEL 34 (FIRE STATION)
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areas of concern on the Subject Property, certain RCRA obligations defined in the Consent Order apply to the Subject Property including notification and additional work requirements for newly discovered releases, other notification requirements, and record retention requirements.

Puerto Rico EQB issued a draft Title V Operating Permit, number TV9711-19-0397-0012, for air emissions at the former NSRR in Spring 2003. This draft permit went into public review on July 8, 2003, where NSRR presented extensive comments/changes due to the relocation of many tenant commands. A final Title V Operating Permit was issued by EQB on September 30, 2006. NSRR had a wide variety of small emission sources, which operated intermittently, with no set operation schedule. Most volatile organic compound and hazardous air pollutant emissions were generated by combustion sources, which are powered by diesel, JP-5, gasoline or propane gas. There are no significant emission units on the Subject Property; however, the emergency generator described below is associated with the permit. There is no documentation of any current, or previous Notices of Violation issued to the former NSRR as a result of a deviation from the Title V Permit.

Description	Bldg #	KW	Fuel Capacity	Manufacture	Model	Serial #	Voltage
GENERATOR	798	80	500	KOHLER	80ROZJ81	275502	120/208

There are no other environmental compliance agreements, permits, or orders associated with the Subject Property.

G. Notification to Regulatory Agencies / Public

In accordance with DoD guidance, EPA Region 2 and Puerto Rico EQB have been advised of the proposed transfer of the Subject Property, and copies of the ECP Report, CERFA Report, and Draft FOST were provided to those agencies for review and comment. No review comments on this FOST were received from either agency. The ECP Report was made available for public review upon finalization. Copies of all transfer documentation will be made available to EPA and EQB representatives upon request after execution of the same.

**FINDING OF SUITABILITY TO TRANSFER
PARCEL 34 (FIRE STATION)
NAVAL ACTIVITY PUERTO RICO**

6.0 SUITABILITY DETERMINATION

NOW THEREFORE, based on my review of the information contained in this FOST and in the ECP and CERFA Reports, I have determined that the Subject Property is presently suitable for deed transfer for unrestricted reuse.

01 December 2008

Date

James E. Anderson

JAMES E. ANDERSON

Director

BRAC Program Management Office Southeast
North Charleston, South Carolina

Exhibit A
References

**FINDING OF SUITABILITY TO TRANSFER
PARCEL 34 (FIRE STATION)
NAVAL ACTIVITY PUERTO RICO**

REFERENCES

Baker, 2005. (Michael Baker Jr., Inc.) *Final Asbestos Inspection Report for Naval Activity Puerto Rico, Ceiba, Puerto Rico*. Moon Township, Pennsylvania. June 2005.

CBRE et al, 2004. (CB Richard Ellis Consulting, Cooper Robertson & Partners, Moffatt & Nichol, Puerto Rico Management & Economic Consultants, Inc.) *Naval Station Roosevelt Roads Reuse Plan*. December 2004.

EPA, 2007. (U.S. Environmental Protection Agency) *RCRA § 7003 Administrative Order on Consent, In the Matter of United States, The Department of the Navy, Naval Activity Puerto Rico, formerly Naval Station Roosevelt Roads, Puerto Rico, EPA Docket No. RCRA-02-2007-7301*. January 2007.

GMI, 2005. (Geo-Marine, Inc.) *Draft Report, Parcel Map for the Disposal of Naval Activity Puerto Rico*. Hampton, Virginia. September 2005.

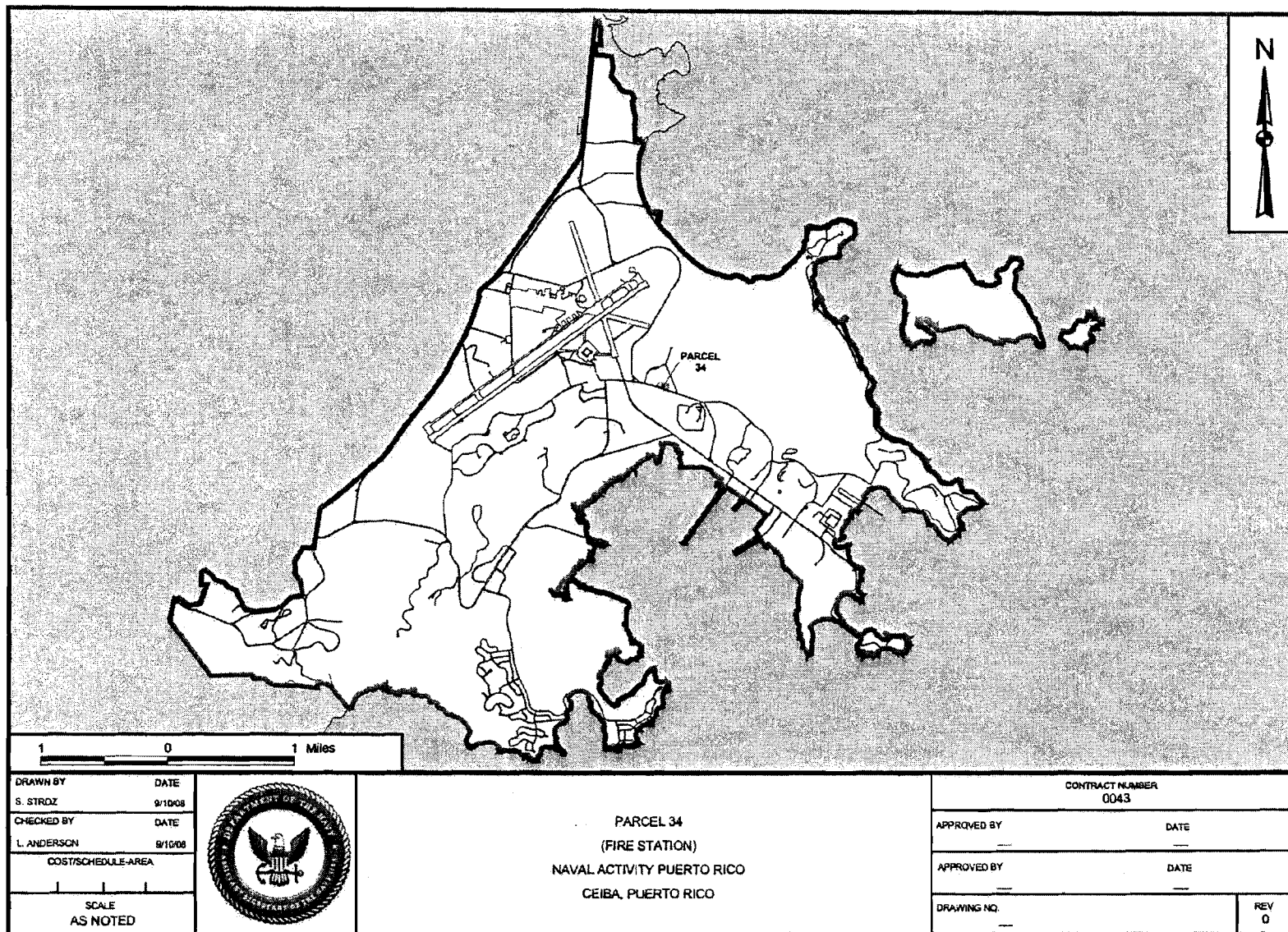
Navy, 2005. (Naval Facilities Engineering Command Atlantic) *Phase I/II Environmental Condition of Property Report, Former U.S. Naval Station Roosevelt Roads, Ceiba, Puerto Rico*. Norfolk, Virginia. July 15, 2005.

Navy, 2006a. (Naval Facilities Engineering Command Atlantic). *Biological Assessment for the Disposal of Naval Station Roosevelt Roads/Naval Activity Puerto Rico Final Report*. Norfolk, Virginia. January 2006.

Navy, 2006b. (Department of the Navy, Base Realignment and Closure Program Management Office Southeast) *CERFA Identification of Uncontaminated Property, Former Naval Station Roosevelt Roads, Puerto Rico*. North Charleston, South Carolina, April 27, 2006.

USGS, 1993. (U.S. Geological Survey) *Open File Report 93-292-K, Preliminary Geologic Radon Potential Assessment of Puerto Rico*. 1993.

Exhibit B
Vicinity Map



P:\GIS\NA_PUERTORICO\MAPDOCS\APRUEARLY_TRANSFER_PROPERTY.APR\PARCEL 34 FIRE STATION VICINITY LAYOUT 9/10/08 SS

Exhibit C

Parcel Map

NOTE: The parcel map in this exhibit is from the Draft Report, Parcel Map for the Disposal of Naval Activity Puerto Rico (GMI, 2005). Parcel 34 is not delineated on the map because it had not been carved out of Parcel 40 at the time the map was prepared. Buildings 798 and 2008, which comprise Parcel 34, are the buildings due north of the Parcel 40 label on the first of the two maps.

THREATENED AND ENDANGERED SPECIES CONSERVATION MEASURES—PARCEL 40

Common Name—Sale

Conveyance—Sale

Neighboring Parcel(s)—28, 31, 33, 39, 41, 43, 44, 48, 50, 52, 55

Yellow-shouldered Blackbird

GENERAL REQUIREMENTS

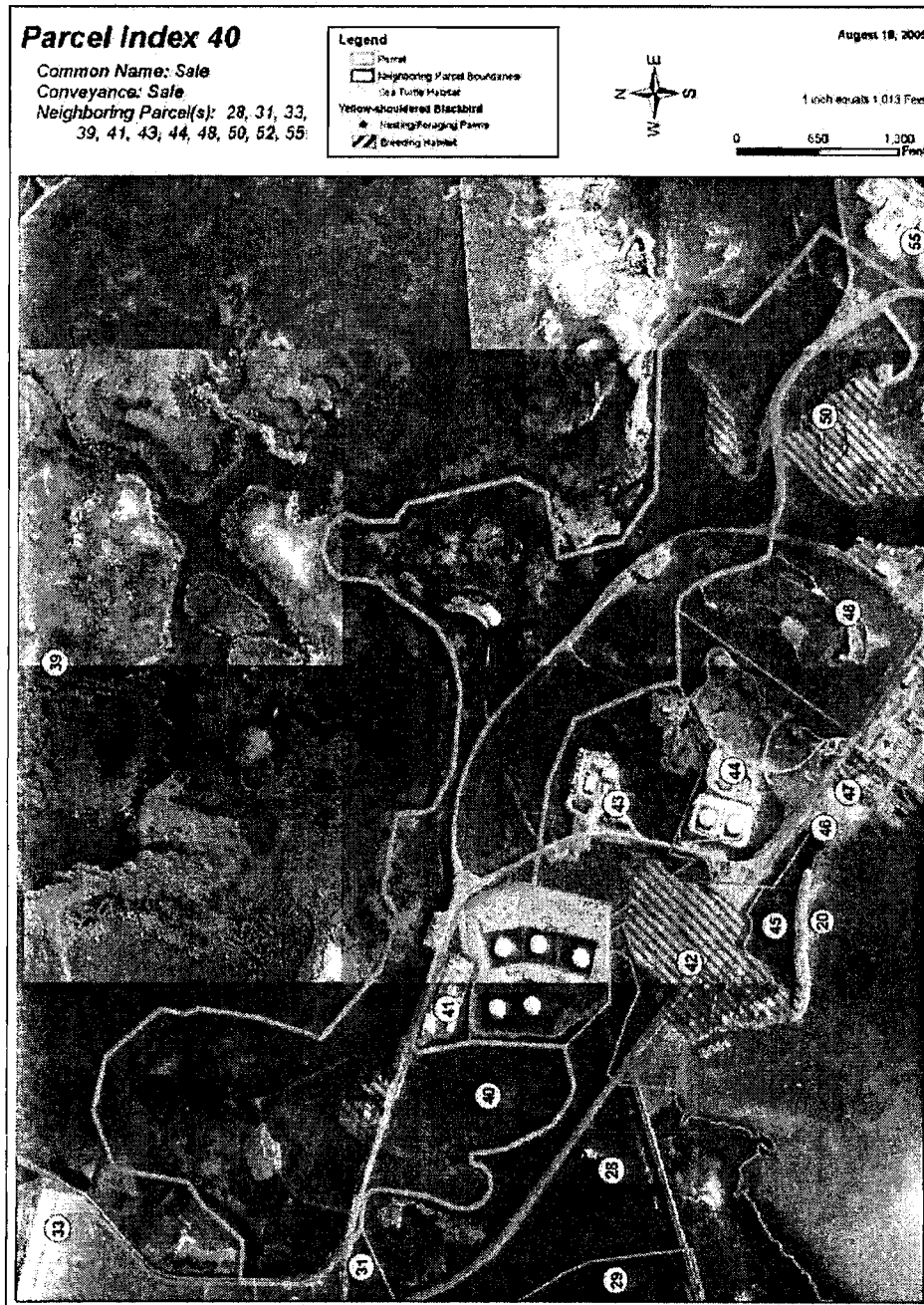
- No development is allowed in Parcel 28 and 39 (Conservation).
- All development related activities (new construction, ground clearing, demolition/remodeling) adjacent to conservation parcels (28, 29) should occur between September 1 and March 15 (non-breeding season) or be restricted to an area 50 m from the parcel boundary from March 15-August 30 (breeding season).
- Notify USFWS if a yellow-shouldered blackbird nest is found anywhere on the property (787-851-7297).
- Pesticide and herbicide applications must follow Commonwealth of Puerto Rico regulations.

Activity	Conservation Measures
Development Planning	Save as many existing on site palms and trees as possible in new development plans.
New Construction/Clearing	If undeveloped yellow-shouldered blackbird habitat is proposed for clearing consult with USFWS a minimum of one year prior to planned project initiation
Demolition/Remodeling	Schedule activity from September 1 through March 14 or conduct outdoor survey of building(s) (ledges, etc.) and nearby trees (within 50 m of the building) for yellow-shouldered blackbird nests prior to start date if the development activity is scheduled to occur between March 15 and August 30. Consult with USFWS if a yellow-shouldered blackbird nest is found.
Grounds Maintenance	No trimming or cutting of palms and trees between March 15 and August 30 except in an emergency (i.e., downed trees and palms from storms).
Building Maintenance	Check for yellow-shouldered blackbird nests prior to any outdoor building maintenance activities between March 15 and August 30. Determine identity of any bird nest found. Notify and consult with USFWS if a yellow-shouldered blackbird nest is found.
General Operations	Before moving parked outdoor equipment (e.g., carts, vehicles) check for yellow-shouldered blackbird nests (March 15-August 30). Notify USFWS if a yellow-shouldered blackbird nest is located.
Property Sale/Lease	Notify buyer/lessee of all mitigation requirements (see above) and include mitigation with all legal documents.

NOTICE:

Consult with the U.S. Fish and Wildlife Service if you have any questions on the conservation measures. Property owners that cannot adhere to the conservation measures must consult with the U.S. Fish and Wildlife Service to seek a Section 10.0 permit for authorization to modify the identified critical habitat. Failure to comply with the identified conservation measures violates Section 9.0 and/or Section 10.0 of the Endangered Species Act. The U.S. Fish and Wildlife Service has the authority to prosecute violations under the Endangered Species Act.

*Parcel Map for the Disposal
of Naval Activity Puerto Rico*



*Parcel Map for the Disposal
of Naval Activity Puerto Rico*

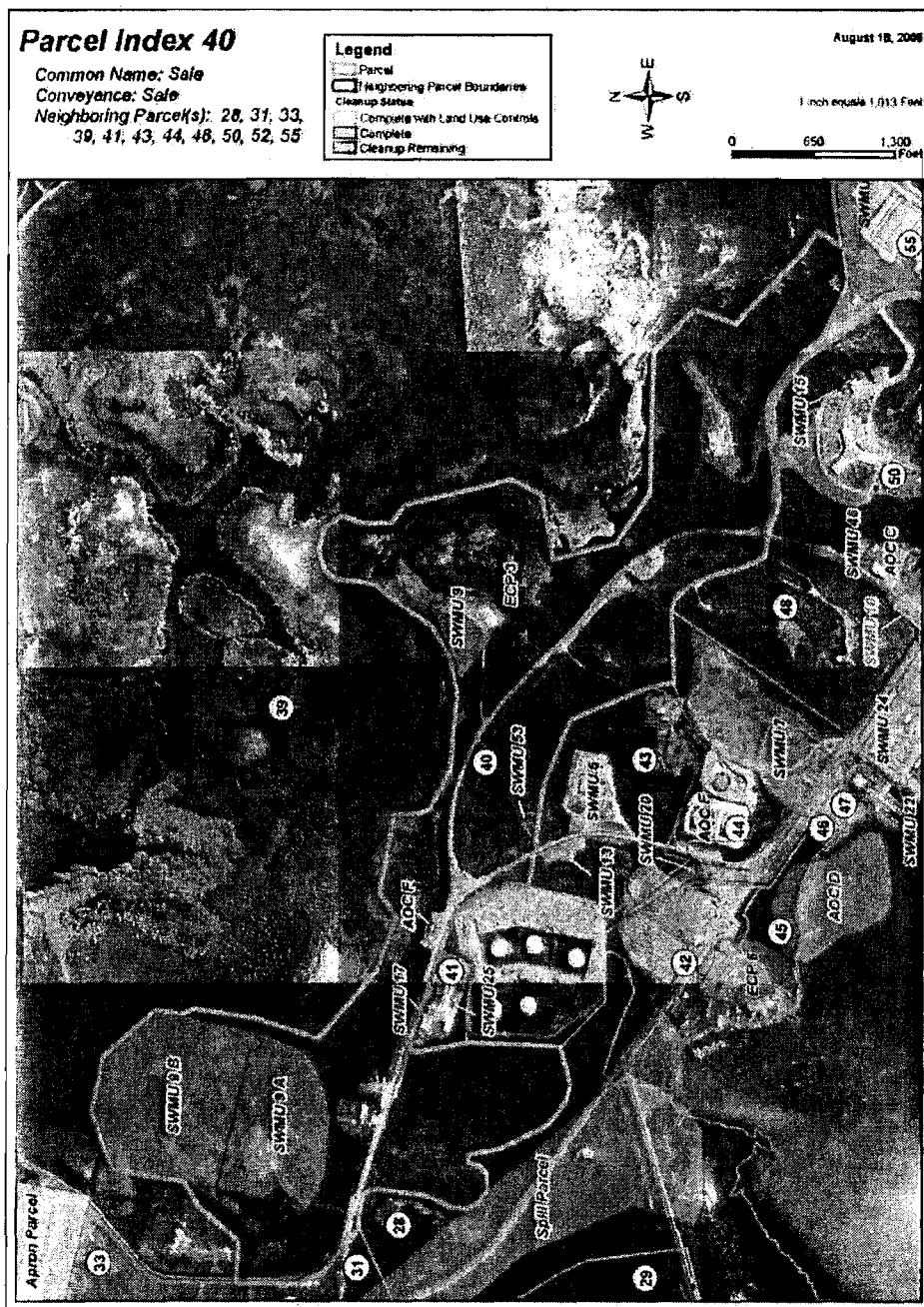
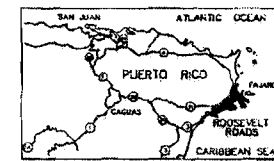


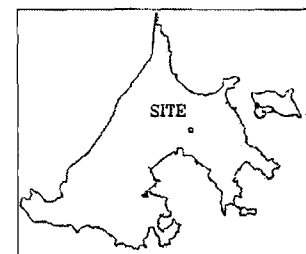
Exhibit D
Survey Map

SURVEY NOTES:

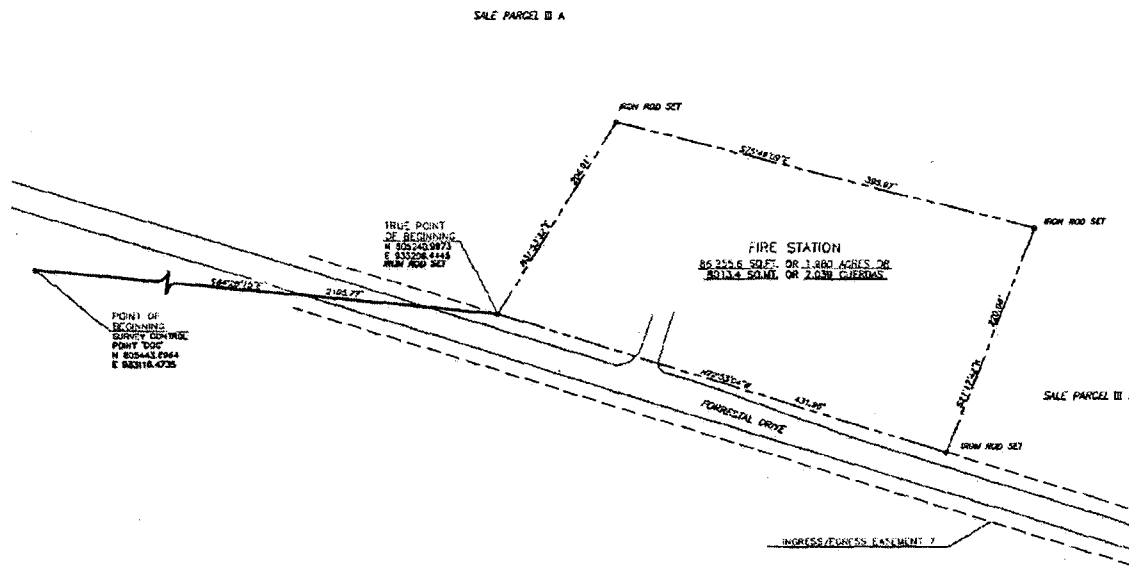
1. BOUNDARY SURVEY PREPARED BY TRANSITIONS CORPORATION FROM FIELD DATA COLLECTED IN AUGUST 2007. FIELD PROFESSIONALS, CALCULATIONS AND FINAL PLAN HAVE BEEN REVIEWED FOR CONTENT BY LUIS BERRIOS MONTES & ASSOCIATES OF NAGA BANA, PUERTO RICO.
2. HORIZONTAL COORDINATES SHOWN HEREON ARE IN FEET AND REFER TO THE PUERTO RICO/MAJOR ISLAND STATE PLANE COORDINATE SYSTEM HAD 83 (1987 ADJUSTMENT). VERTICAL COORDINATES WERE DERIVED USING DATA FROM THE NATIONAL DATUM AND ARE REFERENCED TO NATIONAL GEODETIC SURVEY MONUMENTS 4856 (70 485644), MONUMENT 2 (70 485644) AND MT BRITTON (70 485633).
3. PLANNIMETRIC DATA AND SHORTLINE PROVIDED BY HOGGARD EURE ASSOCIATES PORTSMOUTH, VA. AERIAL SURVEY PERFORMED BY AERIAL-DYNAMICS CORPORATION CHARLOTTE, N.C. SURVEY FLOWN FEBRUARY 1988.
4. NOTE: THIS PLAN SHOWS EASEMENTS OF RECORD FOUND IN THE MAY REAL ESTATE OFFICE, HONOLULU, HI. THIS PLAN MAY NOT SHOW ALL EASEMENTS THAT COULD AFFECT SUBJECT PROPERTY.



LOCATION MAP
NOT TO SCALE



NAVAL ACTIVITY PUERTO RICO
NOT TO SCALE



CERTIFICATION

I, LUIS BERRIOS MONTES, CERTIFY THAT THE INFORMATION THAT FOLLOWS REPRESENTS FAITHFULLY WHAT I FOUND, POSSIBLY ON THE GROUND AND/OR BY THE INVESTIGATIONS THAT HAS BEEN MADE BY ME.

LUIS BERRIOS MONTES
Surveyor License No. 8888

LUIS BERRIOS MONTES

Surveyor License No. 8888

1"=50' 0' 50' 100' 150' 200' 250'

Trans Systems 7000 South Central Expressway Suite 100 Houston, Texas 77057-1118 Phone: 281-297-1118 Fax: 281-297-1118 www.transystems.com	
ATLANTIC DIVISION NAVAL ACTIVITY PUERTO RICO CSEA, PUERTO RICO UNITED STATES GOVERNMENT PROPERTY FORMER NAVAL STATION ROOSEVELT ROADS FIRE STATION	
PROJECT NO. 07-01 DATE: 08/08/08 SCALE: AS SHOWN DRAWN BY: LBM CHECKED BY: LBM APPROVED BY: LBM DATE: 08/08/08	SHEET 1 OF 1

Exhibit E
CERFA Concurrence

**CERFA Identification of Uncontaminated Property
Former Naval Station Roosevelt Roads, Puerto Rico**

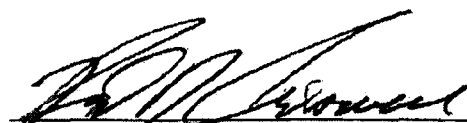
Accordingly, this CERFA Uncontaminated Property Report reflects final site categorizations that may differ from those presented in the Final ECP report.

In summary, all NAPR property not otherwise identified as sites belonging to Categories 2 or 3 are classified as "CERFA Clean" (i.e. uncontaminated) as defined in CERFA [§9620 (h)(4)(A)]. The bulk of the NAPR acreage is classified as such. Of the approximately 8,400 acres of NSRR property, about 7,000 acres have been identified as "CERFA Clean" (i.e., Category 1). Figure 1 depicts the results of this classification.

Included in the CERFA Clean classification are a total of 14 SWMUs. Ten of these SWMUs were identified by EPA in the 1994 RCRA Part B permit, and an additional four sites were identified by the ECP. All 14 of these sites were originally identified based on a suspected release or disposal activity, but subsequent investigations determined that no release or disposal activity occurred. EPA has indicated their concurrence with this determination in the draft §7003 Order on Consent by designating each of these sites as having achieved "corrective action complete without controls" designation. The SWMUs and ECP sites designated as CERFA Clean are SWMUs 5, 15, 20, 21, 22, 47, 48, 49, 50, 52, 63 (ECP 9), 64 (ECP 10), 65 (ECP 11), and 66 (ECP 12). These sites are presented in Table 1.

The remaining property has been classified as Category 2 or 3 and as such is not qualified for designation as CERFA Clean.

Submitted



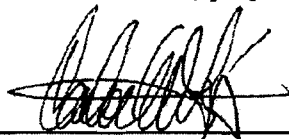
R. DAVID CRISWELL, P. E.
BRAC Environmental Coordinator

8/22/06

Date

Concurrence

Concurrence with CERFA Identification of Uncontaminated Property is indicated by signature below. This concurrence applies only to the identification of "CERFA Clean" (i.e. uncontaminated) property, identified in this document as ECP Category 1.



Carlos Lopez Freytes, President
Environmental Quality Board
Commonwealth of Puerto Rico

8/11/06

Date

Exhibit F

Asbestos-Containing Materials Acknowledgement Form

**ASBESTOS-CONTAINING MATERIALS
HAZARD DISCLOSURE AND ACKNOWLEDGMENT FORM
(NON-RESIDENTIAL STRUCTURES)**

ASBESTOS WARNING STATEMENT

YOU ARE ADVISED THAT ASBESTOS-CONTAINING MATERIALS (ACM) ARE PRESENT WITHIN THE FIRE STATION PARCEL AT THE FORMER NAVAL STATION ROOSEVELT ROADS. INDIVIDUALS (WORKERS) MAY SUFFER ADVERSE HEALTH EFFECTS AS A RESULT OF INHALATION EXPOSURE TO ASBESTOS. THESE ADVERSE HEALTH EFFECTS INCLUDE ASBESTOSIS (PULMONARY FIBROSIS) AND MESOTHELIOMAS (BENIGN OR MALIGNANT TUMORS).

ACKNOWLEDGEMENT

I acknowledge that:

- (1) I have read and understand the above-stated Asbestos Warning Statement.
- (2) I have received from the Government the following document(s): *Phase I/II Environmental Condition of Property Report, Former Naval Station Roosevelt Roads, Ceiba, Puerto Rico, the Final Asbestos Inspection Report for Naval Activity Puerto Rico, Ceiba, Puerto Rico and the Finding of Suitability to Transfer, Parcel 34 (Fire Station), Former Naval Station Roosevelt Roads, Ceiba, Puerto Rico* representing the best information available to the Government as to the presence of and condition of asbestos-containing-materials hazards in the building covered by this transfer (deed).
- (3) I understand that my failure to inspect or to become fully informed of the condition of all or any portion of the property offered will not constitute grounds for any claim or demand for adjustment or withdrawal of any bid or offer made after its opening or tender.
- (4) I understand that, upon execution of this transfer (deed), I shall assume full responsibility for preventing future asbestos exposure by properly managing and maintaining or, as required by applicable federal, State, or local laws or regulations, for abating any asbestos hazard that may pose a risk to human health.

Transferee (or duly authorized agent)

Date

Exhibit G

Lead-Based Paint Hazards Advisory Statement

**LEAD-BASED PAINT HAZARD
DISCLOSURE AND ACKNOWLEDGEMENT FORM
(NON-RESIDENTIAL STRUCTURES)**

LEAD WARNING STATEMENT

YOU ARE ADVISED THAT STRUCTURES CONSTRUCTED PRIOR TO 1978 MAY PRESENT EXPOSURE TO LEAD FROM LEAD-BASED PAINT THAT MAY PLACE YOUNG CHILDREN AT RISK OF DEVELOPING LEAD POISONING. LEAD POISONING IN YOUNG CHILDREN MAY PRODUCE PERMANENT NEUROLOGICAL DAMAGE. YOU ARE FURTHER ADVISED THAT LEAD POISONING ALSO POSES A PARTICULAR RISK TO PREGNANT WOMEN. WORKERS MAY ALSO SUFFER ADVERSE HEALTH EFFECTS FROM LEAD DUST AND FUME EXPOSURE

ACKNOWLEDGEMENT

I acknowledge that:

- (1) I have read and understand the above stated Lead Warning Statement;
- (2) I have received from the Federal Government the following document(s): *Phase I/II Environmental Condition of Property Report, Former Naval Station Roosevelt Roads, Ceiba, Puerto Rico* and the *Finding of Suitability to Transfer, Parcel 34 (Fire Station), Naval Activity Puerto Rico, Ceiba, Puerto Rico* representing the best information available to the Government as to the presence of Lead-Based Paint and Lead-Based Paint hazards for the buildings covered by this Transfer;
- (3) I understand that my failure to inspect, or to become fully informed as to the condition of all or any portion of the property offered will not constitute grounds for any claim or demand for adjustment or withdrawal of any bid or offer made after its opening or tender; and
- (4) I understand that upon execution of this Transfer, I shall assume full responsibility for preventing future lead exposure by properly managing and maintaining or, as required by applicable Federal, state, or local laws or regulations, for abating any lead-based paint hazard that may pose a risk to human health.

Transferee (or duly authorized agent)

Date

EXHIBIT "I"

DEPARTMENT OF DEFENSE INSTRUCTION 4165.72



Department of Defense

INSTRUCTION

NUMBER 4165.72

December 21, 2007

USD(AT&L)

SUBJECT: Real Property Disposal

- References:
- (a) DoD Directive 4165.6, "Real Property," October 13, 2004
 - (b) DoD Directive 4275.5, "Acquisition and Management of Industrial Resources," October 6, 1980
 - (c) DoD Instruction 4165.69, "Realignment of DoD Sites Overseas," April 6, 2005
 - (d) DoD Directive 5110.4, "Washington Headquarters Services (WHS)," October 19, 2001
 - (e) through (v), see Enclosure 1

1. PURPOSE

This Instruction:

- 1.1. Implements policy and assigns responsibility pursuant to Reference (a) for the disposal of real property.
- 1.2. Re-delegates various statutory and regulatory authorities and responsibilities relating to real property disposal.

2. APPLICABILITY AND SCOPE

This Instruction:

2.1. Applies to the Office of the Secretary of Defense, the Military Departments (including their Reserve components), the Office of the Chairman of the Joint Chiefs of Staff, the Combatant Commands, the Office of the Inspector General of the Department of Defense, the Defense Agencies, the DoD Field Activities, and all other organizational entities in the Department of Defense (hereafter referred to collectively as the "DoD Components").

2.2. Applies to all DoD real property holdings except:

2.2.1. Civil works projects.

2.2.2. The acquisition and management of defense industrial plants that are governed by DoD Directive 4275.5 (Reference (b)).

2.3. Does not apply to DoD real property holdings:

2.3.1. Disposed of pursuant to a base closure law, except for paragraphs 5.1.2., 5.5., 5.8., 5.9., 5.10., and 5.11., which do apply.

2.3.2. Outside the United States with regard to those provisions of law not having extraterritorial application. (See DoD Instruction 4165.69 (Reference (c))).

3. DEFINITIONS

3.1. Consistent with DoD Directive 5110.4 (Reference (d)), for purposes of the Pentagon Reservation, Washington Headquarters Services shall be considered a Military Department and its Director the secretary thereof.

3.2. Other terms used in this Instruction are defined in Joint Publication 1-02 (Reference (e)) and section 101 of title 10, United States Code (U.S.C.) (Reference (f)).

4. RESPONSIBILITIES

4.1. The Under Secretary of Defense for Acquisition, Technology, and Logistics (USD(AT&L)) shall establish overarching guidance and procedures regarding the disposal of real property.

4.2. The Deputy Under Secretary of Defense for Installations and Environment (DUSD(I&E)), under the USD(AT&L):

4.2.1. Shall provide additional guidance and procedures for the implementation of DoD real property disposal policy and this Instruction.

4.2.2. Is hereby re-delegated, with authority to re-delegate, all those authorities and responsibilities delegated or re-delegated, as the case may be, to the USD(AT&L) under paragraph 5.1.3. of Reference (a) that relate to the disposal of real property.

4.3. The Secretaries of the Military Departments shall:

4.3.1. Establish programs and procedures to dispose of real property that conform with applicable law and the policies, guidance, and procedures provided by and pursuant to Reference (a) and this Instruction.

4.3.2. Accurately inventory and account for the real property under their jurisdiction, management, and control in accordance with DoD Instruction 4165.14 (Reference (g)).

4.4. The Heads of the DoD Components shall:

4.4.1. Ensure compliance with this Instruction.

4.4.2. Provide, within 45 days after a Military Department gives notice of the availability of real property for which a DoD Component has a requirement, a firm commitment to take real property accountability for the property in the case of a Military Department, or a firm commitment from a Combatant Command, Defense Agency, or DoD Field Activity that it requires the property and has secured the agreement of a Military Department to accept real property accountability for the property. A Combatant Command, Defense Agency, or DoD Field Activity that is supported by a specific Military Department for its real property requirements will communicate its requirements through that Military Department.

5. PROCEDURES

5.1. Disposal of Real Property. The programs of the Military Departments shall ensure that, after screening with the other DoD Components, real property for which there is no foreseeable military requirement, either in peacetime or for mobilization, and for which the Department of Defense does not have disposal authority, is promptly reported for disposal to the General Services Administration (GSA), or the Department of the Interior in the case of land withdrawals, in accordance with applicable regulations of those agencies.

5.1.1. Real property may be transferred, at no cost, among the Armed Forces, including the Coast Guard, pursuant to section 2696 of title 10, U.S.C. (Reference (h)). Subject to the authority, direction, and control of the Secretary of Defense with regard to the DoD Components, this transfer authority cannot be precluded, directly or indirectly, by any regulatory, program, or policy restrictions issued by any agency or official within the Executive Branch of the Federal Government.

5.1.2. Subject to Reference (h), ensure compliance with part 373 of title 40, Code of Federal Regulations (CFR), "Reporting Hazardous Substance Activity When Selling or Transferring Federal Real Property" (Reference (i)).

5.1.3. Subject to Reference (h), ensure compliance with the Federal Management Regulation (Reference (j)) dealing with real property disposal, part 102-75 of title 41, CFR.

5.1.4. Ensure compliance with chapter 6 of volume 4 of the DoD Financial Management Regulations, DoD 7000.14-R (Reference (k)) relating to valuation of property assets.

5.1.5. Until such time during the disposal process that GSA assumes such responsibility, the holding Military Department will ensure compliance with the McKinney-Vento Homeless Assistance Act, as amended, section 11411 of title 42, U.S.C., (Reference (l)) with regard to

identifying unutilized, underutilized, excess, or surplus property that may be suitable for use by the homeless.

5.1.6. Disposal of real property may include disposing of associated interests in real property such as authorized by section 2668a of title 10, U.S.C. (Reference (m)), including those needed to comply with the requirements of the National Historic Preservation Act, section 470 et seq. of title 16, U.S.C. (Reference (n)).

5.1.7. In the case of withdrawn lands not accepted back by the Department of the Interior, always address disposition of mineral rights during the disposal process. (See part 2720 of title 43, CFR (Reference (o))).

5.1.8. For granting uses of real property such as outgrants, see DoD Instruction 4165.70 (Reference (p)).

5.1.9. Before disposing of real property containing floodplains or wetlands, ensure compliance with Executive Orders 11988 and 11990 (References (q) and (r), respectively).

5.2. Mobilization Requirements. Real property may be held solely to meet a mobilization requirement.

5.2.1. Such property may be made available for interim use in one of the following ways, provided it will not involve modifying the property in a manner that would prevent its timely use in meeting its mobilization requirements:

5.2.1.1. By permit to another Government agency.

5.2.1.2. By outgranting by license, easement, or lease.

5.2.1.3. By declaring it as excess to GSA for disposal subject to adequate provisions for recapture in accordance with existing regulations, instructions, and statutes.

5.2.2. Any property subject to interim use in accordance with paragraphs 5.2.1.1. and 5.2.1.2. shall have a provision in the granting document requiring immediate return of the property, without cost to the Department of Defense, upon the demand of the holding Military Department, after it determines the property is required for mobilization.

5.3. Release of Reverter and Reuse Rights and of Covenants. The release of reverter and emergency reuse (recapture) rights and of covenants retained by the Government may be effected in response to a petition from the current owner to the Secretary of Defense through the original Federal grantor agency, such as the Departments of Interior, Health and Human Services, Housing and Urban Development, and Education; the Federal Aviation Administration; or GSA; if there is no current requirement for the right or covenant by any of the Military Departments.

5.3.1. Upon notification by DUSD(I&E) that such a petition has been received, the holding Military Department shall review:

5.3.1.1. In the case of reverter or reuse rights, plans covering contemplated use of the facility in light of the current and projected physical condition of the improvements.

5.3.1.2. In the case of a covenant, the original reason for the covenant, State regulatory concurrence if applicable, and changed circumstances.

5.3.2. The holding Military Department shall also notify the other DoD Components that the reverter or reuse rights it has reserved may be extinguished and request they provide, within 45 days, their objections, if any, to the release of such rights along with their rationale for objecting.

5.3.3. The holding Military Department:

5.3.3.1. If it was not the grantor agency, shall then make a recommendation to DUSD(I&E) as to whether the reverter or reuse rights or the covenant should be extinguished.

5.3.3.2. If it was the grantor agency and intends to extinguish the reverter or reuse rights or the covenant, shall advise DUSD(I&E) of its intention and wait 15 days before taking further action.

5.3.4. DUSD(I&E) shall, in the case of paragraph 5.3.3.1., then provide the position of the Department of Defense to the Federal grantor agency as to whether the reverter or reuse rights or the covenant should be extinguished.

5.4. Environmental Impacts. The holding Military Department shall accomplish any environmental analysis, including of the environmental condition of the property, required by law or its regulations prior to disposing of property, whether the disposal is done directly or by transfer to another agency for disposal or reuse.

5.5. Clauses Under section 120(h) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), section 9620(h) of title 42, U.S.C., (Reference (s)).

5.5.1. Reference (s) provides an exception to the prohibitions of the Anti-Deficiency Act by allowing the commitment of a future unfunded obligation, namely the potential return of the United States to conduct a remedial action on former DoD properties. The Department of Defense has no authority to increase or decrease the commitments directed to be provided by section 120(h).

5.5.2. Any deed transferring title to real property shall contain, to the extent they are required by law, the notices, descriptions, assurances, access rights, warranties, and covenants (collectively referred to as "120(h) clauses" in this Instruction) specified in Reference (s) as provided by this Instruction. The 120(h) clauses contained in this Instruction shall not be

inserted into any other real property transfer documents other than a deed transferring real property, nor shall any other versions of such clauses be inserted into such other documents.

5.5.2.1. Such 120(h) clauses:

5.5.2.1.1. Ensure compliance with Reference (s) when a DoD Component transfers real property to a non-Federal entity.

5.5.2.1.2. Provide uniformity in transaction documents.

5.5.2.1.3. Ensure the liability of the United States is not increased beyond that provided by law.

5.5.2.1.4. Ensure the commitments made by the United States to non-Federal recipients of DoD real property are not less than those required to be provided by Reference (s).

5.5.2.2. Such 120(h) clauses shall contain without change or limitation the applicable language provided in Enclosure 2. Changes or limitations to the language provided in Enclosure 2 are only authorized with the prior written approval of DUSD(I&E).

5.5.2.3. This paragraph 5.5. has limited application:

5.5.2.3.1. It addresses the provision of 120(h) clauses under Reference (s). It does not address all obligations under Reference (s). (See paragraph 5.1.2., for example.)

5.5.2.3.2. Not all property transfers are subject to this paragraph:

5.5.2.3.2.1. Only those transfers by deed (or other agreement in the case of section 120(h)(3)(C)(ii) assurances), i.e., transfer of title outside of the Federal Government, are subject to these 120(h) clauses. Leases and easements are not a transfer of title.

5.5.2.3.2.2. Only those transfers of title that occurred after the enactment of the relevant provisions of paragraphs 120(h)(3) and (4) of Reference (s) would be subject to its provisions relating to 120(h) clauses. For instance, a formerly used defense site transferred before the date of enactment of sections 120(h)(3) and (4) would not have had the 120(h) clauses provided in the deed.

5.5.2.4. No other 120(h) clauses, other than those provided in Enclosure 2, or changed or limited with the permission of DUSD(I&E) pursuant to paragraph 5.5.2.2., shall be used to comply with Reference (s). As a negotiated aspect of a business transaction, the Secretary concerned may agree to other deed provisions that are not inconsistent with the 120(h) clauses in Enclosure 2. Such negotiated provisions shall not increase or reduce the liability of the United States with regard to its section 120(h) obligations. Such negotiated provisions may include, for example, contractual transfer of responsibility for conducting the remedial action in instances of early transfer, contractual agreements relating to insurance to ensure performance of other contractual obligations, and environmental covenants or similar restrictions to ensure

viability of a remedy. As an aid in applying paragraph 5.5., Enclosure 3 contains a table providing a broad overview as to which 120(h) clauses should be used in various circumstances.

5.5.2.4.1. Property subject to paragraph 120(h)(3) of Reference (s). For property subject to paragraph 120(h)(3) of Reference (s), but excluding property subject to deferral under paragraph 120(h)(3)(C) of Reference (s), the following 120(h) clauses shall be used in the deed:

5.5.2.4.1.1. The appropriate option for the 120(h) clause found at paragraph E2.1.1. of Enclosure 2 entitled "Property Covered by Notice, Description, Access Rights, and Covenants Made Pursuant to Section 120(h)(3)(A) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. § 9620(h)(3)(A))";

5.5.2.4.1.2. The appropriate option for the 120(h) clause found at paragraph E2.1.2. of Enclosure 2 entitled "Notices Pursuant to Section 120(h)(3)(A)(i)(I) and (II) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. § 9620(h)(3)(A)(i)(I) and (II))";

5.5.2.4.1.3. The appropriate option for the 120(h) clause found at paragraph E2.1.3. of Enclosure 2 entitled "Description of Remedial Action Taken, if Any, Pursuant to Section 120(h)(3)(A)(i)(III) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. § 9620(h)(3)(A)(i)(III))";

5.5.2.4.1.4. The 120(h) clause found at paragraph E2.1.4. of Enclosure 2 entitled "Covenant Pursuant to Section 120(h)(3)(A)(ii) and (B) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. § 9620(h)(3)(A)(ii) and (B))" [this 120(h) clause shall not be provided in any case in which the person or entity to whom the real property is transferred is a potentially responsible party with respect to such property]; and

5.5.2.4.1.5. The 120(h) clause found at paragraph E2.1.5. of Enclosure 2 entitled "Access Rights Pursuant to Section 120(h)(3)(A)(iii) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. § 9620(h)(3)(A)(iii)).

5.5.2.4.2. Property subject to paragraph 120(h)(3)(C) of Reference (s).

5.5.2.4.2.1. For property subject to paragraph 120(h)(3) of Reference (s) but where the requirement to provide the warranty under paragraph 120(h)(3)(A)(ii)(I) of Reference (s) has been deferred pursuant to paragraph 120(h)(3)(C) of Reference (s), the following 120(h) clauses shall be used in the deed (or other agreement addressing the response action assurances in the case of the 120(h) clause addressed in paragraph 5.5.2.4.2.1.5):

5.5.2.4.2.1.1. The appropriate option for the 120(h) clause found at paragraph E2.2.1. of Enclosure 2 entitled "Property Covered by Notice, Description, Assurances, Access Rights, and Covenants Made Pursuant to Section 120(h)(3)(A) of the Comprehensive

Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. § 9620(h)(3)(A))”;

5.5.2.4.2.1.2. The appropriate option for the 120(h) clause found at paragraph E2.1.2. of Enclosure 2 entitled “Notices Pursuant to Section 120(h)(3)(A)(i)(I) and (II) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. § 9620(h)(3)(A)(i)(I) and (II))”;

5.5.2.4.2.1.3. The appropriate option for the 120(h) clause found at paragraph E2.1.3. of Enclosure 2 entitled “Description of Remedial Action Taken, if Any, Pursuant to Section 120(h)(3)(A)(i)(III) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. § 9620(h)(3)(A)(i)(III))”;

5.5.2.4.2.1.4. The 120(h) clause found at paragraph E2.2.2. of Enclosure 2 entitled “Covenant Pursuant to Section 120(h)(3)(A)(ii)(II) and (B) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. § 9620(h)(3)(A)(ii)(II) and (B))” [this 120(h) clause shall not be provided in any case in which the person or entity to whom the real property is transferred is a potentially responsible party with respect to such property];

5.5.2.4.2.1.5. The 120(h) clause found at paragraph E2.2.3. of Enclosure 2 entitled “Assurances Pursuant to Section 120(h)(3)(C)(ii) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. § 9620(h)(3)(C)(ii))”; and

5.5.2.4.2.1.6. The 120(h) clause found at paragraph E2.1.5. of Enclosure 2 entitled “Access Rights Pursuant to Section 120(h)(3)(A)(iii) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. § 9620(h)(3)(A)(iii))”.

5.5.2.4.2.2. When all response action necessary to protect human health and the environment with respect to any substance remaining on the property on the date of transfer has been taken, the following 120(h) clauses shall be provided to the transferee in an appropriate document [these 120(h) clauses shall not be provided in any case in which the person or entity to whom the real property is transferred is a potentially responsible party with respect to such property]:

5.5.2.4.2.2.1. The appropriate option for the 120(h) clause found at paragraph E2.2.1. of Enclosure 2 entitled “Property Covered by Notice, Description, Assurances, Access Rights, and Warranty Made Pursuant to Section 120(h)(3)(A) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. § 9620(h)(3)(A))”;

5.5.2.4.2.2.2. The 120(h) clause found at paragraph E2.2.4. of Enclosure 2 entitled “Warranty Pursuant to Section 120(h)(3)(C)(iii) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. § 9620(h)(3)(C)(iii))”.

5.5.2.4.3. Property subject to paragraph 120(h)(4) of Reference (s). For property subject to paragraph 120(h)(4) of Reference (s), the following 120(h) clauses shall be used in the deed:

5.5.2.4.3.1. The appropriate option for the 120(h) clause found at paragraph E2.3.1. of Enclosure 2 entitled "Property Covered by Covenant and Access Rights Made Pursuant to Section 120(h)(4)(D) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. § 9620(h)(4)(D))";

5.5.2.4.3.2. The 120(h) clause found at paragraph E2.3.2. of Enclosure 2 entitled "Covenant Pursuant to Section 120(h)(4)(D)(i) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. § 9620(h)(4)(D)(i))"; and,

5.5.2.4.3.3. The 120(h) clause found at paragraph E2.3.3. of Enclosure 2 entitled "Access Rights Pursuant to Section 120(h)(4)(D)(ii) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. § 9620(h)(4)(D)(ii))".

5.5.2.5. If a hazardous substance was not stored for one year or more, known to have been released, or disposed of on the parcel, but a petroleum product or its derivative is known to have been released or disposed of on the property, none of the 120(h) clauses under Reference (s) shall be provided.

5.5.2.6. To the extent a deed contains separately identified parcels at least one each of which is subject to any two or more of paragraphs 120(h)(3), 120(h)(3) with deferral, and 120(h)(4) of Reference (s), the deed shall separately designate those parcels under each of those three categories and provide the applicable 120(h) clauses in Enclosure 2 for each of those groupings.

5.5.2.7. Users of the 120(h) clauses found at paragraphs E2.1.2. and E2.1.3. of Enclosure 2 should note that they include the possibility of voluminous attachments. Since the transferee will pay the cost of recording, the transferee should be consulted before voluminous but not necessarily required attachments are included with the deed.

5.6. Release of Leaseholds. Excess leaseholds, if transferable, should be made available to other DoD Components and the Coast Guard as soon as possible.

5.6.1. Immediately upon a determination that a DoD leasehold is no longer required by the DoD Component, the DoD Component concerned shall send a notice of availability to the appropriate offices of the other DoD Components and the Coast Guard, provided the leasehold terms would not prevent their use of the leasehold and there is a reasonable useful life remaining.

5.6.2. Such notices shall include a physical description of the property, terms of the lease, surrender date, and date of contract renewal.

5.6.3. The DoD Component or Coast Guard interested in acquiring such an excess DoD leasehold shall assume responsibility for continuing the leasehold interest, including payment of all rents.

5.6.4. If no DoD or Coast Guard interest is expressed, the DoD Component shall advise GSA of any excess leasehold which has at least 9 months of beneficial occupancy remaining to permit Federal screening.

5.6.5. For GSA leaseholds occupied by DoD Components, the DoD Component will inform GSA as soon as the DoD Component becomes aware that it will no longer require the use of the GSA leasehold.

5.7. Excess Family Housing Units. A Report of Excess Real Property (Standard Form 118) (Reference (t)) to GSA covering mortgaged or unencumbered family housing and related land and improvements or unimproved land acquired for family housing purposes shall include the statement: "Net proceeds from the sale of family housing, including related land and improvements, shall be deposited in the Family Housing Account of the appropriate Military Department."

5.8. Timberland

5.8.1. Under the authority of section 2665 of title 10, U.S.C. (Reference (u)), any forest products produced on land owned or leased by a Military Department may be sold without also selling the underlying land, provided, in the case of leased property, that the lease does not prohibit such sales. Since Reference (u) is used to dispose of the forest products, they are not declared excess under title 40, U.S.C., or its implementing regulations.

5.8.2. If forestlands are being considered for disposal, the forest resources should be evaluated to determine the feasibility of harvesting and sale of forest products before disposal of lands. This evaluation must consider the effects of harvesting on the future use and environmental quality of the property as well as its relative diminution of the property's fair market value. With respect to base realignment and closure property, the evaluation should also consider the impact of harvesting on the redevelopment plans of the local redevelopment authority. Planned harvesting may continue on land reported as excess until actual disposal or transfer, provided that the evaluation determines that harvesting and sale of forest products should proceed and any sales agreement does not provide otherwise.

5.9. Property with Military Munitions

5.9.1. Real property known to contain or suspected of containing explosive or chemical agent hazards shall not be transferred out of DoD control (other than to the Coast Guard) unless appropriate protective measures have been taken to ensure the recipient of the property is both fully informed of the actual and potential hazards relating to the presence or possible presence of explosives or chemical agents and restrictions or conditions have been placed on the use of the property to avoid harm to users due to the presence of explosives or chemical agents. Appropriate notice requirements and restrictions on use will be submitted by the disposing

Component to the Department of Defense Explosives Safety Board for its approval prior to transfer. An outgrant such as a lease or permit may constitute transfer out of DoD control if the DoD Component does not retain sufficient control over the property to adequately manage exposure to explosive or chemical agent hazards.

5.9.2. Real property being transferred out of DoD control after explosive and chemical agent hazards have been addressed, but which is adjacent to property where such hazards have not been addressed, will have appropriate restrictions and reservations included in the transfer documents to ensure the use of the transferred property does not obstruct addressing the hazards on the adjacent property. DUSD(I&E), after consultation with the Department of Defense Explosives Safety Board, will provide model language for this purpose.

5.10. Retention of Access Rights

5.10.1. Property disposed of but not subject to inclusion of clauses under Reference (s) or paragraph 5.5. should retain a right of entry onto the property for purposes of addressing the possibility of undiscovered contamination. For this purpose, the transfer document should contain a clause similar to or the same as the clause contained at paragraph E.2.3.3., although without including in the clause any reference to Reference (s).

5.10.2. Appropriate access rights should also be retained whenever other laws or provisions of the transfer document could generate an obligation or responsibility on the part of the United States requiring it to return to the property.

5.11. Indemnification Under Section 330 of the National Defense Authorization Act for Fiscal Year 1993 (Reference (v)), as amended. Reference (v) provides for indemnification of transferees of closing DoD properties under circumstances specified in that statute. The authority to implement this provision of law has been delegated by the Secretary of Defense to the General Counsel of the Department of Defense; therefore, this provision of law shall only be referred to or recited in any deed, sales agreement, bill of sale, lease, license, easement, right-of-way, transfer document for real or personal property, or cooperative agreement or grant after obtaining the written concurrence of the Deputy General Counsel (Environment and Installations), Office of the General Counsel, Department of Defense.

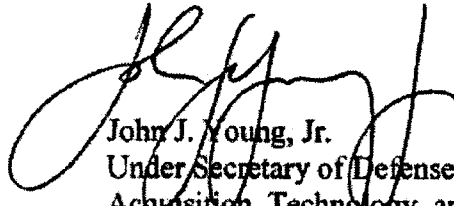
7. EFFECTIVE DATE

This Instruction is effective immediately.

8. RELEASABILITY

UNLIMITED. This Instruction is approved for public release. The DoD Components (to include the Combatant Commands), other Federal agencies, and the public may obtain copies of

this Instruction through the Internet from the DoD Issuances Web Site at
<http://www.dtic.mil/whs/directives>.



John J. Young, Jr.
Under Secretary of Defense for
Acquisition, Technology, and Logistics

Enclosures - 3

- E1. References, continued
- E2. CERCLA 120(h) Clauses
- E3. Table of CERCLA 120(h) Clauses

E1. ENCLOSURE 1

REFERENCES, continued

- (e) Joint Publication 1-02, "Department of Defense Dictionary of Military and Associated Terms," as amended
- (f) Section 101 of title 10, U.S.C.
- (g) DoD Instruction 4165.14, "Real Property Inventory and Forecasting," March 31, 2006
- (h) Section 2696 of title 10, U.S.C.
- (i) Title 40, CFR, Part 373, "Reporting Hazardous Substance Activity When Selling or Transferring Federal Real Property," current edition
- (j) Title 41, CFR, Part 102-75, "Federal Management Regulation," current edition
- (k) DoD 7000.14-R, "DoD Financial Management Regulations," current edition
- (l) Section 11411 of title 42, U.S.C., "McKinney Vento Homeless Assistance Act"
- (m) Section 2668a of title 10, U.S.C.
- (n) Section 470, et seq., of title 16, U.S.C., "The National Historic Preservation Act"
- (o) Title 43, CFR, Part 2720, "Conveyance of Federally-Owned Mineral Interests," current edition
- (p) DoD Instruction 4165.70, "Real Property Management," January 6, 2005
- (q) Executive Order 11988, "Floodplain Management," May 24, 1977
- (r) Executive Order 11990, "Protection of Wetlands," May 24, 1977
- (s) Section 120(h) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA) (Section 9620(h) of title 42, U.S.C.)
- (t) Report of Excess Real Property (Standard Form 118)
- (u) Section 2665 of title 10, U.S.C.
- (v) Section 330 of Public Law 102-484, "The National Defense Authorization Act for Fiscal Year 1993"

E2. ENCLOSURE 2

CERCLA 120(h) CLAUSES

**TEXT OF CLAUSES PROVIDED PURSUANT TO SECTION 120(h) OF CERCLA
(Reference (s))**

**[USER NOTE: UPON USE, DELETE MATERIAL IN SQUARE BRACKETS. THE MATERIAL IN BOLD
CURLY BRACKETS IS TO BE FILLED IN OR A SELECTION MADE.]**

**E2.1—DEPARTMENT OF DEFENSE UNIFORM NOTICE, DESCRIPTION, ACCESS RIGHTS, AND
COVENANTS FOR SECTION 120(h)(3) OF THE COMPREHENSIVE ENVIRONMENTAL RESPONSE,
COMPENSATION, AND LIABILITY ACT OF 1980 (42 U.S.C. § 9620(h)(3))**

**E2.1.1. “___ . Property Covered by Notice, Description, Access Rights, and Covenants
Made Pursuant to Section 120(h)(3)(A) of the Comprehensive Environmental Response,
Compensation, and Liability Act of 1980 (42 U.S.C. § 9620(h)(3)(A)):**”

**[OPTION #1: FOR USE WHERE THE 120(h) CLAUSES ONLY APPLY TO CERTAIN PARCELS OF THE
TOTAL PROPERTY.]**

“For parcels _____ of the property, the Grantor provides the following notice,
description, and covenants and retains the following access rights.”

[OPTION #2: FOR USE WHERE THE 120(h) CLAUSES APPLY TO THE ENTIRE PROPERTY.]

“For the property, the Grantor provides the following notice, description, and covenants
and retains the following access rights.”

**E2.1.2. “___ . Notices Pursuant to Section 120(h)(3)(A)(i)(I) and (II) of the Comprehensive
Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. §
9620(h)(3)(A)(i)(I) and (II)):**”

**[OPTION #1: FOR LENGTHY NOTICES, SET FORTH THE DETAILED INFORMATION IN AN EXHIBIT
TO THE DEED AND INCORPORATE IT BY THIS REFERENCE.]**

“Pursuant to section 120(h)(3)(A)(i)(I) and (II) of the Comprehensive Environmental
Response, Compensation, and Liability Act of 1980 (42 U.S.C. § 9620(h)(3)(A)(i)(I) and (II)),
available information regarding the type, quantity, and location of hazardous substances and the
time at which such substances were stored, released, or disposed of, as defined in section 120(h),
is provided in Exhibit ___, attached hereto and made a part hereof.”

**[OPTION #2: FOR BRIEF NOTICES, SET FORTH THE DETAILED INFORMATION IN THE NOTICE
ITSELF.]**

“Pursuant to section 120(h)(3)(A)(i)(I) and (II) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. § 9620(h)(3)(A)(i)(I) and (II)), notice is hereby provided that {INSERT DESCRIPTION OF TYPE, QUANTITY, AND LOCATION OF HAZARDOUS SUBSTANCES} {was/were} {stored/released/disposed of} on the property on or about {INSERT DATES IF KNOWN FOR SUCH STORAGE, RELEASE, OR DISPOSAL OF HAZARDOUS SUBSTANCES}.”

E2.1.3. “____. Description of Remedial Action Taken, if Any, Pursuant to Section 120(h)(3)(A)(i)(III) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. § 9620(h)(3)(A)(i)(III)):”

[OPTION #1: FOR LENGTHY DESCRIPTIONS, SET FORTH THE DETAILED INFORMATION IN AN EXHIBIT TO THE DEED AND INCORPORATE IT BY THIS REFERENCE.]

“Pursuant to section 120(h)(3)(A)(i)(III) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. § 9620(h)(3)(A)(i)(III)), a description of the remedial action taken, if any, on the property is provided in Exhibit __, attached hereto and made a part hereof.”

[OPTION #2: FOR BRIEF DESCRIPTIONS, SET FORTH THE DETAILED INFORMATION IN THE NOTICE ITSELF.]

“Pursuant to section 120(h)(3)(A)(i)(III) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. § 9620(h)(3)(A)(i)(III)), a remedial action consisting of {FILL IN DESCRIPTION OF THE REMEDIAL ACTION} has been taken on the property.”

E2.1.4. “____. Covenant Pursuant to Section 120(h)(3)(A)(ii) and (B) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. § 9620(h)(3)(A)(ii) and (B)):

“Pursuant to section 120(h)(3)(A)(ii) and (B) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. § 9620(h)(3)(A)(ii) and (B)), the United States warrants that—

“(a) all remedial action necessary to protect human health and the environment with respect to any hazardous substance identified pursuant to section 120(h)(3)(A)(i)(I) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 remaining on the property has been taken before the date of this deed, and

“(b) any additional remedial action found to be necessary after the date of this deed shall be conducted by the United States.”

E2.1.5. “___ . Access Rights Pursuant to Section 120(h)(3)(A)(iii) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. § 9620(h)(3)(A)(iii)):

“The United States retains and reserves a perpetual and assignable easement and right of access on, over, and through the property, to enter upon the property in any case in which a remedial action or corrective action is found to be necessary on the part of the United States, without regard to whether such remedial action or corrective action is on the property or on adjoining or nearby lands. Such easement and right of access includes, without limitation, the right to perform any environmental investigation, survey, monitoring, sampling, testing, drilling, boring, coring, testpitting, installing monitoring or pumping wells or other treatment facilities, response action, corrective action, or any other action necessary for the United States to meet its responsibilities under applicable laws and as provided for in this instrument. Such easement and right of access shall be binding on the grantee and its successors and assigns and shall run with the land.

“In exercising such easement and right of access, the United States shall provide the grantee or its successors or assigns, as the case may be, with reasonable notice of its intent to enter upon the property and exercise its rights under this clause, which notice may be severely curtailed or even eliminated in emergency situations. The United States shall use reasonable means to avoid and to minimize interference with the grantee’s and the grantee’s successors’ and assigns’ quiet enjoyment of the property. At the completion of work, the work site shall be reasonably restored. Such easement and right of access includes the right to obtain and use utility services, including water, gas, electricity, sewer, and communications services available on the property at a reasonable charge to the United States. Excluding the reasonable charges for such utility services, no fee, charge, or compensation will be due the grantee, nor its successors and assigns, for the exercise of the easement and right of access hereby retained and reserved by the United States.

“In exercising such easement and right of access, neither the grantee nor its successors and assigns, as the case may be, shall have any claim at law or equity against the United States or any officer or employee of the United States based on actions taken by the United States or its officers, employees, agents, contractors of any tier, or servants pursuant to and in accordance with this clause: Provided, however, that nothing in this paragraph shall be considered as a waiver by the grantee and its successors and assigns of any remedy available to them under the Federal Tort Claims Act.”

E2.2—DEPARTMENT OF DEFENSE UNIFORM 120(h) CLAUSES FOR SECTION 120(h)(3)(C)(iii) OF THE COMPREHENSIVE ENVIRONMENTAL RESPONSE, COMPENSATION, AND LIABILITY ACT OF 1980 (42 U.S.C. § 9620(h)(3)(C)(iii))

E2.2.1. “___ . Property Covered by Notice, Description, Assurances, Access Rights, and Covenants Made Pursuant to Section 120(h)(3)(A) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. § 9620(h)(3)(A)):”

[OPTION #1: FOR USE WHERE THE 120(h) CLAUSES ONLY APPLY TO CERTAIN PARCELS OF THE TOTAL PROPERTY.]

“For parcels _____ of the property, the Grantor provides the following notice, description, assurances, and covenants and retains the following access rights:”

[OPTION #2: FOR USE WHERE THE 120(h) CLAUSES APPLY TO THE ENTIRE PROPERTY.]

“For the property, the Grantor provides the following notice, description, assurances, and covenants and retains the following access rights:”

E2.2.2. “ ____ . Covenant Pursuant to Section 120(h)(3)(A)(ii)(II) and (B) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. § 9620(h)(3)(A)(ii)(II) and (B)):

“Pursuant to section 120(h)(3)(A)(ii)(II) and (B) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. § 9620(h)(3)(A)(ii)(II) and (B)), the United States warrants that any additional remedial action found to be necessary after the date of this deed shall be conducted by the United States.”

E2.2.3. “ ____ . Assurances Pursuant to Section 120(h)(3)(C)(ii) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. § 9620(h)(3)(C)(ii)):

“Pursuant to section 120(h)(3)(C)(ii) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. § 9620(h)(3)(C)(ii)), the United States provides the following response action assurances:

{(1) INSERT DESCRIPTION AND ASSURANCE OF ANY NECESSARY RESTRICTIONS ON THE USE OF THE PROPERTY TO ENSURE THE PROTECTION OF HUMAN HEALTH AND THE ENVIRONMENT;

(2) INSERT DESCRIPTION AND ASSURANCE OF ANY RESTRICTIONS ON USE NECESSARY TO ENSURE THAT REQUIRED REMEDIAL INVESTIGATIONS, RESPONSE ACTION, AND OVERSIGHT ACTIVITIES WILL NOT BE DISRUPTED;

(3) INSERT ASSURANCE THAT ALL NECESSARY RESPONSE ACTION WILL BE TAKEN AND IDENTIFY THE SCHEDULES FOR INVESTIGATION AND COMPLETION OF ALL NECESSARY RESPONSE ACTION AS APPROVED BY THE APPROPRIATE REGULATORY AGENCY; AND

(4) INSERT ASSURANCE THAT THE DoD COMPONENT WILL SUBMIT A BUDGET REQUEST TO THE DIRECTOR OF THE OFFICE OF MANAGEMENT AND BUDGET THAT ADEQUATELY ADDRESSES SCHEDULES FOR INVESTIGATION AND COMPLETION OF ALL NECESSARY RESPONSE ACTION, SUBJECT TO CONGRESSIONAL AUTHORIZATIONS AND APPROPRIATIONS.}”

[USER NOTE: THE FOLLOWING 120(h) CLAUSE GRANTED PURSUANT TO SECTION 120(h)(3)(C)(iii) IS GRANTED WHEN ALL RESPONSE ACTION NECESSARY TO PROTECT HUMAN HEALTH AND THE ENVIRONMENT WITH RESPECT TO ANY SUBSTANCE REMAINING ON THE PROPERTY ON THE DATE OF TRANSFER HAS BEEN TAKEN:]

E2.2.4. “____. Warranty Pursuant to Section 120(h)(3)(C)(iii) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. § 9620(h)(3)(C)(iii)):

“Pursuant to section 120(h)(3)(C)(iii) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. § 9620(h)(3)(C)(iii)), the United States warrants that all response action necessary to protect human health and the environment with respect to any substance remaining on the property on the date of transfer has been taken.”

E2.3—DEPARTMENT OF DEFENSE UNIFORM 120(h) CLAUSES FOR SECTION 120(h)(4) OF THE COMPREHENSIVE ENVIRONMENTAL RESPONSE, COMPENSATION, AND LIABILITY ACT OF 1980 (42 U.S.C. § 9620(h)(4))

E2.3.1. “____. Property Covered by Covenant and Access Rights Made Pursuant to Section 120(h)(4)(D) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. § 9620(h)(4)(D)):”

[OPTION #1: FOR USE WHERE THE 120(h) CLAUSES ONLY APPLY TO CERTAIN PARCELS OF THE TOTAL PROPERTY.]

“For parcels _____ of the property, the Grantor provides the following covenants and retains the following access rights:”

[OPTION #2: FOR USE WHERE THE 120(h) CLAUSES APPLY TO THE ENTIRE PROPERTY.]

“For the property, the Grantor provides the following covenants and retains the following access rights:”

E2.3.2. “____. Covenant Pursuant to Section 120(h)(4)(D)(i) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. § 9620(h)(4)(D)(i)):

“Pursuant to section 120(h)(4)(D)(i) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. § 9620(h)(4)(D)(i)), the United States warrants that any response action or corrective action found to be necessary after the date of this deed for contamination existing on the property prior to the date of this deed shall be conducted by the United States.”

E2.3.3. “ _____. Access Rights Pursuant to Section 120(h)(4)(D)(ii) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. § 9620(h)(4)(D)(ii)):

“The United States retains and reserves a perpetual and assignable easement and right of access on, over, and through the property, to enter upon the property in any case in which an environmental response or corrective action is found to be necessary on the part of the United States, without regard to whether such environmental response or corrective action is on the property or on adjoining or nearby lands. Such easement and right of access includes, without limitation, the right to perform any environmental investigation, survey, monitoring, sampling, testing, drilling, boring, coring, testpitting, installing monitoring or pumping wells or other treatment facilities, response action, corrective action, or any other action necessary for the United States to meet its responsibilities under applicable laws and as provided for in this instrument. Such easement and right of access shall be binding on the grantee and its successors and assigns and shall run with the land.

“In exercising such easement and right of access, the United States shall provide the grantee or its successors or assigns, as the case may be, with reasonable notice of its intent to enter upon the property and exercise its rights under this clause, which notice may be severely curtailed or even eliminated in emergency situations. The United States shall use reasonable means to avoid and to minimize interference with the grantee’s and the grantee’s successors’ and assigns’ quiet enjoyment of the property. At the completion of work, the work site shall be reasonably restored. Such easement and right of access includes the right to obtain and use utility services, including water, gas, electricity, sewer, and communications services available on the property at a reasonable charge to the United States. Excluding the reasonable charges for such utility services, no fee, charge, or compensation will be due the grantee, nor its successors and assigns, for the exercise of the easement and right of access hereby retained and reserved by the United States.

“In exercising such easement and right of access, neither the grantee nor its successors and assigns, as the case may be, shall have any claim at law or equity against the United States or any officer, employee, agent, contractor of any tier, or servant of the United States based on actions taken by the United States or its officers, employees, agents, contractors of any tier, or servants pursuant to and in accordance with this clause: Provided, however, that nothing in this paragraph shall be considered as a waiver by the grantee and its successors and assigns of any remedy available to them under the Federal Tort Claims Act.”

E3. ENCLOSURE 3Table of CERCLA 120(h) Clauses

Categories of CERCLA 120(h) clause requirements:		
120(h)(3) ¹	120(h)(3)(C)	120(h)(4)
Applicable clauses for each category:		
E2.1.1.	E2.2.1.	E2.3.1.
E2.1.2.	E2.1.2.	E2.3.2.
E2.1.3.	E2.1.3.	E2.3.3.
E2.1.4. ²	E2.2.2. ²	
E2.1.5.	E2.2.3.	
	E2.1.5.	
	After all response actions have been taken:	
	E2.2.1. ²	
	E2.2.4. ²	

¹ But excluding those properties subject to deferral under paragraph 120(h)(3)(C).² These clauses shall not be provided in any case in which the person or entity to whom the real property is transferred is a potentially responsible party with respect to such property.