



REGION 2 CARIBBEAN ENVIRONMENTAL PROTECTION DIVISION

GUAYNABO, PR 00968

August 15, 2025

Hon. Ismael Rodríguez Ramos
Mayor
Municipality of Guánica
PO Box 785
Guánica, PR 00653
alcalde.guanicapr@gmail.com

Re: Rehabilitation of the Boardwalk in the Municipality of Guánica, Puerto Rico

Dear Mayor Rodríguez Ramos:

Thank you for taking the time on July 22, 2025, to meet with the U.S. Environmental Protection Agency (EPA) team working on the Ochoa Fertilizer Co. Superfund Site (Ochoa Site) to continue our conversation about the Malecón Rehabilitation Project (Proposal #4). During the meeting, and after discussing EPA's concerns regarding the project, Municipality of Guánica (Municipality) representatives mentioned that they would submit a new proposal to address our environmental concerns. In a letter dated August 1, 2025, the Municipality submitted Proposal #4 for the reconstruction of the "Malecón." After a careful review, EPA noticed that this latest proposal also includes the construction of structures in the soil.

As informed in our prior meetings and communications, and the letter dated June 30, 2025, EPA understands from data collected at the Ochoa Site that contamination in the area where the Municipality is interested in conducting rehabilitation activities of the boardwalk includes the presence of polychlorinated biphenyls (PCBs) in the sediment in the Bay and soil upland of the Bay. We are concerned that the Municipality's proposed activities could further exacerbate and spread contamination in the community and the Bay. To protect public health and the environment, any activities that could disturb contaminated or uncharacterized soil or sediment must be postponed until a thorough remedial investigation (RI) has been conducted, by our agency, which is currently ongoing.

Due to the risk of exacerbating and spreading contamination in the community and the Bay, EPA will object to any proposal that includes soil disturbance work at the Ochoa Site until our remedial investigation has been conducted. Furthermore, we strongly advise the Municipality

against conducting sampling or physical studies in the area, as such activities could worsen the environmental condition in the area and increase public health risks. If any of the above-mentioned activities are undertaken, EPA is authorized under federal law to take enforcement action in response to imminent or substantial threats to public health or the environment due to the release or threat of release of hazardous substances related to such.

During our meeting of July 22, 2025, you shared photographs with me showing areas that you believe could present routes of exposure to the community if the soil is contaminated. Our staff will soon contact the Municipality to coordinate a visit to those areas and evaluate the potential risk, if any. Once we have completed the evaluation, we will inform you of our findings and, if necessary, proposed actions. As mentioned before, EPA urges the public to exercise extreme caution when using the Bay and consuming any fish caught there until EPA completes its RI to determine the nature and extent of contamination at the Ochoa Site and any impacts to fish or other seafood in the Bay. To this end, we are willing to install signs along the perimeter of the Bay to warn residents and users about the area's condition, but we want to make sure it is in coordination with a communication strategy with the Municipality.

EPA staff remains available to assist in facilitating communication with relevant agencies, including the Puerto Rico Department of Housing and the United States Department of Housing and Urban Development, to advocate for an extension of the deadline to maintain the availability of your funding for the proposed project. This will allow for a proper assessment of the contamination in the area. We hope to have your cooperation in prioritizing the health and safety of the community.

Please free to reach out should you have any questions. We will keep you abreast of the progress of the investigation.

Sincerely,



Carmen R. Guerrero Pérez

Director