



Memorandum

Subject: LORSTA YAP; ATTORNEY'S REPORT OF TITLE

Date: 30 JUL 1986

From: (ecv)

Reply to: 11011
Serial s-128
Attn. of: P. Layne/x3121

To: (dl)
(flp)

Ref: (a) Timothy Titus, CCGD14(dl), memo 11011 of 16 Jun 86

1. We have reviewed the Attorney's Report of Title for LORSTA Yap, reference (a). It is well written and seems to clearly outline our responsibilities in regards to closing Yap. In short, we plan to follow the guidelines of the Compact of Free Association Act in anticipation of its being ratified within the next year.

2. The primary guidelines we are concerned with are listed in paragraph 13 of reference (a), Termination Obligations Under the Compact. Specifically, we assume that the Board of Survey met the requirements of consulting with the FSM government to determine what improvements are to be left behind and what conditions are hazardous to human life, health, and safety. The understandings reached were:

a. We will leave all buildings, utilities, and major equipment on site for the FSM. Only the electronic equipment and high value, good condition personal property and engineering spares will be retained by us.

b. We will clean up the underground gasoline and waste oil tanks. We plan to do this by complete excavation and scrapping of the tanks and removal of all contaminated dirt.

c. We will remove the underwater portion of the fuel oil pipeline and fueling platform located in the harbor.

d. We will demolish the tower which, while standing, is a major safety hazard. We will not dispose of the tower due to the request of the Yap State Governor, as relayed to the Board of Survey members, to leave the tower on site for survey.

8/5 dpl^(env) - are measures OK?
flp - coordinate with dpl for written notice of proposed termination to FSM/YAP. + understandings re: removing safety hazards etc. I'm not aware of CG consulting with Yap yet. T (dl)

11011

30 JUL 1988

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e. We will remove the PCB labels on the transformers. These labels were placed there as a safety precaution some time ago when the transformers were suspected of having PCB's. An Army team tested and verified the transformers free of PCB's in 1984. Copies of the test results were given to the District Environmental Specialist. No hazard exists, so no further action concerning the transformers is planned.

3. We are concerned that the FSM and TTPI may not have been formally notified by us as to our intended termination date. This date is 1 July 1987--notification is required at least 12 months in advance as stated in reference (a). May we consider the Board of Survey's work as sufficient notification? If not, notification must be made immediately.

4. If there are any other items you believe require engineering action on the closure of LORSTA Yap, let us know no later than 1 October 1986. This date is necessary so as to prepare specifications and contract for any work. My point of contact is LT Patrick Layne, ext 3121.


J. A. FLORIN
Acting