

Public Employees for Environmental Responsibility News Release (www.peer.org)

For Immediate Release: July 21, 2010
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DOES THE NAVY KNOW WHERE ITS MUNITIONS GO? — Navy Cannot Find Records to Quell Claims of Continued Open Sea Dumping

Washington, DC — The U.S. Navy cannot account for the disposition of artillery shells, missiles and other heavy munitions when its warships return to American ports after deployment, according to a lawsuit filed today by Public Employees for Environmental Responsibility (PEER). PEER has received reports that the Navy still dumps ordnance at open sea to avoid cumbersome security arrangements for high-impact explosives when ships enter U.S. ports.

On March 15, 2010, PEER submitted a Freedom of Information Act request to the Department of the Navy asking it for any records relating to disposal of unused munitions from Navy vessels returning to port as well as for copies of charts of known ammunition disposal areas in waters off U.S. coasts. For decades, both the Navy and the U.S. Army routinely dumped unwanted ordnance, including chemical weapons, at sea. Precisely when (or if) the practice of ocean dumping ended is not well documented.

After the PEER request was acknowledged by the Chief of Naval Operations, it was shuttled to a number of naval commands, each concluding that it either could not find any responsive documents or not responding at all. The naval commands in this fruitless bureaucratic odyssey include the –

- Naval Facilities Engineering Command (NAVFAC);
- Naval Sea Systems Command (NAVSEA);
- Naval Supply Systems Command (NAVSUP);
- Naval Operational Logistics Support Center (NOLSC); and
- Ammunition Logistics Directorate (which offered no acronym).

“What ultimately happens to our naval armaments did not seem like a tough question but perhaps we are missing some hidden complexity,” mused PEER Executive Director Jeff Ruch, who filed the document request after receiving complaints that some naval commands had reverted to old habits by jettisoning artillery shells and other munitions to avoid in-port storage procedures and/or to circumvent shortages of approved storage bunker space. “Hopefully, someone in the Navy tracks what happens to its bombs and missiles. Regretfully, we have to sue to find out who that is.”

Under the Freedom of Information Act, federal agencies (including those in the Pentagon) have 20 working days to answer document requests, although agencies may request a 10-day extension – a step the Navy chose to take. On May 26, 2010, PEER appealed the lack of response to the Navy Office of Judge Advocate General (OJAG). In a curious letter dated July 13, 2010, OJAG declared the PEER appeal “moot” since some commands had responded they had no information. The PEER lawsuit was filed today in U.S. District Court for the District of Columbia. The government has 60 days to file a response.

In a June 29, 2010 news release about its Environmental Restoration Program, the Navy stated that it “is working hard to clean up releases of contaminants to the environment, most of which occurred in decades past.” “We merely want to see the proof behind the press releases,” Ruch added.

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[Read the PEER complaint](#)

[View the OJAG letter](#)

[See recent Navy press release touting its environmental awareness](#)