



# THE MEMPHIS DEPOT TENNESSEE

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## ADMINISTRATIVE RECORD COVER SHEET

AR File Number 337

MEETING MINUTES  
Restoration Advisory Board  
July 16, 1998  
Defense Distribution Depot, Memphis, TN  
Commander's Conference Room

The Restoration Advisory Board (RAB) meeting was held on July 16, 1998 at the Defense Distribution Depot, Memphis, Tennessee (DDMT) in the Commander's Conference Room. The attendance list is attached.

WELCOME AND INTRODUCTION

1 MR. PHILLIPS: On behalf of the RAB, I want to welcome everyone to our July Restoration  
2 Advisory Board meeting. We like to mention this every three or four  
3 RABs. But the RAB, as a board, decided on the length of the meeting.  
4 And the length of the meeting goes on until 7:30. A few times recently we  
5 ran over the time, but there have been some good comments at the end  
6 from the public. So, now, at 7:30, if we push up against that time limit, I  
7 will ask from the RAB for a show of hands if we want to extend the  
8 meeting for a few more minutes until the issues are resolved. But as a  
9 standard order of business, the RAB ends at 7:30. The folks like myself  
10 and, most likely, Jordan English from TDEC, and maybe not this particular  
11 month, but usually the EPA will be available for a few minutes after the  
12 meeting if you want to talk to us one-on-one.

13 I need to introduce somebody this month. Ms. Alma Black Moore. She is  
14 a new community relations, community outreach specialist that we have on  
15 board. Alma, if you would like to take a couple of minutes to introduce  
16 yourself.

17 MS. MOORE: Yes, I should. For those of you who haven't received your copy of  
18 EnviroNews, I contracted out with Frontline Corporate Communications  
19 as community relations specialist. It tells all about me here. I grew up

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1 right here in the neighborhood on Sparks Road. My parents are still there  
2 on Sparks Road. I guess what I am here to do is to be an outreach person  
3 to the community. Anybody who is a community member—if you have  
4 any concerns, there is no such thing as a stupid question. I want to make  
5 sure all the questions are answered.

6  
7 I am not a scientist. However, I am inside this building, and I really like to  
8 talk to the community and let the community know that we care about your  
9 questions. I have a vested interest in the community. So if you have a  
10 comment, a suggestion, an idea, my card is here; please feel free to call me.  
11 I might not be able to answer your question immediately, but I do know the  
12 guys to direct the question to. So please feel free to call me. Thanks.

13 MR. PHILLIPS:

14 I hear there is a wreck on 240 in Midtown, and I know Mondell is making  
15 his way down from Millington. That is probably where he is. He is  
probably stuck in traffic right now.

16 For the first part of the RAB tonight, we have a little field visit for the  
17 housing area right across the south parking lot here. I think we should  
18 probably go ahead and do that. And, then, hopefully, by the time we get  
19 back, Mondell will be here. For those of you who were along a couple of  
20 months ago when we went to Dunn Field, the court transcriber went with  
21 us, and she needed about two or three minutes to set up out there. We are  
22 going to do the same thing tonight. I would like to remind you that if you  
23 have a question or comment, before you make it, if you could state your  
24 name for her. And with that, let's load up and go.

25 By the way, if you don't feel like taking the tour, you are welcome to stay  
26 here. We have cars and vans. But if you would like to not join us and  
27 spend your time here, that is fine too. We should be back about a quarter  
28 until 7, about half hour from now roughly.

1 (Whereupon, at 6:17 p.m., the meeting was convened outside in front of  
2 the Family Housing Area.)

3 **OLD BUSINESS**

4 **FAMILY HOUSING DIELDRIN REMOVAL**

5 **MR. PHILLIPS:** Let me introduce, first of all, myself. In case you don't know me, I am  
6 Shawn Phillips. I work for the Defense Logistics Agency. The project  
7 manager from OHM Remedial Services, who is our contractor on this  
8 project, our cleanup contractor, the project manager's name is Steve  
9 Offner. You might remember him from Dunn Field of two months ago.  
10 Steve is going to explain the housing soil removal project and will open up  
11 a few questions after his explanation.

12 **MR. OFFNER:** Hello, everyone. Good to see you all again. Again, my name is Steve  
13 Offner. I am with OHM Remedial Services Corporation. We are presently  
14 under contract to do the construction and remediation of the housing,  
15 family housing area is what we call it here. Currently, right now, we are  
16 just finishing a sampling event at this site where we took some soil samples  
17 in for analysis. In addition, we are starting to do some of our surface soil,  
18 some contaminated surface soil remediation or soil removal around the four  
19 housing units.

20 As you can see down through here, there are four structures, and right now  
21 we are working on surface soils, zero to six, upper six, inches of soil from  
22 right in front of the first house all the way down to the other one. You can  
23 see that down there. In addition, we have installed a fence that basically  
24 provides an exclusion zone for our area. We have it properly placarded  
25 and signage put up.

26 As you can see, we have our various storm water control measures, our silt  
27 fences, and our hay bails to keep the storm water out of drains and

1 whatnot. We also have our equipment and our decontamination for our  
2 equipment, our digging equipment, you can see that laid down there.  
3 Today, which is the first day we started doing some intrusive soil removal  
4 actions. So this is a very real project right now. And we are just getting  
5 started with it. This area right here, this kind of field, that is Area B. And  
6 you can see the stakes in there. Those are survey markers, soil sample  
7 locations and grid locations. We had surveyors come in here and grid these  
8 out to give us our sampling grids. And within those sampling grids, we  
9 would take a sample. So that is Area B, and we are looking at that and  
10 looking at the results from that now.

11 The area here has been designated Area C. It goes down, and it goes along  
12 the east side of the property in the back, and then it comes up a little bit on  
13 the very south side. That is Area C, and that is being treated just like Area  
14 B. You can see the stakes, the survey stakes, the grids and the sample  
15 locations there. And, again, samples have been collected there, and we're  
16 getting data back on that as we speak.

17 Remedial action right now—the focus is the first six inches around the  
18 housing area leaving the trees, but we have removed the shrubs, mulching  
19 them, and we're skimming that first six inches. We're going to be  
20 stockpiling it behind you in our temporary stockpile area where that will be  
21 covered and secured. When the contaminated soil goes in there, and from  
22 there it sits a short period before it is then loaded onto trucks and taken to  
23 a landfill for disposal. Shawn, did I miss anything there?

24 MR. PHILLIPS: A small amount of lead paint.

25 MR. OFFNER: In addition, the Corps of Engineers are working on a design to do some  
26 lead-based paint removal around the buildings. And once that comes out,  
27 we will be implementing that abatement activity. You can see that.  
28 Shawn, you may be able to speak to that better.

1 MR. PHILLIPS: Basically, there is some trim work on the building that has lead-based paint  
2 on it. The windows you see are all aluminum windows, so that is not  
3 painted. There is a fascia board around that first layer, and then there is  
4 some end vents. You can kind of see it around the right side of that  
5 halfway dead tree there. Those little roof vents. They have some wood  
6 structure on them that have lead-based paint. And that will be abated.

7 I might want to mention, we did this as an early removal action. The levels  
8 of Dieldrin were elevated here, but instead of going through the long  
9 cleanup process where we do all of our investigations, we expedited this  
10 removal because there is a land reuse here for homeless housing—MIFA  
11 [Memphis Inter-Faith Association]. As soon as we get finished with our  
12 removal action, and the State and the EPA blesses that we have removed  
13 all the soil and we have brought in clean soil and reseeded it, MIFA is  
14 going to come in and do some renovation to the four housing units.

15 Right now you have four housing units that are each duplexes. They are  
16 something like 24 or 2,600 square feet each. They are going to take each  
17 of those four duplexes, that is eight homes, and they are going to subdivide  
18 those once again. So you are going to have 16 homes for basically,  
19 homeless housing. That was one of the main pushes behind doing this as  
20 an early removal action, instead of having it drag out through the cleanup  
21 process.

22 MR. GRAY: Carter Gray with the Health Department. How long do you think this is  
23 going to take to complete?

24 MR. OFFNER: Area A has a 12 working day schedule for soil excavation. After that,  
25 there is conformational sampling done, and then there is a backfill period.  
26 There is a load-out of the material. Approximately, the duration from, I  
27 would say, now until the turf establishment period, we have quite a bit of  
28 sod and trees that we're bringing back in there. After we plant those, there

1 is a 30-day period that we have to maintain those trees to make them  
2 viable. When it is turned back over to the Depot, I am going to say  
3 probably 90 days from right now for the work we have on hand right now.

4 The reason I am keeping you out here, actually, we just added this gate  
5 right here. It used to be a fairly smaller single gate here. It was fairly  
6 dilapidated. Part of our scope of work was to open this up and put a new  
7 gate in, as well as this gate. I am not taking you in there right now because  
8 it is an active construction zone. Right now it is basically our site under  
9 OSHA [Occupational Safety & Health Administration]. And if someone  
10 were to go in and have a slip or trip hazard and fall or someone were to  
11 hurt themselves, it is kind of on us because it is our active site right now  
12 under a construction site. That is why we're dealing with it right here in  
13 this area here.

14 MR. GRAY: Once the area is open, rain water controls, if it should rain while it is open?

15 MR. OFFNER: What we have in place, you can see some of them from here. It is a silt  
16 fence there. It lets water go through, but it does not let silt or sediment, or  
17 loose soil go through. It collects it there, and it allows us to handle it then.  
18 It does not allow the soil or sediment that is in the water to get out into the  
19 storm water system. In addition, you can see in here and along the  
20 roadway there is a series of storm water drains, not unlike this, and we  
21 have those silt-fenced off and hay baled off to catch all fines. So what  
22 actually goes in there is just water, and it holds back the solid materials.

23 MR. GRAY: So it will drain, it won't collect water there, but it will collect the solids that  
24 are contaminated and prevent them from leaving?

25 MR. OFFNER: Exactly.

26 MR. ENGLISH: It will collect all solids.MR. CLAY: I have a question about the buildings  
27 themselves. Any evaluations done to see if there is lead paint inside the

1 buildings, lead in the water pipes in the building, things of that nature,  
2 before turning it over?

3 MR. PHILLIPS: The paint on the inside of the building was a latex paint, not a lead-based  
4 paint. All the lead-based paint was on the exterior fascia.

5 MR. DEBACK: MIFA has had I think people from the Health Department come down, and  
6 they did do lead-based paint testing on the inside and on the outside. And  
7 that study led to the current abatement efforts that are being made.

8 MR. PHILLIPS: I might point out that the inside of those housing units, and I don't know  
9 the exact year of this, either late '80s, early '90s, they have been renovated.  
10 They were renovated by DLA. They put new kitchen appliances in them.  
11 That is one of the reasons you don't see lead-based paint. EPA has done  
12 away with the lead-based paint in the recent years. If you see renovated  
13 structures, you usually don't encounter that. They did not renovate the  
14 outside.

15 MS. PETERS: Does the outside need renovating?

16 MR. PHILLIPS: You might have arrived after we mentioned this. But we are doing, the  
17 wood trim work that does have lead-based paint on it, we're abating as part  
18 of this. We are going to do the soil and the lead-based paint, but it is not  
19 much of it there really.

20 MR. OFFNER: And there are two garages in the back, two that are being handled as well.

21 MR. GRAY: Estimated volume of removal?

22 MR. OFFNER: In Area A we're looking at 1,200 yards of soil, 1-2-0-0, which equates to  
23 be about 1,800, one thousand eight-hundred, tons of soil in Area A.

24 MR. GRAY: Can you equate that to truckloads?

25 MR. OFFNER: Typical truck takes out about 22 tons. 1,800 divided by 22.

26 MR. PHILLIPS: Roughly a hundred, 95 to a hundred truckloads.



- 1 MR. GRAY: For A.
- 2 MS. PETERS: How deep are you digging?
- 3 MR. OFFNER: Ma'am, right now the scope of work and what we have identified from  
4 previous investigations out here, previous sampling, is the first six inches.  
5 You can see the stakes. We have taken more samples and reevaluated the  
6 deeper six inches under that, but the first six. We have sampled the  
7 underlying six to see if that needs to come out as well. And we have also  
8 sampled where you see these stakes to see if these areas require it as well.
- 9 MS. PETERS: What did you find?
- 10 MR. OFFNER: We're in the screening process now. The preliminary results are showing  
11 some Dieldrin concentrations above the 40 parts per billion risk base limit.  
12 We're looking at that. Actually today at the BCT meeting we're discussing  
13 what our alternatives are.
- 14 MR. H. WILLIAMS: Can you tell us what that means in layman's terms?
- 15 MR. OFFNER: What that means in layman's terms is there are some areas in Areas B and  
16 C that are likely going to have to be remediated as well. What happens is  
17 we're just going to have to extend what we're doing here out to these area.  
18 The silt fencing and storm water controls will have to be extended out to  
19 these areas as well. It is the same protocol. It is just we're going to have  
20 to get done with this area, and then move into this area, and then move into  
21 this area. But we have to go through a full termination of the analytical  
22 value to make sure what it is telling us is absolutely correct.
- 23 MR. WILLIAMS: What is the 40, what does that mean in regard to coming against a person's  
24 health.
- 25 MR. OFFNER: The U.S. EPA has established for Dieldrin, which is the contaminant that  
26 we're remediating here, they have established that a 40 parts per billion  
27 concentration, anything above that has a risk standard that is unacceptable

1 for the application. So anything greater than 40 would be remediated or  
2 somehow maintained so it is no longer a risk. This is for the surface soil.

3 MR. ENGLISH: It is based on the fact that there will be children here more than likely.  
4 Kids eat dirt. That is why that number was reached for, say, a residential.

5 MR. OFFNER: It is a residential standard as opposed to an industrial standard. Those are  
6 the terms that are used.

7 MR. CLAY: At what point will you know that you have dug deep enough? If you are  
8 down to the second six inches of soil, and you are still having samples that  
9 are showing levels in excess of 40 parts per billion, do you go another six  
10 inches, or do you put a clay cap on it? What other options do you have?

11 MR. OFFNER: Let me address the first part of that question. That is a good question.  
12 The first part of that question is how do we know. We have collected the  
13 6 to 12 inches now to see if it needs to come out. If it needs to come out,  
14 it is removed. And then at that 12 inch depth now, confirmation sampling  
15 is then collected from there to demonstrate whether it is clean or not. Then  
16 at that point the determination is made whether to go deeper or what have  
17 you. The EPA views the surface soil as the first top six inches. So what  
18 we do, what we will be doing is bring in clean fill material back in and  
19 putting it into that first top six or 12 inches. And we are going to be  
20 analyzing the material that we are going to be bringing in, clean fill and top  
21 soil, and putting that back in.

22 MR. CLAY: You will not go deeper than 12 inches?

23 MR. OFFNER: Shawn, we were talking about that today. I think the upper six inches.

24 MR. PHILLIPS: If that occurs, we don't expect that to occur, because the Dieldrin absorbs  
25 to the soil so tight. It is insoluble in water. If we find that with the  
26 confirmation sampling, we are going to have to discuss that with the EPA,  
27 State and us.

1 MR. ENGLISH:

2 I will go ahead and give you the flavor of the dilemma that we are faced  
3 with. You can do another removal of another six inches or maybe even  
4 another 12 inches, in other words, dig on down several feet and haul all the  
5 soil off, or you could simply put soil back in place. But the realization is  
6 you have got a residential setting. Even kids that eat dirt aren't going four  
7 and five feet down. It doesn't happen. Any excavation or anything else  
8 like that that would happen would probably have to go through some  
9 agency. I guess it would be MIFA, but I am not sure. There would be an  
10 institutional control for any kind of digging or anything like that that would  
11 hopefully protect any persons doing the digging.

12 Now, the other side of that story is also when you just randomly one time  
13 go out and dig an excavation, especially if you are a construction worker,  
14 your risk is not nearly so great as a child out there that is eating the dirt.  
15 There is a lot of reasons not to go overboard with the removal process. It  
16 is part of the risk management system that the BCT will be making at that  
17 time. We are hoping that as we get down about 12 inches, we will not see  
18 anything. Dieldrin loves the soil and does not like to migrate with water.  
19 Logic tells us that we probably won't see any of it.

20 DR. SPARIOSU:

21 Dann Spariosu with the EPA. The study that the CH2M Hill has done with  
22 depth, they have studied the Dieldrin concentration as you go deeper in the  
23 soil, not the one here.

24 MR. PHILLIPS:

25 Yes, the one here.

26 DR. SPARIOSU:

27 Dieldrin, it is a very insoluble chemical, it tends to stick to the soil. When  
28 it is applied as a pesticide, it is applied on the surface. It is not plowed in  
or tilled in. It is not tilled into the soil. It is just applied on the surface. So  
it tends to stay near the surface. Now, that doesn't mean — there have been  
some, we have identified some at the depths of 0 to 6 inches, I mean 6 to  
12 inches, but not in very many places. Generally, it is concentrated in the

1 root zones of the grasses or the plants is where you find the highest  
2 concentrations. So we're hoping, it is something we will look at when they  
3 get down there. If they find a lot of it, then further removal is something  
4 we will consider.

5 MS. PETERS: How did all this get in this grass? Weren't people living in these houses?

6 DR. SPARIOSU: It is normal --

7 MS. PETERS: Where did it come from?

8 DR. SPARIOSU: It is normal application of pesticides they just happened to choose. I don't  
9 know why at the time Dieldrin was chosen as the most effective pesticide,  
10 but it is one. It is like the old pesticides of the '50s and '60s, they are very  
11 stable; they don't break down chemically. The pesticides that they make  
12 today that are used in your garden, they only last a couple of years. And  
13 then naturally in natural air and moisture and sunlight, they break down  
14 into harmless chemicals.

15 In the old days they thought it was good to have a stable pesticide that  
16 would last a long time. Unfortunately, it tends to accumulate and build up  
17 to the point where you have hazardous levels of it. That is the problem.  
18 This stuff was mostly applied in the '50s. It was in the '70s that they  
19 stopped producing Dieldrin by EPA law said no more Dieldrin, but it is still  
20 here. And it is not breaking down naturally. DLA has a company that is  
21 looking into doing some research in the lab to see biological processes that  
22 might break it down, but for now the easiest way to get rid of it is to dig it  
23 up.

24 MS. HOWE: Shawn, I just wanted to introduce myself.

25 MR. PHILLIPS: Sure.

26 MS. HOWE: My name is Gen Howe, and I am a freelance writer. I am here from  
27 Boston. I am glad to have the opportunity to be here with you. I talked to

1 some of you before. I may talk with some of you afterwards. I will be  
2 working on this article over the next month or two. I would like to take  
3 some pictures if no one has any objection. Thank you very much.

4 MR. TYLER: You say it only goes down 12 inches. What about the water pipes, are they  
5 copper, plastic, lead, galvanized? Are they going to be removed or will this  
6 affect the water pipes that are feeding to the — you know, the water goes  
7 down into the ground and certain levels of soil. Has that been assured that  
8 is not going to absorb into the water pipe? How deep is it?

9 MR. OFFNER: I think the waterpiping here, and we haven't encountered it, other than our  
10 utility clearances out here, I believe they are buried at about 24 inches here.  
11 We haven't confirmed that. We haven't seen any yet in our excavations. I  
12 don't know the construction of it, of the piping.

13 MR. TRUITT: There is galvanized and copper piping in the housing area. It depends on  
14 when we had some problems as to what repairs were done at that time as  
15 to what you are going to find where, but there is both.

16 MR. TYLER: Can you tell?

17 MR. TRUITT: There is no lead piping.

18 MR. TYLER: And the depth?

19 MR. OFFNER: I don't know what the feeds out of the house to the water main is. I think  
20 standard is about 24 inches. Like I said, we haven't encountered it yet.

21 MR. TYLER: So there is no effect on the water pipe coming in?

22 MR. OFFNER: Not that I know of.

23 MR. ENGLISH: Shouldn't be even if it is excavated around, it shouldn't be any effect on it.

24 MR. TYLER: Over a period of time it can't seep down through and seep into the main  
25 water feed?

26 DR. SPARIOSU: Again, it is not water soluble.

- 1 MR. OFFNER: It is not going to get in water and travel. It likes to hold onto that clay  
2 particle.
- 3 MR. TYLER: So there is no chance of it seeping through the metal?
- 4 MR. ENGLISH: If it got to the metal, it would probably just adhere to the outside.
- 5 MR. LEWIS: So what you are saying is you are collecting a bonding strength of Dieldrin  
6 that is too strong for water to break it so to won't be transported.
- 7 MR. LEWIS: Would H<sub>2</sub>O with the Dieldrin cause a molecular break in that main? What  
8 would cause that stuff to break? What caused that to break and get into  
9 the water? Something is breaking it.
- 10 DR. SPARIOSU: It is a soluble characteristic. Dieldrin is a non-polar compound. So it tends  
11 to be soluble in organic solubles and not in water much like oil, but that is a  
12 bad example.
- 13 MR. LEWIS: It is the little bit you found.
- 14 MR. ENGLISH: I have to ask, what you just said about it being in the water, what did you  
15 just say?
- 16 MR. LEWIS: About the molecular bonding?
- 17 MR. ENGLISH: No, I think you mentioned that it was in the water.
- 18 MR. LEWIS: I think I heard that they said that they found traces in the water of Dieldrin.
- 19 DR. SPARIOSU: Not that I am aware. We never found it in the water.
- 20 MR. ENGLISH: That is what I wanted to clarify.
- 21 DR. SPARIOSU: No, no. Even in the golf course drainage where there were a lot of  
22 pesticides out on the golf course, the drainage tests, some of the sediments  
23 in the drainage had pretty high levels of, was it just Dieldrin or just DDT, I  
24 think Dieldrin too, in the sediments. But never detected in the water  
25 flowing over. So what happens is it tends to get, as the water from the  
26 rainfall goes and erodes some of the top soil, washes the dirt down the

1 drainage, it carries with it the sediments. But the sediments are deposited  
2 even before the water goes off-site, the sediments are.

3 MR. LEWIS: So it would take it off-site?

4 MR. OFFNER: Let me use an example that might help you. We did some testing on sites  
5 and test kits to screen the soils. What we broke it down with was a  
6 methanol. That is what we broke it down with. That is what the lab does  
7 too when it takes a sample of it. It extracts it out of a methanol extraction,  
8 which is an alcohol, an organic solvent, that pulls it out. That is what that  
9 does, but it is insoluble in water.

10 MR. PHILLIPS: We are about reaching our time to get back to the shop. It will probably  
11 take anywhere from 5 to 10 minutes. I would ask if you have anymore  
12 questions, if you ask them back there, and I appreciate it.

13 (Whereupon, at 6:47 p.m., the portion of the meeting conducted outside at  
14 the Family Housing Area was concluded.)

15 (Whereupon, at 6:57, the meeting was reconvened in the conference  
16 room.)

17 MR. PHILLIPS: I believe about everyone is back. Before we get on to the agenda, there  
18 were a few notes that Alma made for me from the last meeting, a few  
19 points of clarification. I would like to go through those real quick. Mr.  
20 English said the word 'stream' was incorrectly transcribed from the May  
21 minutes, and the word 'screen' should have been used. The correction has  
22 been made in the May minutes, and a copy of the corrected page is  
23 available for anyone needing a copy of it. They are available here.

24 Also I want to thank Mondell and Ms. Gray for making comments on the  
25 RAB charter and getting those in. I appreciate your time in doing that.  
26 There was some question about complying with the Federal Advisory  
27 Committee Act for our RAB charter last month. That Act said there is a

1 need for a mission statement. I would like to mention that we have both a  
2 mission statement and a charter now, although I think the charter is up  
3 tonight for vote. We have some handouts at the back regarding creating a  
4 mission statement and selecting co-chairs. It also has a structure and the  
5 role for the two co-chairs explained. I just wanted to let you know those  
6 are available. Just more information about how a RAB is supposed to run  
7 or guidance from the Federal Advisory Committee Act. For those of you  
8 who have Internet access, these guidance documents are available. There  
9 is a Web page. I tell you what, if you do have Internet accessibility, just  
10 come up to me after the meeting.

11 MS. MOORE: They have copies of it, Shawn.

12 MR. PHILLIPS: It is at the top of the page. If you don't have Internet accessibility, you can  
13 use our reading room. I think we have either two or three computers that  
14 are on-line, and you can come and look at what is available for you.

15 A comment was made regarding the public comment period for ground  
16 water pumping system. And the comment is: "In December of 1994, the  
17 Depot hosted a public meeting on the proposed ground water system at  
18 Dunn Road Elementary School. Approximately 25 community members  
19 were in attendance to give their comments to EPA, TDEC and to the  
20 Depot." During the meeting, and this is something that I stated last month  
21 incorrectly. I stated there were five information repositories in the  
22 community. That is not correct. There are four. We have one each in the  
23 Main and the Cherokee branches of the library. We have one in Carter  
24 Gray's office at the Memphis Shelby County Health Department, and we  
25 have one here at the Depot. So there are four information repositories.

26 Also a concern came up about the Environmental Assessment for Disposal.  
27 Two particular concerns were additional copies of the environmental  
28 Assessment to be produced, and also public comment extension. We have



1 followed-up on this. We know that the Army in Mobile is developing a  
2 response. We don't know if this has gone out yet. Earlier this week we  
3 were told it was up for signature. The comment came from Mr. Bradshaw  
4 of the community. Is Ms. Bradshaw here tonight? If your husband does  
5 not get a response by next Monday, if you would call us, because they told  
6 us earlier this week it was going out. If you could call us here at the Depot  
7 to let us know if you got your response?

8 MS. BRADSHAW: Okay.

9 MR. PHILLIPS: Another couple of notes, Mr. Truitt attended the BCT today, the BRAC  
10 Cleanup Team meeting. His alternate for this month was Mr. Garrison.  
11 We would like to ask Mr. Garrison if he would like to attend next month,  
12 and also solicit if someone would like to be the alternate next month. I will  
13 bring that up again at the end of the RAB. It will be the Thursday morning  
14 of the RAB next month, August 20th.

15 The exact name— Ms. Dorothy Richards from Huntsville, our project  
16 manager from Corps of Engineers, found the exact name of the detector  
17 chemical which is in the detector kits that we found at Dunn Field. She  
18 produced, she photographed that for us. This is what that is. It is sodium  
19 pyrophosphate peroxide, and this describes what that chemical is, its  
20 properties, its uses. So that is available to you in the pack. There is also a  
21 statement regarding co-chairs alternating responsibilities for running a RAB  
22 meeting each month. It will remain as it is stated in the charter. It states:  
23 The DLA and community co-chairs will alternate the responsibility for  
24 running each meeting. And that is it until I have my concluding remarks.

25 **APPROVAL OF JUNE MINUTES**

26 MR. PHILLIPS: So since Mondell is not here yet --that must have been a really bad  
27 accident. I might mention did everyone receive their June minutes  
28 package? Are there any comments on that?

1 MR. ENGLISH: I move we approve the minutes.

2 MR. TRUITT: Second.

3 MR. PHILLIPS: Do you want to vote on that?

4 MS. BRADSHAW: Excuse me, I hate to interrupt. It was a mistake in the minutes. And I  
5 would like to make a public record before you approve them.

6 MR. PHILLIPS: Does anyone on the RAB board mind us addressing this at this time?  
7 Okay.

8 MS. BRADSHAW: It is nothing serious. On page 17, line 1. My name is Doris Bradshaw.  
9 Page 17, line 11. And it is my husband's name. It said: Although Colonel  
10 Libby attests to the people in the court. That is supposed to be -- I don't  
11 know if I can say it just like him. But that was supposed to be the Corps of  
12 Engineers. Colonel Libby made the statement that the Corps of Engineers  
13 was qualified to do that type of testing. That is what it was supposed to  
14 have been about. Not the court, the people in the Corps.

15 MS. MOORE: So you are saying it should be C-O-R-P-S.

16 MS. BRADSHAW: It should have been the Corps of Engineers.

17 MR. PHILLIPS: Good. Does the Restoration Advisory Board agree with this change in  
18 these minutes?

19 BOARD MEMBERS: Yes.

20 MR. PHILLIPS: Those in favor of making that change and then agreeing to them as noted,  
21 please raise your hands. Those opposed. No opposed, all in favor. We  
22 will make that change, and that will be the June RAB meeting minutes  
23 then.

24 **APPROVAL OF THE RAB CHARTER**

25 MR. PHILLIPS: The approval of the RAB charter, then. This is something we started with  
26 a work group two months ago. Mr. Jordan.

1 MR. ENGLISH: Unfortunately, I did not get a chance to review this document and turn  
2 those results into Alma or anyone else. I have a couple of what I consider  
3 to be fairly critical comments and then about four or five others that are  
4 less critical. I apologize for being late on this. The first one I would like to  
5 bring your attention to on page 2 is, it says, "Members shall serve without  
6 compensation." You can't do this to me. I am supposed to get paid for  
7 this.

8 MS. YOUNG: We will take it under consideration.

9 MR. ENGLISH: I suggest including non-governmental members. The other main comment  
10 is also on that same page, down at the bottom, it says, "The Defense  
11 Logistics Agency shall be responsible for recording the minutes and  
12 providing the minutes to the RAB members and the information repository  
13 within two weeks". I agree with that concept, but I don't know if it is  
14 humanly possible. And I think we need to make sure that that is something  
15 that they can do. I mean, I think they came out a little too late this time. I  
16 got them on the 10th and received them on the 10th.

17 MS. YOUNG: I think that was their suggestion to get them to us in two weeks because  
18 people were complaining about not having enough time to read them. If I  
19 am not mistaken, Kaden, Glenn, is that his name, suggested that they get  
20 the meeting minutes out two weeks prior to our meeting so people can go  
21 over all our papers. can change it if anybody wants it changed.

22 MS. MOORE: I transcribe them from the court reporter because we found that that way  
23 we have everything. When we have it on tape and we have her  
24 transcription, but when it comes back to me, that is my job to do. I started  
25 in June, so I take the blame for the tardiness this time. However, I worked  
26 on it and worked on it, so I am getting a little bit better. So that is my  
27 goal, and that should be the goal. And you guys should get them in two  
28 weeks. I talked to Ms. Young and Mr. Garrison about it. I think they

1 came and visited me, and I was trying to work on the computer to get it so  
2 it could be reader friendly.

3 If you noticed the first minutes that you got months ago, you didn't have  
4 the person who stated on the left indentation. So it takes me a little while  
5 to take out the spacing, because when she gives me the disk, it is as if I was  
6 an attorney and it is listed, and it is just a long story. So I will do it better,  
7 and I am getting a little bit sharper for you.

8 MR. ENGLISH: That first comment about non-governmental members is my only primary  
9 comment then.

10 MS. YOUNG: That is on page what?

11 MR. ENGLISH: It is on page 2. It says members shall serve without compensation. I think  
12 all of us who are working for the government here are being compensated.

13 MR. PHILLIPS: Community members.

14 MS. PETERS: Mr. Chairman, didn't we ask everybody in here if they had any changes they  
15 wanted to make what was written when we came to the meeting last month  
16 to send it in? So then we need to approve this and move on because it is  
17 hot in here! You all ain't got no air.

18 MR. PHILLIPS: What does the subgroup say? Do you have any opinions, subgroup?

19 MS. MOORE: One more comment. Thank you, Ms. Peters, because we only had two  
20 written responses. I kind of got with Ms. Young and Mr. Garrison to try  
21 to finalize it. But there are more comments. Page 2, last paragraph, "The  
22 DLA shall be responsible for recording the minutes and providing the  
23 minutes to the RAB members and the information repositories within two  
24 weeks". That is pushing me a little bit too steep, because I have to make  
25 sure they are approved by you guys, and then I take them to the  
26 repositories. So that will be changed. It should be to the RAB members in  
27 two weeks, but the information repositories couldn't possibly get them,

1 because you have to approve them tonight— then I have to take them  
2 physically to the other three repositories. So we will make an addendum  
3 on that. If we don't get anymore written suggestions, then I will get with  
4 Ms. Young and Mr. Garrison.

5 MR. PHILLIPS: May I make a suggestion -- what is your comment?

6 DR. SPARIOSU: In that case, perhaps anyone who attends the meeting who would like a  
7 copy of the minutes could get a copy sent out when we send it out to the  
8 RAB.

9 MS. MOORE: They do, anybody who signs in gets a copy.

10 MR. PHILLIPS: Now, let me make my suggestion. We have had a couple of comments  
11 here. And I agree with Ms. Peters that we need to move on with this. So  
12 can we take these comments that have been mentioned, give conditional  
13 approval, granted that those comments are made, mail out final charters  
14 prior to the next month's RAB?

15 MR. CLAY: I have a question about the attendance thing. Can somebody direct me to  
16 where we are on attendance on this thing so I can find it?

17 MS. YOUNG: Page 4.

18 MR. ENGLISH: Top of the page.

19 MR. CLAY: "All RAB members are expected to attend every scheduled meeting". If  
20 the RAB member fails to notify the MDC [Memphis Depot Caretakers]  
21 office— if you don't notify the Defense Depot, then it is an unexcused  
22 absence or what have you. I guess what I am looking at is this. You may  
23 send a representative to attend the meeting in their place only two times  
24 per calendar year. I think that is okay for you all getting paid, but the type  
25 of work I do, I travel extensively, and it seems like to me this is not fair  
26 enough for the citizen representatives. My attendance is okay when I can  
27 come, or when I am not here, I have Ms. Bradshaw as my appointed

1 representative. But this seems to work against that. And I just think that is  
2 not quite right. You know, there are other members on the board who also  
3 are not here today or maybe not going to be here. This is going to push  
4 turnover more than anything from the way I see it.

5 MR. ENGLISH: I would like to clarify one thing for Mr. Clay, and I am not going to argue  
6 pro or con on the issue. But it was the citizen's subcommittee that drafted  
7 this and worked on this. So it is not any government officials that had  
8 anything to do with the wording of this charter. We provided example  
9 documents for them to follow, but this is purely.

10 MR. CLAY: I am talking to whoever wrote it up. And the other thing that I noticed and  
11 it mentions something about term limits, which I thought should have been  
12 on there. People have been on the board four or five years, I think that is  
13 more of an area where we should look at turnover versus attendance. And  
14 there is no mention there about term limits or anything there.

15 MR. PHILLIPS: The RAB is a unique board in that it is roughly half governmental folks and  
16 half citizen folks. It is unique in that if governmental folks don't follow  
17 this, and they lose their membership on the RAB, we write back to that  
18 office that sent that person and they send the same person back because we  
19 need a representative from that office. That is why the membership mainly  
20 affects private citizens, this paragraph, this clause. I would like to hear  
21 what the private citizens on the RAB feel about this.

22 MS. YOUNG: First of all, let me straighten everybody out. We were given this job to  
23 take the charter that had already been made for this board, and we were  
24 expected to come back with a charter that would work. Most of the things  
25 that you see here were already on board. They weren't anything we  
26 invented or something we came up with to make people feel bad. But if  
27 you can't be present on a board, then maybe the board is not the place for  
28 you. I don't really know. Two to three times absences by the original

1 board member, I don't care what board you belong to, you are no longer a  
2 member of the board. You can't do your work if you are not there. And  
3 more than three absences from any board puts you in jeopardy of whether  
4 or not you are still going to have a seat.

5 But I think the problem came here about the attendance, because, when  
6 you were not here, Ms. Bradshaw sat in. When Ms. Bradshaw was not  
7 here, she appointed somebody to come, and that should not happen. And  
8 that was where all of this came from, Kevin. The appointed person was  
9 appointing, and that is not the way it is supposed to go. You tell us who  
10 you are sending in your place, and I think you did that. But when Ms.  
11 Bradshaw was unable to come, then she sent someone.

12 MS. BRADSHAW: I was sick, Ms. Young. I was here, but I was sick.

13 MS. YOUNG: I understand. I was trying to explain to Kevin what took place and why it  
14 was important to put this in here.

15 MR. PHILLIPS: When Mr. Clay, you know, professional reasons took his position where he  
16 had to be on the road quite a bit, he came to the RAB, he informed us of it.  
17 He said his semi-permanent stand-in would be Ms. Bradshaw. Now, when  
18 he is on the road and he can't make it and Ms. Bradshaw comes up to the  
19 table, is that according to this charter, and is that like he is here, that is not  
20 an unexcused absence as I read it?

21 MS. YOUNG: He can appoint someone to come in his place because most members will  
22 do that when they are not coming themselves. But when the person who  
23 has been appointed appoints someone, that is a problem.

24 MR. CLAY: Ms. Young, I don't have a problem with that. My main concern is two sit-  
25 ins for myself or whoever.

- 1 MS. YOUNG: She can sit in for you 12 times a year as far as I am concerned. I know that  
2 is not what this is saying. You have to go by the majority. Simply because  
3 we are writing it doesn't give us a hand.
- 4 MR. CLAY: That is all I am speaking to.
- 5 MS. YOUNG: This board would have to vote on that. That is not something that I can  
6 change without a vote.
- 7 MS. PETERS: I don't understand what you are saying, because we had no objections to  
8 the person you appointed coming and serving in your place. The problem  
9 came when someone said that she appointed somebody. Whether she was  
10 sick, well or across the sea, she does not have the power to appoint  
11 another person to be for her. If she can't come for you, that just means it  
12 will be a meeting you will miss.
- 13 MR. CLAY: Thank you.
- 14 MS. PETERS: Now, do you understand it now?
- 15 MR. CLAY: Yes, thank you.
- 16 MS. PETERS: It has nothing to do with, as long as she attends and you are gone over the  
17 water, that don't put you off the board. But she cannot appoint somebody  
18 else to serve in your place because she is not the person that was appointed  
19 to this board.
- 20 MR. CLAY: I can agree with you.
- 21 MS. PETERS: Then we ought to move on to the next order of business.
- 22 MR. ENGLISH: But that is not all there is to it. If you read the charter there is another  
23 element here. It says, "RAB members may send a representative to attend  
24 the meeting in their place only two times per calendar year", and they will  
25 be allowed only one excused absence per calendar year. And there is  
26 another passage in here, I don't see it right now but I know it is in here,



1 where it basically says that person sitting in is there as a representative only  
2 and cannot vote and has no power standing. In other words, they are just  
3 there for that person. I personally agree with that last part of it. As far as I  
4 am concerned, the number of times that you can have a stand-in in your  
5 place I think is subject for discussion and debate.

6 MS. YOUNG: That's right, and it needs to be decided by the board.

7 MR. PHILLIPS: Let's decide that. Let's put that issue to the board. Let me read this  
8 sentence right here. This is the sentence that is the issue. RAB members  
9 may send a representative to attend the meeting in their place only two  
10 times per calendar year. That is it. That is the statement that is in  
11 question. Let's talk about how many meetings we have a year in general.  
12 We have 10 meetings a year. So this means eight times of the year the  
13 RAB member would have to show up. In addition to that, they are allowed  
14 one unexcused absence. That is an absence where they don't call us the day  
15 or a couple of days before the meeting. So that brings it down to seven  
16 times a year that that member would have to attend to retain his  
17 membership. And they have one excused absence. That is the sentence  
18 before that. That brings it down to six times a year. Let me ask you, Mr.  
19 Clay, six times out of a 12-month period, can you do that?

20 MR. CLAY: I would like to think I could, but, quite frankly --

21 DR. KIRK: Six out of 10.

22 MR. PHILLIPS: Six out of 10, but it is a 12-month year. We usually miss December.

23 MS. YOUNG: November and December because we have 10 meetings.

24 DR. KIRK: That is six out of 10?

25 MR. PHILLIPS: Okay, the RAB should vote on this.

26 MR. FLYNN: Is there an amendment?

1 DR. SPARIOSU: The other thing is if somebody is not attending, the RAB doesn't have to  
2 necessarily remove that person. The RAB decides when it is time to bring  
3 in a new member to replace so-and-so who hasn't been showing up. So, in  
4 your case, I don't think anybody is out to kick you off the RAB, but we are  
5 probably going to be kind of understanding.

6 MR. ENGLISH: Let me make a comment about it.

7 MR. PHILLIPS: Someone needs to bring a suggestion forward.

8 MR. ENGLISH: We need to do that after we finish our discussion, don't we? What I want  
9 to say, in this particular instance, and I am not voting for more or less or  
10 whatever, but my point would be that had you been to the previous  
11 meetings, or your representatives had reported all this back to you, you  
12 would have known about this and maybe been here for a critical vote. In  
13 fact, you are now, luckily, but my fear is that if you weren't here enough,  
14 you wouldn't have caught this. I guess my point is that it is important to  
15 be here if you wish to have power on this RAB, voting position on this  
16 RAB, it is important to be here. That is the only comment I want to make.

17 The other comment I want to make is I think the purpose of including this  
18 in the charter was not to require the RAB to turn everything into basically  
19 what could appear to be a personal attack, but to codify the rules for RAB  
20 attendance in a form here that says after so many times, then they will be  
21 considered for expulsion from the board and a new board member will be  
22 brought in. I think that was the intent was to put it down in writing as to  
23 what we want. With all that said, I think we need to decide how many  
24 absences can you have and what is appropriate, and the board should  
25 decide that.

26 MR. PHILLIPS: Someone please bring me a motion. Accept it as it is written?

27 MR. CLAY: I move that we have, instead of two times per year, increase it to three.

- 1 MR. PHILLIPS: For a representative?
- 2 MR. CLAY: Right, stand-in.
- 3 MR. PHILLIPS: What about the one excused and one unexcused.
- 4 MR. CLAY: It can remain the same. I have no problem.
- 5 MR. PHILLIPS: That sounds like a motion to me.
- 6 DR. KIRK: Second.
- 7 MR. PHILLIPS: And a second. So the motion that was brought is one excused absence  
8 during a calendar year, one unexcused absence and up to three  
9 representatives. That brings us down to five out of 10 months that the  
10 actual RAB member would have to physically make the RAB. Those are  
11 the two motions.
- 12 MR. ENGLISH: Point of order, I want to remind everybody that the non-government  
13 members need to vote on this, not the government members.
- 14 MR. PHILLIPS: Those in favor, one, two.
- 15 MR. CLAY: Ms. Peters, will you please vote. I need your help.
- 16 MR. PHILLIPS: Since this is just a private citizen member vote, I really need to count your  
17 votes.
- 18 MS. PETERS: You know why I wasn't going to vote on that, because it is not really a  
19 clear thing to be in a bylaw to do. I think that either you have the three  
20 excuses and since you know that your job requires you to go out of town,  
21 then since you are a good member and you attend, we could just make an  
22 exception for you instead of having it like that, because this has got to be  
23 law for a lifetime.
- 24 MR. CLAY: How many did you count? Can we vote again?
- 25 MR. PHILLIPS: I don't think we ever voted.

- 1 MR. CLAY: Can we please raise our hands again.
- 2 MR. PHILLIPS: Those in favor of that motion which has been seconded, please raise your  
3 hands.
- 4 MS. PETERS: How many people can vote here? Maybe we ought to find that out.
- 5 MR. PHILLIPS: We have got one, two, three, four, five, six, seven.
- 6 MS. PETERS: Dr. Kirk is not a member of the community rep committee, so he is not  
7 voting.
- 8 MR. PHILLIPS: MLG&W, is that a government member? Yes. So we have got nine  
9 members. Those in favor? One, two, three, four.
- 10 MR. GRAY: I thought you said seven awhile ago.
- 11 DR. KIRK: Where is it in the bylaws that only the non-governmental people have a  
12 vote? I mean, this is for the whole RAB. It seems like everybody ought  
13 to be allowed to vote on it.
- 14 MR. PHILLIPS: Well, the members who are the private members, we're not going to kick  
15 the EPA gentlemen off. We might call his boss, but we won't kick him off  
16 if he doesn't attend more than three times in a year.
- 17 MR. CLAY: Can we just have a quick roll-call vote?
- 18 MR. PHILLIPS: Mr. Garrison, how do you vote?
- 19 MR. GARRISON: No.
- 20 MR. PHILLIPS: Mr. Clay?
- 21 MR. CLAY: Yes.
- 22 MR. PHILLIPS: Ms. Smith?
- 23 MR. SMITH: Yes.
- 24 MR. PHILLIPS: Ms. Gray?

- 1 MS. GRAY: Yes.
- 2 MR. PHILLIPS: Mr. Bond?
- 3 MR. BOND: Yes.
- 4 MR. PHILLIPS: Ms. Peters?
- 5 MS. PETERS: Yes.
- 6 MR. PHILLIPS: Mr. Truitt?
- 7 MR. TRUITT: No.
- 8 MR. PHILLIPS: Ms. Young?
- 9 MS. YOUNG: Yes.
- 10 MR. PHILLIPS: We have a six to two. Okay. So, what we will do is these changes will be  
11 made as suggested. We will issue the final RAB charter and get that out.
- 12 MS. MOORE: Almost soon.
- 13 MS. PETERS: Will somebody put that in writing today so I won't have to hear the same  
14 subject next meeting and read it to us so we will know exactly what we  
15 were voting for. I think that is what caused problems. They were  
16 supposed to write down the changes that were being made, and maybe they  
17 didn't really write them down.
- 18 MR. PHILLIPS: I have been corrected by Mr. Gray about a point of order. I just screwed  
19 up. The motion we just voted on was the passage that Mr. Clay was  
20 interested in. I now need a motion that we do a conditional acceptance of  
21 the whole charter with these changes.
- 22 MR. ENGLISH: I move.
- 23 MR. CLAY: Seconded.
- 24 MR. PHILLIPS: I got a second. Those in favor? Those opposed? Carried. We will  
25 circulate this.

1 MR. CLAY: Mr. Garrison and Ms. Young, you did a fantastic job, and Ms. Hooks too  
2 if she was here.

3 MR. PHILLIPS: While the RAB charter signature list is being circulated, I will mention that  
4 we will try to get this charter out to everyone. End of next week?

5 MS. MOORE: Yes, sir.

6 MR. PHILLIPS: By the end of next week you shall have this. Actually we will send it out  
7 with the minute package from tonight.

8 **NEW BUSINESS**

9 **BCT MEETING UPDATE**

10 MR. PHILLIPS: New business. Our tour tonight was the majority of the meeting, so we  
11 have a very brief new business portion. I would like to ask Dr. Spariosu to  
12 give us a quick run-through on what we did tonight.

13 DR. SPARIOSU: It will be really brief. I have a plane to catch. At the BCT meeting we  
14 talked about several things, very productive meeting I thought. Some new  
15 things, first. The thing that we talked about, CH2M Hill presented their  
16 plan to do a soil gas survey in Dunn Field. The soil gas, the contaminants  
17 in Dunn Field, perchloroethylene, PCE is how you can abbreviate that, and  
18 PCE are called volatile compounds meaning they evaporate readily and so  
19 gas from them migrates up through the soil. So a quick and relatively  
20 inexpensive way to determine the extent is you can do more locations than  
21 you can in drilling the holes and sampling is to do a soil gases, and then  
22 that will direct you to where you need to do more thorough chemical  
23 analysis. And, so, they showed us the plans to do the soil gas survey.

24 And then we had Steve Offner. Mr. Offner updated us on what OHM had  
25 found out there. And that included the results of their screening sampling  
26 and some discussion of plans. Most of the discussion centered around  
27 what was called Area C when we were out there, which was right along the

1 fence where it is kind of steep. And we actually went out there later on in  
2 the afternoon and looked at that, talked about some of the problems they  
3 might encounter trying to excavate that, mostly. And we approved the  
4 going-ahead on Area A excavation, and so they were out there working on  
5 it while you were out there. We talked about some of the disposition of  
6 areas that, on the main installation where it turns out that no remedial  
7 action is required. There will be large areas where we have to wait until a  
8 risk assessment is done where the concentrations are, I shouldn't say below  
9 standards, but below levels that we're concerned about at EPA, and so no  
10 further action would be required.

11 Well, it turns out this whole site is on the Superfund list, the NPL [National  
12 Priorities List]. Potential buyers of the site don't like buying things on the  
13 NPL fearing that there might be liability, and liability in the Superfund for  
14 environmental cleanup runs into the millions of dollars usually. This is not  
15 really the case, but that fear exists. And so we were discussing some of the  
16 things that could be done to incrementally remove areas that require no  
17 further environmental action from the NPL while leaving on the areas  
18 where work is still to be done. This is no conclusion to that or no  
19 decisions made, but it was something discussed.

20 MR. GRAY: Has that been done before at other large sites?

21 DR. SPARIOSU: Yes. And it is the trend now, because, again, to use for economically  
22 beneficial reasons this problem occurs. It is not -- areas where we have  
23 done the risk assessment and some removal has to be done cannot be  
24 removed from the Superfund NPL until all of the actions have been done,  
25 and that includes ground water. If it takes 30 years, the site is on the NPL  
26 for 30 years. So Dunn Field will, no doubt, be on for a long time. But  
27 parts of the main installation, we have done all of the research all the way  
28 through the investigation. If we can separate out, it is a fairly recent

1 policy, why not, go ahead and separate it? It will take out the stigma of the  
2 NPL off of that area because it was never dirty. And I suspect some areas  
3 in and around the warehouses where it wasn't --

4 MR. GRAY: It is like an administrative correction of what the NPL site should be.

5 DR. SPARIOSU: That is exactly what it is, because, and the law defines the site as the  
6 extent of contamination. Are you going to say that the contamination  
7 never extended into these areas, so this particular area is not part of the  
8 NPL site?

9 MR. ENGLISH: Let me add something. I am glad that the process works such that when a  
10 site is identified, at least that is the way it is currently, that the site is looked  
11 at and all of the areas of the site are screened so that we know that there  
12 are not some areas of concerns. I think it has to go through that process  
13 before I would be happy about it.

14 DR. SPARIOSU: So, the kind of arguments we get into in this kind of discussion are, of  
15 course, the regulators are very conservative because we are reluctant to  
16 take something off because that is our authority to compel cleanup. Where  
17 the guy from the redevelopment authority whose responsibility it is to sell  
18 the property and to get somebody on here working and hiring people, he,  
19 of course, wants to get as much off as quickly as you can. Not that he  
20 doesn't care about the environment, but he has got to sell this stuff. And it  
21 is hard to -- banks don't want to lend money to buyers for anything that is  
22 listed on the NPL. But, anyhow, that is an issue that is going to be with us  
23 for a while. I will keep you updated.

24 The USGS [United States Geological Survey] has been doing a little study  
25 out on Dunn Field. They have installed, a few months ago they worked as  
26 the EPA's contractor and reviewed some of the ground water documents.  
27 Jack Carmichael worked in Memphis for years with Bill Parks who is the  
28 project manager for USGS. And they installed some ground water



1 monitoring meters that continuously record the level of some of the wells.  
2 The idea is to study how connected the fluvial aquifer is with the Memphis  
3 Sands Aquifer. We discussed some of their preliminary results. The  
4 answer is going to come when the pumps are turned on, and we will see  
5 how the two aquifers respond and the water levels respond to pumping  
6 when remediation starts. That will tell us, that is what is really going to  
7 give us the answer about the kind of activity. It looks like there is potential  
8 that they are connected. Remember, though, we have never detected  
9 contaminants in the lower aquifer.

10 MR. ENGLISH: Dann, I think you need to clarify that we think there is a cockfield between  
11 the fluvial aquifer.

12 DR. SPARIOSU: Yes, there is. The fluvial aquifer and the Memphis Sands Aquifer is  
13 separated by clay. As has been pointed out at these meetings, the research  
14 done by Parks and Carmichael has shown that in areas in Memphis there  
15 are openings, places where the clay is either real thin, it is sandy, so it lets  
16 water through, or it is just nonexistent. So there are little windows where  
17 the two aquifers are connected. And the point of this study is to see if they  
18 are here.

19 MR. PHILLIPS: I would like to ask Mr. Truitt, did you have any observations from today?  
20 I mean, I don't mean to put you on the spot if you don't.

21 MR. TRUITT: No, no. I think Dann has covered it all. It is just that I really didn't -- I am  
22 not satisfied with the fact that it has really been established that there is  
23 some connection between the fluvial to the point -- and I think that is the  
24 only point of clarification, that that is just some speculation through  
25 research, but the fact is not there to support it.

26 DR. SPARIOSU: Well, there are some. There are some arguments in favor of it.

27 MR. GRAY: We are going to find out.

1 DR. SPARIOSU: That is the point. We want to know. The pumping is waiting for the City's  
2 design.

3 MS. PETERS: Are you all talking to each other or talking to me too?

4 MR. PHILLIPS: Mr. Clay had a question about when is the pumping going to start. I can  
5 get to that in my project update. Did you have anything else?

6 DR. SPARIOSU: No.

7 MR. PHILLIPS: Before I get into project/FOSL update, let me make an announcement very  
8 briefly for Mr. Benjamin Moore from ATSDR, and actually I am making  
9 this for myself too and the EPA and the State. The Greater Memphis Area  
10 Environmental Justice Subgroup, which we all are members of, which is the  
11 Memphis Depot Characterization Subgroup. The purpose of this subgroup  
12 is the decision making process, examining it. We have Ms. Bradshaw and  
13 possibly Ms. Curry— Margaret Curry, and Mary Davis from the  
14 community involved with that. We would like to know if there would be a  
15 RAB member interested in that. If there is, if you could talk to Mr. Moore.  
16 Are you going to be around after the meeting for a few minutes?

17 MR. MOORE: Sure.

18 MR. PHILLIPS: Okay. So, we don't need a show of hands now. If you are interested,  
19 though, go talk to him and he can explain to you about when we are going  
20 to try to meet and what we're all about.

21 **PROJECT/FOSL UPDATE**

22 MR. PHILLIPS: Project update and FOSL update— The project update, you know about  
23 the two underground storage tanks we removed last month. We did that  
24 last month. We walked over to the housing area. The Dunn Field ground  
25 water treatment system, it is totally installed except for the last 75 feet.  
26 That is the last 75 feet from our fence line to the City's sewer manhole.  
27 And the City is doing that short tie-in design for us, and we have not

1 received that from them. We are going to build it. Our contractor is going  
2 to sub that to a local sewer line installation firm, somebody from Memphis,  
3 but we can't do it until we get that design. We are on the phone everyday  
4 with the City to find out when the design is coming in. So, other than that,  
5 that system is ready to turn on.

6 Other projects— housing, okay. Well, let me go into the FOSL update.  
7 First of all, FOSL is a Finding of Suitability to Lease. Does everyone  
8 know what that is? One sentence about it to those who might not know.  
9 A Finding of Suitability to Lease is a document that we are required to do  
10 before the City, who is the Depot Redevelopment Corporation, can  
11 sublease out the building to a tenant. We have three FOSLs that have been  
12 signed. You know, a couple of those buildings are already occupied. One  
13 building, or actually three buildings, are occupied by McAuley's, the  
14 potpourri manufacturer. Another building, or another area that has an  
15 occupant, is the Police Department right over here with the Southeast  
16 Precinct.

17 Okay, we have three more FOSLs that have been thoroughly reviewed by  
18 the Army and have been through, you know, regulator review too. Those  
19 include four of the 20 typicals, the remaining parcel around the police  
20 project, the police compound, and also this entry corridor, the entry  
21 corridor project that the City has their funding for. We just very recently,  
22 and I believe this has been this week, yes, it has been this week, we sent  
23 out FOSL number 7 for review. And we are going to be sending that.  
24 That will be in our informational repositories.

25 FOSL number 7 is for the remaining 16 of these 20 typical warehouses. It  
26 also includes building 835 and our former — do we have a map up here,  
27 okay. These four buildings are already on a FOSL that is up for signature  
28 now. The FOSL we just sent out this week includes the rest of these green

1 buildings. It also includes this building, number 835, and our former  
2 transportation building, building 770. There isn't a lot of property on this  
3 particular FOSL, just the areas right around these buildings so potential  
4 employees can park outside the building. Only building 970 is on a FOSL  
5 out in this open shed area. Nothing up here in the DRMO yard is on a  
6 FOSL yet. All those areas we're pretty much still evaluating as part of the  
7 environmental program. This building right here, 925, is also on a FOSL.  
8 These two are the two on the western end of the facility. The golf course  
9 is not on a FOSL.

10 MR. GRAY: Which building does McAuley's currently have?

11 MR. PHILLIPS: McAuley's is in this building, this building and this small link building in  
12 between. Just a word about McAuley's. I don't know if you have heard of  
13 them or know what they do. If you go out to Walmart and you buy these  
14 sachets of potpourri, look on the back; it might have their name on it.  
15 That is what they make. They also make other scented products. They  
16 currently employ just over 300 employees. They came when Congressman  
17 Ford had a presentation here about the city's grant to install this entry  
18 corridor, and they were asked several questions by the press about how  
19 many people do they employ and how many do they expect to employ.  
20 The numbers were just over 300 now, and they hope by the end of the year  
21 as many as 400 people. So that is some of the reuse, part of this whole  
22 equation. And that is a FOSL update.

23 And are there any questions from the board about anything that happened  
24 or any discussions tonight? We're considerably over. Would the board like  
25 to extend for 10 minutes of public comment? Okay. Is there any public  
26 comment?

27 PUBLIC COMMENT PERIOD

- 1 MR. TYLER: That shooting range that is on I guess you said the west center part by the  
2 ditch, is it going to be removed and how long was it a shooting range,  
3 Dunn Field?
- 4 MR. PHILLIPS: That is one of the sites we are going to be looking at in our remedial  
5 investigation.
- 6 MR. TYLER: Were they lead bullets, high contamination of lead?
- 7 MR. PHILLIPS: That is what we're going to be looking for.
- 8 MR. TYLER: The pump sites, are there enough to do adequate study of the water table?
- 9 MR. PHILLIPS: What we want to do — that is a very good question. Let me explain. The  
10 ground water treatment system, we were talking about and Dann was  
11 talking about once we turned it on. What we're looking at, we have these  
12 seven wells along our fence line. We are going to be pumping quantities of  
13 water out of those wells, anywhere from 10 to 60 gallons per minute. One  
14 of the things we look at are the wells around those seeing how they are  
15 effected, how they drop, the monitoring wells. So, once we turn on that  
16 system, we will be doing a lot of watching of how the area responds to it.
- 17 Another group that is going to be involved with that monitoring is the  
18 United States Geological Survey. They are not our contractor. They work  
19 for the EPA in this case, but they are going to be involved with seeing if  
20 that system is adequate.
- 21 MR. TYLER: Do they have a Web site so you can monitor it on the Web?
- 22 MR. PHILLIPS: The performance of it?
- 23 MR. TYLER: No, the group you just mentioned, the geological, do they have a Web site?
- 24 MR. PHILLIPS: I am sure USGS has a Web site.
- 25 MR. TYLER: Will information be available on the Worldwide Web?
- 26 MR. PHILLIPS: About our particular site?

- 1 MR. TYLER: Yes.
- 2 MR. PHILLIPS: I don't know the answer to that.
- 3 MR. ENGLISH: I would suspect not, not necessarily.
- 4 MR. PHILLIPS: Thank you, though. That was a good question. Are there any other  
5 questions?
- 6 MR. CLAY: I move that we close the meeting.
- 7 MR. TRUITT: Second.
- 8
- 9 MR. PHILLIPS: All in favor, the meeting is adjourned.
- 10 (Whereupon, at 7:45 p.m., the meeting was adjourned.)
- 11

**Next meeting: Thursday, August 20, 1998**  
**The Depot, Commander's Conference Room**  
**2163 Airways Boulevard, Memphis**

## ATTENDANCE LIST

## Restoration Advisory Board Members

Mr. Shawn Phillips	Facility Co-Chair
Mr. Dave Bond	Citizen Representative
Mr. Jordan English	Tennessee Department of Environment and Conservation (TDEC)
Mr. Mr. John Garrison	Citizen Representative
Ms. Terri Gray	Citizen Representative
Mr. Carter Gray	Memphis/Shelby County Health Department
Ms. Johnnie Mae Peters	Citizen Representative
Ms. Veronica Smith	Citizen Representative
Dr. Dann Spariosu	Environmental Protection Agency (EPA)
Mr. Ulysses Truitt	Citizen Representative
Mr. James Webb	Memphis Light, Gas & Water (MLG&W)
Ms. Elizabeth Young	Citizen Representative
Dr. Cleo Kirk	Shelby County Commissioner
Mr. Kevin Clay	Citizen Representative

## Others in Attendance

Mr. Robert E. Jones	Citizen
Ms. Sherrye Wheeler	Memphis/Shelby County Health Department
Mr. Franklin Dmitryezs	Citizen
Mr. Benjamin Moore	Agency for Toxic Substances and Disease Registry (ATSDR)
Ms. Alma Black Moore	Frontline
Mr. Terry Flynn	Frontline
Ms. Denise Cooper	Memphis Depot Caretaker

Mr. Greg Underberg	CH2M Hill
Mr. Paul E. Lewis	AFGE Local 2501
Mr. Herman Williams	Citizen
Mr. John DeBack	Base Transition Officer
Ms. Gen Howe	Independent Writer
Ms. Doris Bradshaw	Citizen
Mr. Dedrick Brittenum	Citizen
Ms. Pam Gowdy	Memphis Depot Caretaker
Mr. Elroy Black	Citizen
Mr. Stanley Tyler	Citizen
Ms. Margaret Curry	Citizen
Mr. Everett Humphreys	Memphis Depot Caretaker
Ms. Lessie Brady	Citizen
Mr. Russell Ray Anderson	Citizen
Mr. Steve Offner	OHM Remedial Services Corp.



# **Approved Charter**

**July 16, 1998**

**337 40**

## **Defense Depot Memphis, Tennessee Restoration Advisory Board**

### **I. Name and Basis**

This Board shall be known as the Defense Depot Memphis, Tennessee (DDMT) Restoration Advisory Board, known hereafter as the RAB. The RAB will fulfill all requirements of Sections 120(a), 120(f) and 121(f) of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) of 1980, as amended by the Superfund Amendments and Reauthorization Act (SARA) of 1986, as well as 10 United States Code (USC) 2705(c) as enacted by Section 211 of the SARA, Executive Order 12580, DODD 5105.4, Federal Advisory Committee Management Program and Defense Logistics Agency (DLA) Environmental Manual 6050.1.

### **II. Purpose and Mission**

The purpose of the DDMT RAB is to:

- Facilitate communication among the members of the RAB in relation to actions taken by the DLA under its Base Realignment and Closure (BRAC) and environmental restoration programs;
- Provide an opportunity for members to comment on actions and proposed actions taken by the DLA under its BRAC and environmental restoration programs;
- Promote regulatory and public participation in accordance with applicable laws, i.e. legally required public comment periods for Records of Decision;
- Provide recommendations on cleanup priorities and remediation options in relation to regional public concerns.

The RAB mission is to establish and facilitate a forum with the community, the BRAC Cleanup Team and the DLA for the input and exchange of information in an open and interactive dialogue concerning the installation's BRAC and environmental restoration programs. Through the RAB, stakeholders may review progress and give advice relating to the decision making process.

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### III. Structure and Operating Procedures

The RAB shall consist of representatives of the DLA, the Environmental Protection Agency (EPA), the Tennessee Department of Environment and Conservation (TDEC), Memphis City Council, Shelby County Commission, Memphis/Shelby County Health Department, Memphis Light, Gas and Water Division and community members representing local neighborhood associations or with experience relative to the DDMT BRAC and environmental restoration programs. RAB membership will equal no more than twenty (20) people.

Non-governmental members shall serve without compensation. All expenses incidental to serving on the Board will be borne by the respective member or his/her organization.

Two individuals shall serve as Co-Chairpersons of the RAB. One (1) Co-Chair to be designated by the DLA, and one (1) to be selected from the RAB community members and approved by the RAB community members. The DLA and Community Co-Chairs will alternate the responsibility for running each meeting.

The RAB shall meet on a monthly basis, or as needed, in the former Defense Depot Memphis, Tennessee Commander's Conference Room. The RAB will not meet during the months of November and December unless notified to do so by the Co-Chairs. No less than two (2) RAB meetings will be held at other locations within the surrounding community. Agenda items shall be submitted no later than eighteen days (18) in advance of the meeting to the DLA Co-Chair, who will mail the agenda to the members no later than seven (7) days in advance of the next monthly meeting. The BRAC Cleanup Team may also suggest agenda topics to ensure the RAB remains informed of decisions or actions relative to the BRAC and environmental restoration programs.

Meetings will be open to the public and notices will be provided to local media to inform the surrounding community of meetings. Notices will also be mailed to everyone on the RAB mailing list.

The BRAC Cleanup Team shall provide a progress report at each RAB meeting on restoration activities for review by the RAB.

The DLA shall be responsible for recording the minutes and providing the minutes to the RAB members within two (2) weeks for review and approval and to the Information Repositories within two (2) weeks after the minutes have been approved. Action items shall be established at each RAB meeting and progress shall be briefed at each RAB. Action items, progress and closure, as well as responses to comments or requests for information, shall be provided in

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the minutes. The RAB minutes will become part of the Administrative Record (AR) and will be available for public review at the Information Repositories.

The public shall be given 3-5 minutes to comment on agenda topics at appropriate times during the meeting. The public shall be given 3-5 minutes to comment on non-agenda items at the end of each meeting. The RAB may vote to allow more time for public comments or discussion of public comments/agenda topics. The Community Co-Chair shall be responsible for ensuring comments provided during the meeting from RAB members or the public remain relative to agenda topics. The Community Co-Chair shall also be responsible for ensuring public comments during or at the end of RAB meetings do not exceed five (5) minutes, unless RAB members vote to allow continued public comment.

RAB members will vote, when necessary, as follows: all RAB members, except the federal and state government members, shall receive one vote. The DLA, EPA and TDEC members shall serve in a non-voting capacity. A RAB member must be present at the meeting to vote; proxy votes or votes by member representatives will not be allowed. Two-thirds of members in attendance at a meeting shall represent a quorum and will be used for all decisions including charter amendment and RAB disestablishment. RAB members shall not vote on items that may constitute a conflict of interest. RAB members who feel another RAB member may have a conflict of interest must make a motion to discuss the issue and perhaps exclude that particular RAB member from the vote prior to the vote.

#### IV. Community Membership Terms and General Member Dismissal Guidelines

Community members shall serve for a minimum twelve (12) month term. The Community Co-Chair shall serve for a minimum twelve (12) month term. The RAB community membership shall also have the responsibility of terminating the Community Co-Chair that is either ineffective or detrimental to the progress of the RAB.

Member renewal terms shall be automatic unless requested otherwise by the member. A two-thirds (2/3) majority of RAB members present must vote to fill vacant positions or to create new positions on the Board.

Applications for new or vacant positions shall be submitted to the Co-Chairs. Once new or vacant positions are filled, any remaining applications will remain on file for six (6) months. A request for applications to fill new or vacant community positions will be advertised in the local media, and the community will be given thirty (30) days to submit applications.

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All RAB members are expected to attend every scheduled meeting. RAB members must contact the Memphis Depot Environmental Office if they cannot attend a regularly scheduled meeting. RAB members may send a representative to attend the meeting and must provide the representative's name to the Memphis Depot Environmental Office prior to the meeting. The representative may not select another person to represent the RAB member. If the representative cannot attend, then the RAB member may select another representative and must notify the Memphis Depot Environmental Office of the change. If a RAB member fails to notify the Memphis Depot Environmental Office that they cannot attend the meeting, an unexcused absence will be assessed. RAB members may have one (1) excused absence during the calendar year without sending an alternate representative. RAB members may send a representative to attend the meeting in their place only three (3) times per calendar year. RAB members shall be allowed one (1) unexcused absence per calendar year.

If RAB members cannot meet the above stated conditions, members shall be asked to reassess their commitment to the RAB and, if necessary, to resign. If members choose not to resign, a two-thirds (2/3) majority of RAB community members present may vote to terminate RAB members based upon attendance. A two-thirds (2/3) majority of RAB community members present must vote to fill the vacant position.

#### **V. RAB Member Responsibilities**

Members are responsible for attending all regularly scheduled meetings as well as other public events such as public meetings for Records of Decision, public availability sessions, etc. All extracurricular meetings shall be scheduled as to provide RAB members sufficient notice.

RAB members are expected to communicate with local community members and interest groups concerned with BRAC and environmental restoration issues as well as to report back to the organized group to which they belong or represent. It is important for RAB members to serve as a direct and reliable conduit for information flow to and from the community. RAB members shall also contact any member of the BRAC Cleanup Team in order to schedule their participation in a community group meeting. RAB members should understand that their names and phone numbers shall be widely communicated to the local public to enable ready community access and communication. RAB members must remember that it is their duty to honestly represent information that they receive. Tentative conclusions and draft recommendations should be properly identified.

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RAB members may be asked to review various reports on BRAC and environmental restoration activities, including draft and final technical documents, proposed and final plans, status reports and consultants' reports. RAB members shall be responsible for reviewing this information and providing review comments and other input at RAB meetings. Regular RAB meetings and special focus sessions may be conducted at which these documents will be discussed. The DLA, EPA and TDEC will be available to provide technical support to RAB members.

Individuals who have certain financial interest that may affect their impartiality in dealing with matters presented to the RAB for consideration may not properly be a member of the RAB. Such a conflict of interest exists for any individual who may make a direct personal financial gain or who may gain an unfair business advantage resulting from the implementation of recommendations relating to the environmental restoration technologies employed.

RAB members acknowledge by their signature on this charter that it is understood that the RAB makes recommendations, not final decisions. The RAB acknowledges that the BRAC Cleanup Team will use the best information available to move forward with cleanup activities.

RAB members acknowledge that sampling and analysis data may result in some sites at the DDMT being dropped from further CERCLA investigation following a review of evidence of potential problems. Some sites may also proceed with interim remedial action or early removal actions prior to total completion of the Remedial Investigation/Feasibility Study, if conditions warrant.

In the event a RAB member or any other person discovers a health concern as a result of any efforts under this Charter, the Memphis Depot Environmental Office should be informed so that all responsible parties including local, state and federal health officials are contacted and the concern can be addressed. Emergency Response organizations will be notified by the Memphis Depot Environmental Office as appropriate.

### VI. RAB Disestablishment and Charter Execution

The provisions of this Charter shall terminate upon completion of the restoration activities and transfer of the DDMT properties to the Depot Redevelopment Corporation.

**Defense Logistics Agency  
Memphis Depot Caretaker**

**Restoration Advisory Board**

**AGENDA**

**July 16, 1998**

**6:00 p.m.**

**MDC Conference Room  
2163 Airways Boulevard  
Memphis, Tennessee**

<b>Welcome and Introduction</b>	<b>5 min</b>	<b>Mr. Mondell Williams Community Co-Chair</b>
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**Old Business**

<b>6:15 - 6:45 p.m.</b>		<b>Mr. Shawn Phillips</b>
<b>Move to Family Housing</b>		<b>Facility Co-Chair</b>
<b>Dieldrin Removal</b>		

**Return to Conference Room and continue Old Business**

<b>Approval of June Minutes</b>	<b>5 min</b>	<b>Mr. Mondell Williams</b>
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<b>Approval of RAB Charter</b>	<b>10 min</b>	<b>Ms. Elizabeth Young and Mr. John Garrison</b>
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**New Business**

<b>BCT Meeting Update</b>	<b>5 min</b>	<b>Dr. Dann Spariosu</b>
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<b>Project/FOSL Update</b>	<b>5 min</b>	<b>Mr. Shawn Phillips</b>
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<b>Public Comment Period</b>		<b>Mr. Mondell Williams</b>
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**Meeting Adjourned**

**FINAL PAGE**

**ADMINISTRATIVE RECORD**

**FINAL PAGE**

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**ADMINISTRATIVE RECORD**

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