

RESTORATION ADVISORY BOARD

FORT McCLELLAN, ALABAMA

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Taken before SAMANTHA E. NOBLE, a Court
Reporter and Commissioner for Alabama at Large, at
Building 141-A, Basement Conference Room, Fort
McClellan, Alabama, on the 15th day of July, 1996,
commencing at approximately 6:30 p.m.

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1 MR. TURNER: Shall we come to.
2 Good evening and welcome to the RAB. For those of you
3 that don't know me, I'm Charles Turner. This is Ron
4 Levy, the DoD's co-chair. It's good to see everybody.
5 Let's start off calling the role.
6 I'm here. Mr. Levy?
7 MR. LEVY: Here.
8 MR. TURNER: Mr. Anderson?
9 MR. ANDERSON: Yes, sir.
10 MR. TURNER: Mr. Brown? Mr.
11 Conroy? Dr. Cox? Mr. Cunningham?
12 MR. CUNNINGHAM: Right here.
13 MR. TURNER: Mr. Elser?
14 MR. ELSER: Here.
15 MR. TURNER: Ms. Harrington?
16 MS. HARRINGTON: Here.
17 MR. TURNER: Mr. Hood?
18 MR. HOOD: Here.
19 MR. TURNER: Mr. Kimbreaux? Ms.
20 Longstreth?
21 MS. LONGSTRETH: Here.
22 MR. TURNER: Mr. Miller?
23 Mr. Moore? Mr. Parks?

1 MR. PARKS: Here.

2 MR. TURNER: Mr. Perez?

3 MR. PEREZ: Here.

4 MR. TURNER: Mr. Thomassy?

5 MR. THOMASSY: Here.

6 MR. TURNER: Mr. West? Mr. Reedy?

7 MR. REEDY: Here.

8 MR. TURNER: Mr. Johnson? Let's

9 see, has everybody had a chance to review the minutes?

10 Did everybody get a copy of them?

11 Any corrections, editions, or

12 deletions? Is there a motion to approve?

13 MR. CUNNINGHAM: I'll make the

14 motion.

15 MR. ANDERSON: I second it.

16 MR. TURNER: All in favor? Motion

17 carried.

18 We've got a guest speaker tonight.

19 Ron, would you introduce him?

20 MR. LEVY: Yes. We've got Chris

21 Manikas from SAIC, Science Applications International

22 Corporation. They have been our contractor for the

23 past, let's, see, is it three years, now, Chris?

1 MR. MANIKAS: Since '91.

2 MR. LEVY: Longer than that.

3 Working investigations, site investigations, remedial
4 investigations on post. They've been focusing on
5 chemical, old chemical training sites and landfills.
6 He's going to talk to you about where we stand on some
7 of those investigations, what kind of things have come
8 out of those investigations. Chris?

9 MR. MANIKAS: As Ron mentioned, I'm
10 going to be speaking to you about some programs that
11 were implemented before we decided to close the base.
12 These were part of the IRP program on Fort McClellan.
13 And there were a couple of containments that were
14 started under Sur-Club, a site investigation that led
15 into an RIFS of a sub-site of the initial sites.

16 As I just mentioned, in response to
17 Ron's questions, we've been working out here since
18 1991, which is when the initial investigations began
19 on the seventeen sites that the Army prioritized,
20 based on a PA study that identified sixty-two areas on
21 the main post and on the Pelham Range.

22 So, out of the sixty-two, we
23 targeted in on seventeen of those sites. This is some

1 information that you're probably all well aware of.
2 The primary players, from the Army's perspective, for
3 our investigations, have been, Ron Levy has been here
4 the entire time of our involvement; Dean Hutchens, who
5 is from the U. S. Army Environmental Center and will
6 be here at some point this evening; and then myself.
7 I'm Christopher Manikas. All of us have basically
8 been involved since the beginning, so we have a very
9 good continuity on the project, which I think has
10 enhanced it.

11 The initial seventeen sites that we
12 looked at are these. I'll try not to get in front of
13 this thing. Just let me know if I'm in somebody's
14 way.

15 Area T-4, which was a biological
16 simulate testing area. Area T-5 was an area they used
17 to detect and identify chemical warfare agents. Area
18 T-6 was an area where they inundated machinery,
19 equipment, with agent and then went through
20 decontamination protocols on the equipment. Area 24
21 Alpha was an explosive ordnance training area. T-31
22 was a technical escort training area, where they
23 trained on how to handle emergencies with chemical

1 warfare agents. Area T-38, a similar type of area,
2 technical escort training. The old toxic training
3 area, it's basically a strip about the size of this
4 where they apparently did some training for testing
5 for HD, a chemical warfare agent. The DNI area,
6 again, detection for HD and GB.

7 MR. THOMASSY: Does the difference
8 in color have a meaning on that?

9 MR. MANIKAS: Yes. I'll get to
10 that.

11 Three landfill sites that were used
12 from the 40s on, at various times. Landfill number
13 three looks like it has been the most used. HD spill
14 and burial sites that were situated along the main
15 post, those sites were actually not ever investigated,
16 because there was very little information to
17 substantiate the locations. Nothing could be
18 documented. We basically had some cartoon sketches of
19 where they might have been.

20 There is really very little to go
21 on, so, those sites were dropped out very quickly.
22 All of those were on the main post.

23 Range I, which was a shell tapping

1 area, chemical warfare agents, as well as range K, a
2 similar area. Range J is part of a larger training
3 area where they do smoke training on Pelham Range.
4 And there was an HD spill on the main post, back in
5 the 50s or 60s that was cleaned up and all the soil
6 was drummed up and taken out to Pelham and placed
7 within a fenced area, which is now called range J, for
8 our purposes.

9 Range L, an old water hole, are two
10 depressions out in Pelham Range that were thought to
11 contain chemical munitions from World War II, but as
12 you'll see later on from our investigations, we found
13 nothing to substantiate that there was anything buried
14 out there, at all.

15 The red indicates the sites that
16 were carried forward. These are the original
17 seventeen sites. The red are the sites that were
18 carried forward to RIFSS and the remainder of the
19 sites were dropped, following the site investigation,
20 the initial investigation.

21 MR. LEVY: The latter sites that he
22 listed were on Pelham Range. And really, from our
23 standpoint, since Pelham Range stays with the Guard,

1 stays in federal hands --

2 MR. THOMASSY: Last five.

3 MR. LEVY: Excuse me, last five
4 won't really be addressed through this process.

5 MR. MANIKAS: These are the
6 locations of the sites on the main post. Here is area
7 T-4, T-5, T-6, the DNI area, area 24 Alpha, T-38,
8 T-31, landfill one, landfill three, landfill two.
9 That's all of them. There were twelve on the main
10 post.

11 MR. LEVY: We will, at some point,
12 take you out and show you some of these sites. That's
13 actually on our training roster that we handed out
14 during the last meeting, of sites to be toured and
15 look at, so we'll get you on the ground and have you
16 look at those sites.

17 MR. TURNER: Yes, sir. I've got a
18 question. You identify some trailer parks on this
19 map, north of the reservation boundary on Anniston
20 Beach Road. Are those of significance?

21 MR. MANIKAS: This map was provided
22 by the Army and it's just that they were already on
23 there. They were not removed. It's just a location

1 map.

2 And I guess, just for your
3 information, these are the sites out on Pelham. Three
4 of them are on the western side of Pelham and two of
5 them are on the eastern side. So, they're all really
6 separated. You know, it's a hull to get between each
7 of the sites.

8 These are the parameters that we
9 looked at for each study area that was carried forward
10 into the RIFS.

11 MR. THOMASSY: Excuse me. Ron, I
12 just heard part of what you said. You said those last
13 five sites are on Pelham and they are controlled by
14 the national guard, so they're not in this process?

15 MR. LEVY: They still fall in the
16 process of clean-up purposes. But since we're only
17 looking at clean up of that land which will be
18 conveyed over to the community, this board won't have
19 a whole lot to do with that.

20 However, if we desire to go and
21 look at that, I'm sure we can do that, too.

22 MR. THOMASSY: No. I just wanted
23 to make sure I understood what you said.

1 MR. MANIKAS: A couple of points to
2 make up front are that, you know, that our studies are
3 not comprehensive for all of Fort McClellan. They're
4 not representative of the entire post.

5 They're representative of the
6 individual areas that we looked at. The post is now
7 part of the BRAC process. And I guess the entire post
8 is under scrutiny at this point.

9 And also, the information that I'm
10 going to show you is currently in a draft stage. The
11 report was presented to the Army in August of '95.
12 And we're discussing right now a scope of work to go
13 back and to do some more work at some of the sites
14 that we think need extra work.

15 You'll also notice, there will be
16 samples of the Town of Weaver's wells. They have two
17 production wells. They came out clean. We didn't
18 find anything. They are relatively deep, a hundred
19 and fifty to three hundred feet, which is also
20 protective of their quality.

21 Let's jump right into the sites.
22 Here is a photograph in 1973 of area T-4. It still
23 looks substantially the same. This is gone. We could

1 not locate this monument, at all. The area has been
2 reworked a little bit with bulldozers by the Army.
3 The tree line and the stand of trees over in here is
4 like a little island in the middle. It still looks
5 substantially the same as it did in this photograph.
6 It's a relatively small site. It's only about a
7 quarter of a acre.

8 MR. PEREZ: You know, that area was
9 used prior to 1965.

10 MR. MANIKAS: T-4?

11 MR. PEREZ: Uh-huh. I personally
12 used it.

13 MR. MANIKAS: For?

14 MR. PEREZ: Biological.

15 MR. GARY HARVEY: In fact, I
16 remember going back to -- (Inaudible.)

17 COURT REPORTER: I can't hear who
18 is talking back there.

19 MR. TURNER: This is Gary Harvey,
20 base transition coordinator, Sam.

21 MR. PEREZ: '61, '62, '63, I
22 personally used it for my people.

23 MR. MANIKAS: Basically, we've gone

1 with documented occurrences. So, I'm sure there are
2 plenty of undocumented activities that have gone on
3 there.

4 MR. REEDY: That's not to say that
5 if somebody -- I've just written down what you just
6 said. And if somebody else has, you know, personal
7 experience at one of the sites, I would urge you to go
8 ahead and speak up, as we go through this. The more
9 information we have, the better.

10 MR. MANIKAS: This is a map of the
11 area. The location of the site was based on
12 coordinates provided by the Army. The little circles
13 you see on here, we went out there and did a
14 geophysical survey over the entire area. And the
15 little circles are where we had anomalies. And the
16 size of the circle is proportional to the size of the
17 anomaly. So, there are some very metallic materials
18 out there that will have to be characterized.

19 The triangular areas are sample
20 locations where we did chemical warfare agent
21 screening with the technical escort unit and found
22 nothing out here. The site was not examined for
23 biological materials, primarily, because this was done

1 so long ago. Anything that was used would have
2 degraded, at this point, and there's very little good
3 it would have done.

4 MR. LEVY: Chris, you need to
5 elaborate on that. We use biological simulates.

6 MR. MANIKAS: Simulates.

7 MR. LEVY: We do not use biological
8 agents. There is a big difference. And essentially,
9 the simulates were --

10 MR. ANDERSON: Bacillus, BG
11 (inaudible).

12 MR. LEVY: Have a very short
13 half-life. Don't stay around.

14 MR. ANDERSON: (Inaudible) out of
15 date.

16 MR. LEVY: Yes. So, you wouldn't
17 be sampling for anything. There wasn't really
18 anything there, other than what they used it during
19 the time. And that would have been long gone.

20 MR. ANDERSON: It's a
21 non-pathogenic bacillus that actually the Japanese
22 drink it in liquid form for digestion. So, it's
23 really not -- and it dies in like a day. We use it

1 right now over at the school.

2 MR. PEREZ: It was real simple to
3 use, BG.

4 MR. MANIKAS: We also sampled the
5 soils for chemical warfare agent breakdown products.
6 They sent them to a laboratory and found nothing.

7 This is the aerial photograph of
8 the DNI area and T-5. T-5 is this area down here.
9 It's much larger. And the DNI area was at one time a
10 relatively cleared area. If you go out there now, you
11 barely walk through the site without bumping into a
12 tree. It's heavily wooded, at this point. The Army
13 has cleared the area and staked it. And they had
14 sampling stations where they went around and basically
15 trained -- they would sample a small, diluted quantity
16 of agent, detect it, identify it, things of that
17 nature.

18 MR. GARY HARVEY: (Inaudible)
19 twenty-four poles (inaudible.)

20 COURT REPORTER: Charles, I'm
21 sorry, I can't hear.

22 MR. LEVY: Could we ask, for the
23 purpose of the transcriber, to state your name first.

1 COURT REPORTER: Yes, please.

2 MR. GARY HARVEY: Gary Harvey. The
3 DNI area, at some point in time remember, would be
4 twenty-four poles in the ground. And on the top you
5 put the bottle. And as far as I know, I carried them
6 out, there was no agent or agent simulates, but there
7 were chemicals that would make the old detector kit
8 react, but no live agents.

9 COURT REPORTER: Thank you.

10 MR. MANIKAS: Some of the
11 literature states that there was a building that was
12 burned on the site and was buried in a pit. We
13 actually -- there is a monument out there -- and
14 you'll see later on, we'll get into some more details
15 on the site map.

16 There is concrete monument out
17 there that we excavated around, through, and we did
18 excavate a lot of construction type debris, rebar,
19 concrete slabs, things of that nature, so there is a
20 burial out there.

21 We didn't find anything related to
22 any chemical training. We sampled the soils for
23 chemical agent breakdown products. We had the tech

1 escort unit screen the soils as we were digging. And
2 nothing was detected in the pit area.

3 Area T-5, down below, again, that's
4 a similar type of area they had discreet little
5 identification areas scattered over this whole site,
6 and similar type of training. The site was never
7 cleared. It's generally been in that condition that
8 it's in, now.

9 We sampled -- we had an Army sketch
10 map of each of the former training areas and we
11 sampled at each -- around each area as closely as we
12 could. The map was basically a sketch, so we just
13 tried to match up as closely as we could to a scaled
14 map to get as near as we could to the area. We'll get
15 into more detail as far as that site goes.

16 This is just some photographs of
17 how the sampling went out on area T-5. Again, you
18 could see they were taking a sample of soil here.
19 They weren't -- I have found no evidence in any of the
20 literature that I have read of any large scale
21 dispersion of any type of agent or simulates or
22 anything, as far as training went. And you can see,
23 these fellows weren't too concerned about, you know,

1 getting stuff on their arms. They're only wearing
2 gloves.

3 MR. TURNER: Where are they, now?

4 MR. MANIKAS: I'm sorry?

5 MR. TURNER: I was joking.

6 MR. MANIKAS: Where are these men,
7 now?

8 MR. TURNER: Joking.

9 MR. MANIKAS: I don't know where
10 they are, now. Hopefully, prospering.

11 And here is a little bit more
12 historical thing. At this point, they're wearing
13 respirators. I'm not sure if that was just to get
14 them used to wearing them or if they were actually
15 working with some kind of chemicals that were
16 detrimental to their health.

17 Again, there is no protectant on
18 their arms. Just wearing gloves. These fellows are
19 actually weighing out a sample with no protection, at
20 all, so --

21 And this is area T-5. Again, the
22 triangles are where we sampled for chemical warfare
23 agent and had the tech escort unit screen with

1 mini-cams. And nothing was (inaudible) on the site.
2 These are actually concrete monuments that are still
3 out there. You can walk up and touch them, A, B, C,
4 and D.

5 And we did actually find some old
6 wooden stakes out there, as well. And we sampled this
7 site for the warfare agents and we also sampled soils
8 for warfare agent breakdown products. (Inaudible.)

9 And we also sampled in the stream
10 beds and basically found that some metals --

11 MR. TURNER: What kind of metals?

12 MR. MANIKAS: I'm sorry?

13 MR. TURNER: What kind of metals?

14 MR. MANIKAS: I don't know exactly
15 what the metals were, offhand. They're in the report.
16 I can refer you to that. Probably, things like
17 aluminum.

18 MR. TURNER: Not heavy metals then?

19 MR. MANIKAS: There may have been
20 some nickel. It's fairly low level things, though.
21 But it's very difficult to attribute that to this
22 site, because this stream flows on up farther from
23 that area.

1 Actually, the metals are an issue
2 over all of our sites. We are in the process now of
3 planning to go out and take some more background
4 samples to try to narrow down the distribution of
5 background metals.

6 MR. TURNER: What's a background
7 metal?

8 MR. MANIKAS: Well, what you want
9 to do is go out on the post where areas were
10 unaffected by post activities, and try to find some
11 samples that will give you an idea of metals that are
12 naturally occurring in this area. There are some
13 folks that think this whole area has been mineralized,
14 geologically as the natural process. Some geologists
15 have done some studies in the area. Unfortunately,
16 their laboratory methods are more of a screening than
17 they are a quantitative analysis, so they're difficult
18 for us to use in our study.

19 But what you want to do is find out
20 what the undisturbed soils contain, in terms of
21 metals. Hopefully, they don't contain any organics,
22 because organics don't generally occur, naturally, at
23 least the types of organics that we're concerned with,

1 solvents, warfare agents, breakdown products of
2 warfare agents.

3 So, if you take a sample and it
4 turns out that it has some kind of a warfare agent
5 component in it, then you might conclude that you're
6 not in a background area, you're in an area that's
7 been affected by past activities.

8 So, you try to get enough
9 background samples to -- this is all done
10 statistically, so you compare the background data set
11 to data sets from each individual site to try to
12 screen out naturally occurring things so they don't
13 get carried forward into a risk assessment.

14 Just because something -- just
15 because a metal is detected, doesn't necessarily make
16 it bad.

17 MR. THOMASSY: Go back to this
18 chart. Those dots mean you performed the samples for
19 those items?

20 MR. MANIKAS: Yes, sir.

21 MR. THOMASSY: Or are they hits?

22 MR. MANIKAS: Those are samples.

23 MR. THOMASSY: Just samples?

1 MR. MANIKAS: Right.

2 MR. THOMASSY: You ran those, but
3 we don't know the results from anything in here.

4 MR. MANIKAS: No, not from that.
5 The results are in the report, tabulated in the
6 report.

7 This is area T-6, which is a site
8 area that was only investigated during the initial SI.
9 And the goal here -- the SI was a fairly limited
10 study. And what was done out here was we located
11 these -- this was actually a goat pen. And these were
12 former decontamination pads. This was downgrade of
13 the pads and sampled for chemical agent. The tech
14 escort unit sampled for chemical warfare agent and we
15 took soil samples for breakdown products and detected
16 nothing. This is one site that might get a little bit
17 more scrutiny.

18 This is an aerial shot of site 24
19 Alpha. The fenced area is actually the site that we
20 investigated. You can see that this whole area is a
21 part of range 24 Alpha and there are still ongoing
22 training activities that happen out there. There is a
23 lot of smoke training that goes on.

1 This was a former tech escort EOD
2 area where they -- we unearthed a lot of ordnance in
3 that site, much to the Army's chagrin. One of them
4 actually was a -- contained a liquid, which concerned
5 them very much. They had a specialist flown in to
6 test the piece. They shot some X-rays or neutron
7 activation rays into the thing to try to characterize
8 whether it was chemical warfare agent inside. It
9 turned out just to be water that had seeped in over
10 the years, since it was buried.

11 But we did a geophysical survey
12 over this entire area, continuously. We had
13 continuous coverage over the area. It delineated
14 these two bits very well. This was actually just a
15 point in time photograph. But it also delineated
16 several other really large pits out there. And we
17 excavated several test pits and did unearth quite a
18 cache of ordnance on this site.

19 This site is going on to have more
20 work done on it. The post actually -- it's clear
21 here. It was heavily wooded. The post actually
22 reclaimed it, so we did the geophysical work inside.

23 We installed three monitoring

1 wells, one in this area, one on the side, and one at
2 the top of the hill. Which this is a fairly steep
3 hill, going up. And we found in this well at the
4 bottom, some benzine. And that well is about -- I
5 think it's about eighty-five to ninety feet deep. And
6 we found benzine at two hundred parts per billion in
7 it, which was way above the regulatory limits for that
8 compound.

9 We're not sure, because this site
10 is an active training area, whether it is the site or
11 something going on around the site that's impacting
12 that well.

13 MR. TURNER: What direction does
14 the ground water flow?

15 MR. MANIKAS: The water flows
16 basically in that direction. And there were a lot of
17 decontamination solutions sprayed on this area. And
18 one of the components of some of those solutions was
19 Benzine.

20 MR. ANDERSON: This photo --

21 MR. MANIKAS: And there was a lot
22 of burning that went on there, too.

23 MR. ANDERSON: -- I mean, it's a

1 '75 photo. There are structures out there now. We've
2 built a fuel supply yard there and some other things
3 that are also, obviously, potential contributors to
4 it. But also --

5 MR. MANIKAS: Are those the areas
6 that are --

7 MR. LEVY: That's the (inaudible)
8 storage type of --

9 MR. ANDERSON: But also, I mean,
10 obviously, from personal experience on this range, I'm
11 not sure from this picture where the current fire
12 break is. But, I mean, we've had flame fuel go beyond
13 the fire break, gosh, any number of times. I was the
14 range safety officer there '89 and '90. And
15 certainly, there were, you know -- I mean, jelly
16 (phonetic) gasoline that was burned --

17 MR. MANIKAS: The trees were
18 scorched inside.

19 MR. ANDERSON: Right.

20 MR. MANIKAS: You could see the
21 scorch in the trees.

22 MR. ANDERSON: Right. It would
23 help to have a -- I guess, to include in the thing a

1 photo of, you know, a current aerial photo that shows
2 the fire break. Because from that fire break, kind of
3 get a feeling of the magnitude of the area, I think,
4 because it runs -- it runs the entire -- I guess
5 that's the northeast and then there is a fire break
6 that runs to the south -- southwest where it meets
7 that fire break along the wood line there, as well.

8 MR. THOMASSY: Isn't benzine a
9 normal contaminant in gasoline?

10 MR. MANIKAS: Yes.

11 MR. THOMASSY: You see, thousands
12 and thousands of gallons of gasoline are utilized out
13 there for flame field expedients of various types.
14 That's probably one of your major sources. And I
15 would assume it's also a contaminant within the fog
16 oil.

17 MR. MANIKAS: I think we looked
18 into the -- Ron, you looked into the fog oil, as far
19 as it containing benzine. Did benzine --

20 MR. LEVY: Yes, in fact it is oil.

21 MR. ANDERSON: Old oil, pre-1985,
22 it sure did.

23 MR. LEVY: But I would probably be

1 more concerned about the flame field expedients that
2 they did out there right up the road and suspecting
3 fuels that they were using as a possible source of the
4 contamination.

5 MR. MANIKAS: Yes, that's part of
6 the problem with this --

7 MR. LEVY: We've got ongoing --

8 MR. MANIKAS: -- having active
9 training going on in areas where you're investigating,
10 because it's very difficult to attribute -- and this
11 is again, I said, it's one of the three wells. It's
12 difficult to attribute everything to that particular
13 site.

14 MR. LEVY: As far as I know, the
15 only thing they're doing out there right now is smoke
16 training. They've got a smoke line out there and
17 they've got the fuel site where they keep the fog oil.

18 What our intent is to go back in
19 and to do further work, in trying to characterize or
20 understand where that contamination might be coming
21 from.

22 But this is a site that's still
23 open and still working on.

1 MR. ANDERSON: Did we move all the
2 FFE training out to the new range on Pelham?

3 MR. GARY HARVEY: Uh-huh.

4 MR. ANDERSON: I thought we were
5 going to, but I didn't know if --

6 MR. LEVY: Yes, it is. It's 23
7 Alpha on Pelham Range right now.

8 MR. TURNER: So, what kind of life
9 does benzine have?

10 MR. REEDY: Long.

11 MR. TURNER: So, if it's saturated
12 into the soil, are we looking at having some benzine
13 around in that area for awhile?

14 MR. MANIKAS: We actually found it
15 in the ground.

16 MR. REEDY: I would like to --

17 MR. MANIKAS: I'm sorry.

18 MR. REEDY: -- yes, if I could --

19 MR. TURNER: Doesn't it get down
20 into the ground water through the soil?

21 MR. REEDY: Charles?

22 MR. TURNER: Sir?

23 MR. REEDY: What we're doing here

1 -- this is -- what Chris is talking about here is an
2 RI -- I'm Bart Reedy. I'm sorry.

3 COURT REPORTER: Thank you.

4 MR. REEDY: And this is a remedial
5 investigation. And this contract for this remedial
6 investigation was let well before the base went on the
7 closure list.

8 And the remedial investigation, the
9 goal of the remedial investigation was to go out to
10 these sites and as expeditiously as possible, before
11 -- again, before we became a closing base, is there
12 something going on, and get a look at what is
13 happening. Is there contamination there? The goal of
14 this report is not to characterize the risk nor the
15 remedy. That will be in the feasibility study, which
16 we also have a draft of. But we're not going to talk
17 about that today, are we?

18 MR. MANIKAS: Actually, there are
19 some slides in there. We don't have to talk about it.

20 MR. REEDY: But to speak directly
21 to your question, if you've got benzine in the ground
22 water, you've got benzine in the soil.

23 MR. TURNER: Right. And ultimately

1 what my question was -- and I didn't intend to confine
2 it within the scope of that study was: How
3 significant a problem is it? I don't want --

4 MR. REEDY: In the feasibility
5 study, what we will do, what Chris and I will do, is
6 evaluate the feasibility study and determine if indeed
7 there is a risk to human health or the environment.
8 You can have some benzine and bugs will eat some
9 benzine. You can have biological degradation of
10 benzine. And so, some can stay there and not be a
11 threat to you or the bugs or the bunnies.

12 MR. TURNER: Okay.

13 MR. REEDY: Does that answer your
14 question?

15 MR. TURNER: Yes, sir.

16 MR. PEREZ: Is there an attempt to
17 quantify it or --

18 MR. REEDY: The risk?

19 MR. PEREZ: No. Quantify the
20 amount of benzine?

21 MR. REEDY: We will -- are you
22 saying -- there is approximately fifty gallons of
23 benzine spread over four acres, by this deep.

1 MR. PEREZ: However you do it, you
2 know.

3 MR. REEDY: No, sir, what we will
4 do --

5 MR. PEREZ: Take a test sample in a
6 certain size area and --

7 MR. REEDY: Yes, we'll sample
8 along, let's say the little hatched line here that
9 Chris has sketched out, we will sample along until
10 we'll find where it is either clean or presents no
11 risk, if we could come up with a risk number. And so,
12 we'll have -- we'll be able to draw a line around the
13 site and say, inside is dirty, outside is clean.

14 MR. LEVY: We're going to talk to
15 you later on about risk and risk assessments and how
16 that all plays into the clean-up side of the house.
17 As a matter of fact, I think Chris Johnson there is
18 going to talk to you about it. But the risk
19 associated with the sites is what drives the clean up.
20 And that's real important.

21 Right now we have not given you any
22 information about that. So, you'll get some. This is
23 all just background to get you hooked up on where

1 we're going.

2 MR. REEDY: Did you get your
3 question answered?

4 MR. PEREZ: Yes.

5 MR. MANIKAS: Are these documents
6 in the repository?

7 MR. LEVY: Yes.

8 MR. MANIKAS: They are. And the
9 feasibility study?

10 MR. LEVY: (Nods head in the
11 affirmative.)

12 MR. MANIKAS: So, those documents
13 are available to you to review.

14 MR. GARY HARVEY: (Inaudible.) I
15 characterize -- you mentioned ordnance out there. And
16 they need to characterize this ordnance so that we
17 don't read it as being something else and it takes a
18 life of its own like unexploded ordnance. The
19 ordnance we've got -- and the guys here at the
20 chemical school can verify this. The container the
21 agent came in, like the 105 millimeter house around
22 the 155 or 4 deuce mortar round was the ideal
23 container.

1 The ones we had here at Fort
2 McClellan did not have explosives in them. Okay? Was
3 a very good container for the agent, because it would
4 not leak if you beat it with a ball ping hammer. So
5 on 24, we carried the rounds out there. The DoD
6 people cracked it open with an explosive placed on the
7 outside. And the last step in all their training was
8 to neutralize the agent. They did that and then left
9 the rounds there.

10 So, it wasn't rounds that were
11 shot, it wasn't rounds that had explosive or just left
12 there. They were taken out. The round was a very
13 good container and that's why we used them.

14 But the last part of any exercise
15 we had was neutralization of that agent. So, all the
16 rounds we found up -- and these guys dug up ten, which
17 made me work extra thirty days, because we couldn't
18 prove what was inside. It was ground water. We were
19 sure it was ground water. We couldn't prove it was
20 ground water until we brought the pins in and did.

21 So, that's the type of ordnance out
22 there. Right?

23 MR. MANIKAS: Yes. This was not

1 part of the active range.

2 Here are some photos of some actual
3 activity going on out there. And this was again, when
4 the site was cleared previously. And we see these
5 four stakes. They're outlining a pit here and a pit
6 there, which would probably correspond to the two that
7 you saw on the aerial shot.

8 And these just to give you an idea
9 of the kind of material they were digging in. So,
10 they weren't digging very deep, because it's all hard
11 rock out there. And plus, they were doing it by hand.

12 This is the fenced area. And as I
13 mentioned before, we did a complete geophysical survey
14 over the entire area with a magnetometer unit that was
15 -- it consisted of an array of nine magnetometers in a
16 row. It was dragged along behind the vehicle. And
17 they did this entire site in forty-five minutes. And
18 it's one acre. And just drove up and down, up and
19 down, up and down, until they got the continuous shot
20 and gave us a picture right there on site.

21 You can see this large anomaly in
22 here and this large area in here correspond to the two
23 areas on the aerial photograph. And we also have

1 detected these two much larger areas that weren't on
2 the picture. Obviously, when you're dealing with
3 aerial photographs, you're looking at a point in time.
4 It's not a movie, it's not -- so, you don't have
5 continuous coverage. And continuous photography of
6 these areas just doesn't exist.

7 So, basically we have the two pit
8 areas here. This is where we excavated and dug up
9 some of the ordnance. These two anomalies are much
10 larger, which suggests to us that there is either a
11 lot of ordnance buried there or several big ones
12 buried there.

13 But based on what Mr. Harvey has
14 said, I would suspect it's just a lot of little ones.
15 And then all around the site here is just -- since
16 they were blowing things up out here, there is a lot
17 of metal debris just laying around.

18 Actually, if you could see this in
19 color -- I'm sorry I didn't bring it to you in color
20 -- when they drove along the fence line, they were
21 actually detecting the fence posts as they went
22 around. So, you'll see some anomalies around the
23 fence posts, around the fence line, but that's

1 basically a fence post. But there are a lot of small
2 or little anomalies, metallic debris. And actually,
3 you can see right here, it looks like a little tear in
4 the picture, that's an area that they missed when they
5 were doing the coverage.

6 MR. THOMASSY: What's the depth of
7 detection of your magnetometer system?

8 MR. MANIKAS: Well, actually, if
9 you look on here, on this side of it, this is a
10 listing of the coordinates and the depth in meters of
11 each anomaly they detected on the site. It's a little
12 bit small. I think they actually showed one down
13 greater than ten feet. I'm not sure that that is
14 actually a real detection, because you saw the rock, I
15 just don't think they dug down ten feet.

16 MR. THOMASSY: A quick scan, the
17 most I see is 4.6.

18 MR. MANIKAS: Yes. And these
19 depths are in meters.

20 MR. THOMASSY: Yes.

21 MR. TURNER: It's in meters.

22 MR. THOMASSY: So, what is the
23 penetration depth? Do you get a ninety percent

1 competence?

2 MR. MANIKAS: Four to six feet is
3 probably a good -- I mean, it's going to depend on the
4 material that they're trying to see through and things
5 of that nature. What's there.

6 MR. THOMASSY: And the soil.

7 MR. LEVY: Let me add a few things
8 to this. For one thing, this is a fairly flat
9 terrain. And another thing, we had to go in and we
10 had to clean the entire site off. So, that means we
11 had to cut down all the trees. So, we did some
12 extensive work in trying to prepare this site before
13 we could even go in with this machine and do that. If
14 this had been not a flat site, it would have been very
15 difficult if not an impossible thing to do.

16 MR. MANIKAS: Actually, the
17 flatness isn't so much an issue. As long as it's
18 cleared, they can handle hills, they can go up and
19 down over top of things.

20 MR. LEVY: But rugged terrain would
21 have been --

22 MR. MANIKAS: The trees are the
23 worst. We tried it at area T-38, as well. And where

1 there weren't any trees, we got really good coverage.
2 But where the trees -- because the whole system is
3 keyed into the global positioning system, they use
4 satellites to locate themselves. It's all real time.
5 And whenever they got behind a tree canopy, obviously,
6 they can't see the satellites. So, the signal is
7 (inaudible) and you don't get any coverage in that
8 area.

9 They need to come up with some kind
10 of a thing where they can set up in a clear spot and
11 shoot the signal laterally, so they don't have those
12 blind spots.

13 So, T- 38, we got some coverage.
14 And range K was also pretty wooded. Which we tried it
15 out there, because -- I physically stood on a round at
16 range K until the tech escort guy told me not to stand
17 on one. I thought it was a tree stump. A lot of
18 these ordnance looks like a tree stump that has had
19 the bark taken off of it and just been out in the rain
20 a long time. It looks more like water logged wood.
21 When you're out in the woods, they all look alike. I
22 mean, you just don't know what you're stepping on out
23 there, particularly on range K.

1 Someone asked about the ground
2 water flow on 24 Alpha. Basically, like I said, it
3 flows towards this corner. These are locations where
4 we screened for chemical warfare agents out there and
5 nothing was detected.

6 This is another cartoon from the SI
7 report, similar to T-6. The goal here was to go out
8 to a limited number of structures that could be
9 identified on site and to sample a downgrading of
10 those structures, former decon pads, there is a couple
11 of low areas out. Tech escort went out and drilled
12 down to about five feet, sampled the soil, screened it
13 for agent, and didn't find any agent on the site. And
14 as a result of that, this site was not carried forward
15 into the RI.

16 Area T-38, there's a couple of
17 views of it, one from '61 on that side and 1969. It
18 really didn't change a whole lot. As a matter of
19 fact, we got a tree here or there. Basically, what
20 they have out here are some decon mixing areas and
21 storage areas. Mr. Harvey was sort of instrumental in
22 pointing out to us a sump that might have been there
23 that was used to dispose of chemicals. Unfortunately,

1 we were unable to locate that. The geophysical work
2 at this site was done for that purpose, to try to
3 locate that sump. We thought it might have been in
4 this area.

5 We had a couple of anomalies over
6 there. We actually drilled about forty feet into one
7 of them and really didn't detect anything we thought
8 we would detect.

9 The ground water at this site is
10 very, very heavily contaminated. One one and two two
11 partly tetrachloride, TCE, just a whole host of
12 solvents. And it pretty much -- we have wells -- I
13 have another drawing that I'll show you later. But we
14 have wells across the whole area. And all of them are
15 contaminated, except for one that is sort of back up
16 here in a high spot by this water tank. The ground
17 water is fairly deep at this site. We didn't detect
18 any contamination in the soil going down. One thing
19 that crossed our minds -- because this site sits up on
20 a ridge. And one thing that crossed our minds was:
21 Since our wells were so deep, that it was possible
22 that there was something coming from another site,
23 that might have been around it.

1 So, this is another area that's
2 going to get some further investigation, at some
3 point. A, to try to -- again, to try to locate the
4 sump and figure out what's going on with the ground
5 water, in terms of what is the source of the ground --
6 but this is -- I know you've heard a lot about
7 landfill three, but this site is actually much more
8 contaminated than landfill three.

9 We have up to two thousand parts
10 per billion in carbon tet. And a lot of those
11 chemical are components of the decon solutions.

12 MR. CONROY: Are there other
13 contaminants, other than the two you just mentioned?

14 MR. MANIKAS: Yes, there is a whole
15 host of them. I don't have them on the tip of my
16 tongue right now. But TCE, PCE, and 1, 2,DCE, a lot
17 of them. All the solvents. Some degradation products
18 of others. But the carbon tet, I think was the most
19 prominent one, and 1,1,2, TCA.

20 MR. CONROY: So, you would
21 characterize this as the most serious problem?

22 MR. MANIKAS: In my opinion, this
23 is the worst site that I've seen.

1 MR. GARY HARVEY: It's the old
2 toxic gas area is what it is.

3 MR. THOMASSY: What I'm hearing is
4 it's ground water contamination. It's not surface
5 contamination, so it could be coming in from somewhere
6 else.

7 MR. MANIKAS: Yes, we've sampled
8 the surface soil, we've sampled some subsurface soil.

9 MR. LEVY: Based on what we've
10 sampled, based strictly on what we've sampled, we've
11 not found any surface or soil contamination.

12 MR. TURNER: But it's deep, right?

13 MR. LEVY: Yes. And we haven't
14 established --

15 MR. MANIKAS: These wells are about
16 eighty to ninety feet deep. Like I say, the site sits
17 up on a ridge, and the ground water is fairly deep
18 underneath it.

19 MR. TURNER: Which direction does
20 the ground water flow?

21 MR. MANIKAS: At this site -- it
22 sits on a ridge. We only have one well back in here,
23 but these other wells are shown as down the slope this

1 way.

2 MR. THOMASSY: And it seems to me
3 you would have to characterize the ground water flow
4 for a long time, because you've got Riley Field in one
5 direction, and you've got containment areas and motor
6 pools in other directions. So, it could be coming
7 from a long way off.

8 MR. MANIKAS: Yes, my first guess
9 was maybe there was a post dry cleaner or something,
10 because they're notorious for solvents.

11 MR. GARY HARVEY: There was a lot
12 of carbon tetrachloride up in the yard.

13 MR. MANIKAS: Yes, those
14 decontaminants --

15 MR. GARY HARVEY: I gave them a
16 list of all the chemicals, the old DANC and all the
17 stuff. We had a lot of carbon tet up here, FS smoke.

18 MR. MANIKAS: The bottom line was:
19 We couldn't find another source, at this point.

20 MR. GARY HARVEY: We can't believe
21 we can't find the --

22 MR. TURNER: How far back -- how
23 long would these substances endure if they were say --

1 if the ground water is flowing to the northeast?

2 MR. MANIKAS: If they were dumping
3 pure product out there, it could hang around for quite
4 awhile.

5 The site is going to get some more
6 work, I think.

7 MR. THOMASSY: Did you take any
8 soil borings?

9 MR. MANIKAS: Yes, we did. For the
10 most part, they were just shallow ones, about two to
11 five feet. The initial part of it was to characterize
12 and see if we had -- there was some concern that there
13 was agent up there. Once we thought we knew where the
14 sump was, we actually took a -- we drilled a forty
15 foot hole down into it, and we didn't detect anything
16 at that location.

17 MR. THOMASSY: They were all clean
18 of solvent, as well?

19 MR. MANIKAS: Yes. We expected to
20 see big hits of the solvent, but it didn't happen.
21 And actually, it was -- we also screened as we were
22 going down, when we were drilling the monitor wells,
23 we screened the soil on those, as well, and didn't

1 detect anything.

2 This site was a little bit of a
3 surprise to us. We really didn't expect to find the
4 ground water as pervasively contaminated as it was.

5 This is another drawing with the
6 circular areas. It just shows the locations of where
7 we had geophysical anomalies. And there is -- a lot
8 of these might be related. There's a railroad track
9 that runs out there. And if you guys go out for a
10 site tour, you'll see it. It's partially buried in
11 some places. It comes up in other places. And some
12 of these may be related to that. You can try to line
13 them up and connect the dots.

14 Some of the other -- I would
15 suspect it's mostly utilities, perhaps, just a few
16 buried metallic objects out there. This was a -- this
17 was an accident training area or something, at one
18 time, wasn't it? Didn't they run rail cars around
19 there and practice responding to accidents? I think
20 that was --

21 MR. GARY HARVEY: Tech escort did
22 that. But we transferred mustard and all sorts of
23 things up. Detoxing agents or all the agents were

1 kept years ago. We had live agents on post.

2 MR. MANIKAS: And a lot of these
3 structures are still there. The storage areas are --
4 the buildings are still intact.

5 MR. LEVY: As a matter of fact,
6 that area is closed off right now. We're the only
7 ones that have the key. Nothing goes on right now on
8 it.

9 MR. MANIKAS: This is just to show
10 you -- all the black triangles are where we sampled or
11 the tech escort sampled for chemical warfare agents.
12 And nothing was detected, as far as agents.

13 Here is where the monitoring wells
14 are. There is one down here, one here, one there, one
15 back up in there, and one here. And pretty much these
16 four around this ring are all contaminated.

17 And the line shows the ground water
18 moving in this direction. Let me know if I'm going
19 too slow or too fast.

20 MR. PEREZ: What do you do with
21 these monitoring wells? What's actually out there?

22 MR. MANIKAS: As far as?

23 MR. PEREZ: Is there --

1 MR. MANIKAS: We just put them in
2 there and forget them or --

3 MR. PEREZ: What's the time factor
4 that you monitor?

5 MR. MANIKAS: We, SAIC, we
6 installed the wells and we were contracted to actually
7 sample them twice, which we've done. And we monitored
8 the water levels during the entire period that we were
9 here on a monthly basis.

10 I'm not sure what the post has done
11 since that. We have been off the site since about the
12 early part of '95.

13 MR. PEREZ: How long was your
14 monitoring?

15 MR. MANIKAS: We monitored for the
16 entire year, our study went on. And all that
17 information is presented in the report.

18 This is the old toxic training
19 area. And as I mentioned, it's a long strip. It's
20 kind of a bizarrely shaped training area. I'm not
21 quite sure -- we actually had trouble getting two
22 people in there at one time. We had the tech escort
23 unit sample a couple of locations at the surface and

1 about two and a half to four feet, looking for an
2 agent. And they didn't find anything. As a result of
3 that, this site was not carried forward into the RI
4 study.

5 These are the sites that are out on
6 Pelham. I don't know how interested you are in those.
7 This is range I. Basically, this is what it looks
8 like in the field. It's just a fenced area. It's
9 perfectly flat with very few trees on it. When we got
10 to it, it looked like the Army had already rearranged
11 there. There were huge mounds that were bulldozed up
12 from the site. This concrete monument was still
13 intact. So, we sampled near that with tech escort and
14 also down here at a little low spot on the site.

15 MR. LEVY: Chris, since we're kind
16 of limited on time and we want to get out of here in
17 two hours, quickly, quickly go through the stuff on
18 Pelham Range. We can always go back on the
19 (inaudible) and get the landfills.

20 MR. MANIKAS: Okay.

21 MR. TURNER: Or just forgo Pelham
22 Range and do the landfills.

23 MR. MANIKAS: Forgo Pelham?

1 MR. LEVY: Is that all right with
2 everybody?

3 MR. MANIKAS: This is the DNI area.
4 Backtracking a little bit, but just to show you, it
5 was cleared. Here are some staked locations that were
6 out there. There's a little concrete monument right
7 there, which you can walk out there tomorrow and look
8 at. It's still there. Unfortunately, the site is
9 completely wooded, at this point.

10 We did some geophysical studies
11 centered on that monument. A magnetometer and EM, a
12 hundred and twenty feet in each direction. As you can
13 see, we've got some fairly large anomalies. And
14 that's why we decided to go ahead and excavate in that
15 area.

16 And this is a plan of where we
17 excavated. Centered on the (inaudible) there, we just
18 dug right through there. This shows you your
19 geophysical coverage.

20 We excavated through there and
21 pulled out a bunch of concrete debris, rebar. Just
22 because you heard so much about it, I'm going to show
23 you this real quick. This is range L. This really

1 doesn't do it justice. It looks like almost a small
2 volcano as you walk up to it. It goes up and then it
3 drops off very dramatically into this pond. And this
4 was thought to be a chemical weapons dumping ground.
5 But we did geophysical surveys across the pond and we
6 didn't detect any metallic objects in there.

7 MR. TURNER: Was there any fish in
8 it?

9 MR. MANIKAS: Fish, no. It dries
10 up. It's basically rainfall. It dries up.

11 Here is landfill one, back in 1944.
12 What would be this area right in here. Very
13 dramatically cleared. Really, an odd place for a
14 landfill, unless you were just going to back a truck
15 up and push stuff over the edge, because this is a
16 very steep slope. That may have been what they were
17 doing. I don't know.

18 MR. LEVY: In fact, that's an old
19 picture, but it now encompasses part of house -- or
20 the housing area encompasses part of that.

21 MR. MANIKAS: Yes. You can't
22 appreciate that slope until you've tried to drill on
23 it.

1 And these are just some sequential
2 photographs from forty-four on. It's the same area.
3 Didn't really change much here. They're starting to
4 construct officers housing at the very top of it. And
5 they're basically almost done there. And this is
6 pretty much what it looks like today from '69. It
7 hasn't changed all that much. This area is still
8 cleared. There is a little playground on top of it.
9 And the slope is very steep below it.

10 We installed four wells around
11 landfill one. This one is at the top of the slope in
12 the housing area and these three are downgradings. We
13 detected some sporadic low level compounds, some
14 organics, some metals, as well, which are going to be
15 reevaluated, based on the additional background
16 information.

17 We also sampled this stream running
18 through here and found some metals in the stream, as
19 well. But for the most part, the landfill was fairly
20 innocuous, as far as things in the wells.

21 Landfill two --

22 MR. LEVY: What were the years on
23 that landfill out there?

1 MR. MANIKAS: What's that?

2 MR. LEVY: What were the years on
3 landfill one, again?

4 MR. MANIKAS: '45 to '47.

5 This is landfill two. And
6 actually, landfill two doesn't really show up that
7 well on this photo, because this is a forest screen
8 that was in operation, at this time. And the landfill
9 is actually in -- actually, the landfill doesn't show
10 up well on any photograph, because it's basically just
11 in the woods. And it looks like an area where people
12 just routinely go back and dump things.

13 They probably also used it for
14 dumping construction materials, because we, in
15 clearing a road to get down here so we could put a
16 well in by the creek. We encountered a bunch of
17 glass, asphalt, painting materials, things of that
18 nature. But there is all kind of machinery laying out
19 in the woods and cans and things like that. Seems to
20 be more of a surface feature than an actual dug
21 landfill.

22 This is a map of that area. As you
23 can see, the topo is fairly steep around it. We put

1 wells on three sides of it. For the most part, based
2 on the contour of the land, it does drop off fairly
3 dramatically, once you get into the woods. And there
4 again, we found some trace organics. Actually, I
5 think it was in this well which is upgraded, which
6 doesn't really make a lot of sense, coming from this
7 landfill.

8 And we also sampled the stream that
9 flows near it. And the ground water does move toward
10 the stream. And again, this is another site where
11 you've got low levels of some organics and some
12 metals.

13 MR. TURNER: You discovered that in
14 the stream, too?

15 MR. MANIKAS: The stream, we
16 sampled the sediments and the water. The water, I
17 don't think, had too much in it. The sediments had
18 some metals that were of some concern for ecological
19 reasons.

20 Landfill three, 1944, which is a
21 little bit prior to its actual use as a landfill.
22 This is not a real clear -- but the actual image was
23 not real clear. This is a fairly fuzzy, original

1 photograph.

2 Again, there is some stuff going on
3 there. It's just hard to say what it actually was.

4 These are more recent photos from
5 '54. You can see they're actually digging a trench at
6 that time. They throw the trash in there. The next
7 trench is dug, they throw the dirt back over it and
8 cover it up. And you can see them just progressing
9 from '54 to '57, they progressed and they filled in
10 these trenches and they are just marching up with
11 time. Until by '69 they were finished, and they're
12 already starting to revegetate the landfill by '69.

13 The Army put in five wells around
14 this site in 1986. And I believe there is roughly
15 twenty around it, now. Each of these little bulls
16 eyes is a well. And the ground water movement is
17 pretty much towards the Town of Weaver, although there
18 is a lot going on geologically on this side of the map
19 that would preclude anything moving towards Weaver.
20 There is a major fault that runs northeast, southwest.
21 Actually, towards the Anniston Depot that would be
22 almost an intercept for anything moving.

23 We have detected some organics in

1 this area. This well is actually in the middle of the
2 highway, all three of these are. These two are clean.
3 This one has a little bit of TCE, twelve parts per
4 billion.

5 There is a gentleman that owns --
6 has a house here. We sampled his well. He had an old
7 private well in his backyard. He hasn't used it in
8 years. Unfortunately, when we informed him we were
9 going to sample it, he had some old equipment in the
10 well. And we told him he had to get it out before we
11 could sample it, because the pump didn't work. So, he
12 hired a contractor to pull the pump out. But I think
13 when they pulled it, they collapsed his well. It was
14 supposed to be about a hundred and forty feet deep.
15 And when we got there, it was only about ninety and it
16 was just a little puddle of water in the bottom.

17 We didn't really detect any
18 organics in his well. We detected a lot of metals
19 that might have been related to just his equipment,
20 because they were things like Mercury and some other
21 bizarre metals that we really hadn't detected in the
22 landfill. Again, his equipment had been in there for
23 a long time, so it's hard to say exactly. And, plus,

1 the well had been damaged by the time we got to it.

2 There is another well, a gentleman
3 lives right next door to him. And we sent out over
4 six hundred well survey cards, included him in the
5 mailing. And we were just trying to locate where the
6 private wells are around the post. And he didn't
7 respond.

8 But we did identify five additional
9 wells around the post. I'm not quite sure at this
10 point how far away they actually are. Some of them
11 are in Weaver and some of them are in Anniston. So,
12 it could be far away.

13 Yes, sir? You have a question?

14 MR. ELSER: You mentioned Mercury.
15 There wouldn't have been any Mercury in his well pump
16 equipment, would there have been?

17 MR. MANIKAS: It's hard for me to
18 say where the mercury might have come from. If we
19 detected it here, it might be one thing, if we had a
20 mercury problem. Again, you would suspect the site
21 might be a problem.

22 We didn't detect TCE, which would
23 move a lot more readily than Mercury will. We do have

1 TCE here and here, so there is kind of a -- a little
2 bit of a trend in there. And this site is again,
3 going to get more work, as far as trying to pin down
4 where this stuff is coming from.

5 MR. CONROY: Can you show us where
6 that fault would run on that map or --

7 MR. MANIKAS: It's actually off the
8 map.

9 MR. LEVY: Jacksonville fault you
10 talking?

11 MR. MANIKAS: Yes.

12 MR. CONROY: How far off the map?

13 MR. MANIKAS: It's out here.

14 MR. CONROY: Okay.

15 MR. PEREZ: You know where Weaver
16 Cave Road is?

17 MR. CONROY: Sure do.

18 MR. PEREZ: And then the other road
19 that goes towards Weaver from Lenlock?

20 MR. CONROY: Yes.

21 MR. PEREZ: That cave that's in
22 there is probably part of that.

23 MR. MANIKAS: Actually, the fault

1 and the fracturing that's associated with the fault is
2 a good reason why the Weaver wells are so productive.
3 They're production wells.

4 MR. CONROY: Makes sense.

5 MR. MANIKAS: Well, it's your
6 choice, do you want to hear risk assessment and
7 feasibility study or --

8 MR. TURNER: We need to take a
9 break, I suspect.

10 (WHEREUPON, there was a brief recess.)

11 MR. LEVY: Let's get started again.

12 MR. MANIKAS: The reason I provided
13 the risk assessment and feasibility components to your
14 package are because those documents are in your
15 repository. I assumed you all had access to them.
16 But because there are some issues with the background
17 data and the metals -- and this is draft information.
18 And rather than drawing conclusions from it, I think
19 we're going to go ahead and not get into it this
20 evening. Maybe after the State has presented their
21 briefing on risk assessment, it might be a better time
22 to do it then.

23 MR. LEVY: Let me just point out

1 that some of the data -- well, all of the data that
2 Chris was briefing is still under review. I think
3 Bart and the EPA are still reviewing the documents,
4 so, we haven't completed it. And I'm sure that Bart
5 has got comments and whatnot.

6 Chris has already submitted his.
7 And we're working on those, so it's not a final
8 document, in terms of the regulators concerns. So,
9 when we do get that get that, we'll obviously get you
10 copies of it, as well.

11 MR. MANIKAS: And I would say,
12 there are folks in this room that are knowledgeable
13 about things that have gone on here. And, you know,
14 questions have come up. The state has had questions,
15 as far as, you know, why we do this, why we do that,
16 why don't we look for this, why don't we look for
17 that.

18 So again, that's all part of this
19 process. And you all have the advantage of being in
20 on that process of the iterative approach to actually
21 investigating these sites and finalizing them and
22 clearing them out.

23 Yes, sir?

1 MR. PARKS: Could I ask for a
2 little clarification on your first chart there where
3 it shows the dates in there? What exactly were those
4 dates?

5 MR. MANIKAS: Those are the dates,
6 as far as I know, of operation.

7 MR. PARKS: Was there anything
8 after '73 that you investigated? Or '73 is the last
9 date on there.

10 MR. MANIKAS: Again, those are the
11 dates that are in the documentation and the -- these
12 sites were prioritized by the -- they identified
13 sixty-two sites on the post. And of those sixty-two,
14 these seventeen were considered to be of highest
15 priority.

16 MR. LEVY: Now, let me interject
17 something else. He said '67. It's actually more than
18 that (inaudible) EBSS has grown somewhat. So, when
19 you start looking at some of the documentation we're
20 going to present to you, there is a long way to go in
21 our investigative process. And I know Bart and Chris
22 will talk to you a little bit about that.

23 We've got a lot of investigative

1 work that we've got to do before we can present you
2 with any data one way or the other. As we get through
3 it, we'll be providing the RAB where we stand on the
4 ongoing investigation.

5 MR. ANDERSON: With that in mind,
6 do we need to hear some of the remainder of this that
7 we talked about, remedial alternatives and those types
8 of things, or should we wait and look at the baseline?

9 MR. LEVY: In terms of what
10 corrective actions you're talking about --

11 MR. ANDERSON: Yes. I cheated, I
12 looked ahead.

13 MR. LEVY: There's some information
14 in there. But as I told you before, we're not through
15 with the document. And before we start commenting on
16 what recommendations are made for clean up issues, we
17 need to go a little further.

18 MR. TURNER: I think that makes
19 sense.

20 MR. REEDY: If I --

21 MR. TURNER: Mr. Reedy?

22 MR. REEDY: Yes, sir. Again, like
23 I said earlier, there is a sequence of events, a

1 sequence of documents, and a site investigation. And
2 the remedial investigation that Chris is speaking of,
3 falls in that. You investigate the site, then you do
4 a risk assessment, and then you do a feasibility
5 study. The RI, the remedial investigation, basically
6 answers the question, is it dirty, where is it dirty,
7 how dirty is it. And then the risk assessment
8 determines is there -- just because it's dirty, does
9 that mean there is a risk. Then the conclusions of
10 the risk assessment will drive the feasibility study,
11 which is exactly that, what is feasible, what is
12 technologically feasible for us, as engineers and
13 geologists and blah, blah, blah, to clean it up, to
14 fix it. And what Chris is speaking of right now is
15 the very first step in the process. Is it dirty?

16 MR. TURNER: So, it's very easy to
17 take it out of context?

18 MR. REEDY: It is dangerously easy
19 to take this out of context.

20 MR. TURNER: Thank you, Mr. Reedy.

21 Anybody else got any questions
22 relating to our program? Mr. Manikas, thank you so
23 much for coming.

1 MR. MANIKAS: Thank you.

2 MR. TURNER: I wish we had more
3 time, but I think we're going to take a look at our
4 training schedule to see if we can't accommodate on
5 greater periods of time for worthwhile programs like
6 yours --

7 MR. MANIKAS: I've seen your
8 briefing schedule, you've got, you know, the experts
9 on post to talk about agent and the state has experts
10 on other matters, so you're in good hands.

11 MR. TURNER: Thank you so much.
12 Mr. Reedy?

13 MR. REEDY: As you and I were
14 speaking earlier, you might want to bring that up to
15 bounce it off of the RAB, the discussion of the sites
16 or --

17 MR. TURNER: Go ahead.

18 MR. REEDY: One of the things we
19 might do -- again, this is a very first step in the
20 RI. I'm sure that most of you would be interested in
21 a little more of in depth view of what's going on at
22 these various sites. We might, later on, when we get
23 this put together, come back to you and spend an hour

1 say pick, pick one of the sites. I happen to have --
2 what have I got here? I don't have my glasses on.
3 Can you read that for me?

4 MR. ELSER: This is landfill number
5 one.

6 MR. REEDY: Landfill number one, we
7 might spend an hour telling you what we have done,
8 what Chris has done at landfill number one, what we
9 intend to do, additionally at landfill one, if
10 something is needed, and give you a better feel for
11 just exactly what it is the three of us do to spend
12 your tax dollars.

13 MR. TURNER: I think that's an
14 excellent idea. And I'm sure we can adjust the
15 training schedule, if the RAB wants to do it, to
16 accommodate that.

17 MR. REEDY: Right. We're not there
18 -- we don't have the information to give you, yet, but
19 when we get it, yes, I think that might be for your
20 consideration.

21 MR. TURNER: Anything else before
22 we move on down the agenda? Report of committees,
23 charter, and membership. I tried to get a copy of

1 this rough draft -- and I do mean rough -- out to
2 everybody. Did everybody get a copy of this document?

3 MS. HARRINGTON: You faxed me ten
4 copies.

5 MR. TURNER: Well, you should have
6 faxed them back. It was my computer. And I don't
7 know why. It's new software. I hope you'll forgive
8 me.

9 Are y'all ready to discuss these
10 proposed bylaws? Let's start with section one. Does
11 anybody have a problem with the 1.1? How about 1.2?

12 Of course, there is a provision for
13 amending and changing. If I miss something in what
14 our purpose is, this is an easy thing to change. Just
15 be adding onto it.

16 Ron, do you have any thoughts on
17 it?

18 MR. LEVY: No. I think you hit the
19 two that I was concerned about. One is the -- the
20 purpose statement is fine, so is the section 1, as far
21 as I'm concerned.

22 MR. TURNER: 1.3 duration, is there
23 any reason to put a time limit on it?

1 MR. LEVY: No. Depending on how
2 the clean up goes and how we move through this
3 process, no telling how long we'll be involved. I
4 would tell you how often it might change, though.

5 MR. TURNER: Right. And that would
6 be subject to amendment, too.

7 Membership, 2.11, do we want to set
8 a number such as seventeen, as to votes, that that can
9 be increased or reduced by a vote? Are there
10 seventeen plus you?

11 MR. LEVY: I'm eighteen.

12 MR. TURNER: You're eighteen.

13 MR. LEVY: Yes.

14 MR. TURNER: But you vote, don't
15 you, or do you not vote?

16 MR. LEVY: Whatever the rules apply
17 to.

18 MR. TURNER: Let's discuss it. I
19 think this is an important provision.

20 So, does anybody have any ideas
21 about first the number of members that should be
22 included as regular members and secondly, is everybody
23 that's included in that number entitled to vote? Mr.

1 Thomassy?

2 MR. THOMASSY: Let me throw
3 something out to chew on just for a minute. This
4 board was formed as a community board in order to
5 provide information to the community. And my
6 recommendation would be that the board, itself, should
7 have the vote and not members of the government, which
8 would then take Ron Levy out of the voting activity.

9 MR. PARKS: Take me out, too.

10 MR. TURNER: No, sir. You were
11 selected as a member of the community, not associated
12 as an employee, as opposed to Ron, who is only here
13 because of his job.

14 Is that right, Ron?

15 MR. LEVY: I was appointed by the
16 Army to be the co-chair. What does the co-chair at
17 Nadick do?

18 MR. HUTCHENS: It's non-voting. I
19 mean, most government -- the government, like you
20 said, don't usually vote. I mean, it's an iterative
21 process, dynamic process. You can do what you want.
22 But generally, I mean, there is very few issues to
23 vote on, as far as the Army is concerned.

1 MR. ANDERSON: I guess the question
2 comes up, are we not advisors to the base clean-up
3 team? And in that capacity, technically, we're trying
4 to advise you three. So, do you want to vote?

5 MR. TURNER: Mr. Reedy?

6 MR. REEDY: I --

7 MR. ANDERSON: You're going to do
8 what you're going to do, anyway.

9 MR. REEDY: I don't think that
10 we're going to do what we want to do, anyway, by any
11 means. But like Mr. Thomassy said, one of the -- one
12 of the goals that you have, one of the two main goals
13 that you have is to watch what it is that we do, and
14 the other one is to disseminate information to the
15 public, because the public, as a whole, is more
16 receptive to information from you than they will be
17 from me or from Ron being Army.

18 That's the reason the RABs were
19 established by DoD to start with. If we can accept
20 that, then I think it might shed a little brighter
21 light on the comment that Mr. Thomassy made.

22 That's my opinion, and that and
23 fifty cents will not get you anything, anymore, I

1 guess, will it?

2 MR. TURNER: Buy you a coke from
3 Ron Levy's snack bar over here.

4 By the way, Ron has been feeding us
5 and keeping us watered out of his own pocket, because
6 the government has not seen to provide us with
7 refreshments. So, Mr. Levy has been doing it out of
8 the kindness of his heart, which we've now
9 extinguished.

10 You'll notice there is a can over
11 there and it's got a hole in the top of it. And the
12 intention behind that hole is that you'll put money
13 through it. And I would encourage everybody to do
14 that, as their use --

15 MR. LEVY: Only to keep this up.
16 No, I'm not going on vacation.

17 MR. TURNER: Ms. Longstreth?

18 MS. LONGSTRETH: Mr. Turner, I
19 noticed that little can over there when I came in, so,
20 I already fed it.

21 But I would just like to ask a
22 question. Since Mr. Levy has been appointed by the
23 government, wouldn't he be considered an Ex Officio

1 member?

2 MR. TURNER: Well, he's more than
3 that, because he's -- I think he's the DoD
4 co-chairman. But if his voting powers were the same
5 as an Ex -- yes, ma'am, I think that --

6 MS. LONGSTRETH: So, he would not
7 have a vote?

8 MR. TURNER: Right. That he's here
9 to provide other things, other than decision making.

10 MS. LONGSTRETH: Well, I know that,
11 too. But I was just saying, as far as the membership
12 part of it.

13 MR. TURNER: Yes, ma'am. I think
14 that's a good observation. Mr. Hutchens?

15 MR. HUTCHENS: I mean, I'm not a
16 part of the board, but just on observation, is most of
17 the voting tending to be administrative?

18 MR. TURNER: Yes.

19 MR. HUTCHENS: Okay.

20 MR. TURNER: To an extent, now.
21 We're still, as you can see, discussing bylaws. And
22 this is our third meeting.

23 MR. LEVY: From an administrative

1 standpoint, I have no problem with taking myself out
2 of the vote. Advice-wise to be able, you know, to
3 keep my advice in. But that's not voting.

4 MR. HUTCHENS: The reason why I
5 asked that question was because -- as far as -- I
6 mean, I think everyone has a voice. There isn't
7 really a -- from what I've seen at other RABs, you can
8 vote on an issue, but I think that everybody's voice
9 is heard, equally. So, I don't think that like there
10 has to be a consensus among the RAB to say we want to
11 put a cap on landfill three or we need to dig up this
12 dirt.

13 MR. TURNER: I think that we were
14 thinking more along the lines of our relations with
15 the press, perhaps, about, if we were going to have an
16 official position on something that was disputed, that
17 a vote would be required, but mostly for
18 administrative matters, such as elections and just
19 that the rules of order, I think, require some voting.

20 And this is the first time I've
21 ever served on one of these, so, I don't know exactly
22 how we're supposed to proceed.

23 It seems like, if you've got a good

1 set of bylaws, that it makes things function more
2 smoothly, because you have mechanism to do it.

3 MR. HUTCHENS: I serve on another
4 RAB up in Massachusetts, and they have yet to approve
5 a charter. In fact, they've decided not to have a
6 charter and they don't have any bylaws.

7 They've been in operation for about
8 a year. As Greg Mayhall (phonetic), another guy from
9 -- that came to the first briefing about the RAB, said
10 it depends on the group and how they wanted the group
11 to (inaudible). It's whichever way you want to take
12 it. So, I mean, it's all the advice I have.

13 MR. TURNER: All right. Let's --

14 MR. ANDERSON: Getting back to the
15 question, which was the seventeen being the number and
16 is that reasonable. Just a general comment. It's
17 something we talked in the community relations group
18 the other day, relates to environmental justice. We
19 need to -- if we're going to limit the number to a
20 certain finite number, then we need to make some room
21 for potential expansion.

22 MR. TURNER: Well, that would be
23 another -- something else we would need to discuss

1 under the bylaws is how we increase or decrease our
2 number. But we've got to start somewhere. Do we need
3 to define the number of members that make up the
4 initial RAB?

5 MR. ANDERSON: Yes.

6 MR. TURNER: Does anybody disagree
7 with that idea? Does seventeen, since that's the
8 number of us that there are, does that seem like a
9 reasonable number? Does anybody have any problem then
10 with leaving 2.11 as is for now?

11 MR. CONROY: As long as we're going
12 to leave flexibility enough in the future if you
13 wanted to add some. I really don't see any
14 flexibility in that.

15 MR. LEVY: Does that get back to
16 the issue of whether I am a non-voting member, which
17 would constitute eighteen voting people?

18 MR. TURNER: Yes. We're going to
19 need do definitely fill this out, related to
20 increasing and selection. And I would say we
21 discussed -- under your duties, under Department of
22 Defense chairperson.

23 MR. LEVY: Yes.

1 MR. TURNER: All right, Ex Officio
2 members, I would suggest that we already have at least
3 two Ex Officio members and perhaps more. Certainly,
4 Mr. Richardson and Mr. Harvey are Ex Officio to us, de
5 facto, if not, if anything. So --

6 MR. LEVY: What --

7 MR. ANDERSON: Probably compares to
8 --

9 MR. TURNER: Yes.

10 MR. LEVY: So, we need to include
11 Bart and Chris as --

12 MR. TURNER: Didn't I say that?

13 MR. LEVY: No.

14 MR. TURNER: Certainly, y'all are
15 Ex Officio. And I would say that we had as many Ex
16 Officio members as the market will bear. You know, we
17 -- I think the role of an Ex Officio member is to
18 advise. And I don't think we can really get too much
19 of it.

20 Does anybody have any problem with
21 the Ex Officio, with the provisions regarding Ex
22 Officio members?

23 What about terms? Should we have

1 set terms? Should this be a rotating board or should
2 you stay on it as long as you come to the meetings and
3 resign when you don't or removed when you don't?

4 Anybody have a problem with that
5 provision?

6 Removing a member, member be
7 removed by super majority vote. Super majority vote,
8 as is defined below. And that will be something
9 greater than a simple majority of a quorum.

10 Resignation. I think that one is
11 pretty easy.

12 Vacancies. We've got -- we're
13 going to have to define the selection committee.

14 Now, I would propose that we also
15 add a section 2.6, which relates to increasing the
16 size of the RAB. Yes, ma'am, Ms. Harrington?

17 MS. HARRINGTON: I need to take you
18 back just a little bit. I know we said the size is
19 going to be seventeen.

20 MR. TURNER: Yes, ma'am.

21 MS. HARRINGTON: Because that's
22 what we had of regular members.

23 MR. TURNER: Right.

1 MS. HARRINGTON: But now, if we're
2 going to have Ex Officio, we're down to fifteen
3 regular members?

4 MR. ANDERSON: One, two, three,
5 unless we're considering all them regular members, as
6 well.

7 MS. HARRINGTON: Are you with me?

8 MR. TURNER: Yes, I am with you.
9 And I thought we had seventeen members from the
10 community. Is that incorrect?

11 MS. HARRINGTON: Fifteen.

12 MR. ANDERSON: Fifteen, plus three
13 members of the base clean-up team.

14 MR. LEVY: No. It's seventeen
15 members of the community that are assigned here.

16 MS. HARRINGTON: Where?

17 MR. LEVY: They're not all here,
18 but we've got seventeen.

19 MR. TURNER: Seventeen. No, I
20 didn't count Bart, Chris, or Ron.

21 MR. ANDERSON: Okay.

22 MS. HARRINGTON: I didn't count but
23 fifteen members.

1 MR. TURNER: Ms. Harrington, have
2 you seen this one?

3 MS. HARRINGTON: Okay.

4 MR. LEVY: There is actually
5 seventeen names.

6 MS. HARRINGTON: Okay.

7 MR. TURNER: Can we increase the
8 number by regular majority vote or do we want super
9 majority vote?

10 MR. THOMASSY: I would say super.
11 And I'd say, you not only talk about increasing but
12 decreasing.

13 MR. TURNER: Okay.

14 MR. THOMASSY: Give flexibility
15 both ways.

16 MR. TURNER: What I'll do is any
17 changes or additions, I'll fax them to you. The
18 chairpersons, committee chairperson elected by super
19 majority vote. Anybody think it ought to be anything
20 different?

21 We don't have any say regarding the
22 Department of Defense chairperson.

23 MR. LEVY: Certainly you can say,

1 but I don't think it makes a difference.

2 MR. TURNER: Duties, do the
3 chairpersons have any additional duties, outside of
4 presiding at the meetings, maintaining order at them?

5 MR. LEVY: Yes, I have a number of
6 them that I -- in terms of providing agendas and doing
7 these other things that I've been doing, you know,
8 organizing --

9 MR. TURNER: We can't fire you and
10 you can't vote, so, I mean, if we put your duties in
11 here and then you don't do them, there is nothing we
12 can do about it.

13 MS. HARRINGTON: I like that.

14 MR. HOOD: Ex Officio members.

15 MS. HARRINGTON: Do their own
16 thing.

17 MR. LEVY: You could petition the
18 Army for another person, if you really wanted to.

19 MR. TURNER: Well, we don't want to
20 do that.

21 MR. LEVY: I appreciate that.

22 MR. PARKS: Not right now.

23 MR. TURNER: Not until you quit

1 buying cookies, now, then it's all over for you, guy.

2 Do we need to discuss the duties of
3 the community chairperson?

4 MS. LONGSTRETH: The statement says
5 that every other duty identified. That would cover a
6 lot of things.

7 MR. TURNER: Yes, ma'am. And we
8 could, as the need arises, within the bylaws, we could
9 make specific provisions.

10 MS. HARRINGTON: Correct.

11 MR. TURNER: For instance, calling
12 a special meeting I think is done by the chairperson.
13 Anything else?

14 Let's move on. Term, committee
15 chairperson for a year. We discussed that at our
16 initial meeting. Does anybody have any different
17 ideas about that?

18 Vice chair or vice chairperson,
19 essentially the same as the chairperson, except that
20 they preside at all meetings in which the chairperson
21 isn't in attendance. Also, a one year term.

22 3.3 relates to elections.

23 MR. REEDY: Charles?

1 MR. TURNER: Sir.

2 MR. REEDY: Can I ask you a
3 question on your vice chair and your chair, are you
4 going to make the vice chair like -- who is the vice
5 chair right now?

6 MR. TURNER: We don't have one. We
7 don't have a community chairman.

8 MR. REEDY: Is the intent to put
9 the vice chair in and then that person would then be
10 chairman a year from now and then the new vice
11 chairman and so the vice chair would just rotate up to
12 chair or would it be two different people?

13 MR. TURNER: That's what we've done
14 on the LRA. And you can ask Mr. Richardson how well
15 that's going. I think it's going pretty well.

16 At the same time, you're kind of
17 locking up your leadership for two years.

18 MR. REEDY: True.

19 MR. TURNER: On the initial vote.
20 And so I don't know. It's an easy provision to put
21 in, since it's one I've already drafted and cut out of
22 these.

23 MR. REEDY: It's still open, then?

1 MR. TURNER: Oh, certainly, it's
2 still open. What do y'all think, two separate offices
3 or just ascending office? Vice chairman is
4 chairperson in training.

5 MR. THOMASSY: You got two good
6 present, both the LRA and the chamber of commerce,
7 along those lines work quite well.

8 MR. TURNER: I think it's a good
9 idea. And that way, you're guaranteed that you're
10 going to have some turnover in leadership, which I
11 think is a good thing.

12 MR. TURNER: Any feelings -- should
13 we have an ascending chair? Anybody disagree with the
14 idea of having an ascending chair?

15 Elections, super majority vote.
16 You got to get notice within seven days, prior to the
17 election. No, no, that's not right. You can't elect
18 any officers at a special meeting, unless you've given
19 notice at least seven days in advance.

20 MR. THOMASSY: You mentioned super
21 majority vote. Probably ought to have some discussion
22 there. Do we need a super majority vote, in order to
23 have an election of officials or only a simple

1 majority?

2 Of course, when you're talking
3 about a quorum, that's the problem.

4 MR. TURNER: Right, we haven't
5 gotten to quorum or to the election or to the voting
6 provisions, yet.

7 MR. THOMASSY: Okay.

8 MR. TURNER: I think, you know, at
9 the time of election, I guess, on adoption of the
10 bylaws or -- I think y'all elected me to a five month
11 term at the first meeting. I would suggest that,
12 though, that we consider having an election of the
13 first community co-chairman and vice chair at the time
14 we adopt these bylaws or some time pretty soon
15 thereof. I mean, there is no -- the whole point was
16 to have somebody sitting up here until we had -- you
17 know, we got some bylaws and it got organized. And we
18 might provide for that in here. Just that the interim
19 officers term expires upon adoption of these bylaws
20 and they'll have an election immediately after that.

21 Anybody got a problem with that?

22 MR. ANDERSON: Why don't we just
23 set a month for election?

1 MR. TURNER: Well, that's assuming
2 we can get some bylaws adopted by that month.

3 MR. JOHNSON: What are you shooting
4 for on that?

5 MR. TURNER: Next month, I would
6 think. It looks like we're cruising through these
7 pretty quickly with no real objections. I ought to be
8 able to make the changes and have them out by, I think
9 certainly, by the third Monday in August, we ought to
10 have a set of bylaws that are ready to be adopted.

11 What do y'all think?

12 MR. THOMASSY: No objection.

13 MR. ANDERSON: Are we still on
14 3.31?

15 MR. TURNER: No, sir.

16 MR. GARY HARVEY: Here.

17 MR. TURNER: Yes, yes, we are.

18 MR. ANDERSON: I would suggest just
19 a word, that your subsequent election of officers, and
20 just delete the names of the four types, because
21 that's specified elsewhere in the bylaws.

22 MR. TURNER: And also, as Mr. Parks
23 pointed out to me, I mentioned the

1 secretary-treasurer, of which we'll have none.

2 MR. ANDERSON: Right.

3 MR. TURNER: So --

4 MR. ANDERSON: Sounds good.

5 MR. TURNER: And all we'll do,
6 after the election of the initial chairman is elect
7 vice chairmen after that.

8 Only regular members may vote.
9 Vacancies. I think that's that vice chairman serves
10 out unexpired term.

11 MR. LEVY: You need to change that
12 to community chairperson, not just chairperson.

13 MR. TURNER: Yes. And if the vice
14 chairperson expires; that is, we have no officer, we
15 immediately hold an election.

16 Can't remove an officer without
17 super majority vote. Any officer may resign. And the
18 initial terms. And we'll just fill in the date that
19 we adopted here under 3.8.

20 Meetings, third Monday, 6:30 here.

21 MR. THOMASSY: That building
22 number?

23 MR. TURNER: Is that right?

1 MR. LEVY: No.

2 MR. REEDY: 141-A.

3 MR. LEVY: 141-A. I will tell you,
4 too, that we don't have to have it here. We've set
5 this up just to do just that.

6 MR. CONROY: This is a good place,
7 too.

8 MR. ANDERSON: In fact, I had
9 intended to bring that up under new business, that we
10 need to consider taking our meetings to other places
11 like Piedmont and down to maybe the city auditorium or
12 something like that. So maybe this is a -- we don't
13 want to necessarily discuss that. Maybe we don't want
14 to specify a location in the bylaws.

15 MR. TURNER: Well, there is a
16 provision for moving it anywhere else.

17 MR. ANDERSON: Oh. Where?

18 MR. TURNER: So, that would -- I
19 could suggest that we not take this show on the road
20 until at least we know what we're doing. That, you
21 know, our --

22 MR. ANDERSON: Other times and
23 places as designated. Got you. Sorry.

1 MR. TURNER: Anybody have any
2 feelings about our meetings and how they ought to be,
3 where they ought to be, and when they ought to be
4 designated as being there?

5 Special meetings called. Who could
6 call a special meeting? I would say that the
7 chairperson ought to be able to, or can anybody else
8 call a special meeting? Can it be done by a written
9 petition? I mean, are we --

10 MR. PEREZ: Is there any reason why
11 the co-chairman might --

12 MR. LEVY: It would be nice for me,
13 in case there is some reason why I need some
14 additional advice --

15 MR. TURNER: So, the
16 co-chairperson.

17 MR. LEVY: The chairperson.

18 MR. TURNER: Anybody have a problem
19 with that?

20 All our meetings are public.
21 Anybody have a problem with that?

22 Attendance, number 9 was developed
23 at our first meeting. Anybody have a problem with

1 that? That's a pretty stiff attendance requirement.

2 We've already got a member or two
3 who haven't shown up to any of the meetings, and if
4 these were adopted, would be automatically removed.

5 MR. CONROY: On three sequential
6 misses in a row, then you're off. That is pretty
7 tough. It's tougher than most organizations I'm
8 involved with.

9 MR. TURNER: And this is a
10 volunteer advisory board. Is it too tough? Should it
11 be three in a row?

12 MR. CONROY: I'm leaning towards --

13 MR. LEVY: That means you could
14 miss every other one and not get kicked off?

15 MR. PEREZ: Or would this include
16 the training sessions?

17 MR. TURNER: That's something I
18 really want to talk about.

19 MR. PEREZ: Because then it gets
20 touchy. You've got to know what you're doing. So,
21 you've got to be here to find out and learn.

22 MR. TURNER: And does it include
23 coming for fifteen minutes and then leaving? You

1 know, having your name -- being here for role call and
2 then getting out. I think this is something we need
3 to address because it's --

4 MR. CONROY: I know I have two
5 conflicts already over the next six months that I just
6 can't avoid. Got to go out of state and give some
7 talks and things like that. So, I'm one away. And
8 I've already read this whole thing and I'm thinking, I
9 would like to see them relaxed a little bit, maybe two
10 -- I don't know how many --

11 MR. TURNER: Maybe you can't miss
12 anymore than four, no more than three in a row.

13 MR. CONROY: That sounds fine.

14 MR. PEREZ: Maybe attach that to a
15 time frame, too.

16 MR. TURNER: Within a year.

17 MR. PEREZ: We have twelve in a
18 year, right?

19 MR. TURNER: We have twelve regular
20 meetings in a year. You couldn't miss anymore than
21 four, nor could you miss -- if you missed either three
22 in a row or four during twelve months, then you would
23 be off.

1 MR. LEVY: And I would tell you
2 that at some point, you might want to go to a
3 quarterly basis on the terms of your meetings. After
4 we get through all this stuff and we start talking,
5 you may slow down somewhat. A year, two years down
6 the road, that we're looking at going to a quarterly
7 basis. What does Nadick do?

8 MR. HUTCHENS: They're still
9 monthly, but they're taking a break for summer and
10 they don't have one at Christmas.

11 MR. PEREZ: Are we considering the
12 training meetings, along with the regular twelve --

13 MR. TURNER: Well, it's been
14 included in the two that we've had training. I mean,
15 just in the -- it's part of the agenda. Yes, it would
16 be part of the meetings, that the training is
17 necessarily included.

18 MR. THOMASSY: Why don't we add
19 this, add some stipulation such as what you've
20 mentioned, maybe three consecutive or over four or
21 four out of any one year, and then the individual is
22 voted on by the board as to whether or not he's
23 removed?

1 MR. TURNER: I think that's a good
2 idea. Can they provide a defense?

3 MR. THOMASSY: Yes, if a person --

4 MR. TURNER: Can you come in and
5 say, you know, my dog got run over right before that
6 meeting and bring a little excuse from the vet?

7 MR. THOMASSY: I want to see the
8 dog. But, yes, I think there are mitigating
9 circumstances that we have to give some flexibility to
10 and the board ought to have that option.

11 MR. TURNER: I think that's an
12 excellent suggestion. Does anybody have a problem
13 with that?

14 MR. REEDY: So, how are you going
15 to write this up, Charles, just for information
16 purposes?

17 MR. TURNER: How am I going to
18 write this up?

19 MR. REEDY: It's four over a year,
20 three in a row, and when somebody misses three in a
21 row or four over a year, then y'all are going to get
22 together and decide whether you want to give them a
23 call and find out if they're still with us or

1 whatever.

2 MR. TURNER: I would say if they
3 didn't show up to that next meeting, after they went
4 into default on attendance, that they would probably
5 be voted out. I mean, I think it would just come up
6 on the agenda.

7 MR. REEDY: So, it would take a
8 vote, even if they did --

9 MR. TURNER: Yes. That's what
10 Mr. Thomassy has proposed and I think it's a good
11 idea.

12 MR. PEREZ: It's a good idea.

13 MR. TURNER: It takes the harness
14 out of volunteering.

15 Notice in the mail with an agenda
16 and minutes of the last meeting. Order of business --

17 MR. THOMASSY: And I would
18 recommend a super majority vote on that, that way you
19 don't end up with just a few people in a meeting that
20 that person is voted on.

21 MR. TURNER: Okay. By super
22 majority vote. Anybody got a problem with super
23 majority vote on removing a member?

1 Order of business, do you want me
2 to make B training and just move everything else down
3 one?

4 MR. THOMASSY: (Nods head in the
5 affirmative.)

6 MR. TURNER: Conflicts, Mr. Parks
7 brought up an excellent point and that is that there
8 are several people, regular members, or what would be
9 regular members that work for the government. I would
10 say that at some point during the course of this, the
11 government and the citizens of Calhoun County might
12 have a conflict of interest. So, I'm open to
13 suggestions.

14 MR. PEREZ: Didn't we say before
15 that if there is a conflict of interest, then that
16 person absentes himself from the vote?

17 MR. TURNER: Or discloses it,
18 anyway.

19 MR. PEREZ: Well, they better
20 disclose it.

21 MR. TURNER: Disclose it. And once
22 it's disclosed -- for instance, I imagine Mr. Parks
23 can come up with several scenarios very quickly that

1 would be -- would qualify as conflicts that -- I mean,
2 we might spend a good part of every meeting discussing
3 conflicts of interest, I think is what might have been
4 one of the things Mr. Parks was thinking about.

5 MR. PARKS: Since I'm employed by
6 the government, the word "employer" there, you know,
7 if it comes to a vote, I work for the Army and I'm
8 also a member of the community.

9 MR. THOMASSY: But you're here in
10 your capacity as a community member, not an official
11 member of the government, where Mr. Levy is here in
12 his capacity as a government employee.

13 MR. LEVY: I am the only one here
14 in an official capacity.

15 MR. THOMASSY: And he is the only
16 one. This is an advisory board. We're not going to
17 make big decisions, as far as I can see, that are so
18 binding or have any financial --

19 MR. ANDERSON: That's right.

20 MR. THOMASSY: -- benefit or
21 long-term power benefit for anybody, so, I don't think
22 we ought to dwell on this to any great extent.

23 MR. TURNER: I'll take it out. It

1 was in a set of bylaws --

2 MR. ANDERSON: We're not going to
3 obligate the government to spend any money. From what
4 Joe Doyle has beat into my head about COI, the only
5 thing you need to worry about is if there is a
6 pecuniary relationship. If there's not, then the
7 government employee -- and Don Cunningham falls in the
8 same category -- does not have that kind of conflict
9 of interest.

10 MR. TURNER: Let's cut it out.

11 MR. THOMASSY: Yes.

12 MR. TURNER: Quorum, how many
13 members does it take to make a quorum? We've got
14 seventeen members.

15 MR. LEVY: Go back to disclosure.

16 MR. TURNER: They've -- took that
17 out. We took out the whole provision on conflict of
18 interest. 4.71 and 2.

19 Any question about cutting out all
20 of the conflict of interest? There is a very good
21 point, we don't have any money to spend, so we can't
22 --

23 MR. LEVY: But we do.

1 MR. TURNER: What do you mean?

2 MR. LEVY: We have some money.

3 MR. TURNER: Are you talking about
4 your money jar over there?

5 MR. ANDERSON: For mediation or
6 anything like that?

7 MR. LEVY: No, not that kind of
8 money, but we have money. There is money available to
9 the RAB to support the public participation, to
10 provide the information going out to -- to do the
11 thing like what we're doing with the transcripts, to
12 -- it's not a whole lot of money, but, yes, there is
13 money to support us. And I'm going to talk about that
14 at future meetings, possibly even setting up a budget
15 as it goes along with that.

16 MR. TURNER: I don't think that's
17 the same kind of money that, you know, is saying we've
18 got a hundred thousand dollars, should we clean --
19 take care of landfill number three or --

20 MR. LEVY: The money is for
21 administrative support of the RAB.

22 MR. PEREZ: Well then that's not
23 involved, really.

1 MR. TURNER: I don't think it gives
2 rise to the need for a conflict of interest.

3 MR. PEREZ: No.

4 MR. LEVY: I won't let you do
5 anything that you're not supposed to do with it,
6 anyway, because those are the requirements. And there
7 are some strict requirements, as far as what you can
8 do with it.

9 MR. TURNER: Are we in agreement,
10 that the conflict of interest provision should be
11 excised?

12 Quorum, how many people does it
13 take for us to do business? I've gotten ten. Mr.
14 Parks pointed out that's an even number and lends
15 itself to tie votes. Should it be eleven?

16 MR. PEREZ: Uh-huh.

17 MR. TURNER: So then simple
18 majority would be six, super majority would be eight,
19 right?

20 MR. CONROY: They're even numbers.

21 MS. HARRINGTON: Back to even
22 numbers again.

23 MR. THOMASSY: But that's okay,

1 because that's --

2 MR. TURNER: That's just for
3 passing the action. It would take eleven regular
4 members before we could do anything. And of those
5 eleven, eight would have to agree for super majority
6 votes, six for simple majority.

7 Do those numbers sound good to
8 y'all?

9 MR. PEREZ: It's a good starting
10 point. This thing can be flexible in the future,
11 can't it?

12 MR. TURNER: Absolutely. We can
13 change the bylaws at any time. So, let's change these
14 numbers. That's six and this is eight on super
15 majority. That's half of the membership. I think
16 that's a good sampler or almost half of the vote.

17 MR. THOMASSY: Eleven, you're
18 talking about.

19 MR. TURNER: No proxies; that is, I
20 can't call Mr. Thomassy in advance and say, this is
21 how I want to vote on this.

22 MR. THOMASSY: No proxies.

23 MR. HOOD: Could you back up to

1 5.3?

2 MR. TURNER: Sure.

3 MR. HOOD: I'm not a lawyer, so I'm
4 not sure I understand what you're trying to say here.
5 I'm assuming it would mean two-thirds.

6 MR. TURNER: No, sir, it would take
7 eight votes. On a super majority, it would take eight
8 out of seventeen -- it would take eight votes to say
9 elect an officer or to change the bylaws or to remove
10 a member.

11 MR. HOOD: So, if we have seventeen
12 people here and eight say that they want to do that,
13 then that's a super majority. Is that what you're
14 saying?

15 MR. ANDERSON: This is only of a
16 quorum.

17 MR. TURNER: Only of a quorum.

18 MR. HOOD: That's what I'm saying.
19 I'm not a lawyer, so it doesn't say that to me.
20 Nowhere does it say two-thirds, which it looks like
21 what you're shooting at.

22 MR. TURNER: That's what Roberts
23 provides for. And as I mentioned before, I adopted

1 these bylaws from another set I did.

2 MR. HOOD: Yes, but even our United
3 States Constitution says two-thirds.

4 MR. THOMASSY: This is more than
5 two-thirds --

6 MR. HOOD: Well, whatever you're
7 going by.

8 MR. THOMASSY: -- because we define
9 a quorum as eleven, then you're talking about seven
10 out of that.

11 MR. HOOD: So, if you got thirteen
12 people that show up to make it, how many does it take
13 to make a super majority?

14 MR. THOMASSY: Then it's just a
15 majority.

16 MR. HOOD: No. To make a super
17 majority?

18 MR. THOMASSY: To make a super
19 majority, it's still eight?

20 MR. HOOD: Even --

21 MR. THOMASSY: But if it's
22 seventeen, then it's got to be a majority, which means
23 --

1 MR. ANDERSON: No. If sixteen of
2 the people show up, we're still in quorum, we're not
3 at --

4 MR. TURNER: I think we go along
5 with Mr. Hood and just make it two-thirds. How do you
6 make two-thirds of seventeen?

7 MR. HOOD: The next highest number,
8 you round up.

9 MR. TURNER: Round up.

10 MR. ANDERSON: I have a question
11 that comes out of 5.2.

12 MR. TURNER: Okay.

13 MR. ANDERSON: And it sort of comes
14 from watching what happened with the board of the CAA.
15 Is there any pecuniary -- or any kind of liability
16 we're opening ourselves to by this statement by saying
17 that we're assenting to the action taken and so on?

18 MR. TURNER: Since we don't have
19 any money, I don't see how we can be liable. I mean,
20 we aren't going to have government cars that -- RAB
21 cars that we drive.

22 MR. ANDERSON: More of what I was
23 thinking of is, if a citizen of the community decides

1 to sue because they didn't like the fact that we left
2 the Choccolocco Hills pristine --

3 MR. LEVY: But you didn't. You had
4 nothing to do with this. You're advising us only.
5 It's still the government --

6 MR. TURNER: And there is nothing
7 that we can do that would prevent some crack pipe from
8 suing us. But there is also nothing on earth that
9 would prevent a circuit judge from dismissing it on
10 purely an advisory board would be my suggestion.
11 Though that's not legal advice.

12 MR. ANDERSON: That's right.

13 MR. TURNER: If y'all want to
14 retain me, I'll give you some.

15 No, I don't see that we're going to
16 expose ourselves to any liability. In fact, I took
17 out indemnification, I believe, because it's just not
18 an issue.

19 Are we ready to move on?
20 Committees, charter and membership, community
21 relations and selection committee. We can add or
22 delete by simple majority vote. The selection
23 committee, I'm going to have to put -- we're going to

1 have to come up with mission statements or something
2 along those lines.

3 I see that the community relations
4 committee has already drafted a set of bylaws.

5 MR. LEVY: Wait a second, I'm not a
6 regular member, based on --

7 MR. TURNER: You aren't a regular
8 member.

9 MR. LEVY: You're saying charter
10 membership committees, regular members of RAB, and I'm
11 not.

12 MR. TURNER: No, you're on
13 community relations.

14 MR. LEVY: I'm sorry.

15 MR. TURNER: But you're right, the
16 same is valid. I'm going to have to redefine you,
17 anyway, in the bylaws and I'll make it so that you
18 fit.

19 MR. JOE BAKER: (Inaudible.)

20 COURT REPORTER: Who is that? I
21 can't hear him.

22 MR. LEVY: Joe Baker from the
23 public affairs office.

1 MR. BAKER: I just didn't
2 understand what he was hitting upon in 6.2.2, where it
3 says, membership upon this committee may be held only
4 by regular members. And that does not include
5 Mr. Levy.

6 MR. TURNER: Right, just may only
7 be held by regular members of the RAB and by the DoD
8 chairperson.

9 MR. ANDERSON: Should it not be for
10 any of committees, in case we want to change in the
11 future, Ron gets tired of doing this?

12 MR. TURNER: Yes. I was going to
13 do that.

14 Selection committee. We talked
15 about this, the selection committee ought to be made
16 up of people not on the RAB. That's how we were
17 selected.

18 Anybody feel any differently about
19 that?

20 We'll have a problem of selecting
21 the selection committee if say we go a year and --

22 MS. LONGSTRETH: Would it be
23 possible for members of the RAB to suggest people to

1 this selection committee, if there is a vacancy?

2 MR. TURNER: Or we could do away
3 with the whole concept of selection committee and then
4 just bring it up, make it an agenda item and vote on
5 it, you know. We solicit applications, we review the
6 applications, and we vote on them. And that way, we
7 don't have some satellite committee that we have to
8 worry about keeping full of members and all that.

9 Should we just do away with the
10 selection committee? Seems easier.

11 MR. REEDY: Excuse me, Carles?

12 MR. TURNER: Yes, sir.

13 MR. REEDY: If you do away with the
14 selection committee, then don't you need to go back
15 somewhere and put in y'all's laws, how you're going to
16 put in say, if you know Mr. Thomassy pulls --

17 MR. TURNER: I'm going to go back
18 and fix that under membership. I'm already adding a
19 provision about adding members and I'll just put it in
20 there.

21 MS. LONGSTRETH: I thought I was
22 told at the last meeting that the selection committee
23 was not of this group, that it was selected of -- by

1 the selection committee was of the Army.

2 MR. TURNER: The Army selected the
3 selection committee, but the problem is maintaining a
4 committee that -- somebody is going to have to make
5 appointments to it, somebody is going to have to keep
6 it full, and that is, what if two members of the
7 selection committee move off and then we're stuck with
8 trying to select other members to an impartial board
9 and all that? The more -- you can tell that the
10 reason I didn't draft any duties to it was because it
11 gave me a headache, just trying to figure out how all
12 that could be done. And also on page eight of nine,
13 it's occurred to me that we might want to start
14 simplifying to an extent. And that seems like a good
15 place to start.

16 Chairpersons, I would suggest that
17 one of the community chairperson serve as the chairman
18 of one committee and the DoD chairperson serve as the
19 chairperson of the other committee. That way you
20 don't have little elections going on all the time and
21 all that.

22 What do y'all think?

23 MR. ANDERSON: Well, in the next

1 set of committee reports, you're going to find out who
2 got elected chairperson of the community relations
3 committee.

4 MR. LEVY: My only problem is I
5 don't really need anymore duties than I've already
6 got. I just wish to beg off of them.

7 MR. TURNER: I don't care anything
8 about -- I mean, I'm an interim chairperson. But, you
9 know, it's just another job. I was thinking about
10 simplicity. If y'all wanted to have elected
11 chairpersons to each of these committees, then I think
12 that's a great idea.

13 MR. ANDERSON: We just sort of did
14 it.

15 MR. TURNER: Anybody have any
16 feeling on it?

17 MR. LEVY: You already heard mine.

18 MR. TURNER: You can't vote.

19 MR. LEVY: Yes. I ain't got no say
20 so in it, anyway.

21 MR. TURNER: What do y'all think,
22 chairpersons of the subcommittees or not?

23 MR. PARKS: That sounds fine.

1 You're going to have more meetings. And like you
2 said, it simplifies things. Then we'll be calling
3 committee meetings and all that.

4 MR. TURNER: So, you think have an
5 elected chairperson of each subcommittee?

6 MR. PARKS: Have like you said
7 before, previously, two co-chairs -- chairmen of the
8 committee, because Mr. Levy came up --

9 MR. CONROY: He don't want to do
10 it.

11 MR. LEVY: I'll do whatever you
12 tell me to do.

13 MR. TURNER: Mr. Parks says, let
14 the RAB chairpersons act as chairpersons of the
15 subcommittees.

16 Anybody feel differently about it?

17 MR. LEVY: Well --

18 MR. TURNER: Can't vote. Anybody
19 else?

20 MR. ANDERSON: Well, not to
21 complicate things, at all, but I guess that would
22 invalidate the actions we took the other day to
23 include drafting of committee bylaws and that type of

1 thing, so, I don't know --

2 MR. TURNER: Since --

3 MR. ANDERSON: I hate to throw away
4 work we've already done.

5 MR. TURNER: I don't see any reason
6 why your work still can't be used. I mean, if the --
7 I'd say that nobody is going to hall us into court if
8 the community relation subcommittee wants to have a
9 different chairperson other than Mr. Levy, especially
10 when Mr. Levy wants there to be a different
11 chairperson.

12 I was just trying to think of ways
13 to keep our bylaws simpler, rather than making them
14 brogue, because we would need to provide for ways of
15 electing them and filling of the membership of these
16 committees, making sure they were balanced. And I
17 thought perhaps that would be something we would leave
18 to a more pragmatic solution.

19 Yes, sir, Mr. Reedy?

20 MR. REEDY: Couldn't they, in
21 keeping with your goal of keeping it simple, if you
22 guys select a committee and really what you did was
23 whoever volunteered was on the committee, couldn't we

1 just -- couldn't y'all just trust that the committee
2 would have sense enough to get a chairperson elected
3 the way that they wanted elected?

4 MR. TURNER: Yes. I think that's a
5 good idea.

6 MS. HARRINGTON: Thank you.

7 MR. TURNER: Just leave it just
8 like it is and let the committees deal with it on
9 their own.

10 MR. PEREZ: Yes.

11 MR. PARKS: You can get you a
12 deputy.

13 MR. TURNER: That's right. I'm
14 sure DoD will give you some money for that.

15 Effective date upon approval,
16 amendment. Do we want amendments to this by super
17 majority vote?

18 MR. ANDERSON: Uh-huh.

19 MR. REEDY: Two-thirds.

20 MR. TURNER: Approval and amendment
21 by super majority vote. Did I leave anything out? If
22 I left anything out, we can deal with it later.

23 I'm going to make these changes.

1 I'll get them out to you as quickly as I can. You'll
2 notice that when I suggest that I might get them to
3 you by a certain date, that you can add two weeks to
4 that. And I would propose that this will be no
5 different. But I'll get them to you as quickly as I
6 can. There aren't that many changes really.

7 MR. ELSER: On these amendments,
8 may be amended by a super majority. Do we also change
9 that to two-thirds or does that stand --

10 MR. TURNER: I think we define
11 super majority vote and then just refer back to it.
12 Define it once. And the way y'all seemed happy with
13 defining it was two-thirds of the regular members.

14 MR. HOOD: Present.

15 MR. TURNER: Present.

16 MR. HOOD: Two-thirds of those
17 present, that way you could provide that you have
18 enough for a quorum. You already defined that as ten.

19 MR. TURNER: Yes, two-thirds of a
20 quorum.

21 MR. HOOD: Yes. Or those present,
22 because --

23 MR. TURNER: Right, yes. Anything

1 else?

2 Well, that was fun. And community
3 relations, it looks like y'all have got something to
4 report about.

5 MR. ANDERSON: Got a couple of
6 things. Let me go ahead and pass some things on here,
7 if I may. Let's see, if you would, take those --

8 MR. TURNER: Did we resolve at our
9 last meeting or is this another (inaudible), that if
10 we went past two hours, that we had to have an
11 affirmative vote to continue?

12 MR. ANDERSON: No.

13 MR. TURNER: Okay. I thought we
14 had automatic adjournment.

15 MR. ANDERSON: What I've got to
16 report on here, if we could, I've got a set of just
17 real brief minutes. These have not been approved by
18 the committee, but I'm using them as a report right
19 now to you, anyway. The members present when we met
20 on July the 11th; myself, Don Cunningham, Mike Brown,
21 Ed Kimbureau, and Ron Levy. Mr. Levy called us to
22 order and so on. Y'all can read that.

23 The main things that we covered, we

1 drafted a set of bylaws, which I believe is on your
2 table with the other information that the director
3 environment so graciously had copied and presented to
4 us here. I won't belabor the evening with a
5 discussion of the bylaws, except to say that
6 basically, we just set ourselves up a charter
7 whereupon we said that we weren't going to do anything
8 publicly without discussing it with the entire group,
9 first.

10 Mr. Levy made some changes in the
11 bylaws and we added a clause about environmental
12 justice that you'll see is -- I believe that's bylaw
13 item number eight.

14 The second thing is: Since there
15 was a quorum present, or at least we thought there was
16 a quorum present at that time, it went ahead by a
17 voice vote and made me the chair.

18 We talked then about developing
19 community relations plan. Everybody should have
20 gotten last meeting, a copy of the draft community
21 relations plan that the U. S. Army Environmental
22 Center did up for Fort McClellan.

23 What we're looking to do is:

1 Inside this document, it has a list. It says Fort
2 McClellan mailing list. We also got a hold of a copy
3 of a listing of organizations within the county that
4 the chamber of commerce has put together. And what
5 we're trying to do is to build a baseline list of
6 people and organizations that we will mail to.

7 MR. LEVY: Probably just LRA.

8 MR. ANDERSON: Right, see, I got my
9 copy of the same list from the chamber, but mox nix.

10 But anyway, the intent was, as you
11 see there, item number one, under C, we agreed to
12 build upon that list to create a baseline list of
13 organizations of people with which we would routinely
14 correspond.

15 Second thing is: We were going to
16 develop and mail a letter to organizations on the
17 baseline list. One of the handouts that I presented
18 to you was a draft of that letter. I would like too,
19 at this time, go ahead and quickly have you take a
20 moment to look at it. And unless there are any
21 objections, we plan to go ahead and use that letter to
22 send information to the community, that talks about
23 hey, we're here, here is the things that we can do for

1 you. And included in it is a listing that I wanted to
2 present printed for everybody's information, anyway,
3 of the documents that are available at the information
4 repositories. There are two information repositories,
5 one is at the Anniston Public Library, the other one
6 is at Fischer Library at the Army's chemical school
7 here on Fort McClellan. These are documents that are
8 available for the public to look at to give them
9 information about the clean-up activities, and also
10 look at a bunch of studies that have been done in the
11 past. It's a pretty comprehensive list of stuff.

12 The next thing is that we talked
13 about developing an information briefing, not later
14 than October 1st, from the information currently
15 available at the Director of Environment. We're going
16 to provide the full RAB with an outline for comment.
17 I'll provide that in September. And then we'll
18 provide copies of the briefing and materials in
19 advance of the October general meeting for approval of
20 the RAB at that meeting. And this is our canned, if
21 you will, information briefing that we'll be able to
22 have members present to the Lion's Club or New South
23 Coalition or whoever in the world wants us to come and

1 meet with them.

2 The next thing is: Back on this
3 community relations plan, we said that we need to
4 provide comments through Ron to the Army's
5 environmental center on their draft community
6 relations plan. And we didn't set a suspense date and
7 there isn't a date listed in the document, so I'm
8 going to need to have somebody let me know when do we
9 have to have our comments in on this community
10 relations plan.

11 And then finally, not later than
12 the September general meeting of the full board, we
13 wanted to develop our own set of implementing
14 instructions on how we're going to actually provide
15 information to the community, in terms of not just the
16 repository, outreach, community briefings, whatever it
17 is we're going to do to actually implement what we
18 said we're going to do in this document.

19 MR. JOE DOYLE: I think the
20 suspense on that document is 9 August, is what I'm
21 showing.

22 MR. LEVY: We might be able to
23 extend that a little bit.

1 MR. ANDERSON: Yes, we need to, if
2 we can. Since it's done by SAIC, it probably affects
3 contract deliverable schedules and so on. I don't
4 want to do anything untoward to my fellow contractors,
5 but we do need some time to look at this.

6 MR. LEVY: Let me look at that to
7 extend the time.

8 MR. ANDERSON: Subject to your
9 questions, that concludes my report on the community
10 relations committee.

11 MR. LEVY: You wanted to talk about
12 a mail box?

13 MR. ANDERSON: Under new business,
14 I have two motions under new business.

15 MR. ROB RICHARDSON: Rob
16 Richardson, with the Reuse Authority. If I could just
17 one more time publicly make myself available in an Ex
18 Officio capacity to the public relations committee. I
19 would be pleased to sit in on the meetings and be of
20 any assistance in any way that we might. I think it's
21 important to coordinate our efforts from the Reuse
22 Authority to the extent there is a message printed to
23 the public that there is some coordination. If that

1 would be helpful --

2 MR. TURNER: I would -- personally,
3 I would like a little while to look over this stuff
4 and think about it. This is the first I've seen of
5 it. It looks like great ideas, but I find that, you
6 know, at ten minutes until 9:00, my brain is not
7 functioning the way it ought to be.

8 MR. ANDERSON: There is absolutely
9 nothing that says we need to get that letter out this
10 month. In fact, it's going to take probably the
11 better part of a month just to build the baseline list
12 of organizations. We're trying to find the word
13 processing files that this was built on. We
14 certainly, among ourselves, represent organizations,
15 so we would like to get that type of information in.

16 MR. LEVY: Can I get a disk from
17 you?

18 MR. ANDERSON: I've got the disk,
19 but it's not of this, it's not of that community
20 relations report, it's our names and those types of
21 things.

22 MR. TURNER: Do y'all want to go
23 ahead and take this up, now?

1 MR. PEREZ: No. Let's leave it for
2 the next -- put that on the agenda for the next
3 meeting.

4 MR. TURNER: I think that's a good
5 idea.

6 MR. ANDERSON: Please. It was not
7 intended to get shoved down your throat. I just
8 wanted to get it out there.

9 MR. TURNER: I didn't think that.
10 It was, I didn't think I was up to living this all the
11 consideration that it's due.

12 Well, thank you for your report.
13 Old business?

14 MR. ANDERSON: Telephone roster, if
15 it's still sitting out here, please, circulate it.

16 MR. TURNER: Can somebody lay their
17 hands on the telephone roster at this moment?

18 MR. ANDERSON: He's got it. And I
19 have the disk with the original.

20 MR. TURNER: Yes, you were the only
21 person whose fax number didn't work.

22 MR. ANDERSON: That's because it's
23 changed. I moved.

1 MR. TURNER: New business, Ron has
2 got --

3 MR. LEVY: Yes, I wanted to talk
4 just real briefly. In the packets in front of you,
5 there is several things for you to take with you and
6 look over. One is a fast-track guide to clean up. It
7 talks about some successes of other installations and
8 some of the challenges that they've gone through. And
9 it will give you an understanding of the fast-track
10 clean up initiative that was put across by the
11 president in an executive order.

12 There is another document in there.
13 It's called A Guide to Assessing Reuse and Remedy
14 Alternatives at Closing Installations. Truly, we're
15 not at that point, yet, but something you could take
16 with you and look at.

17 Also, updating your RAB to meet
18 BRAC needs. Just a little bit of background
19 information for you.

20 And then this new one is a new
21 policy that came out. It's the role of the
22 Restoration Advisory Board in clean ups. It was
23 signed by the Assistant Secretary of the Army, Mr.

1 Walker. And it talks of different things that we are
2 going to get to such that we've already scheduled,
3 some of the training meetings, such as the assessment,
4 the risk assessment stuff, as well as talking about
5 the funding, some of the funding things.

6 So, at your leisure, if you would,
7 read those. Also, in front of you, for those of you
8 who did not get a copy, is a copy of the environmental
9 baseline survey for the installation. It's in a draft
10 form. We're providing it to you to take with you.
11 And again, you know, sit down and go through it and
12 provide us feedback to that. We have forty-five days
13 that we're looking to try to expand that a little bit
14 more, possibly even in November so that we can get as
15 much comment back from the community on it as
16 possible.

17 But that's probably the basis of
18 what we're going to be working with over the next
19 couple of years, this document. Another thing that
20 will come out of that is base clean-up plan, which
21 will be another thick document that talks about our
22 clean-up initiatives and how we're going to do it.

23 I apologize, but this is probably a

1 very small portion of what we've got in terms of
2 information out there. This is -- there is so much
3 information as it relates to, you know, what's going
4 on at Fort McClellan, its past history, that I'm
5 afraid I'm going to end up overwhelming you at some
6 point, so we'll try and feed it to you a little at a
7 time. This document really is a compilation of all
8 the activities that's occurred in the past. So, it's
9 probably a good document, as an overview of Fort
10 McClellan.

11 When we start to get into some of
12 the real specific stuff, we'll start looking at their
13 RIFS or some of the site investigation reports. And
14 it has very technical, very site specific information.

15 But this one here is a requirement
16 under the law. And there's a surfer report in there
17 that we've got to do within eighteen months. And the
18 finish would be sometime in Novembr, so we're trying
19 to get that out to the community, though the Army has
20 wanted to complete that, what --

21 MR. HUTCHENS: The end of the year,
22 I think they were looking to get most of them
23 completed within the Army.

1 MR. LEVY: It's the same document
2 that John Herbert briefed us on at the previous RAB
3 meeting. It's a lot of good information in there, a
4 lot of great background stuff. So, if for nothing
5 else, take it home and get yourself familiar with
6 what's going on.

7 And if you can provide us with any
8 feedback, we're looking forward to that kind of thing.

9 MR. JOHNSON: How is that going to
10 work, Ron? Are they going to provide written comments
11 to you?

12 MR. LEVY: I will take it in any
13 form that you can give it to me. If you want to pick
14 the phone up and call me and say, I think such and
15 such is not quite -- we'll take it, anyway. Prefer
16 written, written comments, but if you just need to
17 pick the phone up and call me, we'll take that, too.

18 MR. REEDY: Ron, will you let us
19 know what --

20 MR. LEVY: Yes, anything that you
21 provide me will also be provided to Chris and Bart, in
22 terms of their review of the document.

23 That's all I've got.

1 MR. TURNER: The only thing I say
2 before we adjourn --

3 MR. ANDERSON: I have two motions,
4 if I may.

5 MR. TURNER: Two motions?

6 MR. ANDERSON: Two motions, if I
7 may, very quickly. The first motion is -- and it came
8 to my attention, as we were drafting this letter
9 today, you know, you want to go to some kind of
10 letterhead. And the first thing that struck me was,
11 if we use Fort McClellan as our address, it looks like
12 a government document, rather than from the community.

13 So, I make a motion that we secure
14 a post office box as a permanent address of the RAB,
15 that we secure five keys for the box, and that we
16 request the government reimburse our agent for the
17 cost associated with the box and the keys.

18 MR. LEVY: I believe we have money
19 to do that, if that's what the RAB wants to do.

20 MR. TURNER: I would like to know
21 before I voted to approve it, who is going to hold the
22 five keys?

23 MR. ANDERSON: I just --

1 MR. TURNER: Shouldn't there be
2 seventeen keys?

3 MR. ANDERSON: Could, except can we
4 get a second and first?

5 MR. TURNER: Is there a second?

6 MR. THOMASSY: I think we need to
7 discuss it a little more, because I'm still not
8 convinced we need to go off Fort McClellan. If we
9 have your address or Fort McClellan address, what's
10 the difference? I mean, we're talking about
11 businesses and other organizations (inaudible). I
12 don't see the perception problem. I don't see the
13 need to go through all of that.

14 MR. PEREZ: Let's discuss this at
15 the next meeting. I do see somewhat of a perception
16 problem there.

17 MR. TURNER: Mark, I would ask that
18 if you've got new business to bring up, that you get
19 it on the agenda in the future, because I mean, it's
20 just hard to make a decision just out of left field.

21 MR. ANDERSON: Okay. I thought
22 that's what new business was for, but --

23 MR. TURNER: I mean, but it still

1 deserves an agenda item as a way of classifying what
2 we do.

3 MR. ANDERSON: Okay. Then, please,
4 add another item on meeting location to the agenda for
5 next time, as well.

6 MR. LEVY: Okay, we'll do that.

7 MR. JOHNSON: Is everybody being
8 contacted, as far as the agenda? How is that set up,
9 how are y'all doing that?

10 MR. LEVY: It goes out -- everybody
11 here got a letter. We send a letter with the agenda
12 and the minutes of the last meeting, and signed by me.
13 And that's the way we'll continue it, unless you want
14 me to do something different.

15 MR. ANDERSON: Yes. Apparently, if
16 we're wanting to schedule new business, we need to
17 make sure that -- do we want to let it be known that
18 the next months meeting that we're going to --

19 MR. TURNER: Bring up new business,
20 yes. That's the way it's typically done. Now, I
21 don't have any problem with just bringing stuff in out
22 of -- from the floor. The problem is that people
23 don't have time to consider it in advance. They don't

1 really have any advance warning that it's going to
2 come up.

3 And I think Roberts calls for the
4 chairman being responsible for constructive
5 amendments. I don't have any feeling about being
6 warned in advance, but I would suggest that anybody
7 that has something they want on the agenda, that they
8 contact either Ron or Lisa and get it on the agenda so
9 that everybody will know that it's there.

10 MR. LEVY: There is no reason why
11 they couldn't call me during the month and ask to have
12 it put on there.

13 MR. TURNER: I think that's the
14 appropriate way of getting it done.

15 MR. LEVY: Well, then it's my
16 fault, because he did bring it up to me during the
17 month and I didn't put it on the agenda.

18 MR. ANDERSON: And, of course,
19 there is nothing that says we can't make the motion,
20 get it seconded and then table all discussion until
21 the following month so we have time to think about it,
22 as well.

23 MR. PEREZ: Something may come up,

1 like during a meeting.

2 MR. TURNER: Yes. I mean, it's
3 just that agenda items typically appear on the agenda.

4 MR. PEREZ: True. But if something
5 new pops up right during a meeting, that requires some
6 analysis and -- I don't feel like voting tonight on
7 what he proposed, so, we delay it until the next
8 meeting.

9 MR. TURNER: I think that's fine.
10 Anything else? I was going to say something --

11 MR. LEVY: Yes, I've got one other
12 thing, just a point of information. The public
13 scoping meeting for the disposal environmental impact
14 is scheduled for 7:00 p.m. on Tuesday, August the 6th.
15 There will also be letters going out on that.

16 As members of the RAB, I would ask
17 your participation on that. It will be at the post
18 theater here on Fort McClellan.

19 MR. TURNER: When is it again,
20 August the 6th?

21 MR. LEVY: August the 6th.

22 MR. TURNER: At what time?

23 MR. LEVY: 7:00 p.m.

1 MR. PEREZ: You're sending us a
2 letter on that?

3 MR. LEVY: Yes, we'll send a
4 letter. Wait a second, I may be wrong. I think Gary
5 was right, 7:00. Yes, I'm sorry, the 6th is the
6 meeting that we've got on the IPR. I'm sorry. I
7 stand corrected. 7 --

8 MR. TURNER: August 7th, 7:00 p.m.?

9 MR. LEVY: In any event, there will
10 be a letter coming out on that. We're going to try to
11 include those --

12 MR. THOMASSY: Post theater at what
13 time did you say?

14 MR. LEVY: 7:00 p.m.

15 MR. TURNER: On the 7th.

16 MR. THOMASSY: And this is on the
17 disposal?

18 MR. LEVY: Remember, I told you
19 about there is a separate, concurrent process under
20 NEPA, National Environmental Policy Act, that talks
21 about the reuse alternatives on Fort McClellan. It
22 evaluates the reuse alternatives of Fort McClellan.
23 That's the environmental impact statement. We have

1 under law of requirement to do an environmental impact
2 statement for disposal of the land.

3 MR. TURNER: What I'm thinking is,
4 our meeting is running too long. We need to figure a
5 way to get them shorter.

6 MR. CONROY: Move to adjourn.

7 MR. TURNER: Second.

8 MR. THOMASSY: Third.

9 MR. PEREZ: Fourth.

10 (WHEREUPON, the meeting was adjourned.)

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1 C E R T I F I C A T E

2 STATE OF ALABAMA)

3 CALHOUN COUNTY)

4

5 I, SAMANTHA E. NOBLE, a Court

6 Reporter and Notary Public in and for The State of

7 Alabama at Large, duly commissioned and qualified,

8 HEREBY CERTIFY that this proceeding was taken before

9 me, then was by me reduced to shorthand, afterwards

10 transcribed upon a computer, and that the foregoing is

11 a true and correct transcript of the proceeding.

12 I FURTHER CERTIFY this proceeding

13 was taken at the time and place and was concluded

14 without adjournment.

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22 IN WITNESS WHEREOF, I have hereunto

23 set my hand and affixed my seal at Anniston, Alabama,

1 on this the 28th day of July, 1996.

2

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7

SAMANTHA E. NOBLE

8

Notary Public in and for

9

Alabama at Large

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11

12

MY COMMISSION EXPIRES: 11-14-97.

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