

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23

RESTORATION ADVISORY BOARD

FORT MCCLELLAN, ALABAMA

Taken before Donna D. Gallahar, Court  
Reporter and Commissioner for the State of Alabama  
at Large.

Building 141-A  
Basement Conference Room,  
Fort McClellan, Alabama  
June 17th, 1996  
6:30 p.m.

-----

NOBLE & ASSOCIATES  
P.O. BOX 1437  
ANNISTON, ALABAMA 36202

1 R E P O R T E R ' S I N D E X

2

3	CAPTION . . . . . Page	1
4	INDEX. . . . . Page	2
5	RESTORATION ADVISORY BOARD MEETING . . Page	3-99
6	REPORTER'S CERTIFICATE . . . . . Page	100-101

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

1 MR. TURNER: May we come to  
2 order? Who's got the roll? I'm here. Mr. Anderson?  
4 MR. ANDERSON: Here.  
5 MR. TURNER: Mr. Brown? Mr.  
6 Conroy?  
7 MR. CONROY: Here.  
8 MR. TURNER: Dr. Cox?  
9 DR. COX: Here.  
10 MR. TURNER: Mr. Cunningham?  
11 MR. CUNNINGHAM: Here.  
12 MR. TURNER: Mr. Elser?  
13 MR. ELSER: Here.  
14 MR. TURNER: Mrs. Harrington  
15 Mr. Hood?  
16 MR. HOOD: Here.  
17 MR. TURNER: Mayor Kimbrough?  
18 MR. KIMBROUGH: Here.  
19 MR. TURNER: Mrs. Longstreth?  
20 Mr. Miller? Mr. Moore?  
21 MR. MOORE: Here.  
22 MR. TURNER: Mr. Parks? Mr.  
23 Perez?

NOBLE & ASSOCIATES  
P.O. BOX 1437  
ANNISTON, ALABAMA 36202  
PHONE: (205)238-0593

1 MR. PEREZ: Here.

2 MR. TURNER: Mr. Thomassey?

3 MR. ANDERSON: Cruising the

4 sunny Caribbean.

5 MR. TURNER: Mr. West? I

6 think by anybody's standards we've got a

7 quorum. I suggest we proceed. Did

8 everybody receive a copy of the minutes?

9 Are there any corrections or deletions or

10 additions? Is there a motion to approve

11 the minutes?

12 MR. ANDERSON: So move.

13 MR. CONROY: Second.

14 MR. TURNER: So are you read

15 for the question? All in favor of

16 approving the minutes as submitted say

17 "Aye." Opposed? Motion carries. Would

18 you like to introduce the guest speaker?

19 MR. LEVY: First off, let me

20 start off by introducing my boss and the

21 Garrison Commander of the Installation,

22 Col. Charles MacPherson.

23 COL. MACPHERSON: Hello,

NOBLE & ASSOCIATES  
P.O. BOX 1437  
ANNISTON, ALABAMA 36202  
PHONE: (205)238-0593

1 welcome, everybody. Good to see you all.  
2 MR. LEVY: He's essentially  
3 hostingus here and is a significant member  
4 ofthe BRAC process that's been involved in  
5 allthe closure aspects of the Installation  
6 and knows intimately what we are doing  
7 here, as well as what we will be doing in  
8 the cleanup phases.  
9 We're going to start out,  
10 we've got two guest speaker presentations.  
11 As I told you before, we needed to go  
12 through and provide you with information a  
13 it related to the process so that you'll  
14 have a better understanding of where we're  
15 going, why it is we're doing what we're  
16 doing. The two individuals, Gary Harvey,  
17 who is the Base Transition Coordinator for  
18 Fort McClellan and our contractor for the  
19 environmental baseline survey which is a  
20 significantly important document from the  
21 cleanup standpoint, we're going to talk to  
22 you about the process on both of those.  
23 We're not really going to get into cleanup

NOBLE & ASSOCIATES  
P.O. BOX 1437  
ANNISTON, ALABAMA 36202  
PHONE: (205)238-0593

1 issues, yet. We've got a lot of different  
2 things we've got to get through as it  
3 relates to the process. With that, Gary.  
4 MR. HARVEY: Okay, I'm going  
5 to give you a real brief, I'm going to be  
6 up front, it should be brief. I don't wan  
7 to teach you about the base closure  
8 process, but what I do want to do is show  
9 you that there is a process and I've got  
10 slides. Can everybody see that? That  
11 was the commission's recommendation, which  
12 was approved by the Congress and by the  
13 President. You see mainly where Pelham  
14 Range is staying as is on to the National  
15 Guard, moving the polygraph to Fort Jackson  
16 and the chemical to Fort Leavenworth. The  
17 CDTF which is pretty famous around here  
18 operations until such time as replacement  
19 capability is at Leavenworth. Show you  
20 real briefly the migrations, a restatement  
,21 of what you saw before. That, again, is  
22 probably not news to most people in here.  
23 The movement milestones as we go on down,

NOBLE & ASSOCIATES  
P.O. BOX 1437  
ANNISTON, ALABAMA 36202  
PHONE: (205)238-0593

1       and I know there is a lot of rumors going  
2       on, but these are the milestones, when the  
3       moving starts, when it completes. Right  
4       now, closure of Fort McClellan is scheduled  
5       at the end of September 1999. Caretaker  
6       operations, we don't know what that will  
7       consist of until we are further along in  
8       the process, whether the government will  
9       provide a caretaker for us. But basically  
10      as long as there is government property  
11      here, there is going to be some sort of  
12      caretaker operation until it's all gone.  
13      It could be the LRA, it could be  
14      government, could be a contractor.  
15      My favorite chart right here,  
16      you see it's probably pretty busy. If you  
17      took all of the major decision points that  
18      took place in the BRAC process, you'd  
19      probably have a hundred and four of those  
20      boxes up there. Quite a few. What I want  
21      to do on this part is just show you that it  
22      is all a process, many laws, many  
23      regulations that all end up here to

NOBLE & ASSOCIATES  
P.O. BOX 1437  
ANNISTON, ALABAMA 36202  
PHONE: (205)238-0593

1 complete this puzzle. We start off with  
2 the phases, the base wide media planning,  
3 going into disposal and reuse decisions and  
4 parcel by parcel decision implementation.  
5 And a lot of these things will be going on  
6 at the same time. We start off with the  
7 LRA, that's our generic term for Local  
8 Redevelopment Authority, which Charles is  
9 member and Rob is the executive director  
10 of, and right now Walt Phillips is the  
11 chairman. We did, very early on form a  
12 local redevelopment authority here at Fort  
13 McClellan. In fact, it stood up on the is  
14 of August before the BRAC decision was eve  
15 final. They formed, were trained on 1  
16 August, they put in for a grant from the  
17 Office of Economic Adjustment, which is a  
18 DoD activity. Received their initial  
19 planning to have a staff of three, Rob,  
20 Amanda, the secretary down there, and a  
21 person which you all know here, L.C.  
22 Johnson, forms the authority. So that par  
23 is well on the way. And the local

NOBLE & ASSOCIATES  
P.O. BOX 1437  
ANNISTON, ALABAMA 36202  
PHONE: (205)238-0593



1     redevelopment authority was formed by the  
2     counsel of elected leaders who appointed  
3     the various members. The latest actions  
4     they have done besides negotiate with the  
5     National Guard on the size of the enclave,  
6     they have submitted or put out to industry  
7     a request for a proposal for industry  
8     redevelopment firms in particular to bid on  
9     developing a redevelopment plan at Fort  
10    McClellan. I understand, I think all of  
11    those bids are in and they will probably  
12    select sometime this summer, maybe as early  
13    as the first part of July, select a company  
14    to develop a redevelopment plan for Fort  
15    McClellan. So that part is going great.  
16    After they get their  
17    redevelopment plan, it will probably take a  
18    year, you think, Rob? About a year or so.  
19    In '97 we should have an idea of what it is  
20    the local community plans to do with what's  
21    left here at Fort McClellan. They will  
22    prepare the various applications, and  
23    depending on what they are going to do, for  
                                  NOBLE & ASSOCIATES  
                                  P.O. BOX 1437  
                                  ANNISTON, ALABAMA 36202  
                                  PHONE: (205)238-0593

1       example, if you had an airport there may b  
2       an application to the airport authority or  
3       something in DC, where they support it,  
4       whatever you do, whatever you need an  
5       application for the land to use it for.  
6       Down here, LEA military  
7       department interface, that's set up and  
8       working well between Fort McClellan and the  
9       community, and I am the interface, the  
10      day-to-day interface with the LRA and Fort  
11      McClellan, not in charge of anything, just  
12      interface coordinator. Col. MacPherson is  
13      in charge of the closure process. The Arm  
14      does it a little bit different than the  
15      Navy and the Air Force. Navy and Air Force  
16      run a more centralized. And the Army, we  
17      use the chain of command for closure  
18      process.  
19      So the military department  
20      starts their disposal the same time. And  
21      then we get to the part you are interested  
22      in, and you can see all of all of these  
23      bullets here, the environmental covers the

NOBLE & ASSOCIATES  
P.O. BOX 1437  
ANNISTON, ALABAMA 36202  
PHONE: (205)238-0593

1     biggest bunch.     If we look at the first  
2     part of the environmental, the  
3     environmental impact statement or  
4     environmental assessment or FONSI finding  
5     of no significant impact.

6     MR. LEVY: What Gary is  
7     trying to tell you is that the disposal  
8     environmental impact statement goes on  
9     concurrently with the EBS process and what  
10    the restoration advisory board is doing in  
11    recommending priority cleanup. That's a  
12    whole separate process. It melts itself  
13    into the decision, the final decision in  
14    the reuse planning. There will be scoping  
15    and public participation associated with  
16    that. We as the RAB here are focusing on  
17    base cleanup issues.

18    MR. HARVEY: Coming down  
19    further you see the environmental  
20    baseline survey, Ron will get into more  
21    detail on that, which is basically a  
22    snapshot of what the environmental  
23    condition of Fort McClellan is right now

1 and that does include all of Fort McClellan  
2 to include Pelham Range and EBS. The EBS  
3 report is due, I believe, first draft this  
4 month, right, Ron?

5 MR. LEVY: That's right, the  
6 week of the 24th.

7 MR. HARVEY: I'm sure y'all  
8 will be very interested in that.

9 On that, it leads to a FOST  
10 or a FOSL which is a finding of suitability  
11 to transport, finding of suitability to  
12 lease which you've got to have to be able  
13 to get rid of property. Environmental  
14 cleanup and compliance requires that Fort  
15 McClellan form a BRAG cleanup team. That  
16 team has been formed and had several  
17 meetings. It's had scoping meetings and  
18 has done a bottom up review and I'm sure  
19 Ron will cover more of that.

20 MR. LEVY: Yeah, let me  
21 interrupt again. The base cleanup team  
22 consists of three individuals, myself, Bar  
23 Reedy, who is sitting there on the

NOBLE & ASSOCIATES  
P.O. BOX 1437  
ANNISTON, ALABAMA 36202  
PHONE: (205) 238-0593

1 left-hand corner and Chris Johnson. That '  
2 the Installation myself, and EPA, and  
3 Alabama Department of Environmental  
4 Management. We're also part of this RAB a  
5 non-voting members, or they are part of  
6 this RAB as non-voting members.  
7 MR. HARVEY: And down here a  
8 Fort McClellan you can see now these are  
9 going back. We also have the LRA, Rob is  
10 here representing the LRA. Charles, of  
11 course, is the co-chair with Ron. And that  
12 ought to keep, and of course Charles on the  
13 local redevelopment authority as the chair  
14 of the environmental sub-committee of that  
15 group. So we hope by having it develop  
16 that way that this will all be wrapped  
17 tight so that you and downtown will know  
18 what's happening together. It's important.  
19 We don't need to be going different ways.  
20 We may have different ideas, but if we are  
21 all in the same room, then we can work to  
22 them.

23 The BRAC cleanup team is off

NOBLE & ASSOCIATES  
P.O. BOX 1437  
ANNISTON, ALABAMA 36202  
PHONE: (205)238-0593

1       and running.       In several, I think two  
2       separate meetings, where they did the  
3       scoping. Caretaker arrangement, what I  
4       mentioned, we're not there yet on  
5       caretaker.       We don't know how much will be  
6       here when the post closes. The caretaker  
7       organization is only after closure of the  
8       active component here at Fort McClellan.  
9       We have no idea what that will look like,  
10      probably will not know until next summer,  
11      if then.  
12      So see, all of these are  
13      feeding in here coming to the phase of  
14      disposal and reuse decision making. Site  
15      cleanup and close out, a very important  
16      part. This is where you really fit in with  
17      your recommendations and your advice to  
18      Ron's BRAC cleanup team. And you see we're  
19      all coming up here to complete disposal.  
20      If you look at that, of all those ideas,  
21      seven of them there, three of them have to  
22      do, and our major ones, have to do with the  
23      environmental portion. Extremely

NOBLE & ASSOCIATES  
P.O. BOX 1437  
ANNISTON, ALABAMA 36202

1     important.

2     MR. LEVY: Essentially we a  
3     in the reuse decision making side of the  
4     house. You see the middle section there,  
5     as a restoration advisory board providing  
6     advice to the Army. We fall in the  
7     decision making process.

8     MR. HARVEY: Now, there's a  
9     multitude of laws, regulations, some that  
10    were put up when BRAC first started in '88,  
11    '89, some go back to the Federal Real  
12    Property Management act back in the '40's.  
13    There's a lot of rules, a lot of  
14    regulations and a lot of laws which you  
15    just can't throw out. So, and again, the  
16    purpose not to teach you every little bit  
17    of base reuse, but to show you, and I have  
18    some handouts, I'll give it to you later  
19    and you can take them with you, put them in  
20    the trash, whatever you like, but to show  
21    you there is a process, a regulated process  
22    we are going through. And our goal here a  
23    Fort McClellan, Ron's goal is to turn over

1 clean parcels that are available for use.  
2 We've all got the same goal. Most of us  
3 live in the community, we all want to see  
4 Fort McClellan reused and become some sort  
5 of economic engine for the area. So I  
6 think everybody in the room has a stake in  
7 this process. Now, if there are any  
8 particular parts of this that you'd like to  
9 go into, you want details, see me on the  
10 side, we can sit here and go through them  
11 ad infinitum, get you any details, copies  
12 -- well, actually we'll do that as we go  
13 through this process. I just wanted to  
14 show you that there is a standardized  
15 process to go through.

16 MR. CONROY: Is there a copy  
17 of that flow chart anywhere in our details  
18 today?

19 MR. HARVEY: Yes, I'll give  
20 them to you.

21 MR. CONROY: Okay, thanks.

22 MR. HARVEY: Any questions?

23 I hope I didn't cut it too short. But if

NOBLE & ASSOCIATES  
P.O. BOX 1437  
ANNISTON, ALABAMA 36202  
PHONE: (205)238-0593



1       you want detail, I can go into any level o  
2       detail you'd like on it.

3       MR. TURNER: Gary, we  
4       appreciate your brevity, because I know our  
5       meetings run long. I hope you'll attend  
6       our meetings, because we'll, of course,  
7       need to refer to you frequently as to  
8       questions regarding the BRAC process.

9       MR. HARVEY:           Just like the  
10      LRA meeting,        I'll be at every one of these.

11      MR. TURNER: Great. And  
12      perhaps we should plan on giving you more  
13      time at future meetings to go into this  
14      more. Of course you can't capsulize the  
15      BRAC process in half an hour or an hour.

16      MR. HARVEY:           To go through  
17      all of it you are talking three or four  
18      hours. But as issues come up that are min  
19      in the RAB process, then we can take that  
20      finite issue and bring you the research  
21      materials and give you any depth you want.  
22      Same as we do in the LRA meetings.

23      MR. TURNER: Great, Gary,

1                   thank you so much. Good presentation, we  
2                   appreciate it.

3                   MR. LEVY: John Herbert is  
4                   from ES&E, Environmental Science and  
5                   Engineering. They are the Army's  
6                   contractor for putting together the  
7                   environmental baseline survey. Again, I  
8                   was telling you this is a significant  
9                   document from the standpoint of identifying  
10                  uncontaminated parcels and categorizing  
11                  those others. He's going to go through and  
12                  talk to you about the EBS process and even  
13                  touch on a little of CERFA, and I might add  
14                  some more to it after he's finished. CERFA  
15                  being the law that EBS is drawn from,  
16                  environmental baseline survey is drawn  
17                  from. What you see behind me here are some  
18                  of the maps that are coming out of the  
19                  environmental baseline survey that we will  
20                  be working with that identify the property  
21                  on Main Post and also on Pelham Range by  
22                  categories and by level of, I don't know if  
23                  the right word is contamination, but by

NOBLE & ASSOCIATES  
P.O. BOX 1437  
ANNISTON, ALABAMA 36202  
PHONE: (205)238-0593

1 level, for lack of a better word,  
2 contamination. That will be the engine  
3 that drives our cleanup issues. Go ahead  
4 John.

5 MR. HERBERT: Thank you, like  
6 Ron said what I'm going to do is walk you  
7 through the environmental baseline survey  
8 process and try to explain to you where we  
9 are right now in the process, how we're  
10 coming up with the maps that you see on the  
11 wall behind you, and how that feeds into  
12 the rest of this process for the eventual  
13 transfer of property back to the public.  
14 Each of you should have in  
15 front of you a little group of handouts  
16 that I've put together. Actually these are  
17 the slides that I'm going to be showing. I  
18 thought it might help you to have that so  
19 you could take notes or whatever. I know I  
20 find it helpful when I have that.  
21 I'm actually going to start with the  
22 conclusion side, simply because it tells  
23 you, and let me know if you can't see

NOBLE & ASSOCIATES  
P.O. BOX 1437  
ANNISTON, ALABAMA 36202  
PHONE: (205)238-0593

1 something, if it's too low on the screen,  
2 if you've got a question, ask if it has to  
3 do with what we're talking about right now.  
4 I'll be glad to entertain questions and  
5 answer them as best I can. The things that  
6 we are going to be talking about in this  
7 presentation are: the overall EBS process,  
8 the purpose of the EBS, what it is we're  
9 trying to accomplish, the categories of  
10 environmental conditions, -- which is what  
11 Ron was talking about a second ago -- where  
12 we are identifying different parcels on  
13 base, different areas that were used for  
14 different purposes in the past, and we're  
15 assigning them to one of seven categories  
16 in environmental condition. CERFA which is  
17 the law that drives this whole thing, and  
18 the FOST and FOSL, that is finding of  
19 suitability to lease and finding of  
20 suitability to transfer. And without those  
21 legal instruments being completed, the  
22 property cannot be transferred either  
23 through lease or through deed. So I'm

NOBLE & ASSOCIATES  
P.O. BOX 1437  
ANNISTON, ALABAMA 36202  
PHONE: (205)238-0593

1     going to slip this at the back, and we'll  
2     see that slide again.  
3     I know that we all hate  
4     acronyms, and somebody mentioned that at  
5     the first meeting, but these are some  
6     acronyms    that you are going to see in this  
7     presentation, on these overheads, and I  
8     just want to make sure that you guys are  
9     aware of what these terms mean. As a  
10    matter of fact, a copy of this should be in  
11    the back of your handout. If you've got  
12    it, you don't have to write any of this  
13    stuff down. The EBS is the environmental  
14    baseline survey. It is both the process  
15    we're going through right now, and it's  
16    also    the document that's going to be, that  
17    you guys are going to receive at the end o  
18    the       month, and it's going to come out to  
19    you in two volumes. It's going to be a  
20    monstrously thick set of text. That's what  
21    we're going to generate while we are  
22    identifying what has, what kind of  
23    activities have occurred at Fort McClellan

NOBLE & ASSOCIATES  
P.O. BOX 1437  
ANNISTON, ALABAMA 36202  
PHONE: (205)238-0593

1       and the environmental condition of the  
2       property, okay. So the EBS is both the  
3       process and the document. BRAC is the Bas  
4       Realignment Closure Act. There are  
5       actually two pieces of legislation, as I  
6       understand it, that mandated that the  
7       military is going to downsize and return  
8       certain facilities back to the private  
9       sector. The BCP is the BRAC cleanup plan,  
10      that's a document that's going to help us  
11      determine how to clean up parcels that have  
12      been contaminated one way or another, and  
13      get them in a condition to turn back to the  
14      private sector. CERCLA stands for  
15      Comprehensive Environmental Response  
16      Compensation Liability Act. And the reason  
17      that CERCLA is important to us is because,  
18      this next acronym CERFA, which is the  
19      Community Environmental Response  
20      Facilitation Act, and don't ask me to  
21      repeat that one, because I'll have to pull  
22      it back up to remember what it is. CERFA  
23      is an amendment to CERCLA. When the

NOBLE & ASSOCIATES  
P.O. BOX 1437  
ANNISTON, ALABAMA 36202

1 government decided to close military bases  
2 and return them back to the public, they  
3 amended CERCLA or the super fund act with  
4 CERFA. And CERFA is what's driving this  
5 entire process and making sure that when  
6 property is transferred back to the private  
7 sector the government is not transferring  
8 contaminated property.

9 Now, if I'm going into too  
10 much detail, let me know, and I'll try to  
11 speed things along here. The environmental  
12 baseline survey, which is what we're  
13 talking about right now, again, it's both  
14 process and a document, and it's a review  
15 of the entire facility, both past  
16 practices, both past uses and current uses.  
17 And the intent is to identify parcels which  
18 are uncontaminated by a certain definition,  
19 and we'll do that a little bit later, how  
20 CERFA the law we just talked about, how  
21 CERFA defines uncontaminated. The main  
22 thing is to identify properties in seven  
23 categories, one of which is CERFA

NOBLE & ASSOCIATES  
P.O. BOX 1437  
ANNISTON, ALABAMA 36202  
PHONE: (205)238-0593

1 uncontaminated. And those could be  
2 transferred pretty much immediately. So  
3 that's pretty much the purpose, let's just  
4 suffice it to say, that there are DoD  
5 policies that require that we go through  
6 this process and establish the procedure b  
7 which we go through this process.  
8 Okay, these are some of the  
9 activities that we have gone through while  
10 we have been putting together the EBS.  
11 We've reviewed documents that are on file  
12 here at various places at Fort McClellan,  
13 we've reviewed records that are on file  
14 with the State. We have performed a title,  
15 chain of title search to make sure that we  
16 know what different parcels were used for  
17 prior to Fort McClellan being established  
18 as a military installation, both Main Post  
19 and Pelham Range. And we've gone through  
20 review of a lot of documents, lot of files,  
21 lot of maps, trying to establish what has  
22 actually transpired here at Fort McClellan  
23 over the years. We've looked at aerial

NOBLE & ASSOCIATES  
P.O. BOX 1437  
ANNISTON, ALABAMA 36202  
PHONE: (205)238-0593



1     photographs, there are a lot of aerial  
2     photographs here on file at the Directorate  
3     of Environmental, we looked at a bunch of  
4     those. We have interviewed people who are  
5     working here currently, folks who have  
6     retired and are living here locally, and  
7     folks that retired and moved away. We  
8     tried to speak to as many people who have  
9     as much historical information as possible  
10    about Fort McClellan and past practices  
11    here. We visually inspected quite a few  
12    sites at Fort McClellan that we have  
13    identified, and tried to identify sources  
14    of contamination. We physically inspected  
15    adjacent properties, because we are  
16    concerned not only about what's transpired  
17    here at Fort McClellan but what may be  
18    going on adjacent to the Post, because we  
19    don't want to transfer property where  
20    contamination might be migrating from an  
21    off Post facility on Post, okay. And we've  
22    not conducted any sampling, but samplings  
23    will occur at some sites later on in the

NOBLE & ASSOCIATES  
P.O. BOX 1437  
ANNISTON, ALABAMA 36202  
PHONE: (205)238-0593

1 process.

2 MR. CONROY: Is all of this  
3 ongoing?

4 MR. HERBERT: Everything that  
5 was on that last overhead is ongoing. We  
6 hope we've completed many of those  
7 activities. But we are getting additional  
8 information as we go on, and I guess really  
9 that's going to happen until we publish the  
10 final document.

11 MR. CONROY: The door is  
12 open?

13 MR. HERBERT: Well, there  
14 will be a cutoff point at some point, but  
15 naturally anything that's discovered after  
16 the final -- after the report goes out will  
17 be incorporated, if nothing else, in the  
18 FOST and FOSL process, finding of  
19 suitability to transfer, finding of  
20 suitability to lease. When that legal  
21 document goes out, if there has been any  
22 new information to come in after our  
23 report, that will be incorporated.

NOBLE & ASSOCIATES  
P.O. BOX 1437  
ANNISTON, ALABAMA 36202  
PHONE: (205)238-0593

1 MR. LEVY: If you look at  
2 this particular process more from an  
3 archival standpoint, gathering information  
4 that's already out there than from what  
5 we're doing in the other side of the house,  
6 site investigations, those are all feeding  
7 into what he's putting together here. Kind  
8 of a one-over Fort McClellan look at what'  
9 out there. And we're still doing ongoing  
10 investigations separate from this.

11 MR. REEDY: One thing, what I  
12 heard you ask is how can we add new  
13 information. Every year we have to update  
14 the base closure plan, and in times past,  
15 we have updated base closure plans at other  
16 bases routinely, and covered things, and  
17 I'm sure you will speak to this in a  
18 minute, changed things from one category to  
19 another category, based on information that  
20 comes to light. What we are doing right  
21 now is indeed a baseline survey, but it is  
22 not by any means the final word. We hope  
23 it to be, we're working trying to make it

NOBLE & ASSOCIATES  
P.O. BOX 1437  
ANNISTON, ALABAMA 36202  
PHONE: (205)238-0593

1                   as accurate and as comprehensive as we can,  
2                   but there's always the base closure plans  
3                   which will be updated.

4                   MR. LEVY: We're lucky to  
5                   have Bart. Bart has plenty of experience  
6                   in the process because he's done other  
7                   installations before.

8                   MR. CONROY:       Specifically I'  
9                   thinking along the lines of interviews, I  
10                  bet all of us has had somebody come up to  
11                  us at one time or another and say, "Well, I  
12                  remember in 1963, and we did this, this,  
13                  this." I've got a half dozen names that  
14                  would come to mind.

15                 MR. ANDERSON:   That's exactly  
16                 what I was wanting to ask a question about.  
17                 Can we get a copy of, at some point in  
18                 time, just the list of people that have  
19                 been interviewed. And the reason I ask  
20                 that is certainly in my business as a  
21                 defense contractor, I've got ten guys that  
22                 I know for a fact one of them was present  
23                 when the mustard spill on the traffic

NOBLE & ASSOCIATES  
P.O. BOX 1437  
ANNISTON, ALABAMA 36202  
PHONE: (205)238-0593

1 circle happened. And another one, and so  
2 on, and the thing I'm thinking of, Mr.  
3 Levy, in particular is, so much of what  
4 happened before about 1970 is oral history.  
5 We don't have good documentation on it.  
6 And we have to rely on the memories of  
7 people while we can still reach out and get  
8 at them. And anything that people here in  
9 the community can do to add names to that  
10 network that you are building will make  
11 that baseline survey more comprehensive.

12 MR. PEREZ: How far back have  
13 the interviews gone, in time?

14 MR. HERBERT: Back into the  
15 early '50's. Let me back up just a second  
16 and address the issue of additional  
17 knowledge. There are two ways additional  
18 knowledge can come to light, one is finding  
19 out about something historical, as far as  
20 changing the way we view the environmental  
21 condition of a piece of property, we find  
22 out about something that has happened  
23 historically, and that needs to be added t

NOBLE & ASSOCIATES  
P.O. BOX 1437  
ANNISTON, ALABAMA 36202  
PHONE: (205)238-0593

1                   the data base. The other thing is this is  
2                   a functioning military Installation, and  
3                   let's say we have a tanker truck roll over  
4                   on the road out here and spill some fuel,  
5                   that current event needs to be added to the  
6                   data base as well. So it's not like we are  
7                   just going to cut off when the report goes  
8                   out and there's not going to be any  
9                   additional consideration given to new  
10                  information or happenings.  
11                  Okay, to speak just a second  
12                  to the issue of the interview process, one  
13                  thing I find encouraging in my interviews,  
14                  and I've been handling mainly ranges and  
15                  chemical sites because this is such a large  
16                  Installation, we've had multiple people  
17                  working doing these interviews and looking  
18                  through files, and I was handling mainly  
19                  ranges and chemical sites. One thing I  
20                  find encouraging is I'm finding more and  
21                  more that one person will recommend I speak  
22                  to somebody else, speak to John Smith.  
23                  John Smith recommends I speak to two or

NOBLE & ASSOCIATES  
P.O. BOX 1437  
ANNISTON, ALABAMA 36202  
PHONE: (205)238-0593

1       three people who I've already spoken to, so  
2       it's kind of like the people I'm talking to  
3       are referring me back to people I've  
4       already spoken to. I find that very  
5       refreshing. Just so you understand how the  
6       interview process is going from my  
7       standpoint.

8       MR. LEVY: will those  
9       interviews, the records of interviews stay  
10      in the EBS?

11      MR. HERBERT:        I had not  
12      considered, I don't think at this point we  
13      have a list of people we have interviewed,  
14      but the interview notes are included as an  
15      appendix so you can see not only who we  
16      spoke to, but what they told us.

17      MR. REEDY:         So the list  
18      exists, it's just not in a list form.

19      MR. HERBERT:        If you wanted  
20      us to put a list together about the project  
21      as Page 1 as appendix whatever, that could  
22      be done.

23      MR. BROWN:         (Inaudible.)

NOBLE & ASSOCIATES  
P.O. BOX 1437  
ANNISTON, ALABAMA 36202  
PHONE: (205)238-0593

1 MS. KINSBERRY: I think once  
2 you see the interview notes, you won't need  
3 it.

4 MR. HERBERT: I think you'll  
5 see a lot of names you'll recognize.

6 MR. ANDERSON: But I know the  
7 fellow I was saying was present at the  
8 spill, I know for a fact he hasn't been  
9 talked to.

10 MR. HERBERT: We've heard  
11 about the mustard spill.

12 MR. ANDERSON: I'm sure  
13 you've heard everything from three days to  
14 ten days to clean it up too.

15 MR. KIMBROUGH: I have a  
16 question, on the monitoring. If you have  
17 monitoring, and you probably know where I'm  
18 coming from, will the monitors detect, for  
19 instance, radon, in wells, can you detect  
20 -- you know that there's a leakage but you  
21 detect nothing, is there going to be  
22 continuing monitoring until this base is  
23 turned over, or is that monitoring going to

NOBLE & ASSOCIATES  
P.O. BOX 1437  
ANNISTON, ALABAMA 36202  
PHONE: (205)238-0593



1 be it?

2 MR. LEVY: We're going to do  
3 it in accordance to what our regulators  
4 direct us to do, and in a case like that,  
5 in fact we'll probably have some long-term  
6 monitoring. Am I right, Bart?

7 MR. REEDY: I can't speak  
8 directly to the contamination that you are  
9 talking about, because frankly, I've not  
10 had time to see the data, review the data.  
11 But we are not, we, EPA, I'm federal EPA  
12 again, and Chris is the State EPD. So we  
13 are not going to just draw a line and say,  
14 "Well, that's it, we're done messing with  
15 it." That is not going to happen. Does  
16 that answer your question enough?

17 MR. KIMBROUGH: Partially,

18 MR. REEDY: Again, I think  
19 the thing we might want to do here, we're  
20 opening up a big can of worms with the EBS  
21 here, and I think we'd all be pretty, as a  
22 suggestion, maybe let the man finish this  
23 little bit here. This is again, designed

NOBLE & ASSOCIATES  
P.O. BOX 1437  
ANNISTON, ALABAMA 36202

1 to be a snapshot in time and give us a  
2 place to start so we're not out chasing  
3 something in building six or twenty-eight  
4 and spending all our time there, when we've  
5 got an entire base to try and hand the key  
6 over to you. And that's the purpose of  
7 this document and this research. It is no  
8 the final word.

9 MR. HERBERT: Right. Yeah, I  
10 don't want to get off on too many tangents  
11 here too far from talking about the EBS  
12 process. I think we all need to be aware  
13 of one thing, this is not the only thing  
14 that's going on. There are a lot of other  
15 things going on at the same time as this,  
16 looking into these sites in a lot of  
17 detail. All we're trying to do is identify  
18 where there are parcels that may have been  
19 contaminated, where there are parcels that  
20 we believe are CERFA uncontaminated, and  
21 I'll define that term in a minute, okay?  
22 Col. MacPherson?

23 COL. MACPHERSON: Yeah, that

NOBLE & ASSOCIATES  
P.O. BOX 1437  
ANNISTON, ALABAMA 36202  
PHONE: (205)238-0593

1     was my point, we're trying to get to a  
2     bottom line I guess would be to identify  
3     what is CERFA clean, which means you can  
4     arrive at a FOST or a FOSL. The point  
5     you're making if that's not declared CERFA  
6     clean, some remediation will have to be  
7     done probably in order to arrive at being  
8     CERFA clean. So if it's not to that  
9     condition, probably can't be transferred  
10    over, you can't get a FOST or a FOSL, see.  
11    So the real crux of your question, which I  
12    think is what you are getting at, is if  
13    we've identified a problem with migration,  
14    for example, ground water, are we going to  
15    abandon that and just leave it to your  
16    devices? No. The Army has that problem  
17    and it has to stick with it.

18    MR. HERBERT: That brings up  
19    another point, and I'd have to go to my  
20    documentation here to quote it to you, I  
21    can do that afterwards, but basically, the  
22    Army is or the Department of Defense, the  
23    U.S. Government is on the hook for its

NOBLE & ASSOCIATES  
P.O. BOX 1437  
ANNISTON, ALABAMA 36202  
PHONE: (205)238-0593

1                   contamination whether it's discovered  
2                   before the property is transferred or  
3                   whether it's not discovered until after the  
4                   property is transferred. And that's part  
5                   of CERFA and CERCLA.

6                   MR. LEVY: I don't think you  
7                   ought to get into that, why don't you just  
8                   continue on.

9                   MR. HERBERT: Okay. The  
10                  purpose of the EBS here is to be the base  
11                  cleanup plan. We are identifying, we're  
12                  putting property into one of seven  
13                  environmental categories, and I'll be  
14                  talking about that in a few minutes. We're  
15                  identifying parcels that are CERFA  
16                  uncontaminated, and we're identifying  
17                  properties that are suitable for transfer  
18                  or lease to the private sector. That's  
19                  what this EBS process and what this  
20                  document are intended to do. Okay, the  
21                  seven categories, and I think this may,  
22                  this is something a number of people, I'm  
23                  sure, have some interest in. Category one

NOBLE & ASSOCIATES  
P.O. BOX 1437  
ANNISTON, ALABAMA 36202  
PHONE: (205)238-0593

1 is various areas where -- and we're talking  
2 here about hazardous materials, petroleum.  
3 radon, lead base paint, these sorts of  
4 things. Category one is where there has  
5 never been any storage, disposal or a  
6 release of hazardous substance of a  
7 petroleum products. Now, when we're  
8 looking at this we're looking at a one-yea  
9 time period. There hasn't been anything  
10 stored for more than a year, there hasn't  
11 been any reported releases or we don't have  
12 any reason to think that there might have  
13 been any releases, okay? And those parcel  
14 are colored white on these maps, and I  
15 really don't want to talk about these maps,  
16 but when you see white parcels, those are  
17 defined as CERFA uncontaminated, and that'  
18 category one, okay? In those areas, we  
19 have no reason to believe that there has  
20 been any storage, disposal or a release of  
21 these constituents.  
22 Okay, category two is where  
23 there's storage. We differentiate that

NOBLE & ASSOCIATES  
P.O. BOX 1437  
ANNISTON, ALABAMA 36202  
PHONE: (205) 228-0502

1       because there is a little bit more  
2       potential for a release, because we know  
3       there has been storage there, but there ha,  
4       been no documentation or reports of any  
5       kind of release.  
6       Category three, areas where  
7       storage and release. Where there has been  
8       storage and there's been a release, but  
9       it's at concentrations that are not going  
10      to be injurious to human health or the  
11      environment.       Seven categories, in order to  
12      make it legible I had to put it on three  
13      slides, or three overheads, and that's the  
14      way you have it on your handouts as well.  
15      Category four, that's areas  
16      where okay, we've had storage, had a  
17      release, and it's been remediated, it's  
18      been cleaned up. As an example, you've got  
19      an underground storage tank, it leaked, it  
20      was detected.       Came in dug up the tank,  
21      cleaned up the soil, cleaned up the water.  
22      They monitored it and it's been remediated,  
23      there is no more problem, okay? That's

NOBLE & ASSOCIATES  
P.O. BOX 1437  
ANNISTON, ALABAMA 36202  
PHONE: (205)238-0593

1 category four.

2 Category five is where

3 there's been a release and they are in the

4 process of cleaning it up, but they haven'

5 finished yet. So, if you are talking about

6 a site where you know there's been a

7 release, but you haven't seen anything,

8 that would probably be category six.

9 Category six is an area where there is

10 storage, there's been a release, but you

11 haven't really started cleaning it up yet,

12 okay? Category seven is, we really don't

13 know a whole lot about the site and we need

14 to do more work.

15 Okay, so we've looked at For

16 McClellan, and we have looked through all

17 sorts of records, talked to all sorts of

18 people, trying to identify what kinds of

19 operations, what kind of activities took

20 place where, and which of these seven

21 categories those parcels of land should

22 fall into. The intent is to make sure that

23 we don't turn over property that's

NOBLE & ASSOCIATES  
P.O. BOX 1437  
ANNISTON, ALABAMA 36202  
PHONE: (205)238-0593

1 contaminated because we don't want people  
2 to get hurt.  
3 Okay, now, property that is  
4 suitable for transfer by deed or by lease.  
5 Categories one through four can be  
6 transferred by deed and they can be leased.  
7 Those are properties where they range from  
8 CERFA uncontaminated meaning there's never  
9 been storage much less a release, all the  
10 way to we know there's been a release but  
11 it's been cleaned up. Those properties can  
12 be transferred by deed or by lease.  
13 Categories five, six and seven can be  
14 leased, but they cannot be transferred by  
15 deed. And those are properties where  
16 there's still some contamination, we know  
17 there is still contamination in the ground  
18 or water, or we just don't know. There are  
19 certain parcels that wouldn't be  
20 transferred or leased under any  
21 circumstances at this point because they  
22 are may be UXO issues.  
23 MR. BROWN: Can you give us

NOBLE & ASSOCIATES  
P.O. BOX 1437  
ANNISTON, ALABAMA 36202  
PHONE: (205)238-0593



1 an idea about the parcels of land that the  
2 category of the ranges would be, can you  
3 give us any idea on that?

4 MR. HERBERT: If you'll look  
5 at the maps on the wall, and again, I don'  
6 want to get into a whole lot of detail  
7 here, if you look at the map over Ron's  
8 head you see an awful lot of brown here,  
9 and that's ranges. And some of those  
10 ranges there has been nothing but lead  
11 bullets fired off. At some of those range  
12 there has been other stuff fired off that  
13 you don't want to go walking through. So,  
14 most of the, the category, and really we  
15 not categorizing those parcels according to  
16 this system, but ranges constitute the  
17 largest single land use by acreage on Fort  
18 McClellan, both on Main Post and on Pelham  
19 Range.

20 MR. BROWN: Those would fall  
21 in five or above?

22 MR. HERBERT: We know there  
23 has been a release and there has been

NOBLE & ASSOCIATES  
P.O. BOX 1437  
ANNISTON, ALABAMA 36202  
PHONE: (205)238-0593

1 nothing done yet to clean those up.

2 MR. LEVY: One of the things  
3 you are going to hear about is those are  
4 safety issues more so than they are  
5 environmental issues, and the liability  
6 associated with that, we're going to talk  
7 more about that as we move through this.

8 MR. HERBERT: I really didn't  
9 intend to spend time talking about that,  
10 but we can certainly. There's no problem  
11 with that. Okay, we're going to kind of  
12 take a step back here, the environmental  
13 baseline survey, the process and the  
14 document we're putting out, is designed  
15 primarily to identify CERFA uncontaminated  
16 property. Okay, that is, here's the  
17 definition of CERFA uncontaminated  
18 property: Real property on which no  
19 hazardous substance and no petroleum  
20 products or their derivatives were stored  
21 for one year or more known to have been  
22 released or disposed of. We've been  
23 pouring through lots of records trying to

NOBLE & ASSOCIATES  
P.O. BOX 1437  
ANNISTON, ALABAMA 36202  
PHONE: (205)238-0593

1 find any indications of releases of these  
2 types of compounds so that we can make sure  
3 we exclude them from category one. Again,  
4 we don't want to tell you a site is clean  
5 to find out later that it's not.

6 Okay, the EBS is the primary  
7 tool by which we support the finding of  
8 suitability to transfer or the finding of  
9 suitability to lease, the FOST or FOSL. So  
10 the EBS needs those two legal documents,  
11 and this is the data we use to justify  
12 stating that yes, this property is suitable  
13 to transfer by lease or by deed, one or the  
14 other.

15 MR. LEVY: The local reuse  
16 authority would be keenly interested in  
17 this, especially when they want to get  
18 reuse, they want to be able to say we want  
19 this property, what's its condition.

20 Through the EBS we establish what the  
21 condition of the property is. In fact if  
22 it's in category one and they are looking  
23 to reuse it, it can be transferred.

NOBLE & ASSOCIATES  
P.O. BOX 1437  
ANNISTON, ALABAMA 36202  
PHONE: (205)238-0593

1 MR. HERBERT: Right. And  
2 another **thing, nothing can be transferred**  
3 until the FOST or the FOSL have been  
4 completed. Okay, the only way that you  
5 guys are going to get through this process  
6 is if we all cooperate here and there is a  
7 team approach. We've got the BRAC cleanup  
8 team consisting of Ron, Chris, and Bart.  
9 You guys are feeding your information to  
10 them. They are interacting with the LRA  
11 and the base transition coordinator Mr.  
12 Harvey, who you heard from just a second  
13 ago. So we've all got to make sure we're  
14 communicating, real time, getting as much  
15 information flow going as we can so that we  
16 can speed through this process. This is a  
17 process that's going to take some time.  
18 It's not like any of this property is going  
19 to be transferred tomorrow.  
20 We're getting close to the  
21 end here, the DoD FOST process, the finding  
22 of suitability to transfer, it's basically  
23 a determination that the property is

NOBLE & ASSOCIATES  
P.O. BOX 1437  
ANNISTON, ALABAMA 36202  
PHONE: (205)238-0593

1                   suitable to transfer. It's environmentally  
2                   suitable under CERCLA section, whatever,  
3                   20.H which is CERFA, okay? It's a  
4                   determination based on the EBS, what my  
5                   company is working on putting together  
6                   right now. There's DoD guidance that tell  
7                   us how this all needs to be done. And NEPA  
8                   is another set of regulations which Ron  
9                   referred to a minute ago talking about the  
10                  environmental impact statement that is  
11                  being done concurrently with the work we're  
12                  doing. The LRA suggests a certain set of  
13                  land reuse options, and those are all  
14                  evaluated for, I guess, environmental  
15                  impact and economic impact. That's all,  
16                  that stuff is being handled separately from  
17                  what we're doing.

18               MR. REEDY: But it is  
19               concurrent?

20               MR. HERBERT: It's ongoing  
21               now, I believe.

22               MR. LEVY: Certainly anybody  
23               who wishes to participate in that process

                  NOBLE & ASSOCIATES  
                  P.O. BOX 1437  
                  ANNISTON, ALABAMA 36202  
                  PHONE: (205)238-0593

1 can from this board.

2 MR. HERBERT: Okay, the  
3 finding of suitability to transfer contain  
4 a notice of covenant, three separate part  
5 here, notice of covenant and an access  
6 clause. And basically what it does is it  
7 notifies the potential purchaser of the  
8 property of any hazardous materials that  
9 were stored or released on the property an  
10 whether it was cleaned up.

11 MR. LEVY: Let me give you a  
12 example. If we had a piece of property  
13 that the community wanted to use, we had a  
14 remedy in place, let's say we had ground  
15 water contamination, and we had some sort  
16 of stripping system in there, means they  
17 pump the water up to the top of the well,  
18 we heat the water, and clean it up and the  
19 pump it back down. A clause will be put  
20 in, assuming they still wanted to receive  
21 the property, that would allow us access t  
22 continue doing that part. So it's a  
23 covenant or access clause within the deed.

NOBLE & ASSOCIATES  
P.O. BOX 1437  
ANNISTON, ALABAMA 36202  
PHONE: (205)238-0593

1 MR. HERBERT: Another part o  
2 the access clause is if in the future  
3 somebody determines that there's  
4 contamination on that parcel or adjacent  
5 parcel and the government needs access in  
6 order to remediate it, that's part of that  
7 access clause. If you expect them to  
8 clean it up, they've got to have a right t  
9 get back on the property to do that.

10 MR. TURNER: Is this present  
11 both deeds and leases?

12 MR. HERBERT: I'm talking  
13 specifically now about a finding of  
14 suitability to transfer. In that  
15 particular case there wouldn't be any  
16 contamination on the property now, right?  
17 Because that would put the parcel in  
18 category five or six. Five is ongoing  
19 remediation, and that can't be transferred.  
20 We'll talk about finding of suitability to  
21 lease in just a second. It's going to be  
22 very, very similar to what we're looking a  
23 here, okay?

NOBLE & ASSOCIATES  
P.O. BOX 1437  
ANNISTON, ALABAMA 36202  
PHONE: (205)238-0593

1     The FOST process, six steps  
2     some of them are painfully obvious. The  
3     first thing you've got to do, I guess it  
4     would be Fort McClellan would do, who is it  
5     that runs the FOST process here, is it For  
6     McClellan, DoD?

7     MR. LEVY: The MAYCOM has  
8     authority to sign off.

9     MR. HERBERT: The way the  
10    FOST process would be initiated is,  
11    somebody comes to DoD and says, "I want to  
12    purchase this piece of property." That's  
13    what kicks the whole thing off. So that  
14    DoD knows what particular parcel to write  
15    FOST for. So if somebody comes to DoD and  
16    says "I want to purchase this property."  
17    They notify the state and federal  
18    regulatory agencies of their intent to  
19    write a finding of suitability to transfer.  
20    Second step is they go back and evaluate  
21    the property, and that, if at no other  
22    point, that's where you go back and look a  
23    has there been anything else come to light.

NOBLE & ASSOCIATES  
P.O. BOX 1437  
ANNISTON, ALABAMA 36202  
PHONE: (205)238-0593



1       Okay? You use that information to  
2       determine the suitability to transfer or  
3       lease, if it was a white parcel to begin  
4       with and nothing else has happened, it's  
5       okay to transfer. The fourth step is to  
6       notify the regulatory agency and the public  
7       of the intent to transfer, complete and  
8       sign the legal document, and then to notify  
9       the public that it's been done.

10      MR. CONROY: We're just  
11      talking about two regulatory agencies,  
12      state and federal, EPA and ADEM?

13      MR. HERBERT:       DoD is  
14      obviously in there. They are the ones that  
15      have the primary responsibility.

16      MR. LEVY: Really the heavier  
17      role in this is the State, I think more so  
18      than the EPA. The State has more oversight  
19      over us than the EPA actually does. But  
20      they have to be, we have to advise and talk  
21      with the EPA.

22      MR. HERBERT: Both the State  
23      and the EPA are on the BRAC cleanup team

NOBLE & ASSOCIATES  
P.O. BOX 1437  
ANNISTON, ALABAMA 36202

1           which are an integral part of putting  
2           together the EBS.  
3           MR. REEDY: Yeah, I think we  
4           have here, Ron just briefly touched it, the  
5           base that I came from was national priority  
6           list base, a super fund site. On super  
7           fund sites, Federal EPA, me, we have the  
8           lead on the environmental cleanup. At For  
9           McClellan, State of Alabama has the lead.  
10          Now, when it comes, and I think this kind  
11          of goes to your question Pete, and you  
12          touched on it as well, when it comes time  
13          to transfer a parcel of property, Congress  
14          in one of its rare moments of wisdom,  
15          noticed there was a difference between For  
16          McClellan and a really nasty base, an NPL  
17          base. An NPL base, DoD, and in my case the  
18          Navy had to get our actual letter of  
19          approval from us saying we completely  
20          concur with this, they went through about  
21          two steps before they could continue on  
22          with the FOST or FOSL, they had to get our  
23          concurrence. This is a different

NOBLE & ASSOCIATES  
P.O. BOX 1437  
ANNISTON, ALABAMA 36202

1       situation, and Congress says that the way  
2       it's written now, if federal EPA has any  
3       kind of a squawk about a parcel of land out  
4       here that somebody wants to buy or lease,  
5       DoD has got to attach all of our comments  
6       on that parcel to the deed. So that if say  
7       you wanted to buy a parcel of property Mr.  
8       Cox, you are going to know everything that  
9       we know and that ADEM knows about that  
10      parcel. And while we don't sign off, we  
11      make you aware of it anyways. Does that  
12      add any?

13     MR. LEVY: Thank you.

14     MR. MOORE:        You make the  
15     purchaser aware?

16     MR. REEDY:        Yes, yes, it goes  
17     right on the deed.

18     MR. HERBERT:      I'd have to  
19     check back on this, but I believe that the  
20     covenant and the notices, a notice if  
21     nothing else,      I believe the covenant as  
22     well, go with the deed from one purchaser  
23     to another, and it gets carried on down,

NOBLE & ASSOCIATES  
P.O. BOX 1437  
ANNISTON, ALABAMA 36202  
PHONE: (205)238-0593

1           regardless of how many times it's sold,  
2           those go with the deed.

3           MR. REEDY: That's correct.

4           MR. CUNNINGHAM:    You say this  
5           process is initiated by an offer to  
6           purchase, an interest to purchase or a  
7           formal -

8           MR. HERBERT:        I've got some  
9           information here on that, but I think it  
10          reads a firm offer. It's not like I walk  
11          in and say, yeah, I'd kind of like to know,  
12          I've got interest in buying this piece of  
13          property on the corner. That doesn't do  
14          it.

15          MR. HARVEY:        I'd like to add  
16          one thing to the process, that request is  
17          going to come through the LRA. So it's  
18          wickered into the redevelopment plan. If  
19          it doesn't come through LRA it ain't going  
20          to happen. That's to keep the community o  
21          an even footing so they can work all these  
22          parcels together. You know, if somebody  
23          coming in a business wanting a parcel where

NOBLE & ASSOCIATES  
P.O. BOX 1437  
ANNISTON, ALABAMA 36202  
PHONE: (205)238-0593

1       there might be a higher and better use,  
2       it's determined by the LRA in their  
3       redevelopment plan, so it's got to go  
4       through the LRA.

5       MR. KIMBROUGH:     Can I ask a  
6       question about funding? I believe you  
7       talked about super funding, are those fund  
8       available for Fort McClellan?

9       MR. REEDY:         Negative.

10      MR. KIMBROUGH:     So you don't  
11      have any appropriated funds from Congress?

12      MR. LEVY: DoD has its own  
13      funding mechanism for cleanup purposes. A  
14      a matter of fact, in CERCLA it specifically  
15      states that Department of Defense will fun  
16      it's own cleanup efforts. They do it  
17      through a program called the Environmental  
18      Restoration Design Account. So, yes, we d  
19      get our own funds for cleanup purposes.

20      COL. MACPHERSON: Point is  
21      the fund, if it's an Army Post, for  
22      example, it will come out of the Army's  
23      appropriation.

NOBLE & ASSOCIATES  
P.O. BOX 1437  
ANNISTON, ALABAMA 36202  
PHONE: (205)238-0593

1 MR. HERBERT: Here it is,  
2 "The FOST process begins when a party  
3 usually through the LRA expresses a true  
4 interest in obtaining property." And I was  
5 looking for the statement regarding DoD  
6 continuing responsibility.  
7 MR. LEVY: Let's move on, we  
8 really didn't want to get bogged down in  
9 the real estate type actions. And I'll  
10 give you an overview on what occurs. Most  
11 of us in this room are not real estate  
12 folks, just involved in identifying those  
13 concerns with the contamination of the  
14 property and making sure it is documented  
15 through this process. And that's what you  
16 need to take away from here, understanding  
17 that it's a fairly complicated process.  
18 MR. HERBERT: Back to the  
19 FOST, and I'm just about done here, the  
20 contents of this legal instrument here are  
21 a statement that declares the property is  
22 suitable for transfer. Any applicable  
23 restrictions on future use, and as I

NOBLE & ASSOCIATES  
P.O. BOX 1437  
ANNISTON, ALABAMA 36202  
PHONE: (205)238-0593

1 understand it, the Army's position is they '  
2 prefer that there be no restrictions on  
3 future land use, the results of the  
4 analysis of the intended use, if that is  
5 deemed necessary, and a statement of the  
6 notice and covenant and access clauses as  
7 appropriate. Those are all part of this  
8 legal instrument.

9 Okay, the DoD FOSL process is  
10 very,, very similar. Determination that the  
11 property is environmentally suitable for  
12 lease. Again, that determination is based  
13 on the EBS, the document we're putting  
14 together right now and any other  
15 information that may come to light after  
16 the EBS goes out and is final. The DoD  
17 policy, it tells how when where this all  
18 gets done. And in certain instances the  
19 states have to be notified of leases of  
20 property, I believe, if there is any  
21 contamination on the property. Property  
22 that is contaminated can be leased if it's  
23 deemed that there's not a significant

NOBLE & ASSOCIATES  
P.O. BOX 1437  
ANNISTON, ALABAMA 36202  
PHONE: (205)238-0593

1 threat to the people who are going to be  
2 doing, whatever that particular land use  
3 is.

4 MR. REEDY: The Navy base I  
5 was working at was a full-blown air base,  
6 and there was considerable interest in  
7 utilizing the air strip and the hangers an  
8 all of that. It was very dirty, it was an  
9 industrial complex for want of a better  
10 term. We weren't going to be able to get  
11 it cleaned up, the ground water was dirty,  
12 we weren't going to be able to get it  
13 cleaned up for years. The Navy is on the  
14 hook for that property. Congress saw that  
15 that was a problem, that you can't clean  
16 things up overnight. So they loosened the  
17 laws up just a little bit, in an effort to  
18 allow us the environmental regulators to  
19 let the property go back into civilian  
20 hands for economic reuse while still having  
21 the ability to oversee and conduct the  
22 environmental cleanups. Things don't have  
23 to be perfectly clean in order to be

NOBLE & ASSOCIATES  
P.O. BOX 1437  
ANNISTON, ALABAMA 36202  
PHONE: (205)238-0593



1       economically used again. We'll gone on,  
2       when I say we, I'm talking about the three  
3       of us here, we'll go on and clean it up "  
4       somebody wants to come and use it, we can  
5       let that happen if it meets certain  
6       criteria, and not stand in the way of  
7       somebody losing the job.

8       MR. HERBERT: So there would  
9       be restrictions to that, that would be par  
10      of the FOSL, attach a notice not to sink a  
11      well and pump the ground water to drink,  
12      the Navy is in the process of cleaning up  
13      this property. But it makes that available  
14      to the community to use.

15      MR. BROWN: Who did you say  
16      the determination would be done by?

17      MR. HERBERT:       That's going to  
18      fall out of the EBS and everything that  
19      comes to light after that. Again, the FOST  
20      and FOSL are written by who again within  
21      DoD?

22      MR. LEVY: DoD or MAYCOM.

23      MR. HERBERT: They would pull

NOBLE & ASSOCIATES  
P.O. BOX 1437  
ANNISTON, ALABAMA 36202  
PHONE: (205)238-0593

1 out the EBS, look at it, look at everything  
2 else that's come to light since that time.

3 MR. LEVY: When I say MAYCOM,  
4 major command, they can sign certain ones  
5 at their level --- but there's a tremendous  
6 process of getting one of those signed.

7 MR. REEDY: The way it works  
8 out in normal everyday terms, the three of  
9 us have to be convinced that the property  
10 is good to go before the Army is going to  
11 sign off on a FOST or FOSL. That's the way  
12 it actually works out.

13 MR. CONWAY: Back on the  
14 FOST, you say the Army prefer there be no  
15 restrictions. Is that an unwritten rule  
16 that there be no restrictions?

17 MR. LEVY: No, no, they will  
18 attempt to provide FOST and FOSLs that have  
19 no restrictions. Obviously that won't  
20 happen in all cases.

21 MR. HERBERT: There may be  
22 exceptions to that.

23 MR. CONWAY: I was trying to

NOBLE & ASSOCIATES  
P.O. BOX 1437  
ANNISTON, ALABAMA 36202  
PHONE: (205)238-0593

1 read between the lines and there was  
2 nothing to read.  
3 MR. HERBERT: FOST and FOSL  
4 policy coordinate with regulatory agencies,  
5 notify the State as required by CERCLA,  
6 notify the public of what's going on, there  
7 are lease conditions and model lease  
8 provisions that will be included. Again,  
9 notice, covenants, that sort of thing.  
10 NEPA analysis and documentation will figure  
11 in here.

12 MR. LEVY: Y'all can be away  
13 that we have not been able to transfer or  
14 lease property until completion of the  
15 environmental impact statement. That's  
16 been a real difficult thing for us to get  
17 through. We've really been trying to work  
18 with the community on transferring  
19 property, but because of the requirements  
20 under NEPA we're not able to transfer  
21 property until that process is complete.

22 MR. REEDY: I don't think  
23 we've told them what NEPA is.

NOBLE & ASSOCIATES  
P.O. BOX 1437  
ANNISTON, ALABAMA 36202  
PHONE: (205)238-0593

1 MR. LEVY: NEPA is the  
2 National Environmental Policy Act. A lot  
3 of you know it as the environmental impact  
4 statement. It says that any major federal  
5 action should be evaluated for its impact,  
6 environmental impacts.

7 MR. ANDERSON: Since this is  
8 next to the last slide, I want to hone  
9 right in on notification to the public,  
10 because that's obviously what we are all  
11 about. There is some questions that I need  
12 to walk through to make sure I understand  
13 what you just briefed us on throughout the  
14 last 45 minutes. The FOST or FOSL is not  
15 done as a product in and off itself, but  
16 rather it's only done in response to an LRA  
17 request to transfer property. Okay, now  
18 the FOST or FOSL notice is to the purchase  
19 or the lessee not the community at large.  
20 So is there an opportunity for public  
21 comment and review of that FOST or FOSL?

22 MR. HERBERT: I believe  
23 that's incorrect. I believe that the

NOBLE & ASSOCIATES  
P.O. BOX 1437  
ANNISTON, ALABAMA 36202  
PHONE: (205)238-0593

1                   initial notice, now if we go back to the  
2                   overhead on the FOST process, it'll take  
3                   a second to find it but -  
4                   MR. REEDY: Could you ask the  
5                   question one more time?  
6                   MR. ANDERSON: Yeah, because  
7                   I've asked this earlier and he told me that  
8                   that was the case. The FOST or FOSL notice  
9                   is to the purchaser or to the lessee, in  
10                  other words the notice that its of the  
11                  condition -  
12                  MR. REEDY: When I said that,  
13                  I'm talking about in a legal notice that  
14                  attaches to the deed. Okay, go on.  
15                  MR. ANDERSON: Right. What  
16                  I'm asking is, is there something that  
17                  takes that legal notice and says, "Here  
18                  community it's in the paper now, we have 30  
19                  days for public review and comment of that  
20                  finding"?  
21                  MR. HERBERT: I think if we  
22                  go back to the FOST -  
23                  MR. ANDERSON: If MAYCOM can

NOBLE & ASSOCIATES  
P.O. BOX 1437  
ANNISTON, ALABAMA 36202  
PHONE: (205)238-0593

1       make the determination that there is  
2       property at category four or better, do we  
3       get a crack at it to say yeah, we agree or  
4       we don't agree with your finding?  
5       MR. HERBERT: I'm going to  
6       take a leap of faith here and assume that  
7       the six steps of the FOST are replicated in  
8       the FOSL process. I don't know that for a  
9       fact, but I'm going to make that  
10      assumption. Step number four is, step one  
11      is somebody comes to the LRA and says, "I  
12      want this property." And they determine it  
13      is environmentally suitable, and they  
14      notify the -- at step four they notify the  
15      regulatory agencies and the public of the  
16      intent to sign the FOST. Okay? There is  
17      public comment period in here. And I'm  
18      going to make the leap of faith that these  
19      same six steps are replicated in the FOSL  
20      process. So yes, there is an opportunity  
21      before.

22      MR. TURNER: John, would you  
23      be willing to come back and discuss with us

NOBLE & ASSOCIATES  
P.O. BOX 1437  
ANNISTON, ALABAMA 36202  
PHONE: (205)238-0593

1 at length the FOST and FOSL process?

2 MR. LEVY: He's really EBS.

3 We need to bring the real estate folks in  
4 and do that.

5 MR. TURNER: That's fine.

6 What I was thinking is that we've probably  
7 carried this discussion farther than John  
8 intended for this period.

9 MR. HERBERT: I don't mind,  
10 whatever you ask me, if I can let you know,  
11 I certainly will.

12 MR. LEVY: I think you  
13 answered, there is a public comment period.

14 MR. ANDERSON: I think we got  
15 this, there is a public comment period and  
16 that's what I wanted to get at.

17 MR. LEVY: This whole process  
18 is opened up to the public.

19 MR. ANDERSON: As long as  
20 there is an opportunity to do that.

21 MR. REEDY: Keep in mind all  
22 of this property, when we start getting  
23 ready to transfer it, you guys are going to

NOBLE & ASSOCIATES  
P.O. BOX 1437  
ANNISTON, ALABAMA 36202

1 know everything we know about it as well.  
2 Not only the written notices, but verbally.

3 MR. HERBERT: Okay, I'm now a  
4 my conclusion slide, which is where we  
5 started, talking about the EBS process, the  
6 purpose the seven categories of property  
7 which you guys have, you've got that  
8 information in front of you now. CERFA,  
9 and the FOST and FOSL. I just conclude  
10 here by reading something that I think  
11 pretty well states what CERFA and this  
12 whole process is for. The primary  
13 objective of CERFA is for federal agencies  
14 to expeditiously identify real property  
15 offering the greatest opportunity for  
16 immediate reuse and development and to get  
17 that property back into the hands of the  
18 public, okay. So that's really what we're  
19 all about. To expeditiously get as much o  
20 this property back in your hands as we can.  
21 And that's why we're trying to identify  
22 CERFA category one parcels.

23 MR. TURNER: Thanks, John.

NOBLE & ASSOCIATES  
P.O. BOX 1437  
ANNISTON, ALABAMA 36202  
PHONE: (205)238-0593



1 Anybody feel like they need a break? We'll  
2 take a break and come back at 8:00, is that  
3 okay with everybody?

4 (Whereupon a break was taken.)

5 MR. TURNER: Do y'all have  
6 any preference as to which committee  
7 reports first? Charter Membership is  
8 listed first on the agenda, but I imagine  
9 that Community Relations is going to have  
10 more exciting report.

11 MR. LEVY: In terms of the  
12 Community Relations, we did not meet. In  
13 fact, we were a little remiss about that.  
14 We're going to have to get a raincheck an  
15 get together. There were a lot of things  
16 going on, I talked with Mark a little bit  
17 over the phone about it. We said we needed  
18 to come to a conclusion about some of the  
19 things that were going on here before we  
20 decided to meet with the group. One thing  
21 I did pass out to those folks who were  
22 designated a part of the Community  
23 Relations Committee is a community

NOBLE & ASSOCIATES  
P.O. BOX 1437  
ANNISTON, ALABAMA 36202  
PHONE: (205)238-0593

1 relations plan which was put together by  
2 Fort McClellan or our contractor that can  
3 be used as a basis of some of the things  
4 that we're going to get into as a  
5 committee. Also in front of you is a list  
6 of, is a letter that our public affairs  
7 office wrote to the Anniston Star listing  
8 the dates, essentially going by what we  
9 decided in our last meeting, third Monday  
10 in the month for our upcoming meetings. S  
11 they, in fact, have been invited to attend  
12 the meeting. And at this point, Mark, did  
13 you have something you wanted to say about  
14 that?

15 MR. ANDERSON: Right, there  
16 are just a couple of other things. During  
17 the course of the month, I went and talked  
18 to J.J. Dark, who is the station manager  
19 at WDNG. He offered up a half hour to an  
20 hour on Rob Street's show once a month, if  
21 we should choose to use that to get  
22 information out. I had a real nice half  
23 hour or so with Mr. Ayers and Murray and

NOBLE & ASSOCIATES  
P.O. BOX 1437  
ANNISTON, ALABAMA 36202  
PHONE: (205)238-0593

1                   Waddell at the Anniston Star to talk about  
2                   ways to get information out, again, in  
3                   community interest types of things, they  
4                   are willing to publish things, certainly  
5                   publish the notice of the meetings, and an  
6                   of the things we want to get out down the  
7                   road, we can do. Talked also with David  
8                   Ford from the television station and just  
9                   briefly said we'd like to use you as a  
10                  venue, and he said fine. So at least we've  
11                  got the groundwork laid.

12                               MR. LEVY: What we really  
13                   need to do though is the committee and  
14                   subcommittee get together and make some  
15                   decisions before we get too far ahead of  
16                   this whole process. And I apologize for  
17                   not taking the lead, however, I don't wish  
18                   to be the lead in that committee, I wish  
19                   somebody else from the RAB would do that.  
20                   I just want to be part of that  
21                   subcommittee. We need to get together as  
22                   group and make decisions as to how it's all  
23                   going to happen.

NOBLE & ASSOCIATES  
P.O. BOX 1437  
ANNISTON, ALABAMA 36202  
PHONE: (205)238-0593

1 MR. TURNER: You might  
2 consider electing a **chairman of that**  
3 subcommittee if you **don't want to do it,**  
4 Ron.

5 MR. LEVY: I would choose to  
6 not do it. Just to be a member. The folk  
7 in our meeting for the community relations  
8 committee consist of Mayor Kimbrough, Mark  
9 Anderson, myself, Mr. Brown, Mr. Thomassey,  
10 Mrs. Longstreth, and Mr. Cunningham. And  
11 what we might want to do is set out some  
12 dates to meet as a subcommittee and go  
13 ahead and do that, select a chair and so  
14 forth. So those members that are here, ca  
15 we discuss a date and try to set that up?

16 MR. TURNER: Sure.

17 MR. LEVY: Anybody have a  
18 preference on a date?

19 MR. KIMBROUGH: Are we  
20 looking at setting up standard time or a  
21 one time first meeting?

22 MR. LEVY: I don't have any  
23 preference myself.

NOBLE & ASSOCIATES  
P.O. BOX 1437  
ANNISTON, ALABAMA 36202  
PHONE: (205)238-0593

1 MS. LONGSTRETH: Could it be  
2 earlier in the afternoon instead of 6:30?

3 MR. LEVY: How about next  
4 week sometime if it's possible?

5 MR. ANDERSON: I only have  
6 Wednesday of next week.

7 MR. KIMBROUGH: I'm gone all  
8 week.

9 MR. LEVY: This week,  
10 Thursday or Friday of this week? It would  
11 be open for me.

12 MR. ANDERSON: Friday. What  
13 time?

14 MR. LEVY: Sometime in the  
15 afternoon. Do we have a preference in a  
16 time?

17 MS. LONGSTRETH: That's what  
18 I was asking if it could be early.

19 MR. LEVY: For me, I'm  
20 flexible, some of you I know work and would  
21 have to take off from work.

22 MR. CONROY: What about  
23 lunch?

NOBLE & ASSOCIATES  
P.O. BOX 1437  
ANNISTON, ALABAMA 36202  
PHONE: (205)238-0593

1                               MR. LEVY:    Lunch, around  
2    12:00, 1:00 o'clock?  
3                               MR. CONROY:       12:00 sounds  
4    great.  
5                               MR. LEVY:        So we want to meet  
6    here at 12:00 on Friday, the 21st, in this  
7    room.  
8                               MR. BROWN:       Community  
9    Relation Committee?  
10                              MR. LEVY:        Right.  
11                              MS. LONGSTRETH:   It's at 12:00  
12   o'clock?  
13                              MR. LEVY:    12:00 o'clock.  
14   And I'll notify Mr. Thomassey.  
15                              MR. ANDERSON:   He    won't be  
16   back. He won't be back until the middle o  
17   next week.  
18   MR. TURNER: The Charter  
19   Membership Committee met, and we discussed  
20   a couple of things. The first thing was  
21   having two separate documents, one being a  
22   charter and another being bylaws. And as  
23   I've confessed to you before, I'm a lawyer,

NOBLE & ASSOCIATES  
P.O. BOX 1437  
ANNISTON, ALABAMA 36202  
PHONE: (205)238-0593

1                   and that is more kind of a legal way that  
2                   you would go about forming an organization  
3                   That is, you would have a document that  
4                   identified the organization by name, state  
5                   its purpose, stated its longevity, and  
6                   maybe identify the number of members and  
7                   officers. That type of document isn't  
8                   necessarily appropriate in trying or  
9                   regulating the rules of the organization,  
10                  and bylaws typically do that. And we  
11                  discussed some in general terms, some in  
12                  specific terms what we thought might be a  
13                  good idea. And I can go over these with  
14                  you, I was supposed to type them up into  
15                  actual draft bylaws, and I was amiss. I've  
16                  got a trial going on and I haven't had  
17                  time. If anybody is interested in hearing  
18                  what we discussed, I'll be happy to go over  
19                  it with you, or if you can wait maybe a  
20                  week, I can get it out in written form.  
21                  Just whatever the group wants to do.

22                                   MR. CONROY: Is there  
23                   anything terribly interesting to report at

NOBLE & ASSOCIATES  
P.O. BOX 1437  
ANNISTON, ALABAMA 36202  
PHONE: (205)238-0593

1                   this time?

2                                 MR. TURNER: Pete Conroy's  
3                   vote shall not count -----. I'll give you  
4                   a couple of highlights. One is we thought  
5                   that since it was a large board  
6                   representing allegedly a diverse group of  
7                   interest, that we ought to have a pretty  
8                   high quorum requirement, that being ten.  
9                   On some things that were deemed to be very  
10                  important, what Robert's would refer to as  
11                  votes requiring two-thirds to pass, that  
12                  would require nine affirmative votes for  
13                  things like election of officers, removal  
14                  of members, amending the bylaws or the  
15                  charter, increasing membership, removal of  
16                  an officer. Now, I don't believe we will  
17                  be able to remove the Army co-chair. But I  
18                  think that most of them would relate to the  
19                  regulation of the community members.

20                               MR. LEVY: Well, certainly  
21                   you could ask for a new one, you would  
22                   still have to have somebody from the Army.

23                               MR. ANDERSON: We also talked

NOBLE & ASSOCIATES  
P.O. BOX 1437  
ANNISTON, ALABAMA 36202  
PHONE: (205)238-0593



1       about a proviso for attendance.

2                               MR. TURNER:       Right. 75  
3       percent is what we agreed on, wasn't it?

4       And that seems reasonable.

5                               MR. HOOD:       How are you going  
6       to, unless you know how many meetings you  
7       are going to have ahead of time, how are  
8       you going to know what 75 percent is?

9                               MR. TURNER:       We know we are  
10      going to meet 12 times during the year on  
11      regular basis.     And once somebody has  
12      missed more than 75 percent of 12, I think  
13      they would be a candidate for removal. It  
14      might be too harsh, and I think it's a  
15      matter that ought to be debated if there  
16      are different feelings on it. Everybody is  
17      busy.

18                              MR. PEREZ:       But in turn, if  
19      you don't know enough about what's going  
20      on, how can you make good decisions?

21                              MR. TURNER:       That's right,  
22      and you can't really represent, you can't  
23      have an active voice and really make a RAB

NOBLE & ASSOCIATES  
P.O. BOX 1437  
ANNISTON, ALABAMA 36202  
PHONE: (205)238-0593

1 work if you don't have attendance.

2 MR. LEVY: There is a huge  
3 learning gap here that needs to be done,  
4 and the more that you are involved in this  
5 process, the more information you take in,  
6 the better understanding as we start to get  
7 to the real issues. If you somehow miss  
8 some of that, you may have lost something  
9 along the way.

10 MR. PEREZ: That's why we  
11 went to that 75 percent.

12 MR. TURNER: And I favor it.  
13 If you are too busy to come or you are too  
14 sick to come, then you are too sick or too  
15 busy to be on the RAB.

16 MR. LEVY: Certainly we could  
17 try to work the dates differently.

18 MR. TURNER: Now, something  
19 that Mrs. Harrington pointed out was that  
20 several of our meetings during the first  
21 part of 1997 all fall on national holidays.  
22 President's Day, Martin Luther King Day,  
23 and I can't remember if there is another

NOBLE & ASSOCIATES  
P.O. BOX 1437  
ANNISTON, ALABAMA 36202  
PHONE: (205)238-0593

1 one. And so I think we would need to  
2 anticipate rescheduling those meetings, if  
3 it looked like it would be a problem. You  
4 don't want to tell somebody, well, you  
5 don't go on vacation, you're too busy going  
6 on vacation to be on the RAB.

7 MR. KIMBROUGH: Did they have  
8 provisions in there -- (inaudible).

9 MR. TURNER: Yes, sir we did,  
10 and that was by reconvening the selection  
11 committee, either with or without  
12 instructions. And it would take, Mike, was  
13 it a single majority vote to make a  
14 recommendation?

15 MR. ANDERSON: Yes.

16 MR. TURNER: That is say that  
17 I decide, that I turn sorry on y'all and  
18 quit coming and y'all have me removed, the  
19 say you sat together and said well, we  
20 **need somebody other than some old lawyer o**  
21 here, we need somebody to bring something  
22 fresh to the table. And there were  
23 suggestions made as to who that would be.

NOBLE & ASSOCIATES  
P.O. BOX 1437  
ANNISTON, ALABAMA 36202  
PHONE: (205)238-0593

1                   And then by super majority vote, that  
2                   recommendation was approved, then the  
3                   selection committee would be reconvened  
4                   with instructions to appoint that person.  
5                   On the other hand, if we couldn't agree,  
6                   say there were different candidates, then  
7                   perhaps you could agreed on a certain  
8                   recommendation as to between a certain  
9                   number of candidates or you could do it  
10                  without any recommendation at all and let  
11                  the selection committee come up with the  
12                  members that we needed to add. It's  
13                  complex, but y'all haven't seen complex  
14                  until you see the bylaws I wrote for the  
15                  LRA. It looks like the IRS code. And  
16                  that's kind of along the lines which we  
17                  moved.

18                               MR. KIMBROUGH:        There was  
19                   nobody appointed as far as categories?

20                               MR. TURNER: No, sir.

21                               MR. KIMBROUGH:        For instance,  
22                   my concern would be say if I had to get of  
23                   being a public official, I am the only

NOBLE & ASSOCIATES  
P.O. BOX 1437  
ANNISTON, ALABAMA 36202  
PHONE: (205)238-0593

1 public official or elected official that I  
2 know of, and I think it would be very  
3 important to have a public official no  
4 matter where they are from, Jacksonville,  
5 Anniston. So the way it's written now, it  
6 would be left up to the reconvenure of the  
7 selection committee and to be voted on?

8 MR. TURNER: That's the way  
9 we talked about it was that all new  
10 appointments would come from the selection  
11 committee. And perhaps we shouldn't be  
12 able to control what they do. Perhaps it  
13 should be a blind process. For instance,  
14 I'll be candid, it looks like we've got  
15 whole lot of white men sitting around this  
16 table with all respect to Mrs. Longstreth.  
17 At perhaps at some point there being a need  
18 to add some racial and ethnic diversity to  
19 this group, then the selection committee  
20 could be charged with going out and adding  
21 some racial diversity to us by increasing  
22 our number. Or if we felt like that was  
23 needed in replacing a member, we could do

NOBLE & ASSOCIATES  
P.O. BOX 1437  
ANNISTON, ALABAMA 36202  
PHONE: (205)238-0593

1                   that. So the ability for this group to  
2                   kind of control its membership has some  
3                   appeal.

4                                 DR. COX: There might be some  
5                   environmental justice issue, is that what  
6                   you are thinking?

7                                 MR. TURNER: That wasn't  
8                   exactly what I was thinking about, I was  
9                   thinking more along the lines that if this  
10                  group is supposed to represent the  
11                  community, then, and perhaps we adequately  
12                  do that now. I think that we've got a  
13                  great group, and I'm very impressed with  
14                  it. At the same time, there might be  
15                  others that don't feel the same way I do.  
16                  If there was a super majority of those  
17                  people that felt that way, then we would  
18                  have some control, retain some control over  
19                  how we added members. On the other hand,  
20                  if we felt like this group was balanced  
21                  well now, and say I came off, then you  
22                  could just say, "Selection committee, go  
23                  find somebody else to be on it." They

NOBLE & ASSOCIATES  
P.O. BOX 1437  
ANNISTON, ALABAMA 36202  
PHONE: (205)238-0593

1                   could use whatever means they wanted to do  
2                   that, advertisements in the paper or  
3                   something like that.

4                                 MR. DOYLE:        I'm Ron's legal  
5                   adviser here.   Number one, I don't think  
6                   the folks represent anyone, other than you  
7                   are individuals who are concerned about  
8                   what's going to happen environmentally on  
9                   the Installation. I don't think by virtue  
10                  of being on this committee, other than  
11                  exhibiting an interest in this process,  
12                  that you are representing anyone other than  
13                  yourself. You are here to provide input.  
14                  The second thing, it's up to you folks, h  
15                  I don't think this group, I'd rather call  
16                  it a group of interested citizens in the  
17                  community, was ever supposed to be this  
18                  formalistic in its approach. If I wasn't  
19                  legal counsel up here, I would expect that  
20                  if I came in next month, that I'm  
21                  interested in participating in the  
22                  committee, then there isn't a vote on it  
23                  per se. I mean, I would think I would be

NOBLE & ASSOCIATES  
P.O. BOX 1437  
ANNISTON, ALABAMA 36202  
PHONE: (205)238-0593

1 invited and welcomed and everything else.  
2 I'm getting the impression here that all o  
3 a sudden you are looking at becoming a  
4 closed group.

5 MR. TURNER: I thought we  
6 were a closed group. Weren't we selected  
7 by a selection committee and our number  
8 established as limited?

9 MR. LEVY: In a sense yes.  
10 The DoD policy, and this again, there is n  
11 law driving us, this is DoD policy to set  
12 up restoration advisory boards. Joe is  
13 right about one thing, We are strictly an  
14 advisory committee, so anybody who wants t  
15 come in and put forth their concerns can d  
16 that. However, that's what we've done her  
17 is set up, under DoD's own policy, and of  
18 course with DoD's own policy, we have set  
19 up a selection committee, which was  
20 selected by the community to do this. We  
21 are following along the way DoD had decide  
22 to set these things up.

23 MR. HARVEY: The meetings are

rd

NOBLE & ASSOCIATES  
P.O. BOX 1437  
ANNISTON, ALABAMA 36202  
PHONE: (205)238-0593



1 to be public, so anybody that wants to come  
2 to a meeting can come.

3 MR. LEVY: Anybody who want  
4 to come, but as far as who is actually on  
5 the board only the ones selected.

6 MR. HARVEY: But not to  
7 exclude anybody from coming to a meeting.

8 MR. DOYLE: I see people  
9 getting bogged down in the rules.

10 MR. TURNER: This is our  
11 second meeting, so perhaps it's not  
12 surprising that it's cluttered with  
13 administrative details.

14 MS. LONGSTRETH: Is there  
15 certain criteria for selection of  
16 membership, you know, that would establish,  
17 I received a notice and I responded to it.  
18 Were there any other criteria for being a  
19 member on the board?

20 MR. TURNER: I don't know, I  
21 wasn't on the selection committee, no  
22 member of this board, as I understand it,  
23 could serve on both the selection committee

NOBLE & ASSOCIATES  
P.O. BOX 1437  
ANNISTON, ALABAMA 36202  
PHONE: (205)238-0593

1 and this board.

2 MR. LEVY: We asked for  
3 people to be on the selection committee as  
4 well as those who are part of the RAB. The  
5 selection committee consisted of, well, a  
6 member from JSU, is he an ex officio member  
7 of the LRA. Lisa, help me out here, what  
8 was the name?

9 MS. KINGSBERRY: I'm trying  
10 to think.

11 MR. TURNER: Ken Kimberly way  
12 one.

13 MR. LEVY: Then there was a  
14 banker, I'm trying to remember.

15 MS. KINGSBERRY: Greg Cronan.

16 MR. LEVY: Now you've also  
17 got to understand too, that we did not  
18 receive that many, you know, interested  
19 people to participate. We had a total of  
20 how many participation notices?

21 MS. KINGSBERRY: There were  
22 about 36.

23 MR. LEVY: And we chose 18

NOBLE & ASSOCIATES  
P.O. BOX 1437  
ANNISTON, ALABAMA 36202  
PHONE: (205)238-0593

1 people. And we really did go out in the  
2 newspapers, bulletins, we did a lot of  
3 different things to try to get the word  
4 out. This board might do a better job in  
5 trying to attract participants than we were  
6 able to do, but we tried very hard to get  
7 people to at least sign up. But we, Fort  
8 McClellan, did not make the selections, it  
9 was a community thing. We, as a matter of  
10 fact, tried to stay very much out of that  
11 process.

12 MR. PEREZ: Well, in order t  
13 function we have to have rules and we have  
14 to have a procedure, and this is what we'  
15 discussing for the very first time, so when  
16 that gentleman who just made that comment  
17 before, he's got to put it in context of  
18 what time frame we're in.

19 MR. TURNER: And to an extent  
20 these were based on, we were given a  
21 package of bylaws from other restoration  
22 advisory boards and I think actually when  
23 you look at the other bylaws, this looks

NOBLE & ASSOCIATES  
P.O. BOX 1437  
ANNISTON, ALABAMA 36202  
PHONE: (205)238-0593

1                   like directions for a children's game. If  
2                   anybody, if y'all don't like what we've  
3                   done, tell us, we'll call another meeting  
4                   and try and act under your directions.

5                                 MR. LEVY: I don't think  
6                   that's the case. I think we're going along  
7                   the right line, certainly there is  
8                   precedent here of other restoration  
9                   advisory boards that you kind of based you  
10                  own charter on. And we had a member of the  
11                  Army environmental center come in and talk  
12                  us through that. So I think we are moving  
13                  along that.         But we need to be concerned  
14                  about being too restrictive, because we do  
15                  need to keep that free flow of information  
16                  coming, we don't want, that was my concern,  
17                  we don't want to be overly restrictive in  
18                  terms of what we are telling people they  
19                  can and cannot do.

20                                MR. TURNER: My only thinking  
21                  was related to the internal functioning of  
22                  this group.         It was not trying to control  
23                  input or anything else. Perhaps, and the

NOBLE & ASSOCIATES  
P.O. BOX 1437  
ANNISTON, ALABAMA 36202  
PHONE: (205)238-0593

1 question is, I think, how do we add  
2 members, either by replacement or by  
3 increasing our number. We developed one  
4 idea, but it's certainly subject to  
5 criticism, and I can think of criticisms  
6 myself, that is that if we tell the  
7 selection committee who we want we really  
8 control the selection committee, there's n  
9 autonomy there. Perhaps instead of with  
10 instructions, perhaps maybe we ought to  
11 make it where we do it with suggestions.  
12 I'm certainly open to anybody else's input.

13 MR. KIMBROUGH: Charles, what  
14 I would like to suggest is that you get  
15 that typed up and let us have an  
16 opportunity to look at it and then come  
17 back. I don't think anybody in this group  
18 has disagreed.

19 MR. HOOD: Type it up where  
20 we can look at it and maybe write our  
21 comments on it, and talk about it later.

22 MR. TURNER: Any discussion?

23 Robert says that you are supposed to phrase  
NOBLE & ASSOCIATES  
P.O. BOX 1437  
ANNISTON, ALABAMA 36202  
PHONE: (205)238-0593

1                   that as, are you ready for the question,  
2                   that's the signal to go wild with debate.  
3                   If there is no discussion, let's put it to  
4                   a vote. All in favor -- or let me phrase  
5                   the question as I'm supposed to do that  
6                   too. That the charter and membership  
7                   committee formulate written bylaws for  
8                   submission at our next meeting. Have I  
9                   phrased it properly?

10                                 MR. HOOD: Could we modify  
11                   that prior to our next meeting so we will  
12                   have time to read them before we got to the  
13                   meeting?

14                                 MR. TURNER: Sure. The  
15                   membership and charter committee shall  
16                   distribute in advance of our next meeting  
17                   written proposed draft of bylaws. All in  
18                   favor? Aye.                   All opposed? All right, have  
19                   we got any old business?

20                                 MR. LEVY: I want to bring u  
21                   what I discussed before. In front of you  
22                   you've got a listing of the proposed  
23                   briefings for the restoration advisory

NOBLE & ASSOCIATES  
P.O. BOX 1437  
ANNISTON, ALABAMA 36202  
PHONE: (205)238-0593

1 board. Everybody got that in front of  
2 them? I believe it was also in the minutes  
3 that I would provide a rundown of what the  
4 next meeting should entail. And I  
5 discussed with you the need to provide  
6 training and information about the process.  
7 What you have in front of you there is kin  
8 of a listing of some of the things that I  
9 proposed to you. I propose to this board  
10 that we go through so that we can bring you  
11 up to speed on the process, make you have  
12 better understanding of what it is that  
13 we've got to go through and give you as  
14 much information as possible about the 1z  
15 and requirements associated with the  
16 cleanup. Does anybody have any discussion  
17 as it relates to this, to what we've put in  
18 front of you or would like to see further  
19 things?

20 MR. CONROY: Looks like a  
21 good start.

22 MR. LEVY: Notice, we've got  
23 you, Chris, on the hook for some stuff

NOBLE & ASSOCIATES  
P.O. BOX 1437  
ANNISTON, ALABAMA 36202  
PHONE: (205)238-0593

1                   there.

2                                   MR. JOHNSON:        I would like t  
3                   say you are open to ask us anything at any  
4                   time about any issue that comes up. So,  
5                   for instance, just because my name is on  
6                   risk assessment doesn't mean you can only  
7                   ask about risk assessment. I would like t  
8                   keep it to Fort McClellan and what we're  
9                   doing here, and not maybe the three drums  
10                  at John's farm down the road. Try not to  
11                  get too off the subject, but please ask  
12                  questions, that's what me and Bart are her  
13                  for.

14                               MR. ANDERSON: I just have  
15                  one to strike, I'm not sure what the  
16                  mini-cams briefing would give us.

17                               MR. LEVY:           Mini-cams is a  
18                  piece of equipment that we use to -- you  
19                  are familiar with it?

20                               MR. ANDERSON:           Very familiar,  
21                  that's why I'm saying I'm not sure -

22                               MR. LEVY:           It's been an issue  
23                  that we've discussed, base cleanup team,

NOBLE & ASSOCIATES  
P.O. BOX 1437  
ANNISTON, ALABAMA 36202  
PHONE: (205)238-0593



1 the technology and how it works, why we're  
2 using that as a basis or detecting agent.  
3 It's something that not everybody  
4 understands, so we thought that we would  
5 bring that in. However, we can do  
6 something different.

7 MR. PEREZ: No, I would say  
8 keep it.

9 MR. LEVY: I would think we  
10 would want to add more to this list and no  
11 less. And here is the thing that I see, a  
12 we go through this and if something all of  
13 a sudden comes up and strikes you as I  
14 don't know enough about this, "Hey Ron, ;  
15 want you to put together information, you  
16 know, as it relates to" you know, I don't  
17 know.

18 MR. PEREZ: I think it will  
19 serve as background, Ron, when we're  
20 looking at chemical agents in this area  
21 that we are involved with.

22 MR. LEVY: Right. What I  
23 don't want to do is dictate to you, I want

NOBLE & ASSOCIATES  
P.O. BOX 1437  
ANNISTON, ALABAMA 36202  
PHONE: (205)238-0593

1     you to tell me what it is you want. I will  
2     do my very best to bring those folks in  
3     here. Even if it's an individual that you  
4     think has knowledge on this subject that  
5     you think is important and can talk to us,  
6     maybe it's a different view from what the  
7     Army's got, you need to let me know so that  
8     I can arrange to bring them in here and  
9     talk to us.

10    MR. HARVEY: Let me add to  
11    what Ron said. That was just something to  
12    start with, it was a piece of paper.  
13    Doesn't mean anything unless you agree you  
14    want to know about those things. But in  
15    other areas, you need to notify whoever you  
16    talk to, Lisa or Charles or Ron, if you  
17    have other things you want to know. Now,  
18    number one, we're kind of getting to an end  
19    game on FOST and FOSL but I hear the  
20    message, so next time, I'm going to bring  
21    you a handout that explains more in detail,  
22    although you don't have to worry about the  
23    FOST or the FOSL right now, I'll give you

NOBLE & ASSOCIATES  
P.O. BOX 1437  
ANNISTON, ALABAMA 36202  
PHONE: (205)238-0593

1                   some background data, give you a handout  
2                   that explains it. But any other topics you  
3                   want to know about on the complete process,  
4                   let somebody know. If it's a handout  
5                   that's appropriate or a briefing we'll give  
6                   it to you.

7                                 MR. ANDERSON:    I'd       like to  
8                   know about the public comment period.  
9                   That's all.

10                                MR. TURNER:        Let's handle  
11                   that, I guess, under either new business or  
12                   future training.

13                               MR. REEDY:         Charles, one of  
14                   the things that we may want to, I'm sure  
15                   we'll want to add on here, as we go along  
16                   finding these sites and getting a better  
17                   handle on what's at the various sites and  
18                   what we propose to do about them, those are  
19                   topics that will of course be on here as  
20                   well. We're not down that road that far  
21                   yet.

22                               MR. TURNER: I   don't think w  
23                   see this as carved in stone. I   look at it

NOBLE & ASSOCIATES  
P.O. BOX 1437  
ANNISTON, ALABAMA 36202  
PHONE: (205)238-0593

1 as a suggestive training schedule that can  
2 be changed as the need or interest arises.

3 MR. LEVY: I'm going to start  
4 again, the next meeting take some of these  
5 topics and put them into the agenda for  
6 briefing, like we did this last time.

7 MR. TURNER: One thing we  
8 might do is separate our formal meeting  
9 from the program. For one thing, we are  
10 paying a court reporter to write down  
11 everything that is said during the program,  
12 and that might not be the best way to  
13 record it. Whereas transactions during  
14 this meeting, I think are perfect for  
15 immortalization in a transcript. We don't  
16 have to make up our minds now, that's  
17 something to think about. Anybody have and  
18 thoughts on it?

19 MR. CONROY: Do you want any  
20 suggestions for additions to this list  
21 later on?

22 MR. LEVY: Most definitely.

23 MR. CONROY: Rob, would you  
NOBLE & ASSOCIATES  
P.O. BOX 1437  
ANNISTON, ALABAMA 36202  
PHONE: (205)238-0593

1     be comfortable giving this group your dog  
2     and pony show?

3                     MR. LEVY:   We've actually got  
him down there under the local reuse plan.

5                     MS. KINGSBERRY: We tried to  
6     put him down lower on the list so for when  
7     they get the reuse plan developed.

8                     MR. LEVY:        You see where it  
9     says local reuse plan?

10                    MR. CONROY:     I was looking  
11    for your name, and I apologize.

12                    MR. TURNER:     Any other  
13    suggestions about additions to the training  
14    schedule?

15                    MR. LEVY: I'm going to ask  
16    that you take this list home with you, and  
17    then next meeting you come back and maybe  
18    we can throw out on the table some other  
19    topics that you want. In the mean time, m  
20    intent is to schedule the next ones on the  
21    list, next two on the list to be briefed t  
22    you the next meeting. Depending on how  
23    much time it's going to take, it may be

NOBLE & ASSOCIATES  
P.O. BOX 1437  
ANNISTON, ALABAMA 36202  
PHONE: (205)238-0593

1 just one.

2 MR. TURNER: Right, I would  
3 suggest that we try and keep our meetings  
4 to two hours. I think that's plenty of  
5 time to devote to this. Perhaps an hour  
6 and forty-five minutes for training and an  
7 hour for business. I think we ought to be  
8 able to transact all of our business in an  
9 hour.

10 MR. PEREZ: Are the ranges  
11 covered in any of these items, I can't  
12 pinpoint it?

13 MR. LEVY: Yeah, they are,  
14 the last one, small arms ranges.

15 MR. PEREZ: Is all of that  
16 all of the brown area?

17 MR. LEVY: That should  
18 encompass all of that brown area.

19 MR. PEREZ: I feel there's  
20 gray area within that area.

21 MR. LEVY: We'll definitely  
22 hit upon that subject, we know that's an  
23 important subject.

NOBLE & ASSOCIATES  
P.O. BOX 1437  
ANNISTON, ALABAMA 36202  
PHONE: (205)238-0593

1                   MR. PEREZ:       In other words,  
2       area that could be used even though it's  
3       brown. And I don't mean just leased.

4                   MR. LEVY:        Again, I'd like t  
5       hold any discussion until we get into it.

6                   MR. PEREZ:       I'm trying to  
7       justify my thinking.

8                   MR. TURNER:     Any other new  
9       business?

10                  MR. LEVY:        Yes, I've got some  
11       new business that I need to discuss with  
12       you, a significant one as a matter of fact.  
13       I don't know how many of you are familiar  
14       with Sherry W. Goodman, she is the deputy  
15       under secretary of defense for  
16       environmental security. She is the most  
17       senior individual within the Department of  
18       Defense that relates to environmental  
19       matters. Also Mr. Ray Fatz who is  
20       assistant secretary of the Army for  
21       environmental -- safety, environment,  
22       health, and occupational health. It's the  
23       counterpart at the DA level, plus there are

NOBLE & ASSOCIATES  
P.O. BOX 1437  
ANNISTON, ALABAMA 36202  
PHONE: (205)238-0593

1       some other folks that are coming in. Miss  
2       Goodman has expressed a desire to spend  
3       some time with the RAB. She is going to be  
4       down here on the 25th. She recommended  
5       that we have a reception and dinner at the  
6       club. Really this is a great opportunity  
7       for you to talk to a very senior, very  
8       senior member within the Department of  
9       Defense. I would like to see if we  
10      couldn't get you all to participate in that  
11      on the 27th.

12                               MR. BROWN:       Of June?

13                               MR. LEVY:        Of June, yes. I  
14      know it's short notice. It would be that  
15      evening, that Thursday evening, we'd try t  
16      get some letters out on it or even some  
17      invitations out on it. If we could bring  
18      that up as an item right now. She's very  
19      interested in RAB's, very interested in  
20      RAB's, and she really very much wants to  
21      talk with the members especially since we  
22      are just starting out as a RAB, and I'd  
23      really like to see everybody participate in

NOBLE & ASSOCIATES  
P.O. BOX 1437  
ANNISTON, ALABAMA 36202  
PHONE: (205)238-0593



1                   that if possible. Certainly you could  
2                   bring things to her as well.

3                               MR. REEDY:       Plus it's an  
4                   opportunity for a free dinner.

5                               MR. LEVY:       No, no, it is not.  
6                   What would happen, I'm sorry, there is no  
7                   money for us to do that, is that we would  
8                   have an open bar and then maybe a buffet  
9                   where you pay as you go type thing. I'm  
10                  afraid that's the best I can do. I cannot  
11                  use DoD funds to support the eats. As it  
12                  is, you've got to know that I've paid for  
13                  all this soda and cookies out of my own  
14                  pocket. And members of the LRA would be  
15                  part of that as well as the base closure  
16                  team folks. So it's a great opportunity to  
17                  talk to a very senior member within the  
18                  Department of Defense about environmental  
19                  issues.

20                              MR. CONROY:   Sounds like a  
21                   great opportunity.

22                              MR. LEVY:       I don't know of  
23                   very many people that can talk to such a

NOBLE & ASSOCIATES  
P.O. BOX 1437  
ANNISTON, ALABAMA 36202  
PHONE: (205)238-0593

1       senior member. Can we take a vote?

2                               MR. TURNER:     Take a vote on  
3       what?

4                               MR. LEVY:       On who will  
5       attend.

6                               MR. TURNER:     My calendar and  
7       wife permitting, I'll be there.

8                               MR. LEVY:       Can I get an idea  
9       of who would attend that just by a show of  
10      hands?

11                              MR. KIMBROUGH:   Do you have  
12      any idea what time?

13                              MR. LEVY:       In the evening,    I  
14      would say around 6:30 or so. One more  
15      time, could I see your hands? Good.

16                              MR. HARVEY:     You've got  
17      enough to set stuff up.

18                              MR. LEVY:       I'm going to start  
19      working on that, you'll here more from me.  
20      If you would, just mark your calendars for  
21      the evening of the 27th.

22                              MR. TURNER:     Any other new  
23      business? Is there a motion to adjourn?

NOBLE & ASSOCIATES  
P.O. BOX 1437  
ANNISTON, ALABAMA 36202  
PHONE: (205)238-0593

1 MS. LONGSTRETH: I move that

2 we adjourn.

3 MR. ELSER: Second.

4 MR. TURNER: Any opposition?

5 We are adjourned.

6 (Whereupon this meeting was concluded at

7 8:40 p.m.)

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

NOBLE & ASSOCIATES  
P.O. BOX 1437  
ANNISTON, ALABAMA 36202  
PHONE: (205)238-0593

1

2

## C E R T I F I C A T E

3

4

5

STATE OF ALABAMA )

6

CALHOUN COUNTY )

7

I, DONNA D. GALLAHAR, a Court Reporter

8

and a Notary Public in and for the State o

9

Alabama at Large, duly commissioned and

10

qualified, hereby certify that the within

11

stated meeting was by me reduced to

12

shorthand and afterwards transcribed upon

13

typewriter; and that the foregoing is a

14

true and correct transcript of the

15

aforementioned meeting.

16

I FURTHER CERTIFY that this meeting was

17

taken at the time and place in the

18

foregoing caption specified, and was

19

completed without adjournment.

20

IN WITNESS WHEREOF, I have hereunto set

21

my hand and affixed my seal at Anniston,

22

Alabama, on this the \_\_\_\_\_ day of

23

\_\_\_\_\_ 1996.

NOBLE &amp; ASSOCIATES

P.O. BOX 1437

ANNISTON, ALABAMA 36202

PHONE: (205) 238-0593

1

2

3

4

DONNA D. GALLAHAR

5

Notary Public in and for

Alabama at Large

6

7

8

My commission expires May 21, 1997.

9

10

11

12

13

14

15

16

17

18

19

20

21

**22****23**

NOBLE & ASSOCIATES

P.O. BOX 1437

ANNISTON, ALABAMA 36202

PHONE: (205)238-0593